



Written by [Bob Adelman](#) on July 6, 2023

Following Monday Night's Shooting, Philadelphia Sues 'Ghost Gun' Suppliers

Two days after the shooting in Philadelphia that resulted in the deaths of five people, city officials [have filed lawsuits against two "ghost gun" parts suppliers](#).

The only link was subjective: The shooter used a firearm made up of polymer parts that didn't have registration numbers. There was no claim that those parts came from the suppliers. There was no claim that the suppliers violated any laws. The move was political from the start.

Claimed Philly Mayor Jim Kenney:

These untraceable weapons pose a dire threat to our public health and safety and are often used to inflict violence.

We are holding these distributors accountable for supplying those guns into our streets and for the havoc they have wreaked in Philadelphia communities.



Zachary Thomas/iStock/Getty Images Plus

There is no law against "supplying" polymer parts in Philadelphia. There is no law against a private individual purchasing these parts. There is no law against that person assembling, on his own, those parts into a usable firearm. From the beginning of the Republic, private citizens have been making their own firearms for their own purposes.

Where is the crime?

Lawyers for the city are going to discover just how untenable this blatant political attack on those suppliers is. First is the history just recited.

Second is the Supreme Court ruling in *District of Columbia v. Heller* in 2008, holding that the Second Amendment protects an individual right to possess a firearm.

Third, the Supreme Court amplified that ruling in *McDonald v. City of Chicago* in 2010, holding that the right to keep and bear arms for self defense in one's home is protected under the Second Amendment and, further, is incorporated against states such as Pennsylvania through the Due Process Clause of the 14th Amendment.

In addition, the high court's ruling in *New York State Rifle & Pistol Association, Inc. v. Bruen* in 2022 not only held that the Second Amendment protects an individual's right to carry a handgun for self-



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defense outside the home, but it changed how states must justify infringements of the Second Amendment. Governments seeking to infringe must show the “historical tradition” of the proposed infringement in order to override the Second Amendment.

Those lawyers are also going to have to overcome recent lower-court rulings against the ATF which sought to ban pistol braces and bump stocks, and redefine receivers (whether metal or plastic) as fully functional firearms.

The shooter, being held without bail, remains innocent until proven guilty. The same applies to Polymer80, Inc. and JSD Supply, the targets of the city of Philadelphia for somehow being a “dire threat” to the community without being charged with a specific crime.

Related article:

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