

The Danger of Ghost Guns

The rise of ghost guns is the fastest growing gun safety problem facing our country: The unregulated and untraceable nature of ghost guns isn't incidental—it's their primary selling point—and they are predictably emerging as a weapon of choice for violent criminals, gun traffickers, dangerous extremists, and other people legally prohibited from buying firearms.

- Approximately **10,000 ghost guns** were recovered by law enforcement in 2019, according to an ATF estimate.¹
- **Thirty percent** of guns recovered by ATF in California are unserialized, according to a 2019 report.² One official cited an even higher recovery rate at the local level, stating that **forty-one percent** of ATF's cases in Los Angeles involved a ghost gun.³
- In 2020 alone, the Los Angeles Police Department recovered more than **600 ghost guns** in, at least **231** of which were used in **serious or violent crimes** such as murder and attempted murder, kidnapping, and carjacking, and 145 of which were recovered from felons who are prohibited from owning or possessing firearms.⁴
- Philadelphia began tracking ghost gun collections in the fall of 2018 and recovered 13 ghost guns the remainder of that year. In 2019, however, the number of recovered ghost guns in Philadelphia **shot up to 95**.⁵

Ghost guns have been used in many heinous crimes. The following incidents provide important examples of why comprehensive federal action on ghost guns is crucial.

- In California, before the state began regulating ghost guns, a 16-year-old student shot and killed two of his classmates and shot and wounded three others with a ghost gun.
- In 2017, a California man prohibited from having guns attempted to purchase a gun but was blocked from doing so when he failed a background check. He then built two AR-15 style ghost guns, which he used to shoot and kill five people and wound 18 more on a college campus.⁶
- In 2018, a man prohibited from having guns used a ghost gun he built from parts he bought online to shoot four people at the software company where he worked in Middleton, Wisconsin.⁷

¹ Zusha Elinson, "Ghost-gun Company Raided by Federal Agents," Wall Street Journal, Dec. 11, 2020, <https://on.wsj.com/3h1mPlZ>

² Stephens, "Ghost Guns Are Everywhere in California."

³ Brandi Hitt, "Ghost Guns' Investigation: Law Enforcement Seeing Unserialized Firearms on Daily Basis in SoCal," ABC7 Los Angeles, January 30, 2020, <https://abc7.com/5893043/>.

⁴ Brief of Amicus Curiae from Prosecutors Against Gun Violence, p. 13, City of Syracuse, NY, et al., v. Bureau of Alcohol, Tobacco, Firearms and Explosives, (2020).

⁵ Mensah M. Dean, Ghost Guns Proliferate as Philadelphia Grapples with Gun Violence, Phila. Inquirer, <https://bit.ly/2Ru19UQ> (last updated Mar. 13, 2020).

⁶ Andrew Blankstein, Corky Siemaszko, "California mass shooter made his own rifles," NBC News, <https://nbcnews.to/33gKYgr>.

⁷ Chris Aadland, "WTS Paradigm gunman exploited loopholes to buy parts for gun used in shooting, DA says," Wisconsin State Journal, Jan 8, 2019, <https://bit.ly/3unhA42>.

- In Pennsylvania, an 18-year-old exchange student went online and purchased all the parts he needed to make a ghost gun. This was only discovered after he made a threat to “shoot up” his high school.⁸

Law enforcement leaders have been raising alarms over the effect ghost guns are having on public safety.

- “This is an emerging trend that is just continuing to increase,” Bill McMullan, then-special agent in charge of the ATF’s Los Angeles Field Division, said during a press conference in 2017. “Criminals are making their own weapons because they’re not able to buy them legally.”⁹
- In New York State, the Onondaga County District Attorney warned that the county “has seen a significant increase in the possession and use of ‘ghost guns,’ with over 2 dozen confiscated or secured by our local police agencies and the state police in the last year.”¹⁰
- Toniann Rebick, a criminalist with the San Diego Police Department, recalled being surprised when the first ghost gun that came across her desk, “[t]hen a few weeks later, I had another one. All of a sudden these are common.”¹¹
- “We work so hard in ensuring that individuals pass background checks and are responsible gun owners,” said Eddie Garcia, the chief of the San Jose Police Department. “And that really gets thrown out the door when you have individuals that can just make a homemade gun.”¹²
- “Ghost guns are quickly becoming the weapon of choice for criminals and fueling the gun violence epidemic. These DIY gun kits should be subject to the same background checks and qualifications as fully functioning firearms to prevent criminals who are not legally able to purchase or possess guns from getting their hands on these deadly, untraceable weapons.” said Pennsylvania Attorney General Josh Shapiro.¹³
- “The ATF’s interpretation of the law,” said Maryland Attorney General Brian E. Frosh, “allows criminals who cannot pass a background check to obtain untraceable firearms. It is a flat-out danger to law abiding Americans.”¹⁴

⁸ US Department of Justice, US Attorney’s Office for the Eastern District of Pennsylvania, “Taiwanese Exchange Student Who Threatened to Shoot Up School Sentenced on Federal Ammunition Charge,” press release, November 19, 2019, <https://bit.ly/2Tvig62>.

⁹ Dennis Romero, “Officials across the Country Fear a New Era of Untraceable Firearms,” NBC News, August 1, 2018, <https://nbcnews.to/2VziWdy>.

¹⁰ Douglass Dowty, “DA: Syracuse Man Shot 6-Year-Old Nephew with Untraceable ‘Ghost Gun,’” Syracuse.Com, January 6, 2020, <https://bit.ly/2wdXnV8>.

¹¹ Alain Stephens, “Ghost Guns Are Everywhere in California,” The Trace, May 17, 2019, <https://bit.ly/2T5YAGW>.

¹² Stephens, “Ghost Guns Are Everywhere in California.”

¹³ “AG Shapiro, PA Largest Gun Show Promoter Reach Agreement To Ban Sale of Ghost Gun Kits,” Office of the Attorney General of Pennsylvania, press release, March 15, 2021, <https://bit.ly/3hhukpl>.

¹⁴ Tom Jackman, “Attorneys general in D.C., Md. and Va. support lawsuit demanding ATF regulate ‘ghost guns,’” Washington Post, Dec. 24, 2020, <https://wapo.st/3vN8e1B>.