



# RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES  
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2026 Session  
HB0788

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## **Criminal Law - Theft - Mail and Packages (Porch Piracy Act of 2026)**

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### **Bill Summary**

This bill prohibits the knowing or willful theft of “mail or package,” which is defined as an item delivered or left to be collected by the United States Postal Service (USPS) or a delivery service company that delivers tangible personal property. A person who violates this prohibition is guilty of a felony and on conviction is subject to imprisonment for up to five years. As a condition of sentencing, the court may order the violator to stay away from (1) the location where the violation occurred; (2) all real property owned by the victim; (3) the victim’s place of employment; and (4) any location that the State’s Attorney proved at trial that the defendant targeted in the course of the violation.

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### **Racial Equity Impact Statement**

Under current law, penalties for mail and package theft are provided under the general theft statute and vary based on the value of the stolen property. The bill creates a new felony and alters the penalties for the offense of mail and package theft. Demographic data specific to mail and package theft is not readily available to measure specific impacts. Data on general larceny-theft arrests from 2024, however, indicates some disparity between Black offenders and offenders of other races. This limited data suggests that the bill’s provisions have the potential to exacerbate racial disparities that currently exist in the State’s criminal justice system. Additional data on the racial and ethnic distribution of the individuals charged and/or convicted of mail and package thefts would be required to measure the specific impacts of the bill.

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## Analysis

### *General Larceny/Theft*

Larceny-theft is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another person. Under existing law, theft of mail or packages is subject to the general theft statute, which imposes penalties based on the value of the stolen property or services. Generally, theft of an item that is less than \$1,500 in value is a misdemeanor. Depending on the value of the property stolen and whether a defendant has prior convictions, the maximum penalty for misdemeanor theft is up to five years imprisonment and/or a \$5,000 fine.

Changing crimes from misdemeanors to felonies means that (1) such cases are likely to be filed in the circuit courts rather than the District Court and (2) some persons may eventually serve longer incarcerations due to more stringent penalty provisions applicable to some offenses for prior felony convictions.

### *Opening a Letter without Permission*

Section 3-905 of the Criminal Law Article prohibits a person from taking and breaking open a letter that is not addressed to them without permission from the person to whom the letter is addressed or the personal representative of the addressee's estate. A violator is guilty of a misdemeanor and subject to imprisonment for six days and a fine of \$15.

### *Postal Service-related Theft under Federal Law*

It is a federal crime to steal or receive stolen mail, as specified under 18 USC § 1708. On conviction, a violator is subject to imprisonment for up to five years and/or a \$250,000 maximum fine.

It is also a federal crime to steal any property used by USPS, as specified under 18 USC § 1707. On conviction, a violator is subject to (1) if the value of the stolen property does not exceed \$1,000, imprisonment for up to one year and/or a maximum fine of \$100,000 or (2) if the value of stolen property is more than \$1,000, imprisonment for up to three years and/or a maximum fine of \$250,000.

### *Impacts of the Bill*

Department of State Police (DSP) arrest data suggest that Black individuals are consistently overrepresented in larceny arrest data when compared to their overall share of the State's population. During 2024, DSP reported a total of 11,361 larceny-theft arrests. As shown in **Exhibit 1**, while Black individuals accounted for 30% of the State's population, over 54% of the arrestees were Black. Of the remaining arrestees, 43% were white and 1% were Asian. American Indian or Alaska Natives and Native Hawaiian or Other Pacific Islanders accounted for less than 1% of arrestees.

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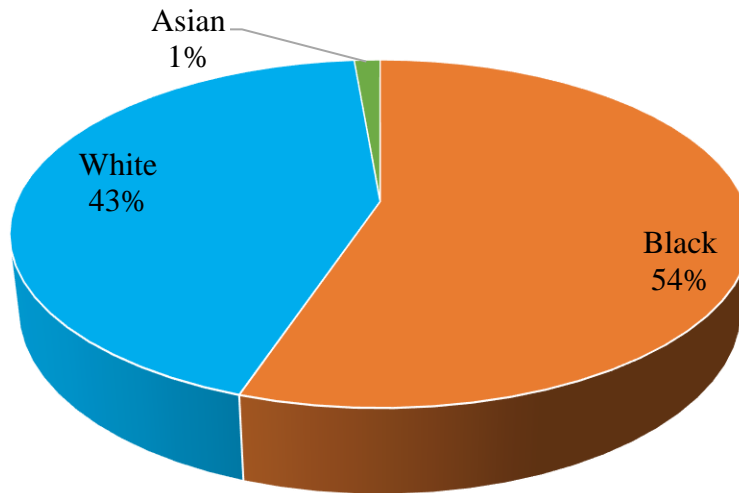
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**Exhibit 1**  
**Larceny-Theft Arrests in Maryland**  
**2024**



Source: Department of State Police

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There is no specific data readily available on mail and package theft that would indicate the prevalence of this crime, the value of the property stolen, or the demographic breakdown of offenders and the rates at which they are arrested, charged, convicted, and incarcerated for this crime.

