

3/20/2013

Dear Chairman Ostmeier and members of the Committee on Federal & State Affairs,

I am writing in support of HB2033. HB2033 essentially does two important things:

- 1) **HB2033 repeals the antiquated ban on switchblade knives in Kansas.**
- 2) **HB2033 enacts knife law preemption eliminating the patchwork of confusing local knife laws in Kansas**

**SWITCHBLADES:**

Kansas has a prohibition on the possession of switchblade knives, as a result of political hysteria created by Hollywood excesses of the 1950's portraying fictional gangs' and delinquents' use of switchblades. The bans that were passed were not based on any actual crime data, and in fact, the Eisenhower Administration defended switchblades as practical and useful tools and not a national problem at all.

Half of the states never enacted a ban and 30 states today allow switchblades. None have tried to ban switchblades since then because there is no "switchblade problem." Both New Hampshire and Missouri recently repealed their bans with no ill-effects, but rather, with a positive impact on commerce and sales tax revenue.

Here are the facts on switchblades: A switchblade is no quicker to deploy than any currently legal one-hand opening folding knife. The mechanism is different, but the result is the same. And, no folder of any kind is as quick to deploy as a fixed blade, but folders, and particularly switchblades, are safer than a fixed blade. Switchblades are the safest of folders because most also lock in the closed position, a safety advantage in a fall or accident.

The Kansas ban on switchblade knives should be repealed because there is no data to support this irrational and antiquated law. Moreover, switchblade bans are likely unconstitutional under the Second Amendment (knives as arms were referenced in both **Heller and McDonald** Supreme Court decisions). Please help Kansas join the other 30 states in the U.S. who do not ban switchblade knives.

**PREEMPTION:**

Because knives are so prevalent in Kansas and possession is so common, knife laws around the state must be consistent. What is legal in Kansas City should be legal in Garden City. Kansans should be able to know that the law is consistent statewide. Law enforcement should know what is legal to possess and what is not. That is why Knife Law Preemption makes sense, just as did Firearms Law Preemption, which is already the law in Kansas.

As we have seen in recent U.S. Supreme Court rulings, the Second Amendment is an individual right and that right has been incorporated to apply in the states. For this reason alone Kansas should enact Knife Law Preemption to assure that citizens are protected from onerous local laws, which infringe on their civil rights.

It is for these reasons as well as others, Knife Rights urges you to vote **YES on HB2033**. If I can answer any questions, please do not hesitate to contact me on my cell phone anytime at 520-404-8096. Thank you!



Todd Rathner  
Knife Rights, Director of Legislative Affairs