

crime. Just entering...sticking your hand through a window is not going to...you are not subject to this unless it's also proven that your intent was to stick your hand through to hit someone in that car or to stick your hand through as a first step in getting in to steal the car.

SENATOR BEUTLER: Well, let's say that I wanted to steal the car,...

SENATOR LINDSAY: Okay.

SENATOR BEUTLER: ...and you could prove that intent, as between actually stealing the car, that is using it...by the way, this is a joy ride statute, using the car, right?

SENATOR LINDSAY: Absolutely.

SENATOR BEUTLER: I mean, this is a statute that was put there because prosecutors wanted something else to use because too many nice kids took cars, so they needed something a little less in penalty besides theft,...

SENATOR HALL: One minute.

SENATOR BEUTLER: ...besides first class theft, which was a felony.

SENATOR LINDSAY: Right.

SENATOR BEUTLER: Is that basically correct?

SENATOR LINDSAY: I think so, yeah.

SENATOR BEUTLER: Okay, but as between entering the vehicle for purposes of taking it and using it, which is an offense of using it, and just entering with the intent to do that, which is less, not going as far, but at the same time just for entering with an inappropriate attempt...intent, it's a felony, whereas, if you actually use it, it's only a Class I mis...or a Class III misdemeanor.

SENATOR LINDSAY: Right.

SENATOR BEUTLER: I mean, to me, these are...these are backwards.