



knife is not protected by the Second Amendment because it is not a designed to be used as a weapon.

We hold that the right to bear arms protects instruments that are designed as weapons traditionally or commonly used by law abiding citizens for the lawful purpose of self-defense. In considering whether a weapon is an arm, we look to the historical origins and use of that weapon, noting that a weapon does not need to be designed for military use to be traditionally or commonly used for self-defense. We will also consider the weapon's purpose and intended function....

[T]he small knife found on Evans's person is a utility tool, not a weapon.... Evans does not demonstrate that his paring knife is a constitutionally protected arm.

The court's analysis interprets both the Second Amendment and the Washington Constitution's right to bear arms provision, and also says it is consistent with Oregon and Connecticut case law, which views "arms" as covering switchblades, dirks, billy clubs and police batons.

While Mr. Young disagrees with the court's reasoning and argues as a class all bearable knives are protected arms, this case supports Mr. Young's challenge to Hawaii's ban on the ownership of electric guns, switchblades and balisong knives located on pages 35-41 of his Opening brief. This is because unlike a paring knife, all three of these weapons are designed to be used for self-defense. In the case of the balisong knife, it is of Filipino origin. Traditionally made in the Tagalong region

of Batangas in the Philippines, the native Filipinos used the butterfly knife as a self-defense knife<sup>1</sup>.

For the forgoing reasons and that in the briefing, Mr. Young once again respectfully request that this Court find these provisions of the H.R.S. unconstitutional.

Respectfully submitted this 15<sup>th</sup> day of January 2016.

s/ Alan Beck  
Alan Beck (HI Bar No. 9145)

s/ Stephen D. Stamboulieh  
Stephen D. Stamboulieh

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<sup>1</sup> [http://www.butterflyknife.com/default.html#The\\_Butterfly\\_Knife](http://www.butterflyknife.com/default.html#The_Butterfly_Knife)  
(last visited Jan. 11<sup>th</sup> 2016).

CERTIFICATE OF SERVICE

On this, the 15<sup>th</sup> day of January 2016, I served the foregoing pleading by electronically filing it with the Court's CM/ECF system which generated a Notice of Filing and effects service upon counsel for all parties in the case. I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 15<sup>th</sup> day of January, 2016

s/ Stephen D. Stamboulieh