











## Colorado's Knife Laws: Making Automatic Knives Legal

### **The Problem: Automatic Knives are Categorized as Illegal Weapons**

Existing knife laws in Colorado create an outdated and unclear legal construct that unnecessarily limits the ability of Coloradans to carry an automatic knife for daily work and recreational activities. Law-abiding, well intentioned Coloradans such as tradesmen, hunters, hikers, farmers, ranchers, and campers risk arrest simply by possessing an automatic knife.

Colorado Revised Statute (C.R.S.) Sec. 18-12-101 defines a switchblade (hereinafter referred to as an automatic knife) as, "...any knife, the blade of which opens automatically by hand pressure applied to a button, spring, or other device in its handle." The critical provision prohibiting possession is explained in C.R.S. Sec. 18-12-102, which defines a "switchblade" as an "illegal weapon" and furthermore states that a, "person who knowingly possesses an illegal weapon commits a class 1 misdemeanor."

Moreover, C.R.S. 18-12-102(5) protects a "member of the Armed Forces of the United States or Colorado National Guard acting in the lawful discharge of his duties" from running afoul of Colorado's Criminal Code. That being said, with several military bases in Colorado honorably discharged veterans automatically become criminals for possession of an automatic knife that was personally and legally purchased or was issued while on active duty.

To illustrate the situation, a roofer may carry an automatic knife in his pocket as part of his customary tools. While perched on a ladder, he only has one hand to open and lock the blade, making the automatic open a necessary feature. When the roofer finishes for the day, he slips his automatic knife into his pocket. Technically, the roofer is in violation of C.R.S. Sec. 18-12-102(4).

### **The Solution: Legislative Reform**

We believe there is a simple fix in the best interest of knife owners and users in Colorado: strike the term "gravity knife" and "switchblade" from the list of illegal weapons. We propose the following amendment to C.R.S. Sec. 18-12-102(2):

Possessing a dangerous or illegal weapon - affirmative defense.

(1) As used in this section, the term "dangerous weapon" means a firearm silencer, machine gun, short shotgun, short rifle, or ballistic knife.

(2) As used in this section, the term "illegal weapon" means a blackjack, gas gun, metallic knuckles, ~~gravity knife, or switchblade knife.~~

(3) A person who knowingly possesses a dangerous weapon commits a class 5 felony. Each subsequent violation of this subsection (3) by the same person shall be a class 4 felony.

(4) A person who knowingly possesses an illegal weapon commits a class 1 misdemeanor.

The proposed amendment would clarify that automatic knives are legitimate tools, and will protect the right of law-abiding citizens who choose to carry all tools of their profession and for recreational activities.

### **About the American Knife and Tool Institute**

AKTI is a non-profit organization representing all segments of the knife industry and all knife users. Formed in true grassroots fashion by concerned industry leaders after considerable discussion with individual knife makers, knife magazine publishers, and a broad section of the knife community, AKTI has been the reasonable and



responsible voice of the knife community since 1998. AKTI is widely-recognized as a respected, credible and accurate knife industry source, seeking to educate and inform legislators, law enforcement, and the public about our industry.

At AKTI, we believe that most people who carry a knife, do so for common, everyday purposes. People engaged in the building trades, agricultural and animal husbandry use and carry knives on a daily basis. Knives are also essential for many outdoor activities, including hunting, fishing, fur trapping, hiking, camping, boating and other such activities. Our goal is to ensure that law-abiding citizens feel knowledgeable and confident in their ability to carry the tools they use for their daily and recreational lives.

AKTI promotes common-sense solutions to issues facing law-abiding knife owners nationwide. AKTI's mission is to partner with policy makers and law enforcement officers to craft legislation to help address legislative vagueness, from the elimination of archaic terminology that is no longer objectively relevant, to the passage of statewide preemption of local knife ordinances, to the repeal of obtrusive or unnecessary knife laws.