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[illegible]

leave a knife to see you something wrong. The United States was founded under the principle of federalism. Under federalism, governing powers are divided between the federal and state governments. For states that existed before the founding of the US, the writers of the Constitution respected the states' authority by limiting federal powers to only those expressly stated within the Constitution. All other governing powers are, theoretically, state powers. For knife laws, the only federal law is the Switchblade Knife Act of 1958 as well as the 2009 amendment to the act (see 15 U.S.C. 1244). The federal knife law primarily applies to individuals who are traveling between states and internationally. However, if you reside in a federal district (see Washington D.C. knife laws), the federal law does govern knives for you. If you live in one of the 50 states, the federal law would only apply to you if you are traveling from one state to another or if you are entering federal property, such as a military base. All states have knife laws but some knife laws by state are more up-to-date than others and local municipalities often pass their own knife laws as well. For example, if you live in Denver, Colorado, you must abide by the knife laws of Colorado as well as the knife laws of Denver. However, if you travel to Boulder, Colorado (30 minutes away) you must conform to the knife laws of Boulder, instead of Denver, in addition to Colorado's. And, during your journey, you must conform to the knife laws of all the municipals in between Boulder and Denver. This makes knife laws by state a tricky subject unless your state has a preemption clause. Preemption means that the state government nullifies all knife laws made by cities and counties. Therefore, when you travel from town to town, you would not have to worry about municipal knife laws. Knife laws can be divided into these two categories: ownership laws and carry laws. Ownership laws forbid individuals from owning certain types of knives that society has deemed "deadly weapons" or "dangerous." Most of the time, these knives were once associated with unlawful people such as gangs, the mob, and outlaws. It is for this reason that the Bowie knife has been outlawed in so many states. Carry laws forbid an individual from carrying, concealed or open, certain knives. For example, some states forbid an individual from conceal carry of knives over a certain length but open carry of that same knife is legal. Other states forbid the carry, concealed and open, of certain knives. Most knives that are barred from carry are ones deemed by society to have no utility uses and, therefore, their only use is as weapons. Some states have laws that forbid one from aggravated display of a knife as well as committing a crime with a knife. These laws are usually only enforceable after the fact and, for that reason, allow the state to increase the penalty of a crime. For example, robbery with a knife is considered a more serious crime than simple robbery. If you want to carry a knife that is usually legal everywhere, I highly recommend you buy a knife that is clearly intended for utility use. For example, most pocket knives and almost all leathemans and multi-tools fit this description. As long as the blade is less than 2.5 to 3 inches, you should be fine. Locations that may be exceptions to this general rule are courts, planes, schools, and special buildings that forbid the carrying of knives. California Knife Laws (a former D.A. explains) California knife laws are among the strictest in the U.S., and several cities and counties have even stricter local knife laws you are expected to follow. Many knives such as switchblades meet the statutory definition of "dangerous weapons," which means possession, manufacturing, and sales are tightly regulated. Below our California criminal defense attorneys provide a general overview of what knives you may carry openly, concealed, or not at all. We also discuss location restrictions, the penalties for violating the law, and how to fight criminal charges. California laws by knife Folding knives California Penal Code 17235 permits both the open- and concealed carry of folding knives provided that they are in a folded or closed position. Permissible folding knives include: pocket knives, Swiss-army knives, non-locking folding knives, certain utility knives, and spring-assisted knives (not switchblades).1 Note that if a folding knife is extended and locked into position, then it becomes a "dirk" or "dagger," which has different rules (discussed next). Fixed-blade knives California Penal Code 21310 PC makes it a crime to carry a concealed fixed-blade knife, also called dirks or daggers. You may openly carry a fixed-blade knife provided that: the knife is contained within a sheath, and the sheath is worn suspended from your waist. (A "pocket clip" carry of a knife is probably considered concealed, though the law is ambiguous.) Examples of fixed-blade knives include: stilettoes, chef's knives, ice picks, and bowie knives. Carrying a concealed fixed-blade knife is a wobbler in