

AKTI Polling State Attorneys' General

AKTI is currently evaluating and organizing responses to the following letter sent to all 50 state Attorneys' General. As of August 15, we have received responses from 11 of them. You will find the summarized responses located after the sample letter.

May 30, 2003

The Honorable Lisa Madigan
Office of Attorney General
500 S Second St
Springfield, IL 62706

Dear Attorney General Madigan:

Are prosecutors and the law enforcement community in your state clear and consistent about how to measure a knife blade?

The American Knife & Tool Institute's research on knife-related laws across the country reveals that various states and even cities apply a wide range of blade length standards in their laws and regulations. California, for instance, allows some classes of knives with blades

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of 2 inches or less to be legally carried; other classes of knives can be legally carried there with longer blades. Various states use blade measurements of 2 1/2, 3, 3 1/2, and 4 inches in their statutes. The city of Boston has developed knife laws that focus on a blade length of 2 1/2 inches.

One of AKTI's four stated goals is ... "to encourage sensible knife legislation and responsible law enforcement." As a service to law enforcement and lawmakers, AKTI is currently researching protocols for measuring knife blades. If

your state has developed such a protocol ... whether it is measuring the length of the cutting edge or perhaps measuring the distance from the blade tip to the center of the blade where it meets the handle ... we would appreciate receiving a copy.

We plan to collect this information, organize it, then distribute it back to the U.S. law enforcement community and interested knife owners.

If it appears that very little has been done on the methodology of measuring knife blades, we will ask responsible members of the U.S. knife industry and members of the law enforcement community to help develop an acceptable protocol.

Thank you in advance for any input you could provide.

Sincerely,
David Kowalski
AKTI Communications Coordinator

Here are representative responses:

Oklahoma ... their Attorney General replied that ... "our office is not allowed by law to do legal research or represent or give advice to private citizens." [Ed. Note - this is generally the case in most states. The office of Attorney General gives legal advice only to state agencies and individuals.]

Texas ... referred AKTI to the Texas Department of Public Safety for help researching state statutes and codes.

New Hampshire ... "has not developed specific laws in this area."

Rhode Island ... is typical of many states that have length standards but no measuring protocol. They have a statute pertaining to carrying a knife during commission of a crime (11-47-59) that forbids committing any crime of violence while possessing ... "a knife with a blade

James Furgal, Michael Jones elected as new AKTI officers

June 12, 2003 — James Furgal, president of Camillus Cutlery Company, Camillus, NY, was elected the new president of the American Knife & Tool Institute at the AKTI Executive Committee Meeting today prior to the 2003 Blade Show in Atlanta. Furgal replaces CJ Buck, who remains on the Executive Committee.

The election of Furgal represents a new milestone in the six-year history of AKTI. From its inception in January 1998, AKTI's president has been a member of the founding Board of Regents. However, the growth of the organization resulted in a motion at the June 2003 meeting to expand the pool of officers to include all Advisory Members, as well as the Board of Regents. Furgal, who has been a member of AKTI since March 1999, was then nominated and elected to fill a two-year term ending in June 2005.

Michael Jones of Gerber Legendary Blades, Portland, Oregon, was elected vice president/treasurer. He will serve until June 2005, when he would become president.

Attorneys' General

more than three (3) inches long.” But they provide no instruction on how to make that measurement, leaving a large margin for discretion and interpretation.

Wisconsin ... understood the intent of the AKTI letter focusing on how to make blade measurements. An Assistant Attorney General in the Criminal Litigation Unit replied ... “To my knowledge, our state has not developed such a protocol.”

Illinois ... made the same implied

admission. “We appreciate your comments and calling this matter to our attention.”

Kentucky ... does not have any knife bans based on blade length; they focus on type of knife.

North Carolina ... forwarded a 38-page booklet on its Firearms Laws. It prohibits ballistic knives and switchblade knives. But it does allow an exception to the Federal Switchblade Act ... “for a switchblade knife with a blade three inches or less in length possessed by a person with one arm.” However, they have no

blade measuring protocol.

Hawaii ... prohibits dirks, daggers, butterfly knives and switchblades. The Senior Deputy Attorney General stated that ... “The legality of a knife in Hawaii is not determined by the dimensions of its blade, but by the kind of knife it is, and the way in which the knife is handled.”

