

# Gun Lawyer Transcript S1 E8

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## SPEAKERS

Doug Ritter, Evan Nappen,

### **Evan Nappen** 00:20

Hey, I'm Evan Nappen, and welcome to Gun Lawyer. I'm really excited today because I have a special guest here, a good friend of mine for years and years, and his name is Doug Ritter. Doug Ritter is from Knife Rights, and I hope you've all heard of Knife Rights. But if you haven't, Knife Rights is really the premier organization that fights for our knife rights. You know, the Second Amendment is not the right to keep and bear guns. It's the right to keep and bear arms. The Second Amendment covers knives as well as guns, and I've always had a special love for knives and guns. Matter of fact, I collect both knives and guns, and I have to strictly limit myself. It has to cut or shoot for me to like it. And that's how I limit myself. But today we have Doug Ritter. Doug, how are you doing?

### **Doug Ritter** 01:21

Evan, I'm doing great. Thank you so much for having us on. Knife Rights is proud to be the second front in the defense of our Second Amendment. As you note, the Second Amendment isn't just about firearms. Knives are an important part of it both historically and today in modern life.

### **Evan Nappen** 01:42

Doug, you know, I am always just so proud to have helped fight with Knife Rights, to see our knife rights, our knife liberty, and our knife freedoms increase. I really think that one of the important things about Knife Rights that people really I don't think recognize, at least not enough, is the incredible impact that you and Knife Rights have had in what I have called the Knife Liberty Movement. Because Knife Rights with you at the head of Knife Rights have made incredible strides in changing state laws and removing the prejudices and the bias that has existed against knives. When was Knife Rights founded, Doug?

### **Doug Ritter** 02:37

So, Knife Rights was founded in 2006. It took a few years to get ourselves going and get our feet under ourselves. In 2009, we got involved in the fight against U. S. Customs' attempt to redefine what a switchblade was. To essentially redefine a switchblade to include both assisted-openers and even one-hand opening knives, and that led to the fifth exemption of the Federal Switchblade Act. I'm sure you recall that fight.

**Evan Nappen 03:15**

I do recall it, and that was great. Because the Federal Knife Law on switchblades, I don't think there had been any changes to it until that fight where you were actually able to get an amendment that protected these one-hand opening knives. Right? I don't think there was anything that was done.

**Doug Ritter 03:39**

Well, other than the addition of ballistic knives.

**Evan Nappen 03:44**

Well yeah, that would be talking anti. That's pro, our pro movement.

**Doug Ritter 03:51**

So yeah, and then in 2010, we started out with our state legislative agenda, which comprised, as you're very familiar with, the effort in New Hampshire that you helped lead to repeal their ban on switchblade, dirks, daggers, and stilettos. Also, in 2010, we got the nation's first Knife Law Preemption Bill passed in Arizona. This was also when we originally hooked up with Todd Rathner, our Director of Legislative Affairs, who has now been with us for 11 years.

**Evan Nappen 04:35**

Now, the New Hampshire effort, which I was a part of and very proud to be, also got pre-emption in New Hampshire as well.

**Doug Ritter 04:45**

2011. Yeah, you're

**Evan Nappen 04:47**

After you got Arizona. So, great progress was made in Arizona and New Hampshire. And really, I remember when we started that, and we were trying to repeal New Hampshire's ban on switchblade, dagger, dirk, and stiletto. That law had been on the books for over 50 years or so. It was really archaic and ridiculous not only because of the misunderstanding about the importance of these knives, but also New Hampshire every year would run this festival called the Highland Games. Thousands of individuals would come to New Hampshire for the Scottish Highland Games, and what they all had with them was Scottish Dirks. Yet New Hampshire had a ban on Dirks. It was just an absurdity even for dirks, no less, switchblade or the automatic knife. Can you tell us, Doug, tell us about switchblade and automatic knife; what really is the truth about those types of knives?

