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Senate Bill 140

Sponsor Testimony
State Senator Kristina D. Roegner
Ohio's 27th District
Ohio House Criminal Justice Committee
October 17, 2019

Chairman Lang, Vice Chair Plummer, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for the opportunity to speak on behalf of Senate Bill 140. This legislation passed the Ohio Senate with a near-unanimous bipartisan vote of 32-1.

Senate Bill 140 is a simple bill that modernizes Ohio law governing the manufacture and carrying of certain types of knives. An outdated current law bans the manufacture of certain types of knives and other tools in Ohio, even though it is perfectly legal to carry or possess such knives openly in Ohio. For instance, it is legal to possess spring-loaded knives but not for Ohio companies to manufacture or sell them. This means that Ohio businesses who would like to sell these knives are forced to turn down business, benefiting out-of-state companies. This is especially problematic since more than 40 other states legally allow spring-loaded knives.¹ As a result, potential consumers have to either go online or travel to another state to purchase these items, costing our Ohio knife companies valuable business.

Hinderer Knives is a world class manufacturer of various types of bladed tools and instruments located in my district in Wooster, Ohio. Under current law, the company cannot produce various automatic knives, forcing the business to turn down lucrative contracts and to consider moving some of their business operations out-of-state. Changing this law will enable Ohio companies like Hinderer to expand their business and hire more individuals in our communities.

The second key element of Senate Bill 140 deals with addressing some confusion in Ohio law relating to the permissible carry of knives. Currently, it is legal to carry any knife openly in Ohio, but someone could be prosecuted for carrying a knife in a concealed fashion, based on the state's definition of "deadly weapon" in ORC 2923.12. S.B. 140 clarifies that the definition of deadly weapon in that section does not encompass knives that are not used as weapons.

¹ <https://www.akti.org/state-laws-regarding-automatics/>

Many Ohioans, including those in the trades, agriculture, animal husbandry, and many other occupations, use knives on a daily basis to repair or install electrical, plumbing, and air conditioning systems, among other things. These individuals worry that under current law they could face legal penalties for completing such work while using and carrying a knife, should they incidentally conceal one of their tools. This provision ensures that these individuals can continue to continue to do their work without fear of prosecution.

The second reason for this provision relates to criminal justice reform. Illegal knife possession charges tend to disproportionately affect young minorities. The Legal Aid Society of New York reported that 88% of those arrested in New York City for illegal knife possession were Hispanic or African-American.² Moreover, the Legal Aid Society spokesperson for New York City reported that in most cases, illegal knife possession was the highest criminal charge for these individuals.³ Removing this provision from Ohio law eliminates one more unnecessary way for young minority members to be affected by the criminal justice system in Ohio.

Again, this common-sense, bipartisan legislation will bring Ohio into agreement with much of the rest of the nation, modernize a segment of our criminal justice system, and remove an unnecessary and harmful restriction on Ohio businesses. For those reasons, I hope the committee will support this worthy legislation.

Thank you for your consideration. I am happy to answer any questions.

² <https://brooklyneagle.com/articles/2019/03/07/ny-lawmakers-efforts-decriminalize-common-work-knives/>

³ <https://brooklyneagle.com/articles/2019/03/07/ny-lawmakers-efforts-decriminalize-common-work-knives/>