



TO: Chairperson Warren and the Senate Judiciary Committee

SUBJECT: Proponent Testimony on House Bill No. 2347

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

DATE: March 4, 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 and other items 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. While these amendments were spurred by auto theft, the improvements will aid in the prosecution of all varieties of theft.

The bill recommends two 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, or other property, was stolen. In an auto theft, the factfinder could consider factors such as whether there was a key in the ignition, the column was punched or the glass was broken out on a window. Perhaps they would hear evidence that the person did 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” rather than “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 must prove the car was taken by a person other than the one driving it, “stolen by another person”. 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.

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.