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BILL NUMBER: SB 171

POSITION: Favorable

The Maryland State's Attorneys' Association (MSAA) supports Senate Bill 171 and urges this Committee to issue a favorable report.

Theft of mail can be a challenging problem to address within the framework of our existing statutory structure. While theft of high-value packages or letters can be fairly remedied by prosecution under the general theft statute, MD. CODE ANN., CRIM. LAW § 7-104, in many circumstances, the theft of a letter results in harm and disruption far in excess of the value of the letter itself. When mail is stolen, victims may lose important letters from loved ones, sensitive medical or financial information, utility bill reminders, or court summonses. The value of these letters is nominal, but the impact of their loss can be profound.

SB 171 creates a new provision within the Criminal Law Article specifically for theft of mail, in recognition of the unique challenges posed by this type of criminal conduct. By imposing modest, but reasonable, maximum penalties for stealing mail of another, for unlawfully opening mail, and for possessing an arrow key with unlawful intent, this bill both deters potential mail thieves and empowers prosecutors to seek justice for victims. Further, this bill does not limit courts in fashioning appropriate sentences. The final clause in the bill allows for criminal liability under the general theft statute as well, which will be important in cases involving the theft of a small number of very high-value packages.

Mail theft undermines trust in the postal system and leaves victims, unsure of what was taken, particularly vulnerable. Ensuring that this conduct is both deterred from occurring and, when it occurs, is appropriately addressed by the criminal legal system will protect the privacy and safety of Marylanders. MSAA urges this Committee to issue a favorable report.