

AKTI POLL Results on Knife Definitions: There Are No Good Knives; There Are No Bad Knives!

More than 86 percent of AKTI individual members believe that AKTI should take the official position that “there are no good knives; there are no bad knives.”

That was one of the conclusions drawn from answers to the “Knife Definition Questionnaire” included in the Winter 2004 *AKTI News & Update* and mailed to all members. AKTI accepted responses from individual members until January 25, 2005. These results were presented to the AKTI Executive Committee meeting during the 2005 S.H.O.T. Show in Las Vegas, Nevada.

Question 1 asked: **“Do you agree with AKTI’s proposed official position that ... there are no ‘good’ knives; there are no ‘bad’ knives?”**

- YES – 86.1 %**
- NO – 5.6 %**
- No Response – 8.3 %**

We also asked respondents: **“What categories of knives do you believe need explicit definitions that can be developed by AKTI and presented to lawmakers and the law enforcement community?”** (The percentage of “YES” responses follow the category of knife.)

- Ballistic – 61.1 %**
- Bowie Knife – 41.7 %**
- Dagger – 61.1 %**
- Dirk – 61.1 %**
- Easy-Opening – 72.2 %**
- Multi-Tool – 47.2 %**
- One-Hand Opening – 77.8 %**
- Pocketknife – 61.1 %**
- Stiletto – 58.3 %**
- Switchblade – 75 %**

The question of knife definitions is complex and controversial. One member said “if all knives are good, then we don’t need to define any of them.” Another

“If all knives are good, then we don’t need to define any of them.”

added that “I think most knives are good, until used by bad people.” A third respondent reiterated AKTI’s long-standing position ... “let’s prosecute improper knife use.” Another added that our legal system must ensure that “... crimes committed using weapons of any kind guarantee much stiffer sentences.”

Some members worried that promoting more definitions would shine the spotlight on groups of knives that currently have no legal definitions in any state or federal law. “If we define a certain kind of knife, some lawmaker will try to convince his constituents that he is creating a safer world by outlawing these tools rather than prosecuting violent criminal behavior,” one member observed.

Another respondent told us we forgot to include “tactical” knives. But this term is really a broad description of any straight knife or folding knife in a variety of handle materials, blade shapes, blade edges and opening mechanisms. About the only thing anyone could say about the category without fear of contradiction is that it does NOT include certain types of knives. In today’s world, a “tactical” knife is any style that is not a sword or a multi-tool.

One member even questioned whether the industry’s expanding technology and design innovation made it possible, any longer, to effectively determine whether certain designs belonged in one category or another. “About 30 years

ago,” this respondent said, “if you wanted to buy tennis shoes, your choice was either ‘high tops’ or ‘low tops’ and you could get them in either black or white. Now virtually every basketball, track and football star has one or more unique model of shoe named after him or her. And the variety of materials used today could not even have been imagined 30 years ago.”

This member went on to say that “the variety of materials and the development of mechanisms used in knives today is even more diverse than what we’ve seen in other areas of modern production, except perhaps for computers. The problem is most of our knife laws were written when Boy Scout knives and hunting knives were the only types of knives commonly available. So virtually every law that tried to define certain classes of knives is now obsolete or just plain wrong,” he stated.

On the other side of the issue are members who believe that if the industry defines knife categories, then we can promote realistic, accurate and workable standards because we are faced with many statutes that already “name” outlawed knife types. Most states already

“If we define a certain kind of knife, some lawmaker will try to convince his constituents that he is creating a safer world by outlawing these tools rather than prosecuting behavior.”

New York Knife Bust Update

ban blade lengths ranging from the 2 1/2-inch standard in Boston to the 4-inch-or-more blades in many states. (AKTI's "Protocol for Measuring Knife Blade Length" took effect on January 1, 2005. Contact the Executive Director for copies.) As one member stated, "we need to continue educating the judiciary and the legal community."

The AKTI Executive Committee will again address knife definitions at its June 2005 meeting at the Blade Show in Atlanta, Georgia.

The flurry of arrests of several New York City knife retailers in late 2003 and early 2004 appears to be just that. A flurry that lasted about three months and stopped. A special police task force raided several stores, citing owners under New York's "gravity knife" statute, which makes it illegal to possess or carry a knife which can be opened by centrifugal force.

AKTI responded to the situation by contacting the head of the task force directly, explaining that gravity knives have not been produced in this country for some 50 years. We also provided materials and referrals for attorneys representing various defendants.

"I had been selling approximately \$150,000 per year in knives, many to police officers, firefighters and other rescue personnel. Now I only sell Swiss Army knives and Leatherman tools."

Should AKTI Pursue Repeal of Federal Switchblade Act?

One half of respondents to the "Knife Definition Questionnaire" included in the Winter 2004 *AKTI News & Update* believe repeal of the Federal Switchblade Act is possible. And they say they're willing to put up a little more than 50 bucks each to make it happen.

We asked: **Do you believe repeal of the Federal Switchblade Act is possible in the current U.S. political climate?**

- YES – 50 %**
- NO – 38.9 %**
- No Response – 11.1 %**

Then we followed that with: **"How much would you contribute to any proposed AKTI lobbying effort to repeal the Federal Switchblade Act?"**

- Average contributions were calculated for the above three groups as follows:
- YES – \$54.54**
- NO – \$32.14**
- No Response – \$0**

"Estimates of the cost of such a national lobbying effort range from \$5 million to \$20 million or more. Translation: At least 100,000 individuals would have to contribute \$50 to hit the lower number."

