



STONEHILL COLLEGE

To: Stonehill Campus Community

From: Thomas V. Flynn
Vice President & General Counsel

Re: Clarification on Massachusetts law regarding possession of a stun gun

Date: December 12, 2022

The purpose of this memo is to clarify the College's position on the possession of stun guns on the Stonehill College campus or any other property leased, rented, or controlled by the College.

Prior to 2018, the Commonwealth of Massachusetts prohibited non-law-enforcement officers from carrying a stun gun. A stun gun in Massachusetts is any portable device that uses an electrical current to incapacitate someone temporarily. In 2018, the Massachusetts Supreme Judicial Court ruled that a complete ban on the possession of a stun gun was unconstitutional.¹

In response the Massachusetts legislature enacted laws and regulations to address the acquisition and possession of stun guns. The following provides a summary of the law:

- Massachusetts makes no distinction between stun guns that deliver a direct contact electric shock or shoot darts attached to wires (i.e. Tasers).
- Civilians may buy and carry a stun gun if they have license to carry firearms, as long as the electronic device is in a shape that resembles a gun. The law specifically prohibits stun guns that do not look like guns (covert weapons).²
- Massachusetts prohibits people under 21 from getting a stun gun.
- Massachusetts also prohibits people from getting a stun gun similar to how it prohibits people from getting other firearms. For example, typically, if you have been convicted of a felony, violent crime, weapons violation, or domestic violence crime you may not possess a firearm in Massachusetts.
- Massachusetts also requires that any stun gun be stored in a locked container.

Under Stonehill College policies, the College does not allow the possession of stun guns or any other firearms on its campus³ or any other property under its control. A violation of the law or College policy may result in disciplinary action up to and including dismissal from the College as a student or termination of employment.

¹ Ramirez v. Commonwealth, 94 N.E.3d 809 (Sup. Jud. Ct. Mass 2018).

² M.G.L. ch. 140, §§ 121, 131, 131J, 131L

³ Except in limited circumstances by other law enforcement officers and licensed private security officers, and only then with the permission of the Chief of Police. Stonehill Policies S1.24 Weapons.