**Doug Ritter 06:03**

Well, the fact of the matter is that switchblades, as they're commonly referred to in the law, automatic knives, which is what we refer to them these days, are simply another mechanism for opening a knife. It doesn't change the nature of the knife. It doesn't make the knife any more deadly in many respects. They open slower than many other knives, and certainly nothing can beat the opening speed of a fixed blade. So, these laws that were commonly passed in the 1950s were irrational when they were passed. They remain irrational today. Since 2010, we've managed to repeal 16 switchblade bans in 16 states, as well as passing knife law pre-emption in 12 states including in West Virginia earlier this year.

**Evan Nappen 07:08**

Stop for one second, let's think about the 16 States since 2010 have repealed essentially their ban on switchblades. Right?

**Doug Ritter 07:24**

That's correct. At this juncture, 44 states allow possession of a switchblade some with more restrictions than others, and 33 allow you to carry them with no restrictions.

**Evan Nappen 07:36**

You know, this is really astounding. Why do we even have a Federal switchblade law, when 44 states have switchblades as lawful? I mean, because of six states, there's a national law that has to regulate them. That's absurd, and it needs to go.

**Doug Ritter 07:58**

As you know, in 2016 we introduced a bill to repeal the Federal Switchblade Act. We haven't gotten that done yet. We'll certainly continue working on that. But it's important to understand that, as I know you do but your readers may not, the Federal Switchblade Act, with a few rare exceptions, has nothing to do with the applicability or the lawfulness of a switchblade in a particular state. That's a state law. The Federal Switchblade Act, for the most part, governs interstate commerce in switchblades. Once a switchblade is legally within the borders of a state, it's the state law. That's one of the reasons we've concentrated on getting rid of those state bans, because the Federal Switchblade Act doesn't impact. It certainly would make life easier for the manufacturers and the consumers and everyone else if the Federal Switchblade Act went away.

**Doug Ritter 09:06**

And you know, Native Americans on reservations where the Federal Switchblade Act prohibits switchblades, would certainly be treated fairly. But until we get rid of the Federal Switchblade Act, the key is getting rid of state laws that prohibit switchblades and many other knives. The laws we have that ban switchblades, bowie knives, daggers, and dirks; those laws are a remnant of the post-Civil War effort to keep blacks from having large knives that they could use as weapons. The switchblade laws were enacted in the 1950s courtesy of Hollywood's demonization of switchblades in the movies, often with a racial part of that. These were bad laws to begin with, and they were racist laws to begin with. We know from our experience in fighting New York City, that they are still often used against people of color as an excuse for locking them up. So, one of the unique things about Knife Rights, as I'm sure you are aware, is that most of our bills are bipartisan. We get support from both sides of the aisle, which is pretty unusual these days, particularly for a Second Amendment organization.

**Evan Nappen 10:45**

Well, that was what we experienced in New Hampshire, because the House in New Hampshire was controlled by Democrats, the Senate in New Hampshire was controlled by Democrats, and the Governor was a Democrat. Yet, when the repeal of New Hampshire's anti-knife laws took place, it was not only passed by a completely Democrat controlled government, but it was passed unanimously. This is amazing, because there was not a single vote against the repeal from either side. It was a complete

100% vote for liberty and freedom for knives. And that was in the face of what you might think would be folks that would oppose Second Amendment expansion, but it didn't occur.

**Evan Nappen** 11:47

I believe that it didn't occur because it was a great effort on education. We really went, spoke, and explained why these laws were no longer needed or necessary. I remember one of the comments at the time was, look the Sharks and the Jets; they're in their 80s now and you don't have to worry about switchblades. It was really amazing to see a complete vote for it. Remember, New Hampshire's House of Representatives is 400 persons. It is the third largest legislative body in the world. 400 legislators in the House, 24 Senators, and a Governor - 425 politicians and not a single one opposed the repeal. That is really a miracle when it comes to fighting for Second Amendment rights. Doug, you were there and really helped to make that a reality and we're so grateful.

