



**STATE OF HAWAII**  
*KA MOKU 'ĀINA O HAWAII*

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**U.S DISTRICT COURT UPHOLDS HAWAII'S AGE-BASED FIREARMS  
ACQUISITION LAW**

News Release 2025-17

**FOR IMMEDIATE RELEASE**  
February 7, 2025

HONOLULU – The U.S. District Court for the District of Hawaii today upheld Hawaii's firearm age restriction laws, denying a motion for a preliminary injunction in a Second Amendment case, [Elijah Pinales, et.al. v. Anne E. Lopez, No. 24-00496 JAO-WRP](#).

A state law in effect since 1994 prohibits anyone under the age of 21 from acquiring a firearm, with certain exceptions for hunting and other purposes. Hawaii also prohibits those under 21 from acquiring firearm ammunition. All states and the federal government impose restrictions on the age at which a person can purchase or possess a gun, with many of these laws setting the cut off at 21.

Last year, a national pro-gun advocacy group, two firearms dealers, and two individuals under the age of 21 sued Attorney General Lopez in federal court in Honolulu, arguing that Hawaii's age-restriction laws violate the Second Amendment. These plaintiffs also filed a motion for a preliminary injunction, which, if granted, would have immediately suspended the laws and permitted the plaintiffs to acquire firearms and ammunition.

In her decision denying the plaintiffs' motion, United States District Judge Jill A. Otake ruled that the plaintiffs had failed to demonstrate that they are likely to succeed on their constitutional challenge and had failed to show that enjoining the state's age-restriction laws would serve the public interest.

Among other things, Judge Otake agreed with the state that "there is a strong historical tradition in this country of restricting the type of arms that people under 21 years old may keep and bear," and that the plaintiffs had not demonstrated that the state's current laws are inconsistent with that principle. Citing to the state's evidence demonstrating why allowing people under 21 to acquire firearms would pose a public safety concern, Judge Otake ultimately declined to enjoin Hawai'i's "long-standing age restriction that the State has concluded best protects the public."

The judge's decision also went on to state that "this order in no way affects the ability of people under 21 to use firearms in accordance with the State's law, which allows for several exceptions." (See Haw. Rev. Stat. §134-5).

Deputy Solicitors General Ewan Rayner and Thomas Hughes represented the state in this case.

"Hawai'i's gun laws protect public safety and save lives," said Deputy Solicitor General Ewan Rayner. "Today's decision confirms that the state's age limit on acquiring a firearm, which has been in effect for over 30 years, is consistent with a long history of keeping dangerous weapons out of the hands of our youths.

"We are pleased with the district court's opinion and will continue to defend against efforts to weaken Hawai'i's common-sense firearms laws," said Deputy Solicitor General Thomas Hughes. "We are also particularly grateful to our co-counsel from both Brady United Against Gun Violence and Davis Levin Livingston for contributing invaluable support and expertise on a tight schedule."

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