California. This means it can be charged as either a misdemeanor or a felony.2 Concealed carry of a fixed-blade knife California penalties Misdemeanor Up to 1 year in jail and/or \$1,000. Felony 16 months, 2 years, or 3 years in jail and/or up to \$10,000 The state of California has stringent open carry and conceal carry laws. Switchblades California Penal Code 21510 prohibits switchblades, which are defined as: knives with the appearance of a pocketknife, with a blade length of 2 or more inches, and which can be released by a flick of a button, pressure on the handle, flip of the wrist, or another mechanical device. Switchblades also go by the names: automatic knives, spring-blade knives, spring-loaded knives, snap-blade knives, ejector knives, and pushbutton knives. In California, switchblades also include: butterfly knives, balisongs, and gravity knives. Possessing, carrying, or selling a switchblade is a misdemeanor in California, carrying up to six months in county jail and/or \$1,000 in fines.3 Other prohibited knives As with switchblades, the following knives are prohibited in California: air gauge knives (PC 20310), ballistic knives (PC 21110), belt-buckle knives (PC 20410), cane swords/cane knives (PC 20510), lipstick case knives (PC 20610), shobi-zues (PC 20710), shurikens, ninja stars and throwing stars (PC 22410), undetectable knives that metal detectors miss (PC 20810), and writing pen knives (PC 20910). The possession, sale, manufacture, or import of undetectable knives is a California misdemeanor carrying up to six months of jail time and/or \$1,000. For any other type of prohibited knife, prosecutors can bring misdemeanor or felony charges. Felony penalties include: 16 months, 2 years, or 3 years in jail and/or up to \$10,000.4 Knife-free zones in California Public Buildings Penal Code 171b makes it a crime to bring or possess certain knives into California state or local public buildings or at meetings required to be open to the public.12 Prohibited knives under this statute include: any knife with a blade over 4 inches, and it has a fixed blade (or one that can be fixed), and any prohibited knife under the law. Violations can be prosecuted as either: misdemeanors carrying up to 1 year in jail and/or \$1,000, or felonies carrying 16 months, 2 years, or 3 years in prison and/or up to \$10,000. Schools and on school grounds Penal Code 626.10a1 bans certain knives on the grounds of: The prohibited knives include: dirks or daggers, knives with blades longer than 2.5 inches, a folding knife with a fixed blade that can lock into place ("locking blade"), ice picks, and a razor blade with an unguarded blade. Violations can be prosecuted as either: misdemeanors carrying up to 1 year in jail and/or \$1,000, or felonies carrying 16 months, 2 years, or 3 years in prison and/or up to \$10,000. Additionally, Penal Code 626.10a2 makes it a misdemeanor to bring a razor blade or box cutter to the grounds of a K-12 school. Penalties include up to one year in jail.5 Federal property 15 USC 1241-44 make it a federal crime carrying up to five years in prison to: introduce or transport a switchblade in interstate commerce, or possess a switchblade on federal or Indian lands, or lands subject to federal jurisdiction. This law does not apply to if you have only one arm and if the switchblade's blade is three inches or less in length.6 Local knife laws Many California counties and municipalities have knife ordinances that are more restrictive than state laws. For example: Los Angeles prohibits openly carrying in public any knife with a 3-inch or longer blade. (Section 55.10) Oakland bans carrying knives with a blade of 3 inches or longer. (Section 9-36.010). Sacramento County prohibits knives on any county property. (Section 9.42.010) San Diego County bans the possession of "throwing knives" at county parks. (Section 41.117) San Francisco bans loitering while carrying concealed knives with a 3-inch or longer blade. (Section 1291) What is legal in one city may be illegal in the next, so you are strongly advised to check all local ordinances before carrying or transporting any knives there. Occupational exceptions Hunters, construction workers, cooks, gardeners, and other people for whom knives are "tools of the trade" may have relaxed knife restrictions. Just be sure to check California state and local regulations with regard to your particular job or activity. Plus, when you are not "on the job," you must follow the same knife laws as everyone else. Self-defense with knives California law permits you to use legal knives in self-defense or defense of others as long as: you reasonably fear immediate bodily harm, and you use proportional force to deflect the threat. If you use a knife in self-defense when it is not reasonably necessary, you could face criminal charges such as for the following: Knife crimes California penalties Brandishing in a rude, angry, or threatening manner (PC 417) Misdemeanor: 30 days to 1 year in jail and/or \$1,000 (Brandishing at a daycare or in front of a police officer can be a felony carrying 16 months, 2 years, or 3 years in jail and/or up to \$10,000.) Assault with a deadly