



**DEPARTMENT OF THE ATTORNEY GENERAL**  
**KA 'OIHANA O KA LOIO KUHINA**

**JOSH GREEN, M.D.**  
GOVERNOR  
KE KIA'ĀINA

**ANNE LOPEZ**  
ATTORNEY GENERAL  
LOIO KUHINA

News Release 2024-08

**ATTORNEY GENERAL LOPEZ HAILS HAWAII SUPREME COURT DECISION  
UPHOLDING CONSTITUTIONALITY OF "PLACE TO KEEP" FIREARMS LAWS**

**FOR IMMEDIATE RELEASE**

February 7, 2024

HONOLULU – Attorney General Anne Lopez today praised the Hawaii Supreme Court for its decision to uphold the constitutionality of state “place to keep” firearms laws, which generally prohibit carrying a firearm in public unless licensed to do so.

In a unanimous opinion authored by Justice Todd Eddins in *State v. Wilson*, the Court reaffirmed that under the Second Amendment, “States retain the authority to require that individuals have a license before carrying firearms in public.” Moreover, the court explained that because the defendant in this litigation “made no attempt to get a license, he cannot claim the law’s application procedures are unconstitutional as applied to him.”

The Hawaii Supreme Court also rejected the suggestion that the Hawaii Constitution independently bars the state of Hawaii from enacting and enforcing important gun-safety legislation at the state level. The court explained that “the Hawaii Constitution does not afford a right to carry firearms in public places for self defense.” The court noted that the words of the Hawaii Constitution confer a right to “keep and bear arms” in the context of a “well-regulated militia.” This language—read in light of Hawaii’s long history of protective firearms laws—excludes an individual right to carry deadly weapons in public under the Hawaii Constitution.

“This is a landmark decision that affirms the constitutionality of crucial gun-safety legislation,” said Attorney General Lopez. “Gun violence is a serious problem, and commonsense tools like licensing and registration have an important role to play in addressing that problem. More broadly, Justice Eddins’ thoughtful and scholarly opinion for the court provides an important reminder about the crucial role that state courts play in our federal system.”

“We congratulate our friends and partners at the Department of the Prosecuting Attorney for the County of Maui for their work on this important case,” said Attorney General Lopez.

The case is *State of Hawaii v. Wilson*, SCAP-22-0000561. A copy of the Hawaii Supreme Court opinion can be found [here](#).

###

**Media Contacts:**

Dave Day  
Special Assistant to the Attorney General  
Office: 808-586-1284  
Email: [david.d.day@hawaii.gov](mailto:david.d.day@hawaii.gov)  
Web: <http://ag.hawaii.gov>

Toni Schwartz  
Public Information Officer  
Hawai'i Department of the Attorney General  
Office: 808-586-1252  
Cell: 808-379-9249  
Email: [Toni.E.Schwartz@hawaii.gov](mailto:Toni.E.Schwartz@hawaii.gov)  
Web: <http://ag.hawaii.gov>