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**HB 318 – Criminal Law – Theft – Mail and Mail Depository Key  
FAVORABLE  
House Judiciary Committee  
January 30, 2024**

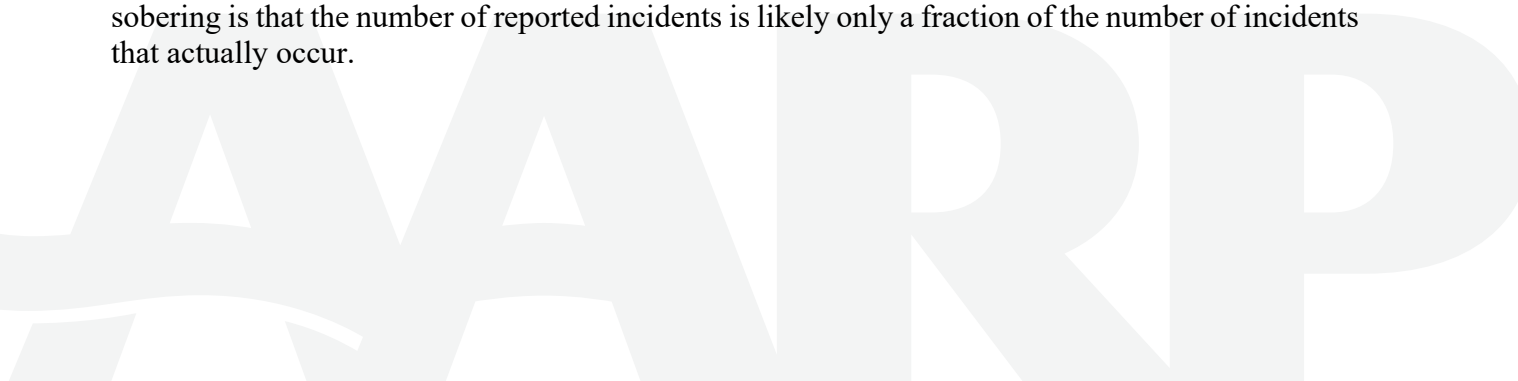
Good afternoon, Chairman Clippinger and Members of the House Judiciary Committee. I am Karen Morgan, a member of the Executive Council for AARP Maryland. As you may know, AARP Maryland is one of the largest membership-based organizations in the Free State, encompassing almost 850,000 members. We thank Delegates Solomon, Kaufman, and Shetty for sponsoring this legislation.

AARP is a nonpartisan, nonprofit, nationwide organization that helps people turn their goals and dreams into real possibilities, strengthens communities, and fights for the issues that matter most to families such as health care, employment and income security, retirement planning, affordable utilities, and protection from financial abuse.

HB 318 significantly increases penalties for the crime of mail theft. While the theft of items is subject to various criminal penalties, depending on the value of the amount stolen, the act of opening mail without authorization is still treated as a relatively minor crime. Section 3-905 of the Criminal Law Article penalizes the act of breaking open a letter without authorization by a fine of only \$15 and imprisonment for 6 days.

These days, the act of mail theft is not the trivial crime it was once perceived to be. Criminals have been stealing mail to get access to personal identifying information or to get checks, money orders, or credit and debit cards. Stealing the mail is not just “stealing the mail.” It has become a serious crime that is a significant gateway to identity theft and the draining of financial accounts, not just once, but multiple times. WTOP News recently reported that five people from Prince George’s County have been accused of stealing checks from the mail valued at more than five million dollars. More than 600 checks were taken from post office boxes and a mail distribution center during 2021 and those accused had access to the personal identifying information of at least five victims.

According to the Consumer Sentinel Data Book for 2022, Maryland had the fifth highest number of reported incidents in the nation for fraud. Maryland ranked 11<sup>th</sup> in the nation for reports of identity fraud, comprising 20 percent of all fraud reports collected from Maryland residents. The specter of mail theft is a significant contributor to these sobering criminal incidents. Even more sobering is that the number of reported incidents is likely only a fraction of the number of incidents that actually occur.



In the early 2000's, the Maryland General Assembly established the Task Force to Study Identity Theft. Among the recommendations in their final report was a significant increase in the penalties for mail theft. This recommendation was made in 2007, long before stealing postal arrow keys and assaulting mail carriers became a crime of opportunity. Fast forward 17 years later to 2024, and we are now faced with criminals who have discovered that the act of just stealing mail can lead to substantial ill-gotten financial gains from draining bank accounts and opening up lines of credit – without the risk of confronting the victim who can suffer financial devastation.

AARP supports HB 318 and respectfully requests the House Judiciary Committee to issue a favorable report. For questions, please contact Tammy Bresnahan, Director of Advocacy for AARP Maryland at [tbresnahan@arp.org](mailto:tbresnahan@arp.org) or by calling 410-302-8451.