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To transform underprivileged and minority communities and individuals into informed and vibrant members of society through civic, educational and personal development programmes.

Past Decisions of Note When Dismissing Charges for Carrying a *Kirpan* in the USA:

In the reported case of *kirpan* prosecution in New York City, New York v. Pratap Singh, 135 Misc. 2d 701; 516 N.Y.S.2d 412 (1987), the court concluded its dismissal of a *kirpan* prosecution by stating:

[I]t is the considered judgment of this court that the continuance of this prosecution would not be in the furtherance of justice and that dismissal is required as a matter of judicial discretion... There exists compelling factors and circumstances that clearly demonstrate that conviction or prosecution of the defendant upon the said accusatory instrument could constitute or result in injustice and would serve no useful purpose.

In State of Ohio v. Harjinder Singh, 117 Ohio App. 3d 381, 690 N.E.2d 917 (Ohio Ct. App. 1st Dist. 1996), a court of appeals reversed a trial court conviction for carrying a *kirpan* on the grounds that the Sikh defendant carried his *kirpan* as a religious article and not a mere weapon. *Id.* at 387. In a concurring opinion, Judge Mark Painter added, “*I write separately to confess that I am amazed that a case like this would ever be prosecuted once, much less twice, at tremendous cost to the state, the defendant, and the legal system.*” *Id.* at 388.

In City of Detroit v. Sukhpreet Singh Garcha (2005), Judge Rudolph Serra dismissed the case against Sukhpreet Singh, a Sikh student at Wayne University, who was charged under City of Detroit Ordinance Section 38-10-42 for carrying a ten-inch *kirpan* where one is prohibited of being in possession of a blade longer than three inches, recognizing that the purpose of the ordinance would not be served, as the *kirpan* should not be treated as an ordinary knife or weapon.

On a decision to voluntarily drop criminal charges for carrying a *kirpan*, Gerald Coyne, Deputy Attorney General for the State of Rhode Island stated, “*We are hopeful that the law enforcement agencies will recognize the inherent religious nature of the kirpan and also recognize that those who carry the kirpan only as a symbol of faith should not be subjected to prosecution.*”