

## Massachusetts Firearms Law Disqualifiers

All of the following crimes will disqualify a person from immediately obtaining an FID. However, if it is not a crime of violence, the person will be entitled to receive the FID after five years from the date of conviction or release from prison, probation or parole (whichever is longer). If this is the case, the person may only possess non-large capacity weapons with the FID card. On the other hand, if a person has been convicted (or if he or she admitted to sufficient facts to warrant a finding of guilt - even if the case was continued without a finding) of any of these misdemeanors, it will act as an automatic disqualifier for life from obtaining a LTC. In other words, if a person has been convicted of OUI he or she can never be issued a LTC in the Commonwealth.

Click on the chapter & section to read the complete MA General Law

*All updates are maintained by the [Commonwealth of Massachusetts](#)*

### DISQUALIFIERS FOR FID's & LTC's

The following partial list of offenses appear to meet the statutory criteria for violent crimes in Massachusetts.

**VIOLENT CRIME** shall mean any crime punishable by imprisonment for a term exceeding one year or any act of juvenile delinquency involving the use or possession of a deadly weapon that would be punishable by imprisonment for such term if committed by an adult: (1) that has an element the use, attempted use or threatened use of physical force or deadly weapon against the person of another, (2) that is burglary, extortion, arson or kidnapping, (3) that involves the use of explosives, or (4) that otherwise involves conduct that presents a serious risk of physical injury to another.

**All decisions with regard to this list are within the  
discretion of the Licensing Authority**

<b>Crimes Against The Person</b>	<b>Chapter &amp; Section</b>
Murder	<a href="#">c265 s1</a>
Manslaughter	<a href="#">c265 s13</a>
Simple Assault	<a href="#">c265 s13A</a>
Simple Assault & Battery	<a href="#">c265 s13A</a>
Indecent Assault & Battery on Child Under Fourteen	<a href="#">c265 s13B</a>
Assault & Battery to Collect Money	<a href="#">c265 s13C</a>
Assault & Battery on a Public Employee	<a href="#">c265 s13D</a>
Simple & Indecent Assault & Battery on a Mentally Retarded Person	<a href="#">c265 s13F</a>
Indecent Assault & Battery on Person 14 or Older	<a href="#">c265 s13H</a>
Assault or Assault & Battery on an E.M.T., Ambulance Operator or Ambulance Attendant	<a href="#">c265 s13I</a>
Wanton & Recklessly Permitting Injury to a Child	<a href="#">c265 s13J</a>
Assault & Battery on an Elderly or Handicapped Person	<a href="#">c265 s13K</a>
Mayhem	<a href="#">c265 s14</a>
Assault With Intent to Murder or Maim	<a href="#">c265 s15</a>
Assault & Battery by Means of a Dangerous Weapon	<a href="#">c265 s15A</a>
Assault by Means of a Dangerous Weapon	<a href="#">c265 s15B</a>
Attempted Murder	<a href="#">c265 s16</a>
Armed Robbery	<a href="#">c265 s17</a>
Assault While Armed With Intent to Rob or Murder	<a href="#">c265 s18</a>
Armed Assault in Dwelling House	<a href="#">c265 s18A</a>