**Commercial** 13:02

For over 30 years, Attorney Evan Nappen has seen what rotten laws do to good people. That's why he's dedicated his life to fighting for the rights of America's gun owners. A fearsome courtroom litigator, fighting for rights, justice, and freedom. An unrelenting gun rights spokesman, tearing away at anti-gun propaganda to expose the truth. Author of six best-selling books on gun rights, including Nappen on Gun Law, a bright orange gun law Bible that sits atop the desk of virtually every lawyer, police chief, firearms dealer, and savvy gun owner. That's what made Evan Nappen America's Gun Lawyer. Gun laws are designed to make you a criminal. Don't become the innocent victim of a vicious anti-gun legal system. This is the guy you want on your side. Keep his name and number in your wallet and hope you never have to use it. But if you live, work, or travel with a firearm, the deck is already stacked against you. You can find him on the web at [EvanNappen.com](http://EvanNappen.com) or follow the link on the [Gun.lawyer](#) resource page. Evan Nappen - America's Gun Lawyer.

14:17

**Announcer** Your listening to Gun Lawyer with Attorney Evan Nappen. Available wherever you get your favorite podcast.

**Evan Nappen** 14:32

Hey, keep a fellow gun owner from becoming a law-abiding criminal. Do you know how you can help do that? Listen to Gun Lawyer radio. Please subscribe. Please give me five stars, man I'm begging you. How's that? We really need to get the word out, and it helps to grow it. It's really important especially dealing with tech these days. They don't like hearing about our rights and talking about our Second Amendment freedoms. So, anything you can do there, I'd really appreciate it. And, Doug, you're back. I hear your working on some bills in Ohio too, right? Isn't that a hot spot at the moment?

**Doug Ritter** 15:17

We're trying to finish off our bill in Ohio. We got it through the Senate in 2019. They have two-year sessions. Just last week, after a couple weeks of lobbying in the Capitol, we were able to get it out of the Criminal Justice Committee. It's now up for a floor vote, which we hope will take place the week after Thanksgiving. So, if anyone here is living, working, or traveling in Ohio, please go to the Knife

Rights website - KnifeRights.org and click on the Ohio action notice link and send an email to the Speaker of the House, asking him to please bring the bill up for a vote.

**Doug Ritter** 16:12

Everything just shut down as a result of COVID early last year. So, a lot of our legislative efforts got sidetracked. We're pretty excited that the Ohio legislature is actually back in session and doing something other than COVID. So, we're hoping we'll finish this year out strong. We still have to get it thru the house, and then we certainly hope that the governor, a Republican governor, will sign the bill, which we don't think will be an issue. But, you know, every step in a legislative battle is a significant effort. You never know what's gonna sidetrack it. Part of our success has been because we've been stubborn, we persevere, and we come back year after year. Our effort in Ohio is now in its fifth year, but you just have to stick to it. The New York battle lasted nine years. Many, many, states have taken multiple years, and we're looking forward to next year's efforts. I mean, we're already working on bills in many states, including going back to Texas for the fifth session. They meet every other year. So basically, almost every year we've been working on the state level.

**Evan Nappen** 17:37

What needs to be changed in Texas? What's the problem there in Texas?

**Doug Ritter** 17:44

Well, we've gotten rid of all the Texas knife bans. Because Texas isn't nearly as Texas as everyone thinks Texas is. We've gotten rid of nearly all the knife bans. We would have gotten rid of all of them, but for an unfortunate occurrence as our bill to repeal their length restriction for carry was getting ready to be passed. Unfortunately, a young man was murdered with a hunting knife, just blocks from the capitol. A hunting knife was illegal. Just as with firearms, just because something is illegal doesn't mean miscreants and criminals aren't going to use something illegally. But as a result of that, we ended up with what is known as location-restricted knives. So, these are knives over five and a half inches that can't be taken into bars and a number of other places. We're trying to get rid of or at least get rid of most of those restrictions, which would have finished up our job. I don't think many people realize that, until we took care of the issue a few years ago, it was illegal to carry a bowie knife in Texas.

