

Tom Ahearne's Pro Bono Work Upholds State's Gun Control Laws

Pro Bono Highlight
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Foster Garvey Newsroom

The president of the NAACP's Alaska/Oregon/Washington Conference recently texted the following message to [Tom Ahearne](#) (Principal, Seattle): "You are a part of history again!!! Thank you for taking the lead on our Amicus brief and making Washington safer."

The "again" relates to Tom's successful advocacy in high-profile election, constitutional law and civil rights cases over the years. This particular "making Washington safer" thank you was for Tom's most recent work: his amicus brief on behalf of the Pacific Northwest's NAACP conference supporting the constitutionality of the Washington statute that bans the sale and manufacture of bullet magazines that hold more than 10 bullets.

The underlying case arose when a firearms dealer (Gator's Custom Guns) filed a lawsuit claiming that this Washington statute must be struck down because it violates the constitutional right to bear arms. A Cowlitz County Superior Court judge agreed – and accordingly struck down this Washington statute. The Washington Attorney General appealed, and the regional NAACP conference recruited Tom to write and file an [amicus brief](#) supporting our Attorney General's appeal.

As his supporting brief to the Washington Supreme Court explained, the national NAACP supports national legislation banning such multi-bullet magazines because in mass shootings, those high-capacity magazines disproportionately kill and devastate people living in marginalized communities. The Pacific Northwest's NAACP Conference similarly concluded that it was important to support Washington State's legislation in this case, too.

Contact

Thomas F. Ahearne

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Much of the back-and-forth Supreme Court briefing in this appeal focused on ivory tower academic nuances akin to the old “how many angels can dance on the head of a pin” debates. The amicus brief, in contrast, emphasized to the Justices on the Washington Supreme Court that the Washington citizens most disproportionately impacted by mass shootings are not academics living in ivory towers. Instead, the people who would disproportionately bear the literal life-or-death impact of the Supreme Court’s ruling would be individuals living in the State’s marginalized communities. Based on the corresponding legal arguments presented, the amicus brief argued that the Washington’s statute that Gator’s Custom Guns challenged is, in fact, constitutional. A multi-bullet magazine does not fall within the legal definition of a protected “arm” under the constitution.

In May 2025, the Washington Supreme Court agreed. The Court held that the Washington statute that bans the sale and manufacture of bullet magazines that can hold more than 10 bullets is constitutional, and accordingly, reversed the [Cowlitz County Superior Court’s ruling to the contrary](#).

Tom is proud to have successfully joined forces with the NAACP’s Alaska/Oregon/Washington Conference to, in the previously quoted words of that conference’s President, take the lead in making Washington safer.

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