weapon (PC 245a1) Misdemeanor: up to 1 year in jail and/or up to \$1,000 or Felony: 2, 3, or 4 years in state prison and/or up to \$10,000 Committing a felony with a knife or while armed with one (PC 12022) A year in prison in addition to the penalty for the felony if you wish to carry a knife for self-defense, make sure it is legal under both state and local law. Also, you should not use it unless you are facing a serious threat; in some cases, merely brandishing a knife – and not using it to stab – would be sufficient to ward off any danger.7 In any case, you are advised to carry pepper spray or a stun gun instead of a knife – they immobilize your assailant without lethal consequences. Fighting knife charges Here at Shouse Law Group, we have represented literally thousands of people charged with crimes involving weapons, including knives. In our experience, the following five defenses have proven very effective with prosecutors, judges, and juries. Law enforcement conducted an unlawful search and seizure. If police found the knife by violating your Fourth Amendment rights, we would ask the judge to suppress the knife as evidence. If the court complies, the D.A. may be forced to drop your case for lack of proof. Your knife was legal. Illegal knives have precise legal definitions. If we can show your knife's blade length or operating mechanism falls outside of that definition, you should not be convicted of possessing an illegal knife. You did not know you had a switchblade. If you did not realize your switchblade was illegal or had the characteristics of a switchblade, you should not be convicted of possessing it. This is an effective defense because prosecutors have no way of getting inside of your head and knowing your intent.8 The knife was not concealed. We have had cases where clients were carrying legal knives openly, but the police mistakenly thought they were concealed. In these cases, the police's own bodycam footage can help get a concealed carry charge dismissed. You acted in lawful self-defense. As discussed above, you may use a legal knife in self-defense as long you believe it is reasonably necessary and you use reasonable force. Valuable evidence in these cases to show you acted within the bounds of self-defense are surveillance video, eyewitness accounts, and medical records. Additional reading For more in-depth information, refer to these scholarly articles: Legal References: The short answer is: it depends entirely on your state and local laws. There is no blanket federal law regulating the open carry of knives, including Bowie knives. Some states explicitly permit it, others prohibit it, and still others have restrictions based on blade length, type of knife, or location. It is crucial to thoroughly research and understand the laws in your specific jurisdiction before attempting to open carry a Bowie knife. Understanding Knife Laws: A Complex Landscape Knife laws are notoriously complex and vary significantly across the United States. What's legal in one state can be a felony in another. This patchwork of regulations makes it essential to conduct thorough research before carrying any knife, especially a large and potentially intimidating one like a Bowie knife. The key considerations are state statutes, local ordinances (city and county laws), and case law (court rulings) that interpret these laws. Is this article helpful to you? Many states categorize knives based on blade length, whether they are fixed or folding, and their intended purpose (e.g., hunting, utility, or self-defense). Bowie knives, typically characterized by their large size, fixed blade, and clip-point design, often fall under increased scrutiny. Furthermore, even in states where open carry is generally permitted, certain locations may be off-limits. These can include schools, government buildings, courthouses, polling places, and establishments that serve alcohol. Some states also have "preemption" laws, which prevent local governments from enacting stricter knife laws than the state's laws. State-Specific Considerations for Bowie Knife Open Carry It's impossible to provide a comprehensive overview of every state's knife laws in this article. However, here's a general guide to the types of restrictions you might encounter: Permissive States: Some states have relatively few restrictions on knife carry. These states often allow open carry of any knife, including a Bowie knife, provided it's not used for illegal purposes. Examples might include states with strong Second Amendment protections and a tradition of knife ownership. Restrictive States: Other states have enacted stricter regulations on knife carry, particularly concerning large knives like Bowie knives. These states may prohibit open carry altogether or impose strict blade length limits. Some may consider a Bowie knife a "dangerous weapon" and ban its carry. States with Blade Length Restrictions: Many states have laws that restrict the blade length of knives that can be carried, whether concealed or open. If a Bowie knife exceeds the maximum allowable blade length, open carry may be illegal. States with Concealed Carry Permits: In some states, having