Those who did not believe repeal was possible were still willing to make a financial commitment to the effort if it were pursued.

However, the more telling figure is the degree of financial support the "YES" voters projected. Estimates of the cost of such a national lobbying effort range from \$5 million to \$20 million or more. Translation: At least 100,000 individuals would have to contribute \$50 to hit the lower number.

As AKTI learned in Florida in its efforts to clarify the ballistic knife definition, one legislative session may not be enough to get a law passed. Sponsors must be found and a bill might have to be re-introduced in several sessions before passage.

In addition to a huge financial commitment to hire lobbyists, any repeal effort would have to fund countless mailings and TV and radio commercials. Then there would be the "grassroots" effort of letters, phone calls, emails and hundreds of hours of direct contact with senators and representatives.

One retailer had more than 350 knives confiscated, including several models of the most popular brands of folding knives. He reported to AKTI recently that the knives have still not been returned to him. Their claimed retail value was in excess of \$50,000. This retailer also took videos of police officers during the raid on his store, showing them grabbing knives by the blade, then swinging the handles open into a locked position. According to the arresting officers, that was a legitimate method to open the knives and sufficient to have them declared gravity knives. A judge agreed with them, finding the defendant guilty, in this case, of a misdemeanor and levying a small fine.

"That raid effectively put me out of the knife business," the retailer said. "I had been selling approximately \$150,000 per year in knives, many to police officers, firefighters and other rescue personnel. Now I only sell Swiss Army knives and Leatherman tools," he said.

The fact that large quantities of knives were never returned to the retailer has also reportedly gotten the attention of NYPD Internal Affairs officials. The retailer in question is currently negotiating with them to get his knives returned in exchange for the video tape of the raid.

AKTI also contacted a New York state knife distributor familiar with knife sales in Manhattan. "The large, high-end

knife retailers were apparently never a target of this police task force. But those arrests have intimidated a large number of small- to medium-sized retailers in the five boroughs of New York City," he said. "The loss of business for them and for the industry was unfortunate," he added, "but even more chilling is that the police could decide to do the same thing again, wrongly using that statute."

Manufacturers, Labor Support Firearms Industry Protection

NEWTOWN, Connecticut (February 16, 2005) — Legislation introduced in the U.S. House of Representatives would prevent further abuse of our nation's courts when frivolous lawsuits against law-abiding businesses seek to blame them for the criminal misuse of legally sold firearms.

Rep. Cliff Stearns (R-FL) and Rep. Rick Boucher (D-VA) introduced HR 800 with strong bipartisan backing from 92 co-sponsors. In the Senate, S 397 has a total of 27 co-sponsors backing "The Protection of Lawful Commerce in Arms Act," introduced by Senator Larry Craig (R-ID) and Senator Max Baucus (D-MT). The proposed new law enjoys support from business groups, such as the U.S. Chamber of Commerce, the National Association of Manufacturers and the National Association of Wholesalers, as well as organized labor.

AKTI supported an earlier version of the bill (S659) that was killed in 2004 because of the number of "riders" attached to it.

"Lawful and responsible members of the business community must be protected from this destructive effort. These lawsuits are meant to eliminate a segment of the manufacturing industry and the jobs of tens of thousands it employs," observed Doug Painter, president of the National Shooting Sports Foundation, the trade association for the firearms industry.

The National Association of Manufacturers, representing 14,000 members with 18 million employees making all

manner of products in America, sees the issue this way: "Today it's handguns, but tomorrow it could be power tools, golf clubs or automobiles. Manufacturers of perfectly lawful, properly designed and well-functioning products can't rationally be held liable for third-party actions that may result in harm to another."

More than thirty states already have passed similar legislation. Federal legislation would prevent new suits from being filed or existing cases from proceeding when a judge determines the defendants are not connected to the wrongdoing of criminals, and their product was not defective.

"This legislation would not stop legitimate lawsuits by someone who is in-

jured by a defective product or against any business that knowingly breaks the law. This new law is needed to stop predatory lawsuits that are intended to bankrupt an entire industry," explains Lawrence G. Keane, senior vice president and general counsel of NSSF.

Beginning in 1998, some three-dozen lawsuits were brought by municipalities and firearm prohibitionists to blame federally licensed firearm makers and sellers for the criminal misuse of products lawfully made and sold. "Our industry has been forced to spend more than \$200 million dollars defending against these outrageous and patently false allegations, with no end in sight," said Keane.



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

Name _____

Company _____ Title _____

Address _____

City _____ State _____ Zip _____

Phone _____ E-Mail _____

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.

Keeping Knives In American Lives

All Members Welcome

AKTI ANNUAL MEETING
Thursday, June 2, 2005

5:00 p.m.
Andover Room
Renaissance Waverly Hotel
Cobb Galleria, Atlanta
before Blade Show

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

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

Web site: www.akti.org

E-Mail: akti@akti.org

Phone/Fax (307) 587-8296

22 Vista View Ln
Cody, WY 82414-9606



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

