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**TESTIMONY ON 26-H 7650 and 26-H 8072,
RELATING TO CRIMINAL OFFENSES -- WEAPONS
April 8, 2026**

This legislation would eliminate a current state ban on the possession of “stun guns” and establish penalties for their illegal use. The ACLU of Rhode Island offers the following brief general comments on these bills.

First, we agree that the state’s current ban on the possession of “stun guns” is likely unconstitutional. The U.S. Supreme Court’s ruling in *Caetano v. Massachusetts*, 577 U.S. 411 (2016), and the Massachusetts Supreme Judicial Court’s subsequent decision in *Ramirez v. Commonwealth*, 94 N.E.3d 809 (Mass. 2018), appear to lead to this conclusion. However, we take no position at this time on the standards that should be in place to regulate this weapon.

However, we oppose the various penalty provisions that the bills would establish for their illegal use. Specifically, in a number of circumstances, a conviction would lead to the imposition of mandatory minimum sentences. Mandatory minimum sentences are, in our view, contrary to basic principles of judicial discretion and due process and should be summarily rejected.

We also oppose a provision in H-8072 which would bar any person ever convicted of a felony from possessing a stun gun. [Page 5, lines 26-29] For reasons expressed in our testimony today on H-8067, which would make it a crime for any ex-felon to possess a firearm, we oppose this separate provision as well and urge its deletion.

We appreciate the Committee’s consideration of our views.