

## Proposed Michigan Ban on “Multi-bladed Devices” On Hold

Michigan bills introduced in Spring 2004 proposed to modify language in many sections of the Michigan Penal Code. Among other things, the bills (House Bill No. 5797; Senate Bill No. 1296) would have outlawed any “sharp-

edged, multibladed device with blades capable of being locked into place.” In another section of the bill, this same language was restated in a way that made it even more ambiguous and, ultimately in AKTI’s view, unenforceable.

Several groups and organizations, including the NRA, opposed the bill on multiple grounds. AKTI alerted three major Michigan knife clubs, as well as key knife suppliers in the state, asking them to contact key sponsors, committee heads and their local representatives. We also asked other affected knife owners, who might visit the state and be subject to prosecution, to register their concerns.

AKTI provided model letters for their use, as we do in all such instances. We also directed a letter to the sponsoring lawmakers and key committee heads. The text of the following letter expresses our concerns about poorly written legislation that would have made de-facto criminals of perhaps millions of unwitting, innocent residents and state visitors.

### AKTI Responds to Wisconsin “Rumor”

*AKTI was contacted in late August 2004 by a Texas manufacturer who was being threatened with his knives being pulled from a Midwest farm and outdoor retail chain. AKTI does not render legal opinions for either members or non-members (although we are developing a list of attorneys willing to consult with counsel hired by a defendant). In this case, we forwarded a letter to the manufacturer which may prove instructive to others in similar situations.*

Dear Sir:

Two of the goals of the American Knife & Tool Institute are to:

- 1) **To encourage sensible knife legislation and responsible law enforcement.**
- 2) **To educate young people about proper knife safety and the responsible use of knives.**

In support of those goals, AKTI monitors knife-related legislation, regulations and court cases in all 50 states.

We are not aware of any cited Wisconsin case related to assisted-opening knives. It is certainly possible that a local police officer expressed a personal opinion to a store clerk, who then passed his interpretation of that statement to his supervisor, who relayed his modified interpretation to his superiors, and so on.

While we do not render legal opinions, the only cited case that we are aware of nationally that involved a determination about assisted-opening knives was in Michigan in early 2003. We reported on it in our Spring 2003 News & Updates, as follows....

Michigan district court case declares

Kershaw “Speed Safe” model is not a switchblade

Waterford, Michigan — A Michigan jury decided that a defendant arrested for carrying a Kershaw “Speed Safe” Model #1560 was not in statutory violation of statute MCL 750.226a which prohibits carrying a “switchblade.” The defendant had all charges dismissed and the knife returned to him.

The case was in the Michigan District Court for the 51<sup>st</sup> Judicial District, Case 020062SM, decision rendered on January 21, 2003, in Waterford, MI.

Sincerely,  
(Signed) David D. Kowalski, AKTI Communications Coordinator

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*To outlaw “a sharp-edged, multibladed device with blades capable of being locked into place...” would also make criminals of users of “Swiss Army knives” and “multi-tools.”*

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July 1, 2004

Representative Virgil Smith  
House Office Building No. 686  
Lansing, MI 48909

RE: House Bill No. 5797 (Senate Bill No.

## Michigan Bills

1296) amending Sections 224 and 227 of Michigan Penal Code

Dear Representative Smith:

AKTI encourages you to vote against these bills. Among other things, they would make felons of millions of tourists and Michigan citizens who regularly carry typical folding knives every day. Small folding knives are used by law-abiding auto mechanics, carpenters, electricians, plumbers, sheet metal workers, truck drivers and virtually every union and non-union worker in the state, as well as recreational backpackers, bikers, campers, hikers, kayakers and every gardener in Michigan who uses a folding knife to prune the roses.

To outlaw "a sharp-edged, multi-bladed device with blades capable of being locked into place..." would also make criminals of users of "Swiss Army knives" and "multi-tools."

In addition, responsible manufacturers put a locking device on folding knives to keep the blade safely inside the handle when closed and to protect users from having it close on their fingers until they want to close it.

Rather than trying to regulate essential tools, AKTI encourages you to support maximum penalties for any criminal who uses a weapon in the commission of a crime.

Sincerely,

(Signed)

David D. Kowalski

AKTI Communications Coordinator

As of mid-July, these bills had both gone into committee and are not likely to come out. In fact, Senator Alan Cropsey, chairman of the Senate Judiciary Committee, forwarded a letter to AKTI Executive Committee Member A.G. Russell indicating that he could not support the bill because of its multiple unintended consequences if passed.

**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.**

# AKTI Remembers 9/11 Tragedy

September 11, 2004 ... We, the individual and corporate members of the American Knife & Tool Institute (AKTI), on this third anniversary of 9/11/01, remember that freedom always has a price....

We remember the more than 3,000 innocent victims of the 9/11 attack on civilians in New York and Washington. They paid a price dictated by assassins.

We remember those who died or were injured in immediate and later recovery efforts. They paid a price for heroism and compassion.

We remember those who gave of their time and personal resources to repair broken lives, broken families, broken cities, and help heal an assaulted nation. They paid a price, freely given.