a concealed carry permit for firearms may also allow you to carry a knife concealed, even if it would otherwise be illegal. However, this doesn't necessarily legalize open carry. Local Ordinances: Even in states with permissive knife laws, cities and counties may have their own ordinances that restrict knife carry. Always check local laws in addition to state laws. Intent and Manner of Carry: Regardless of the legality of open carry, the manner in which you carry a Bowie knife can affect whether it's legal. Brandishing a knife in a threatening manner or carrying it with the intent to harm someone is almost always illegal. Responsible Knife Ownership and Open Carry Even where open carry of a Bowie knife is legal, it's essential to practice responsible knife ownership. This includes: Knowing the Law: Thoroughly research and understand the laws in your jurisdiction. Respecting Others: Be mindful of how your open carry might affect others. Avoid causing alarm or discomfort. Proper Training: Learn how to safely handle and use your Bowie knife. Maintaining Your Knife: Keep your knife in good working order. Understanding Self-Defense Laws: Know the laws regarding self-defense in your state. Using a knife for self-defense should always be a last resort. Seeking Legal Counsel If you are unsure about the legality of open carrying a Bowie knife in your area, it's always best to consult with a qualified attorney who specializes in knife laws. They can provide accurate and up-to-date information specific to your jurisdiction. Frequently Asked Questions (FAQs) Here are 15 frequently asked questions about the open carry of Bowie knives, along with detailed answers: What is considered a "Bowie knife" under the law? Legally, there's no universally agreed-upon definition of a Bowie knife. Generally, it refers to a large, fixed-blade knife with a clip-point blade, typically 6 inches or longer. However, the specific characteristics that define a Bowie knife can vary from state to state and even within different legal contexts (e.g., criminal statutes versus hunting regulations). If open carry is legal, can I carry a Bowie weapon" and ban its carry. States with Blade Length Restrictions: Many states have laws that restrict the blade length of knives that can be carried, whether concealed or open. If a Bowie knife exceeds the maximum allowable blade length, open carry may be illegal. 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Seeking Legal Counsel If you are unsure about the legality of open carrying a Bowie knife in your area, it's always best to consult with a qualified attorney who specializes in knife laws. Are there any organizations that advocate for knife rights? Yes, there are several organizations that advocate for knife rights, such as Knife Rights, Inc. These organizations work to reform knife laws and protect the rights of knife owners. If I move to a new state, how quickly should I familiarize myself with its knife laws? Immediately. Knife laws vary greatly from state to state, and you could unknowingly violate the law if you don't familiarize yourself with the regulations in your new jurisdiction. Research the laws as soon as possible after moving. Disclaimer: This article provides general information and is not intended as legal advice. Knife laws are complex and vary widely. Always consult with a qualified attorney to obtain legal advice specific to your situation. Home » Uncategorized » Can you open carry a Bowie knife? No.Concealed Carry: It is unlawful to conceal carry a dirk, bowie knife, ballistic knife, machete, razor, throwing star, oriental dart, or "any weapon of like kind." Schools: Possession of any knife with the exception of a pocket knife having a folding metal blade of less than three inches is a Class 1 Misdemeanor.Critical Dimensions: Less than three inches is the maximum length of a folding pocket knife which may be lawfully possessed on school grounds. Virginia State knife law imposes few restrictions on pocketknives, which have a folding metal blade less than three inches long. Conceal carry restrictions apply to "dirks," "stilettoes," and "bowie knives." Relevant Statutes: 18.2-282.1. Brandishing a machete or other bladed weapon with intent to intimidate, penalty. 18.2-283. Carrying dangerous weapon to place of religious worship. 18.2-283.1. Carrying weapon into courthouse. 18.2-287.01. Carrying weapon in air carrier airport terminal. 18.2-307.1. Definitions (provides definition for "ballistic knife") 18.2-308. Carrying concealed weapons; exceptions; penalty. 18.2-308.1. Possession of firearm, stun weapon, or other weapon on school property prohibited, penalty. 18.2-308.2. Possession or transportation of firearms, firearms ammunition, stun weapons, explosives, or concealed weapons by convicted felons; penalties; petition for restoration order, when issued 18.2-309. Furnishing certain weapons to minors; penalty. 