Home Invasion	<a href="#">c265 s18C</a>
Unarmed Robbery	<a href="#">c265 s19</a>
Assault With Intent to Rob or Steal - Unarmed	<a href="#">c265 s20</a>
Stealing by Confining or Putting in Fear	<a href="#">c265 s21</a>
Carjacking	<a href="#">c265 s21A</a>
Rape and Aggravated Rape	<a href="#">c265 s22</a>
Rape of a Child by Force	<a href="#">c265 s22A</a>
Assault With Intent to Commit Rape	<a href="#">c265 s24</a>
Assault of Child With Intent to Commit Rape	<a href="#">c265 s24B</a>
Attempt to Extort Money by Threat	<a href="#">c265 s25</a>
Kidnapping	<a href="#">c265 s26</a>
Use of Poison With Intent to Kill or Injure	<a href="#">c265 s28</a>
Assault With Intent to Commit a Felony	<a href="#">c265 s29</a>
Interfering With Constitutional Rights - if bodily injury results	<a href="#">c265 s37</a>
Abuse of Patients in Long-Term Care Facilities	<a href="#">c265 s38</a>
Assault & Battery or Committing Property Damage to Intimidate	<a href="#">c265 s39</a>
Causing Injury in a Physical Exercise or Training Program	<a href="#">c265 s40</a>
Stalking	<a href="#">c265 s43</a>
Assault & Battery on Child Under Eighteen - Coercion to Join Gangs	<a href="#">c265 s44</a>
<b>Crimes Against Property</b>	
Arson of Dwelling or Aiding in Burning	<a href="#">c266 s1</a>
Willful and Malicious Burning of a Building/Arson of Non-Dwelling	<a href="#">c266 s2</a>
Burning Personal Property Over \$25 - Burning Motor Boats & Vehicles	<a href="#">c266 s5</a>
Burning Insured Property	<a href="#">c266 s10</a>
Failure to Report Hotel Fire	<a href="#">c266 s13A</a>

Burglary While Armed - Assault On Occupant	<a href="#">c266 s14</a>
Burglary - Unarmed	<a href="#">c266 s15</a>
Breaking & Entering With Intent to Commit Felony	<a href="#">c266 s16</a>
Entering in Nighttime Without Breaking, B&E Daytime Building, Ship, Vessel or Vehicle	<a href="#">c266 s17</a>
Entering Dwelling House in Night or B&E in Daytime Without Putting In Fear	<a href="#">c266 s18</a>
Larceny from a Common Carrier	<a href="#">c266 s30(1)</a>
Larceny from a Person Carrying on an Express Business	<a href="#">c266 s30(1)</a>
Larceny Under \$250 from an Elderly or Disabled Person	<a href="#">c266 s30(5)</a>
Shoplifting Over \$100	<a href="#">c266 s30A</a>
Obtaining Commercial Computer Service by Fraud	<a href="#">c266 s33A</a>
Receipt of Deposit by Insolvent Banking Institution	<a href="#">c266 s54</a>
Receiving Stolen Property Under \$250	<a href="#">c266 s60</a>
False Statement to Motor Vehicle Insurer	<a href="#">c266 s111B</a>
Obstruction of Medical Facility - Subsequent Offense	<a href="#">c266 s120E</a>
Wanton Destruction of Property Over \$250	<a href="#">c266 s127</a>
Destruction of Church or School Property	<a href="#">c266 s127A</a>
Destruction of Jail Property	<a href="#">c266 s130</a>
<b>Violation of a Restraining Order - 209A</b>	
Violation of a restraining order is a "violent crime" for the purposes of firearms licensing disqualification if in violating the order, the defendant caused the victim physical harm, or threatened or attempted to cause the victim physical harm, or placed the victim in fear of imminent serious physical harm, or caused the victim to engage in sexual relations by force, threat of force or duress.	

<b>Motor Vehicle Offenses</b>	
Operating After Suspension for OUI or MV Homicide	<a href="#">c90 s23</a>
Operating Under The Influence - After July 1994	<a href="#">c90 s24(1)</a>
MV Homicide While OUI or While Operating to Endanger	<a href="#">c90 s24(b)</a>
OUI With Serious Bodily Injury	<a href="#">c90 s24L(2)</a>
OUI on a Motor Boat	<a href="#">c90B s8(a)</a>
OUI on a Motor Boat With Serious Bodily Injury	<a href="#">c90B s8A(2)</a>
Homicide by Vessel While OUI or While Operating to Endanger	<a href="#">c90B s8B(2)</a>
Carrying Under The Influence - Loaded Firearm	<a href="#">c269 s10H</a>