

# HOUSE . . . . . No. 1378

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Paul R. Heroux***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to raising the standard of proof for juvenile defendants.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>1/17/2013</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>	

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By Mr. Heroux of Attleboro, a petition (accompanied by bill, House, No. 1378) of Paul R. Heroux and Tom Sannicandro relative to the standard of proof for juvenile defendants. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act relative to raising the standard of proof for juvenile defendants.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 5. Section 5 of chapter 258E of the General Laws, as appearing in the 2010  
2 Official Edition, is hereby amended, in line 9, by inserting after the word "entered;" the  
3 following words:- However, if the defendant is 13 or younger, then the burden of proof  
4 necessary to issue a harassment protection order is clear convincing evidence, as opposed to  
5 preponderance of the evidence.