

3/17/2021 – 8 am -Senate Bill 178 Senate Committee on Judiciary and Ballot Measure 110

I oppose Senate Bill 178; 'property owner consent is defense to theft or criminal mistreatment in the first degree if defendant did not know....' First, if a person is the caregiver, relative or acquaintance first action of consent that "may or may not have been given" is to have proof of such consent. A written statement signed by the person that gives the permission. For a person to appropriate any property for their own use in any other manner is not justified. Second, SB 178 relies on "did not know or have reason to know" theory of a defense; why, for the reason that there was no consent in the first place, the victim lacked capacity to consent during the appropriation by the defendant. Then the victim would probably lack capacity in the court of law as a victim of the appropriation of their property. This Bill is so circular, it's appalling.