18.2-311. Prohibiting the selling or having in possession blackjacks, etc. 19.2-386.28. Forfeiture of weapons that are concealed, possessed, transported, or carried in violation of law Prohibited Knives: Virginia law does not forbid the ownership of any knife type, although "ballistic" knives are restricted to the point of a practical prohibition. Concealed Carry: Any "dirk, bowie knife, stiletto, ballistic knife, machete," or "razor" may not be carried concealed. A statutory definition is supplied only for "ballistic knife." The Virginia Supreme Court has adopted dictionary-sourced definitions for "dirk" and "bowie knife." (See discussion below concerning 18.2-308 - concealed carry - restrictions.) Restrictions on Sale or Transfer: It is unlawful per 18.2-311 to sell, barter, give, or furnish a "ballistic knife." It is a Class 1 Misdemeanor per 18.2-309 to provide by any manner a switchblade knife, dirk, or bowie knife to a minor. Restrictions on Carry in Specific Locations/Circumstances: Location-based restrictions exist for schools, places of religious worship, courthouses, and airports. Statewide Preemption: Preemption of local regulation or statewide uniformity of knives is not obtained in Virginia except for airports. § 18.2-287.01. Carrying weapon in air carrier airport terminal provides a uniform statewide rule for airport terminals. Discussion: Automatic Knives Effective July 1, 2022, the possession and transfer restrictions applicable to any "switchblade" knife have been repealed, and effective July 1, 2023, "switchblade" knives were removed from the list of concealed weapons prohibited from being carried in public. Several statutes impose restrictions applicable to a "switchblade knife" 18.2-309 (transfer of weapons to minors.) Knives Restricted Under 18.2-308 Various firearms, cutting instruments, impact, and projectile weapons are restricted under 18.2-308. The listed cutting instruments are "dirk, bowie knife, switchblade knife, ballistic knife, machete," and "razor." None of the listed types except "ballistic knife" are statutorily defined. The relevant portion of 18.2-308 reads: If any person carries about his person, hidden from common observation, . . . (ii) any dirk, bowie knife, switchblade knife, ballistic knife, machete, . . . razor, or (v) any weapon of like kind as those enumerated in this subsection, he is guilty of a Class 1 misdemeanor. The Virginia Supreme Court stated definitions for the listed knives in a footnote to the case of Thompson v. Commonwealth 673 S.E.2d 469 (2009) taken from Webster's Third New International Dictionary: A "dirk" is "a long straight-bladed dagger or a short sword" . . . A "bowie knife" is "a large hunting knife adapted [especially] for knife-fighting" with a "10 to 15 inch [] long" blade. A "switchblade knife" is "a pocketknife having the blade spring-operated so that pressure on a release catch causes it to fly open." (Citations omitted.) The reported concealed knife cases in Virginia suggest that prosecutors do not charge defendants with possession of a dirk or bowie, instead, the charge is that the defendant possessed a "weapon of like kind." The flexibility allowed prosecutors and lower courts to construe "of like kind" more broadly, in the Thompson case, the Court of Appeals upheld a conviction on the basis that a butterfly knife was of like kind to a dirk. The Supreme Court in Thompson v. Commonwealth observed that the lower court had correctly concluded that a butterfly knife was not one of the enumerated types prohibited by 18.2-308. It also agreed that the butterfly knife was a weapon. It reversed the conviction because the butterfly knife was not "substantially similar" to a dirk or any other specifically restricted type. The factors to be considered include a comparison with the dictionary definitions. Some ten months after the Thompson decision, the Virginia Court of Appeals in McMillan v. Commonwealth 686 S.E.2d 525 (2009) reversed a conviction for possession of a weapon of like kind where the defendant admitted that he carried the knife "for protection" and that it was kept in a sheath riveted to the inside of the left or "driver's door" of his vehicle. The Court stated: Though McMillan testified that he carried the knife for protection, this statement does not change the physical characteristics of the knife he possessed or its method of operation such that it becomes a weapon. . . . "as we explained in Farrakhan, "[s]ubsequent use or circumstances may not be considered in the definitional analysis of "weapon." . . . Nor can the purpose for which an individual carries a knife be dispositive as to whether that knife is either "designed for fighting purposes" or "commonly understood" to be a weapon. The "weapon of like kind" catchall is limited to instances where the instrument in question is: Designed for fighting or commonly understood to be a weapon, and Substantially similar in comparison to the dictionary-sourced definitions recognized by the Virginia Supreme Court in Thompson v. Commonwealth. 