We remember the meagerly armed and the unarmed passengers of Flight 93 who were forced to overpower would-be hijackers and save the intended victims at an unknown target. We applaud the heroism of these passengers but remember that we have made such future heroism even more unlikely. We have since mandated that freedom-loving people pay the price of putting similar self-defense efforts in the uncertain, uncaring, or incompetent hands of others.

Our nation was built on the urge to survive, explore and invent, and the necessity of self-defense, family defense, community defense and national defense.

We remember that this 9/11 chain of events was put in motion by a very clearly defined group of assassins, prompted and organized by a distant, defiant and predatory leader who remains in hiding. We are not playing a childhood game of hide-and-seek where the hider will get bored and come out of hiding. The 9/11 assassins changed the rules of that game and have not all been brought to justice. We must remember we are still targets, but targets in a nation built on personal freedom and responsibility.

We remember that we have more than 200 years of history as a nation that supports a strong rule of law designed to protect freedom responsibly pursued. Millions of individuals paid a price and created that history.

We remember that every election is an opportunity to debate vital issues as free men and women, then choose those to represent us whose views we embrace. We support the rule of law, due process for defendants, free and open public debate, and willingly pay the price of political compromise to move our nation forward.

We remember that distortion and fraud and untruth make clarity, integrity and truth more precious.

We remember that each generation is taught by the generation that comes before it. We remember that learning is best achieved by repetition. We remember that a role model is not a buzzword wrapped in a sound bite. We remember that free men and women take responsible, consistent, ethical action to make freedom a reality. We recognize that a responsible industry such as the U.S. knife industry earns that distinction because its members act responsibly.

We do not honor innocent victims because they died. We honor them because they remind us that ... "vigilance is the eternal price of freedom."

In honor of the victims of 9/11, AKTI will move forward to encourage sensible knife legislation, to promote the responsible, safe use of knives as man's oldest tool, and to encourage lawmakers to pursue maximum penalties for those who use knives in the commission of a crime that threatens or causes bodily harm.

American Knife & Tool Institute (AKTI)

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*Communications Coordinator*

**Blade Show 2004**

A special thanks to Krause for providing a booth for AKTI again at the Blade Show. We appreciate the space to have a central place for members to gather and to talk to new people.

Congratulations to Bram Frank and Frank Meek on winning the drawing for the knives donated by Marbles Outdoors.

A special welcome to D'Holder as AKTI's second Life Member.

# Knife Definitions Update

AKTI, following its successful passing of a Protocol for Measuring Knife Blade Length (at its February 2004 meeting) is moving forward with other proactive model laws and definitions. U.S. federal and state knife laws are typically inconsistent, vague and unenforceable. AKTI will continue to educate lawmakers and the law enforcement community to ensure the U.S. knife industry maintains its rightful, vibrant position among legitimate and needed U.S. industries.

Several definitions for knife categories were proposed and reviewed at the AKTI June 2004 meeting. These definitions are being refined and will be debated at the February 2005 Executive Committee meeting following the S.H.O.T. Show in Las Vegas.

**All Members Welcome**  
**AKTI**  
**ANNUAL MEETING**  
**Thursday, June 2, 2005**  
**5:00 p.m.**  
**before Blade Show**  
**Renaissance Waverly Hotel**  
**Cobb Galleria Center, Atlanta**

## 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) Help lawmakers and law enforcement personnel with information...such as the knife measuring protocol.**

### Consider supporting AKTI with a Life Membership

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Company \_\_\_\_\_ Title \_\_\_\_\_

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- Check here if this is a renewal.
- Platinum Associate - \$1,000/yr       Premier Member - \$2,000/yr
- Gold Associate - \$500/yr                      (Voting Membership)
- Silver Associate - \$200/yr                       Retailer Associate - \$100/yr
- Annual Ambassador Member (Individual) - \$35/yr
- Life Membership (Individual) - \$750

I support AKTI with an additional contribution of \$ \_\_\_\_\_

Check # \_\_\_\_\_ Enclosed for \$ \_\_\_\_\_

Visa/Mastercard Charge: \_\_\_\_\_ Exp: \_\_\_\_\_

Signed \_\_\_\_\_ Date: \_\_\_\_\_

- 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.

Copies of the new "Protocol for Measuring Knife Blade Length" adopted by AKTI in February 2004 (that will become effective January 1, 2005) is now available. While many states have statutes involving blade length, AKTI found no state has a consistent method or protocol for measuring knife blades. AKTI has mailed this Protocol to the 50 state Attorneys General, various judges and lawmakers, as well as to such organizations as the US Department of Homeland Security. While the Protocol is only advisory, AKTI believes it will be adopted by various law enforcement agencies and court officers, as well as cited as the "industry standard." Single copies of the Protocol are free (send self-addressed, stamped envelope). Retailers are urged to make these Protocols available to their customers. Retailer packets of 50 copies are available for \$5.00 (for shipping and handling). To order, send a check or money order payable to AKTI at ... 22 Vista View Lane, Cody, WY 82414-9606.

## Blade Length Protocol Copies Available

# Keeping Knives In American Lives



**Serving the  
Knife Industry  
and Individual Knife Owners  
Since January 1998**

**Forum:** go to [www.akti.org](http://www.akti.org) and click on AKTI Forum or go to [www.bladeforum.com](http://www.bladeforum.com) or [knifeforum.com](http://knifeforum.com)

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