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### **Conclusion**

The statewide racial and ethnic demographics of individuals arrested for larceny-theft crimes, as reported by Maryland law enforcement agencies, suggest racial disproportionality exists for Black individuals for larceny-theft arrests generally, but no data is readily available to measure inequities related specifically to mail and package theft charges, arrests, and convictions. Thus, the exact magnitude of this bill's potential impacts on racial equity cannot be fully measured without additional historical and comprehensive data on the racial and ethnic distribution of mail and package thefts.

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**Information Sources:** Department of State Police; Department of Legislative Services

**Analysis by:** Dr. Mikaela Zimmerman

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# Appendix – Maryland Demographics

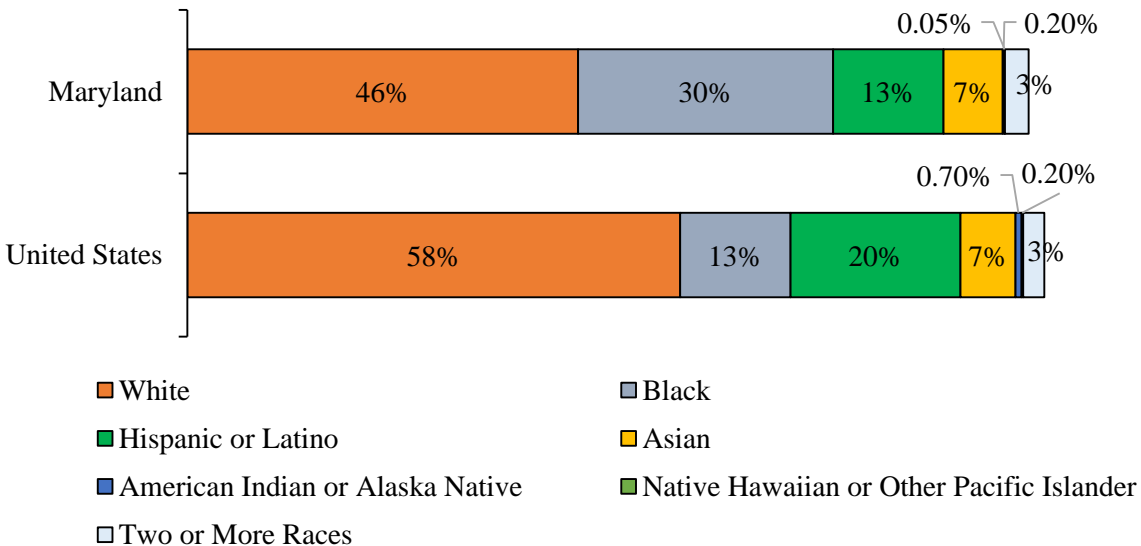
## *Race and Ethnicity of the Maryland Population*

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. Maryland remains one of the most racially and ethnically diverse states in the nation and is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). While no single racial or ethnic group constitutes a majority, racial minorities as a group constitute a majority of the State’s population. This diversity underpins the analytical framework used in racial equity impact notes (REIN), which seek to identify potential disparities that may be exacerbated or created by proposed criminal justice legislation.

## *Methodology Update*

Beginning in 2025, REIN will use annual population estimates from the U.S. Census Bureau’s Population Estimates Program (PEP) as the basis for disparity and disproportionality calculations. This methodological update reflects best practices in demographic analysis, as PEP data incorporate births, deaths, and migration to provide the most current population counts between censuses. Although the estimates are more temporally responsive, they do not materially change the proportionate racial and ethnic breakdown observed in the 2020 census. Instead, they conservatively reflect population changes since 2020 while preserving the overall demographic composition of the State.

**U.S. and Maryland Population by Race and Ethnicity  
2024 Population Estimates**



Note: Percentages do not total 100% due to rounding.

Source: U.S. Census Bureau