

HOUSE No. 1363

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Heroux

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.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>1/12/2015</i>
<i>Leah Cole</i>	<i>12th Essex</i>	<i>2/1/2015</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>	<i>1/29/2015</i>

HOUSE No. 1363

By Mr. Heroux of Attleboro, a petition (accompanied by bill, House, No. 1363) of Paul R. Heroux, Leah Cole and Benjamin Swan relative to the standard of proof for juvenile defendants. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1378 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

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.