

For Immediate Release

Contact: Robyn Pangi 518-598-8968

The District Attorneys Association of the State of New York calls on Governor Cuomo to Veto S6483A/A9042A

June 28, 2016 (New City, New York) The District Attorneys Association of the State of New York (DAASNY) today called on Governor Cuomo to veto S6483A/A9042A (Savino, Quart) - An act to amend the Penal Law in relation to the definition of switchblade and gravity knives.

The bill would essentially legalize all gravity knives and switchblade knives, which currently cannot be bought, sold, or carried in New York State.

DAASNY President Thomas Zugibe expressed surprise that the bill passed both houses, saying: "Given the rise in slashings and other knife crimes, it is unusual that the legislature even considered this bill, not to mention passed it."

Prosecutors suggested ways to amend current law to address the concerns of legitimate knife users while still keeping these dangerous weapons out of the hands of criminals. Unfortunately, these common-sense compromises did not make headway with lawmakers.

The purported reason for this bill is the potential for legitimate knife users – those in certain trades or crafts – to be arrested and prosecuted for using those knives as tools of the trade. But it simply isn't the practice of police and prosecutors to stop a craft or tradesperson from transporting or using a tool. It is the practice, however, of police and prosecutors to remove knives from persons on subways and in crowds who are carrying knives as weapons – a practice that protects transit riders, concert goers, and passers by from a plethora of knife crimes.

The data upon which the legislation relies is hugely misleading. The bill suggests that literally thousands of legitimate craft and tradespersons are arrested and prosecuted every year for carrying to or using a gravity knife for legitimate work purposes. That simply is not true.

"Criminal Possession of a Weapon in the Fourth Degree -- the charge that covers gravity knives," explained Zugibe, "also covers a laundry list of weapons. There is no way to know how many of those were gravity knives since all of the following weapon types are included in PL 265.01 (1): 'any firearm, electronic dart gun, electronic stun gun, gravity knife, switchblade knife, pilum ballistic knife, metal knuckle knife, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, wrist-brace type slingshot or slungshot, shirken or Kung Fu star'."

Although the numbers aren't aggregated by weapon, it's safe to assume that an infinitesimal number of arrests each year of for gravity knives being used for bona fide work purposes, while the overwhelming majority of arrests are for guns and knives being carried as weapons.

“Statutorily exempting gravity knives and switchblade knives from the list of weapons that cannot be carried in New York does not make them any less dangerous; it simply permits criminals to carry them unchecked,” said Zugibe.

“That makes this bill a threat to public safety.”

More information can be found at <http://www.daasny.com/wp-content/uploads/2016/06/DAASNY-Veto-Request-for-S6483A-A9042A-Gravity-Knives.pdf>