

DEPARTMENT OF THE ATTORNEY GENERAL

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AG SHIKADA JOINS GROUP OF 20 ATTORNEYS GENERAL SUPPORTING FEDERAL RULE TO HELP STOP OF THE FLOW OF GHOST GUNS & PROTECT COMMUNITIES

HONOLULU – Attorney General Holly T. Shikada joined a group of 20 Attorneys General in filing a friend of the court brief supporting the federal government's efforts to regulate "ghost guns": unserialized, untraceable weapons that are often made at home and purchased without background checks.

The new federal rule to regulate ghost guns—issued by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)—will require that buyers pass background checks before purchasing weapon parts kits, and that law enforcement officers can trace self-made guns that are later used in a crime.

"Hawai'i has a law restricting the possession, manufacture and procurement of ghost guns, however more needs to be done to regulate these untraceable firearms to maintain the safety of the public," Attorney General Shikada said. "We support our federal partners in their efforts in creating common sense rules to address this serious problem."

Absent federal enforcement, these dangerous weapons have continued to proliferate, including in states that have tried to regulate ghost guns themselves. The ATF's Final Rule helps curb this problem by serving as a vital backstop to existing state efforts to stem the flow of ghost guns.

The ATF's Final Rule regulates ghost guns by clarifying critical definitions in the Gun Control Act. Specifically, the Final Rule makes it clear that weapon parts kits and partially complete frames or receivers—the key building blocks for ghost guns—are "firearms" under the Act if they can be readily converted to function as a firearm. In making this sensible clarification, the Final Rule helps ensure that these kits and partially complete frames or receivers are subject to the same serialization and background check requirements as conventionally manufactured guns. This helps close a dangerous loophole in firearms regulation that has enabled people to evade existing gun laws and get their hands on these dangerous weapons.

A copy of the brief is here.

Department of the Attorney General News Release 2022-31 Page 2

District of Columbia Attorney General Karl Racine, New Jersey Attorney General Matt Platkin, and Pennsylvania Attorney General Josh Shapiro led the amicus brief and were joined by Attorneys General from California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, New York, North Carolina, Oregon, Rhode Island, Washington, and Wisconsin.

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