**Landmark U.S. Supreme Court Case Study**

*District of Columbia v. Heller* | 2007 | Page One

Adapted from Oyez.org <http://www.oyez.org/cases/2000-2009/2007/2007_07_290>, Time.com [http://www.time.com/time/specials/packages/article/0,28804,2036448\_2036452\_2036455,00.html](http://www.time.com/time/specials/packages/article/0%2C28804%2C2036448_2036452_2036455%2C00.html),

and Law.com <http://cases.laws.com/dc-v-heller>

**Essential Question of the Case:**

Do sections of the District of Columbia Code violate the Second Amendment?

**Background**

After the District of Columbia (D.C.) passed legislation barring the registration of handguns, requiring licenses for all pistols, and mandating that all legal firearms must be kept unloaded and disassembled or trigger locked, a group of private gun-owners, including a security guard named Dick Anthony Heller, sued the District of Columbia claiming the laws violated their Second Amendment right to bear arms. The federal trial court in Washington D.C. sided with the District of Columbia and stated that the Second Amendment applies only to militias such as the National Guard and not to private gun ownership.

The U.S. Court of Appeals for the District of Columbia Circuit disagreed, voting two to one that the Second Amendment does protect private gun owners.

**Constitutional Principle Related to the Case**

**2nd Amendment** A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

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**Decision & Impact**

*District of Columbia v. Heller* was the first U.S. Supreme Court case to decide whether the Second Amendment protects an individual’s right to keep and bear arms for self-defense. Some consider this case to be the most important government statement regarding guns in the U.S. since the Second Amendment was ratified in 1791.

In a 5-4 decision, the Court determined that the Second Amendment protects an individual’s right to possess a firearm unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense within the home. The Court based its decision on the text of the Second Amendment, as well as language in state constitutions adopted soon after the Second Amendment.