



New York State Conservation Council Inc.
8 East Main Street, Ilion, New York 13357-1899

MEMORANDUM IN SUPPORT

Removal of gravity knives from the definition as dangerous weapons in certain provisions of the penal law relating to dangerous weapons.

The NYS CC supports this legislation. This bill would make clear that the possession of assisted opening knives is legal while retaining the prohibition against spring opening knives intended for use as weapons. The possession and lawful use of knives designed as tools are currently considered by some authorities to be illegal weapons possession offenses in spite of a clear exemption (15 U.S.C. §1244(5)) in the almost universally used federal knife definition.

These are blade-in-handle knives that require a manual effort to overcome a bias to close. No springs or mechanical assistance is involved. This differentiates such knives from others currently prohibited such as switchblade or pilum ballistic knives which use some type of spring, mechanical or ballistic device to open or release the blade.

The feature of these knives that makes them so useful as ordinary tools is the ability to be opened with the exertion of one hand. This type of knife is widely used not only by sportsmen but by workers in a broad range of jobs. One-hand access is more than just convenient; it is invaluable to an individual who has lost the use of a hand or who has one hand otherwise occupied.

Sportsmen often prefer this type of knife, as they are safer than fixed blade sheath knives which can penetrate the sheath and injure the user in the event of a fall. Since hunters, trappers and fishermen spend a good deal of their time traversing rough ground and climbing things, this is a real consideration. They provide the single hand convenience of a fixed blade with the safety of a folding knife.

The lack of clarity in the current state law, coupled with an excess of prosecutorial zeal, has led to the prosecution of law-abiding individuals who believed that the ordinary folding knives they were carrying were legal. This is an injustice and should be rectified.

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