



J. CHARLES SMITH, III
STATE'S ATTORNEY

CIRCUIT COURT DIVISION
301-600-1523

DISTRICT COURT DIVISION
301-600-2573

CHILD SUPPORT DIVISION
301-600-1538

JUVENILE DIVISION
301-600-2980

STATE'S ATTORNEY FOR FREDERICK COUNTY

KIRSTEN N. BROWN
DEPUTY STATE'S ATTORNEY

County Courthouse
100 West Patrick Street
Frederick, Maryland 21701

www.statesattorney.us

February 1, 2024

The Honorable William C. Smith, Jr.
Chairperson, House Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

Dear Chair Smith and Members of the Senate Judicial Proceedings Committee:

I am Assistant State's Attorney Jason Shoemaker, and I am the Chief of the Economic Crimes Unit at the Frederick County State's Attorney's Office, who I am here on behalf of, as well as my elected State's Attorney, Charlie Smith, and the Maryland State's Attorneys' Association, in support of Senate Bill 373 – Theft – Mail and Mail Depository Key, sponsored by Senator Waldestreicher.

During my 21 years as a prosecutor, I have prosecuted a broad range of crimes, but most of my career has involved prosecuting burglary, felony theft and arson related offenses. As a local prosecutor in Frederick County, I have prosecuted, and am reviewing currently, cases where the evidence shows that mailboxes were/are targeted for the purpose of stealing mail deposited therein.

The types of harm to victims of mail theft ranges from identity theft to stolen checks. In my recent cases the check losses ranged from thousands to hundreds of thousands of dollars per stolen check.

As I was preparing my remarks in support of this bill, I located many recent articles reporting on this crime. Mail theft certainly appears to be on the rise all around the country. And it is a problem here in Maryland as well with a federal grand jury, in January, indicting five Maryland men in a fraud scheme involving the theft of over 600 checks with a face value of more than \$5 million dollars. That case included allegations of theft of checks from United States Postal Service deposit boxes.

After all, the U.S. Mail is a system which depends on and must have protected its position of reliability and trust. When you put something in the mail such as a check to pay a bill, an application with a deadline, or your tax return, you expect it to reach its destination. Likewise, if someone is trying to reach you with important information like a court date, a medical matter, or a financial notification, you should be able to rely on the U.S. Mail to get that to you.

I further note from personal and professional experience that despite the increase in conducting financial transactions digitally, the U.S. Mail remains a vital part of the American economic financial transaction process. Even when a person uses an electronic banking option, routinely, that still results in a paper check being issued on your behalf, through the mail, except now via a bank or third party processor.

It is the knowledge of the value of personal identifying information, the potential to acquire these paper checks and the potential financial windfall of this crime compared with the low likelihood of detection, apprehension, and lack of serious consequences which leads to the U.S. Mail, whether in unsecured rural mailboxes, locked community cluster or US Post Office depository mailboxes, being the targets of these thieves.

The U.S. Mail is important to all citizens and its security as a means of sending and receiving communications in the interest of all of us. Theft of any mail which is reported and prosecuted is a serious offense against the integrity of the whole system, regardless of the amount of financial loss and should be prosecuted as a felony offense.

The proposed addition of 7-106.1 to the Criminal Law Article fills a void and equips police agencies and prosecutors with a viable tool to combat this specific type of crime when it occurs in our communities. Thank you for the opportunity to provide support for this bill and I urge this Committee to issue a favorable report on Senate Bill 373.

Sincerely,

A handwritten signature in black ink, reading "Jason S. Shoemaker". The signature is written in a cursive style with a large, sweeping flourish at the end.

Jason S. Shoemaker,
Chief, Economic Crimes Unit