Alabama ... the Assistant Attorney General stated that ... “To the best of my knowledge, we do not have in our state code an exact measurement to distinguish different knives. I have spoken to some law enforcement and prosecutors and they say there is only the anecdotal measurement that if a blade is ‘over 3 inches’, then it is subject to our concealed weapons law.”

California ... The Attorney General replied that ... “While there is no statute which specifically defines how a knife is measured, the California courts have addressed the issue.” He then refers to several different length prohibitions and refers to a 4th District appellate decision where ... “the court held that for purposes of Penal Code section 626.10, a blade is measured only by the sharpened portion of the blade and not by the entire knife. Presumably, that interpretation would apply to other Penal Code sections which regulate knives of designated lengths.” He then concludes with a very encouraging comment ... “I would request that when you have collected the information from other states, you send a copy of your report to [the] Special Assistant Attorney General.”

AKTI has clearly identified an area that is undoubtedly problematic for knife owners, prosecutors, law enforcement personnel and defense attorneys. The AKTI Executive Committee will now further review these responses and seek industry input and agreement on measuring protocols.

Take the AKTI Fork in the Road

David Kowalski, current AKTI Communications Coordinator (and former publisher of BLADE Magazine and director of the Blade Show), addressed the awards banquet attendees at the 2003 Blade Show in Atlanta, Georgia.

As Yogi Berra once said, ‘this feels like déjà vu all over again.’ Thank you to Steve Shackelford and Bruce Wolberg for the opportunity to update you visionary leaders of the knife industry on the work AKTI has been doing on your behalf.

June 2 marked a milestone in our six-year history of successes. Twelve days ago Florida Governor Jeb Bush signed a bill introduced by the Florida Cutlery Association that clarified the definition of a ballistic knife. That new definition can no longer be wrongly and arrogantly used to prosecute owners or sellers of automatic knives or even one-hand opening knives.

As of June 2, thousands of knife owners in Florida were no longer criminals. Responsible sellers could sell knives there again that had been openly sold for the last 30-40 years. Manufacturers could ship their models back into the state. In-state manufacturers didn’t have to bet their business on the hope they would stay under the radar of friendly law enforcement or face prosecution, confiscation and fines that would have surely put them out of business.

Thank you to all those who supported AKTI and the Florida Cutlery Association in the past two years. You helped us save the entire Florida knife market for everyone in this room.

I promised Steve Shackelford I would not violate the maxim that the mind can only absorb what the posterior can endure. So let me conclude by saying that the AKTI umbrella over the entire knife industry has gotten bigger. We have more corporate members than we have ever had. But we don’t have them all.

If you make knives, import knives, sell knives or own knives, we’re fighting for you.

Florida was not only about saving automatic knives. AKTI is not only about saving automatic knives.

AKTI is about saving all knives in every state up to the limit of our resources. Frankly, our resources are highly dependent on the corporate contributions of our members and future members in this room.

My promise is that we will use those contributions as efficiently as we can, as efficiently as our board directs them against a long and growing list of proposed laws and regulations across the country.

If you want to help set that direction and rate those priorities, become a member of our advisory board.

On behalf of Jim Furgal of Camillus, our new president and Mike Jones of Gerber, our new vice president/treasurer, I urge all of you to support AKTI to the full extent of your ability.

As our folk hero Yogi Berra said on another occasion ... ‘Whenever I came to a fork in the road, I took it.’

I ask all of you to take the AKTI fork in the road. It will help save your businesses today and tomorrow.

Thank you.

AKTI monitors legislation and regulations affecting knives in all 50 states through the StateNet service. However, members are urged to stay alert to potential knife issues at the city and county level and to report these issues to AKTI.

Has Schools' Zero-Tolerance Gone Too Far?

The policy of many school districts across the country, initially concerned about stopping various forms of assault and gang-violence in their schools, has been to adopt a blanket ban on knives of any size, shape, length or material on their premises or at sporting events. That policy against knife possession that allows no judgment or discretion, no review of intent, no exceptions of any sort, and often no due-process hearing, has become known as "zero-tolerance." It has taken plastic knives out of lunchrooms and given us "sporks" ... and far worse.

Witness these newspaper headlines spawned by "zero-tolerance" policies.

"Knife costs graduate her ceremony" - Atlanta Constitution (May 30, 2001).

"Boy suspended after taking knife to school for project" - Milwaukee Journal Sentinel (April 6, 2002).

