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Testimony to the House Committee on Judiciary in Support of HB2093 January 27, 2021

Chairman Patton, Vice Chairman Ralph, and Members of the Committee:

The International Association of Chiefs of Police has researched auto theft across the country and the world. The Auto Theft Educational Awareness Working Group has been researching vehicle theft with the goal to educate law enforcement executives, their departments, and the public as to the importance of and connection between vehicle crime and subsequent violent crime. In their latest report they state, "This awareness is important to prevent violent crime sprees and their repercussions and to ignite support vital to the sustainability and longevity of auto theft investigative and prosecutorial units across the globe."¹

Auto thefts in Johnson County have been increasing since 2015 and in recent years have seen a bump in frequency. In 2015 and 2016 we had one stolen vehicle (each year) reported to the sheriff's office according to our records. In 2018, there were 13 stolen cars reported to the Johnson County Sheriff's Office. 2019 saw a 200% jump with 39 cars reported. In 2020 we had 43 vehicles reported stolen to our agency – a 10% increase. This does not include vehicles that have been reported stolen from other jurisdictions within the county. Cities in Johnson County report a larger increase in vehicle thefts than we did.²

Chris McDonald, chair of the IACP's Vehicle Crimes Committee and executive director of the Maryland Vehicle Theft Prevention Council, says the statistics show these are not "joyriding" but rather an attempt to permanently deprive an owner of their property. These same statistics that the Vehicle Crimes Committee researched demonstrate that auto theft is a

¹ Auto Theft Educational Awareness Working Group of the International Association of Chiefs of Police (IACP) Vehicle Crimes Committee, "Vehicle Crimes Auto Theft Educational Awareness Report," May 2017, accessed January 25, 2021 https://www.theiacp.org/sites/default/files/2018-09/IACP%20VCC%20Auto%20Theft%20Educational%20Awareness%20Report_0.pdf ,.

² Sam Zeff, "Car Thefts Skyrocket In Johnson County In 2020, Setting A Record In Overland Park," January 15, 2021, accessed January 25, 2021, <https://www.kcur.org/news/2021-01-15/car-thefts-skyrocket-in-johnson-county-in-2020-setting-a-record-in-overland-park>

gateway crime - 97 percent of car thieves also face other serious charges. Stolen vehicles are used for crimes like shootings, robberies, homicides, drug dealing and insurance fraud.³

The Johnson County Sheriff's Office supports the changes to statute that HB 2093 proposes:

- The addition of adding operation of a stolen vehicle (page 1, Line 34) to fleeing/eluding makes that offense a felony rather than a misdemeanor.
- The addition of a fine not less than \$500 when operating a stolen vehicle (page 2, lines 6-8); and
- In prosecuting a theft of a motor vehicle, Fleeing, or attempting to elude a police officer is prima facie evidence of intent to permanently deprive the owner of the possession, use, or benefit of the vehicle (page 4, lines 30-36).

Last year HB 2448 was heard by this committee, amended, and then passed by the full House by a vote of 98-25. HB 2093 is HB 2448 (2020) as amended. HB 2448 contained a provision that was removed that we would like to see in this bill. This provision is victim centered and we would like to ask the committee to add that language to this bill:

Theft of property that is a motor vehicle as defined in K.S.A. 8-126, and amendments thereto, of the value of less than \$1,500 is a severity level 10, nonperson felony.

This provision was an attempt to protect Kansans who own a vehicle valued at under \$1500. When the Legislature raised the amount for felony theft from \$1000 to \$1500 this changed the ability to charge the theft of a motor vehicle as a felony. Statewide data indicates that 30.8% of stolen vehicles in Kansas in 2017 were valued at \$1500 or less. Accordingly, these vehicles are more likely to be owned by lower income families and, in many instances, are the only means of transportation the family has. It is less likely that these vehicles are insured against theft and these families are not likely to be able to quickly replace the stolen vehicle. While HB 2093 is a needed improvement this new language would make this a victim centered piece of legislation.

The Johnson County Sheriff's Office feels that these changes to current law will make an impact on the problem of auto theft and those that attempt to elude police when caught in those vehicles.

We ask that you recommend this bill favorably for passage.

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³ Auto Theft Educational Awareness Working Group of the International Association of Chiefs of Police (IACP) Vehicle Crimes Committee, "Vehicle Crimes Auto Theft Educational Awareness Report," May 2017, accessed January 25, 2021 https://www.theiacp.org/sites/default/files/2018-09/IACP%20VCC%20Auto%20Theft%20Educational%20Awareness%20Report_0.pdf