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**ATTORNEY GENERAL LOPEZ URGES U.S. SUPREME COURT TO PROTECT
PUBLIC SAFETY AND VICTIMS OF DOMESTIC ABUSE IN SECOND AMENDMENT
CASE**

FOR IMMEDIATE RELEASE

August 23, 2023

HONOLULU – Attorney General Anne Lopez has urged the U.S. Supreme Court to reverse a lower court’s decision striking down a federal statute barring individuals subject to domestic violence restraining orders from accessing guns.

Attorney General Lopez joined a coalition of 25 attorneys general in filing an amicus brief in support of the federal government in the Supreme Court case, *United States v. Rahimi*.

Federal law bars people subject to domestic violence restraining orders from possessing firearms. The defendant in *Rahimi*—who was under a domestic violence restraining order issued by a state court in Texas for assaulting his girlfriend—challenged the statute on the ground that it violates the Second Amendment of the U.S. Constitution. The United States Court of Appeals for the Fifth Circuit issued an opinion earlier this year agreeing.

Attorney General Lopez and the coalition are asking the Supreme Court to overrule the lower court and restore the federal law.

“The federal law at issue in this case is vital to protect victims of domestic violence,” said Attorney General Lopez. “Preventing people subject to domestic violence restraining orders from possessing firearms, when the presence of a firearm increases risk to domestic violence victims, is a common-sense measure that responds to established threats to public safety. The Fifth Circuit’s decision striking down this law

relied on a misguided historical analysis from a time when the law failed to recognize women as equal citizens.”

In addition to the federal law, nearly every state in the country has enacted a law limiting access to firearms for those subject to domestic violence restraining orders. Attorney General Lopez and the attorneys general argue that the appeals court ruling puts at risk domestic violence victims who may be harmed or killed by their abusers. In addition, the ruling hamstrings both the federal government and states in their efforts to protect their residents’ safety.

Attorney General Lopez and the attorneys general argue that statutes of this sort are both constitutional and lifesaving. Studies have shown that such measures reduce homicides of both intimate partners and law enforcement officers. An abuser is five times more likely to murder his or her intimate partner if a firearm is in the home. In the United States, 80% of these homicide victims are women, and pregnant women and women of color are disproportionately the targets of intimate partner violence.

The brief is Attorney General Lopez’s most recent action to address gun violence throughout Hawai’i and across the nation. In Hawai’i, [Act 52](#)—a measure relating to firearms—was signed into law on June 2, 2023. Attorney General Lopez is defending various Hawai’i firearms laws in court, including portions of Act 52 and state laws prohibiting assault pistols and large-capacity magazines.

Attorney General Lopez is joined on the brief by the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, the Commonwealth of the Northern Mariana Islands, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and Wisconsin. The chief state’s attorney of Connecticut also joined this brief.

A copy of the brief can be found [here](#).

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