



UNIVERSITY SYSTEM OF GEORGIA

SAFETY & SECURITY
270 WASHINGTON STREET, S.W.
ATLANTA, GEORGIA 30334

404-962-3157
BRUCE.HOLMES@USG.EDU
WWW.USG.EDU

Thursday, May 12, 2016

All USG Chief's, Directors of Public Safety,

Subject: Electroshock Weapons, O.C.G.A. §16-11-127.1, paragraph (19)

House Bill 792 was signed by Governor Deal May 3, 2016, which added the following paragraph to O.C.G.A. §16-11-127.1, permitting possession of certain electroshock devices:

"(19) Any person who is 18 years of age or older or currently enrolled in classes on the campus in question and carrying, possessing, or having under such person's control an electroshock weapon while in or on any building or real property owned by or leased to such public technical school, vocational school, college or university or other public institution of postsecondary education; provided, however, that, if such person makes use of such electroshock weapon, such use shall be in defense of self or others. The exemption under this paragraph shall apply only to such person in regard to such electroshock weapon. As used in this paragraph, the term 'electroshock weapon' means any commercially available device that is powered by electrical charging units and designed exclusively to be capable of incapacitating a person by electrical charge, including, but not limited to, a stun gun or taser as defined in subsection (a) of Code 26 Section § 16-11-106."

Following are responses to common questions asked based on the text of the code section paragraph above:

When does this change go into effect?

July 1, 2016

Does this apply to all USG colleges & universities?

Yes, it applies to all public postsecondary institutions to include property leased by the public institution. This includes USG & TCSG institutions.

What is an allowable electroshock weapon?

Any commercially available device designed exclusively to incapacitate a person by electrical charge. This includes "stun guns" and "tasers" as defined in O.C.G.A. § 16-11-106.

Who can have an electroshock weapon on campus?

- 1. Anyone 18 years of age or older; OR,*
- 2. Individuals currently enrolled in classes on the campus where the electroshock weapon is possessed.*

Subject: Electroshock Weapons, O.C.G.A. §16-11-127.1, (19)

Does an individual have to have a weapons permit to carry an electroshock device?

No

Can faculty and staff have electroshock weapons on campus?

Yes, if they are 18 years of age or older, or currently enrolled in classes on the campus.

Can resident students have electroshock weapons in their dormitory?

Yes, the language indicates that "while in or on any building or real property" of the institution, which includes leased properties of the institution.

Restrictions on use?

Electroshock weapon can only be used "in defense of self or others."

Can the college or university create policies to prohibit electroshock weapons on campus?

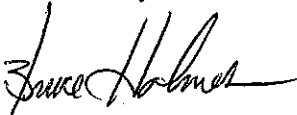
No

Does the electroshock device have to be concealed?

No, the code section does not specify carrying methods.

It is recommended that agencies review this change with officers and relevant campus personnel prior to July 1, 2016. In addition, related institution policies or procedures should be reviewed and updated as required, such as: residence life policies; student conduct policies; and public safety agency public information to include web pages, Annual Safety & Security Report, and agency policies and procedures. In addition, review 16-11-127.1, 16-11-130 (setting forth additional exceptions and circumstances for certain individuals allowed to carry firearms), and other related laws with officers and in comparison with existing procedures.

Sincerely,



Bruce Holmes
Chief of Police