AKTI received this recent plea:

"Help!!! My Harvard-bound honor student has been arrested on felony charge for having weapon in school" - Savannah, Georgia (April 2003).

The Atlanta Constitution report concerned a Fort Myers, Florida honor student suspended because a 5 1/2-inch serrated table knife was spotted in her car in the school parking lot by a deputy, who arrested her. Lindsay Brown was not allowed to participate in her graduation ceremony. She claims that she had been moving the previous weekend and the knife fell out of a box.

According to the article ... "Brown plans to attend Florida Gulf Coast University, where President William Merwin already has said that if she doesn't receive her state-sponsored scholarship because of her arrest, the university will raise money for her tuition."

In Madison, Wisconsin, Christian Schmidt, a 12-year-old straight-A student in Cherokee Middle School, was expelled for bringing a serrated table knife to school to peel an onion as part of a science project. He is facing a one-year expulsion.

An independent examiner, lawyer Norma Briggs, reviewed the case. The school district argued their zero-tolerance policy on weapons covered all instances. She stated the policy should be applied with "an ounce of common sense." When she ruled the boy should

be re-admitted to school under certain conditions, Joseph Hill, the district's expulsion coordinator, said the decision "sends the wrong message." The examiner's decision had to be affirmed or overruled by the school board within 30 days.

When John Johnson of Savannah, Georgia contacted AKTI, his daughter had been expelled from high school. An easy-opening knife was "discovered" in her backpack by a teacher searching through a group of bags for a banned ringing cellphone. The girl was charged with felony possession of a "switch-blade."

Johnson described his daughter as ... "over a 4.0 GPA student, Honor Soci-

ety member, Odyssey of the Mind Team (going to world competition), as well as a star athlete that consistently places first in her age bracket at state-level events. She was going to attend Harvard when she graduated, and has never had ANY problems in school, or outside of school. In a word, she is truly a 'golden child'."

Johnson's daughter (and a younger sister) will transfer to a private school. Savannah, Georgia public schools will reportedly reconsider their zero-tolerance policy for the future.

Is it time for your local school board to change its zero-tolerance policy to one that examines such questions on a case-by-case basis?

AKTI Celebrates Sixth Anniversary at the 2004 S.H.O.T. Show

YES, I will join AKTI and help support responsible knife use!

Give generously! Your membership dues help ...

- 1) Fight for your knife rights...as we did in California, in Boston, in Florida, wherever AKTI is needed!**
- 2) Communicate regularly with knife users and the editors of more than 50 outdoor publications!**
- 3) Work with AKTI state groups to organize meetings with their lawmakers.**

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I support AKTI with an additional contribution of \$ _____

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Check here if you prefer to not receive any possible additional mailings.

Note: Since the American Knife and Tool Institute, Inc. has filed as a 501(c)(6) not for profit tax status, dues may be deductible as a business expense, but not as a charitable contribution.



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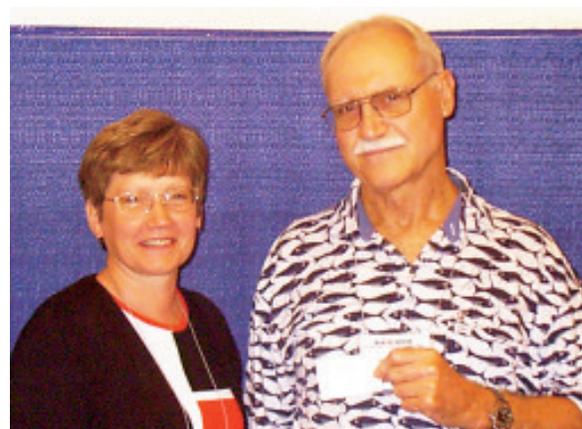
Web site: www.akti.org

Forum: go to www.akti.org and click on AKTI Forum or go to www.bladeforum.com or knifeforum.com

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Knife Industry
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Since January 1998**



Keeping Knives In American Lives



***First AKTI Life Member!** Jan Billeb (l.), AKTI Executive Director, thanks Goldie Russell, president of A. G. Russell Knives, at the 2003 Blade Show on becoming AKTI's first life member. AKTI recently approved life memberships for \$750. Steve Jernigan, a custom knifemaker, was also at the show and displays his membership card as AKTI's first Ambassador (individual) member.*