**Evan Nappen** 19:03

Right? Isn't that something. You would think and there is that perception about Texas being a staunch supporter of Second Amendment rights. Yet here, we were fighting arbitrary knife bans.

**Doug Ritter** 19:20

Year after year after year. I mean, first we did switchblades, then we did pre-emption. Then we did the bowie, dagger and other restrictions and the length limit. And then clubs, which included their definition of clubs, including knuckles, so by getting rid of that we allowed trench knives last year or last session. So, we're back again to try to get Texas more like everyone thinks Texas ought to be.

**Evan Nappen** 19:56

True.

**Doug Ritter 19:56**

These things don't happen just because you write a letter. You have to show up, you have to be there. You have to have lobbyists who gets things done, and you have to often times build relationships. This is what getting legislation done is all about, being on the ground.

**Evan Nappen 20:12**

Todd's done just a magnificent job. He really has. Todd Rathner as your lobbyist is really dedicated and you could just see it. Think about the success that Knife Rights has had in its efforts. It really is astounding. If the gun rights movement could do what the knife rights movement has, we would be light years ahead. I mean, it's just astounding.

**Doug Ritter 20:46**

Well, I'm pretty proud of our record - 32 bills passed in 22 states since 2010. That's pretty impressive. I mean, we do have an advantage over the gun rights side of things, because we're not guns. You will rarely see any bi-partisan legislation dealing with firearms. Almost all our bills pass, as we've discussed, with bi-partisan support. So, that is an advantage. And the fact that we just keep coming back. Persistence is a significant part of our effort, and we couldn't do it without the support of folks like you and our supporters who fund us. I encourage everyone here to check out KnifeRights.org We have a lot of great stuff there, including our most recent article by you, on what to do if you're arrested, the issue of what we call the aftermath of self-defense, what to do and what not to do. That's a great article for anyone, not just knife owners, but firearms owners, too. It goes step by step, what you have to do if you've used any sort of weapon, including your fists in self-defense.

**Evan Nappen 22:21**

Well, I appreciate that, Doug. I really want our folks to know these things because that's how we stop our honest knife owners from becoming turned into criminals by the system. If you know these laws, you can protect yourself. It makes a big difference to understand it because there's a lot of misconceptions. And a lot of the misconception comes from television and movies. They show things all the time that are mishandling of firearms and knives and misunderstandings. Sometimes I think it's done purposely as to individuals rights and what the laws are.

**Evan Nappen 23:07**

I was wondering, how bad do you think the threat is from the United Kingdom? Because they are so anti-knife. They've gone to such absurd lengths with what they do in the UK. Yet here, you've been able to turn it around and gain freedom. Whereas in the UK, they've just lost freedom. What are your thoughts on what's happening over there? I know you have your hands full in America, but we can't ignore what's going on in other parts of the world.

**Doug Ritter 23:40**

I get asked this question a lot from people in other countries - can we duplicate what you're doing there? There are significant structural, political, and cultural issues that they have to deal with, that are 180 degrees out from what we do. We are extraordinarily lucky to live in a country where our sort of advocacy is not only allowed, but also encouraged in many respects. When you look at what other countries have to deal with, it's very difficult. We have 50 states. The states have a significant degree of

autonomy in the law, which allows us to operate in the states and get rid of these bans, by educating legislators and bringing them into an understanding that these are just tools, that there is nothing evil about them. In other countries, there's a very different culture both about the idea of freedom and the idea of weapons carry.

**Doug Ritter** 25:06

The Second Amendment is unique in the United States. We need to continue to work to protect it, because there are a lot of people who want to take our Second Amendment rights away. I like to think that one of the things that Knife Rights does is introduce the Second Amendment to a lot of people who aren't gun owners, who don't really think of the Second Amendment as their Second Amendment. When we show up and start discussing knife rights and start discussing protecting their rights as a Second Amendment right, we're turning people on to the Second Amendment that were either sometimes against Second Amendment rights or may have been neutral on the issue. And suddenly, it's their Second Amendment. Because that's an important foundation to what Knife Rights is about. If you look at our logo, it says Essential Tools and Essential Rights. They're both a part of why it's so important to fight for our knife rights.

