

Definition of “Dangerous Weapon” for Law Enforcement Reporting Requirement

“**Dangerous weapon,**” for purposes of reporting assault or battery against on-duty personnel to law enforcement, means any weapon the possession or concealed carrying of which is prohibited by Penal Code Section 16590. Besides firearms, this includes:

1. An air gauge knife. An “**air gauge knife**” means a device that appears to be an air gauge but has concealed within it a pointed, metallic shaft that is designed to be a stabbing instrument which is exposed by mechanical action or gravity which locks into place when extended [Penal Code Section 16140].
2. Ammunition that contains or consists of a flechette dart. A “**flechette dart**” means a dart, capable of being fired from a firearm, that measures approximately one inch in length, with tail fins that take up approximately five-sixteenths of an inch of the body [Penal Code Section 16570].
3. A ballistic knife. A “ballistic knife” means a device that propels a knifelike blade as a projectile by means of a coil spring, elastic material, or compressed gas. A ballistic knife does not include any device that propels an arrow or a bolt by means of any common bow, compound bow, crossbow, or underwater speargun [Penal Code Section 16220].
4. A belt buckle knife. A “**belt buckle knife**” is a knife that is made an integral part of a belt buckle and consists of a blade with a length of at least two and one-half inches [Penal Code Section 16260].
5. A bullet containing or carrying an explosive agent. This does not include tracer ammunition manufactured for use in a shotgun.
6. A camouflaging firearm container. A “**camouflaging firearm container**” means a container that meets all of the following criteria:
 - a. It is designed and intended to enclose a firearm.
 - b. It is designed and intended to allow the firing of the enclosed firearm by external controls while the firearm is in the container.
 - c. It is not readily recognizable as containing a firearm.

However, a “camouflaging firearm container” does not include any camouflaging covering used while engaged in lawful hunting or while going to or returning from a lawful hunting expedition. [Penal Code Section 16320]

1. A cane sword. A “**cane sword**” means a cane, swagger stick, stick, staff, rod, pole, umbrella, or similar device, having concealed within it a blade that may be used as a sword or stiletto [Penal Code Section 16340].
2. A concealed dirk or dagger (emphasis added). A “**dirk**” or “**dagger**” means a knife or other instrument with or without a handguard that is capable of ready use as a stabbing weapon that may inflict great bodily injury or death. A non-locking folding knife, a folding knife that is not prohibited by Penal Code Section 21510 (which prohibits switchblade

knives having a blade two or more inches long), or a pocketknife is capable of ready use as a stabbing weapon that may inflict great bodily injury or death only if the blade of the knife is exposed and locked into position. Note that a dirk or dagger (knife) in plain view (not concealed) is not included in this definition. [Penal Code Section 16470]

3. A concealed explosive substance, other than fixed ammunition.
4. A large-capacity magazine. A **“large-capacity magazine”** means any ammunition feeding device with the capacity to accept more than 10 rounds, but shall not be construed to include any of the following:
 - a. A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds.
 - b. A .22 caliber tube ammunition feeding device.
 - c. A tubular magazine that is contained in a lever-action firearm.

[Penal Code Section 16740]

1. A leaded cane or an instrument or weapon of the kind commonly known as a billy, blackjack, sandbag, sandclub, sap, or slungshot. A **“leaded cane”** means a staff, crutch, stick, rod, pole, or similar device, unnaturally weighted with lead [Penal Code Section 16760].
2. A lipstick case knife. A **“lipstick case knife”** means a knife enclosed within and made an integral part of a lipstick case [Penal Code Section 16830].
3. Metal knuckles. **“Metal knuckles”** means any device or instrument made wholly or partially of metal that is worn for purposes of offense or defense in or on the hand and that either protects the wearer’s hand while striking a blow or increases the force of impact from the blow or injury to the individual receiving the blow. The metal contained in the device may help support the hand or fist, provide a shield to protect it, or consist of projections or studs which would contact the individual receiving a blow. [Penal Code Section 16920]
4. A metal military practice hand grenade or a metal replica hand grenade.
5. A multi-burst trigger activator.
6. A nunchaku. A **“nunchaku”** means an instrument consisting of two or more sticks, clubs, bars, or rods to be used as handles, connected by a rope, cord, wire, or chain, in the design of a weapon used in connection with the practice of a system of self-defense such as karate [Penal Code Section 16940].
7. A shobi-zue. A **“shobi-zue”** means a staff, crutch, stick, rod, or pole concealing a knife or blade within it, which may be exposed by a flip of the wrist or by a mechanical action [Penal Code Section 17160].
8. A shuriken. A **“shuriken”** means any instrument, without handles, consisting of a metal plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond, or other geometric shape, for use as a weapon for throwing. [Penal Code Section 17200].

9. A writing pen knife. A **“writing pen knife”** means a device that appears to be a writing pen but has concealed within it a pointed, metallic shaft that is designed to be a stabbing instrument which is exposed by mechanical action or gravity which locks into place when extended or the pointed, metallic shaft is exposed by the removal of the cap or cover on the device [Penal Code Section 17350].

NOTE: This is the definition to use when determining whether to report an assault or battery against on-duty personnel to law enforcement. It is not the definition Cal/OSHA uses in its WVP regulation.

