



TO: Chairperson Humphries and the House Judiciary Committee

SUBJECT: Proponent Testimony on House Bill No. 2347

FROM: Jan Jarman, Deputy City Attorney and Legal Advisor to Wichita Police Department

DATE: February 14, 2025

I appreciate the opportunity to testify on behalf of the City of Wichita and the Wichita Police Department regarding House Bill 2347. The department strongly supports the proposed changes to help hold those accountable who are stealing cars at an unprecedented rate. In 2023 2,294 vehicles were reported stolen to the Wichita Police Department, with that number rising to 2,655 in 2024.

The bill recommends three simple changes. First, it changes the language from “obtaining control over stolen property or services knowing to have been stolen by another” to “knowing or having reason to know” the property was stolen. This allows the jury to determine whether a reasonable person should know the vehicle was stolen. The factfinder could consider factors such as whether the column was punched or the glass was broken out on a window. Perhaps they would hear evidence that the person does not know where the car came from or had no plan or place to return it or that they paid nothing to take it. All of those factors could go toward proving a person was driving a vehicle that they had reason to know was stolen.

The second requested amendment changes the wording to “obtaining control over stolen property or services knowing, or having reason to know, the property or services were stolen from another.” The current wording is “obtaining control over stolen property or services knowing the property or services to have been stolen by another”. So, if a suspect is stopped in a stolen car with the column punched, prosecutors have two choices: try to prove the person driving the stolen car was the one who actually stole it or try to prove the suspect knowingly possessed a car that was stolen by a different person. When officers can’t determine who initially stole the car, the strongest charge is felony possession of stolen property. Without this amendment, the prosecutor would have to prove the car was taken by a person other than the one driving it, which should be irrelevant. If a person is in possession of stolen property that they knew or should have known was stolen, it should be irrelevant whether the suspect stole the vehicle or another person.

The final amendment to the statute is that “theft of: property that is a motor vehicle of the value of less than \$1,500 is a severity level 10, nonperson felony.” Theft of a motor vehicle is devastating to a victim, and probably even more devastating if the vehicle is low value because that means it only carries liability insurance. Especially for those who are stealing multiple

vehicles, the crime of automobile theft should be treated as harshly as it feels to the victim whose vehicle was stolen.

Thank you for considering the importance of this amendment and for allowing me to testify before this committee on behalf of the Wichita Police Department.