**Evan Nappen** 26:14

It's true. Many people that are interested in knives are not necessarily aficionados of firearms. Yet, we often take for granted that they would be, but really, it's not the case. For many of those folks, this is their first exposure to Second Amendment rights, and the idea that you have a right to your knife and how that right also is a right to a gun. It is helpful to expand the individual's perceptions and their desires to maintain our rights. Because, unfortunately, our education system doesn't instill that, at least not like it used to. So, we're out there, getting people to understand and appreciate their rights, and Knife Rights is a critical part and often a gateway to understanding one's rights. So many people are familiar with knives and have had experience with knives, either from kitchen knives or pocketknives as a kid, even though they've had no experience with guns, and it becomes more relatable. It helps to enforce and expand all our rights. So, it's really a great thing. I'm wondering, in your experience, what state do you think has the strangest knife laws? What would you say is the strangest? I can tell you what I think. I'll just give you my view. I think California has the wackiest knife laws of any state. They ban things that don't even exist.

**Doug Ritter** 28:09

Well, they do. And then there's New Jersey, which makes all of their knife violations felonies - the only state that does that.

**Evan Nappen** 28:23

Correct. This is really important. New Jersey is the only state that makes all the knife laws, felonies. Isn't that great? That's a real badge of honor there for New Jersey, let me tell you.

**Doug Ritter** 28:40

It goes along with all of New Jersey's other badges of honor, right?

**Evan Nappen** 28:44

They have so many. That's it - it's amazing. Now, California, one thing I remember when I was researching, they banned what's called an air gauge knife, and the amazing thing about it, is I could not find a single example anywhere. Not online. Not any friend. Not through all our connections in the knife world. There's no such thing as an air gauge knife, which is supposedly a knife that is made out of an air gauge. It's insanity. They ban something that doesn't even exist. I've never even seen one example.

**Doug Ritter** 29:25

Well, it is California.

**Evan Nappen** 29:27

Yeah. Someone must have heard a myth or a rumor that such a thing existed, and they immediately decided they better ban it. It's crazy. Absolutely.

**Doug Ritter** 29:39

Yet when you compare California's knife laws, as wacky as they are, it's certainly not the worst state in the nation in terms of what you can and cannot carry. There are many worse states, New Jersey included, that outright ban switchblades. California does not outright ban switchblades. It restricts the carry of switchblades to under two inches, but you can open carry pretty much anything in California, other than a switchblade or gravity knife over two inches.

**Evan Nappen** 30:24

I would definitely give the prize to New Jersey as the worst up there. I mean, really, it is astounding. In New Jersey, you're not allowed to preemptively arm yourself with any weapon upon leaving your home, nothing. You can't preemptively arm yourself with a knife or anything. New Jersey has determined when it comes to self-defense when you leave your home, that you're to be a victim, not a defender, not allowed to be a defender. That's the current structure of Jersey's law. So, it applies to all knives as well. Then there's knives in Jersey that are contraband per se. But then even just an ordinary pocketknife. If you have put that in your pocket when you leave your house and your intention is you might defend yourself with it, you're committing a felony when you do that. So yeah, I think New Jersey would be a hard state to beat for being the worst.

**Evan Nappen** 31:24

But Doug, as Knife Rights keeps up the fight, hopefully one day we'll even see New Jersey change. I want to thank you very much for being on the show.

**Doug Ritter** 31:36

My pleasure.

**Evan Nappen** 31:36

I just want to tell folks, please keep a fellow gun owner from becoming a law-abiding criminal. Tell them to listen to Gun Lawyer radio and to subscribe and rate us. This is Evan Nappen, reminding you that gun laws don't protect honest citizens from criminals. They protect criminals from honest citizen.

32:00

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