18.2-308 B provides a very limited exemption regarding concealed carry in one's home: This section shall not apply to any person while in his own place of abode or the curtilage thereof. "Curtilage" is one's house and the immediately adjoining property. It does not include open fields and is not synonymous with "property." In Robinson v. Commonwealth 639 S.E. 2d 217 (2007), the Virginia Supreme Court described the extent of curtilage: The extent of the curtilage is determined by factors that bear upon whether an individual reasonably may expect that the area in question should be treated as the home itself. . . . This is because the term "curtilage," as it is used in the legal context, is historically understood to refer to an extension of the home that is so intertwined with the home that the law must provide it the same protection as the home itself. Concealment The 18.2-308 restricted knives may not be carried "about the person, hidden from common observation. "About the person" includes carried in a handbag per the case of Schaff v. Commonwealth 258 S.E.2d 574 (1979). This would include a backpack, briefcase, tote bag, etc. The standard is "prompt and immediate use." In the case of Richards v. Commonwealth, 443 S.E. 2d 177 (1994), the court held that a knife "sticking one-half to three-quarters of an inch out of Richards's right back pants pocket" was not concealed. The knife was inoperable as a "switchblade," and the blade was fixed in the open position. Richards was convicted and pursued an appeal. The prosecution argued unsuccessfully that the knife was either a "spring knife" or a "ballistic knife." The Court's decision suggests that since it was not a functioning "switchblade" or "ballistic knife, the appearance was not deceptive. It was not a statutorily restricted knife disguised as an unrestricted type. It was not completely hidden and recognizable as a knife. Accordingly, it was not concealed. A conviction for the concealed carry of a handgun was upheld by the Court of Appeals in Main v. Commonwealth 457 S.E.2d 400 (1995), where the gun was carried in a man's rear trouser pocket with the handle or grip portion extending above the edge of the pocket. The defendant was walking along a road with a duffle bag slung over his shoulder, which covered an area encompassing the rear pocket. Given this ruling, pocket clip carry may be considered concealed if the drape on one's clothing covers the clip / exposed portion of the knife. In almost all instances, whether a knife is concealed will be a question of fact for the jury or the judge in a non-jury proceeding. Location-Based Restrictions The knives described in 18.2-308 are location-restricted from courthouses (18.2-283.1), airports (18.2-287.01), and schools (18.2-308.1). A "bowie knife" or "dagger may not be carried at a "place of worship while a meeting for religious purposes is being held" without "good and sufficient reason" per 18.2-283. 18.2-308.1. Possession of a firearm, stun weapon, or other weapon on school property is prohibited; the penalty includes an additional restriction for any knife except a pocketknife to have a folding metal blade of less than three inches in length. This section also applies to airports and courthouses. The combined effect of 18.2-308 and 18.2-308.1 is that it is unlawful to carry openly or concealed any knife except for a pocketknife with a blade less than three inches at schools, courthouses, and airports. Virginia law does not specify how blade length is determined. We recommend one use the AKTI Protocol for Measuring Knife Blade Length, which is consistent with a majority of U.S. jurisdictions. Brandishing The legislative history of the "Brandishing" law indicates it was intended to address "criminal street gang" activity. It was enacted in 2006. There are no reported cases involving § 18.2-282.1 which provides: It shall be unlawful for any person to point, hold, or brandish a machete or any weapon, with an exposed blade 12 inches or longer, with the intent of intimidating any person or group of persons and in a manner that reasonably demonstrates that intent. This section shall not apply to any person engaged in excusable or justifiable self-defense. Virginia law provides a similar prohibition for brandishing a firearm. Collector Exception The exception in § 18.2-308. Carrying concealed weapons; exceptions; penalty for the benefit of collectors requires that one be a "regularly enrolled member" of a "weapon collecting organization." The exception provides that the section does not apply to: Any regularly enrolled member of a weapons collecting organization who is at, or going to or from, a bona fide weapons exhibition, provided that the weapons are unloaded and securely wrapped while being transported. Law Enforcement/Military Exemptions are provided for various categories of peace officers and criminal justice officials to the restriction regarding weapons in courthouses. Law enforcement officers on duty are exempt from the law terminal restrictions. Carriers of U.S. Mail on duty are exempt from the restrictions of § 18.2-308. There are no U.S. military exemptions, notwithstanding the significant presence in the Commonwealth. Consequences Most violations of knife restrictions are Class 1 Misdemeanors punishable by confinement in jail for not more than one year and /or a fine not to exceed \$2,500. A violation of 18.2-311. Prohibiting the selling or having in possession blackjacks, etc., is a Class 4 Misdemeanor punishable by a fine not to exceed \$250. Updated July 1, 2023.