

SB0171 - MBA - FAV - GR26.pdf

Uploaded by: Evan Richards

Position: FAV



SB 171 – Criminal Law – Mail Theft

Committee: Senate Judicial Proceedings Committee

Date: January 22, 2026

Position: Favorable

The Maryland Bankers Association (MBA) **STRONGLY SUPPORTS** SB 171. This legislation updates and strengthens Maryland law, making it illegal to take, steal, or break open mail. The legislation also establishes state penalties for doing so based on the severity of the mail theft. Passing this legislation provides additional tools to prosecute those who prevent Marylanders from receiving their mail, which can include items like financial statements and checks.

Criminals continue to target the United States Postal Service to commit check fraud. When criminals steal a check from a mailbox, they can “wash” the check with chemicals to remove ink, allowing them to change the payee’s name and the dollar amount, and then cash the check with a depository institution. They can also create counterfeit checks based on the information in the original check. According to FinCEN’s Suspicious Activity Report (SAR) Statistics, almost 47,000 suspicious activity reports have been filed by depository institutions related to check fraud since 2020.

This sophisticated form of fraud is a serious issue, and Maryland banks continue to implement innovative solutions that counter check fraud, including manual deposit reviews, fraud detection tools/software applications, deposit hold policies, and increased customer and employee education. In addition, the American Bankers Association has implemented their [Practice Safe Checks](#) campaign, highlighting how criminals alter and/or reproduce checks and how customers can best protect their money if sending checks in the mail. This campaign is publicly available to anyone wishing to utilize it.

SB 171 modernizes Maryland’s theft statute and arms prosecutors with additional tools to help protect Maryland residents. Accordingly, MBA urges the issuance of a **FAVORABLE** report on SB 171.

The Maryland Bankers Association (MBA) represents FDIC-insured community, regional, and national banks, employing thousands of Marylanders and holding \$194.8 billion in deposits in over 1,100 branches across our State. The Maryland banking industry serves customers across the State and provides an array of financial services including residential mortgage lending, business banking, estates and trust services, consumer banking, and more.

SAR Stats Report

Year Month	State	Industry	Suspicious Activity	Instrument	Count
2020	Maryland	Depository Institution	Check	Personal/Business Check	4,927
2021	Maryland	Depository Institution	Check	Personal/Business Check	5,649
2022	Maryland	Depository Institution	Check	Personal/Business Check	10,494
2023	Maryland	Depository Institution	Check	Personal/Business Check	9,989
2024	Maryland	Depository Institution	Check	Personal/Business Check	8,259
2025	Maryland	Depository Institution	Check	Personal/Business Check	7,608
All Years [Total]	Maryland	Depository Institution	Check	Personal/Business Check	46,926

SB 171 - favorable - mail theft.pdf

Uploaded by: Kirsten Brown

Position: FAV

Ivan Bates
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DATE: January 16, 2026

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.

Verbal statement MD Seante Bill 171 - 01-22-2026.p

Uploaded by: Steven Sultan

Position: FAV



UNITED STATES POSTAL INSPECTION SERVICE

OFFICE OF COUNSEL

I am Steven Sultan, United States Postal Inspector, and Acting Chief Counsel for the U.S. Postal Inspection Service. The Postal Inspection Service is the federal law enforcement and security arm of the United States Postal Service. Our agency works diligently to enforce criminal laws to protect the U.S. Postal Service employees, customers, and our nation's mailstream.

Thank you for the opportunity to speak with you today.

Unfortunately, over the past few years mail theft and robberies of USPS letter carriers have risen dramatically. Furthermore, while in the past this criminal activity was predominantly committed by lone actors and small informal groups, it has become common for large, organized criminal groups to be involved in these crimes.

Many of the robberies of carriers are now for their postal keys, sometimes also called arrow keys.

These keys permit access to collection boxes, outdoor parcel lockers, cluster box units, and apartment panels in a given geographic area. Once in possession of these keys, these criminals are able to steal U.S. Mail from these receptacles. This stolen mail is then used to commit financial crimes, with often devastating financial impacts to victims, to include the elderly and other vulnerable populations

The Postal Service and the Postal Inspection Service has taken significant efforts to address this increase in postal crime. We are upgrading collection boxes with high security features, including electronic components. We are raising awareness through public education messaging and training our employees and law enforcement partners, and we have stepped up our enforcement of the laws that protect our employees and the nation's mail, collaborating with prosecutors and other law enforcement agencies at the federal, state, and local levels.

This legislation would enhance this enforcement. It would supplement and not replace or usurp federal laws and would further the collaboration that is already occurring.

While federal charges may be appropriate in some cases or for some members of a criminal enterprise, state charges may be most appropriate for others.

Postal inspectors are proud to work diligently alongside local Maryland law enforcement and prosecutors to protect Maryland Postal Service employees and keep Maryland postal customer's mail safe

I recognize that your constituents depend on the Postal Service for safe and reliable transmittal of mail and this bill would enhance our ability to carry out this mission. Thank you.

Written Testimony - MD Senate Bill 171 - 01-22-202

Uploaded by: Steven Sultan

Position: FAV



Statement of Steven Sultan Deputy Chief Counsel of the U.S. Postal Inspection Service

January 22, 2026

I am Steven Sultan, United States Postal Inspector, and Acting Chief Counsel for the U.S. Postal Inspection Service. The Postal Inspection Service is the federal law enforcement and security arm of the United States Postal Service. Our agency works diligently to enforce criminal laws to protect the U.S. Postal Service (“USPS” or “Postal Service”) employees, customers, and our nation’s mailstream. I recognize that your constituents depend on the Postal Service for safe and reliable transmittal of mail, and I thank you for the opportunity to speak with you today.

Unfortunately, mail theft and robberies of USPS letter carriers have risen dramatically. Robberies of USPS letter carriers have traditionally occurred because the assailant sought to steal personal items from the carrier, such as cell phones, jewelry or cash. Over the past few years, however, we have seen a shift in criminal activity. Organized criminal groups have increasingly sought to rob USPS letter carriers for their postal keys, in order to steal U.S. Mail from receptacles and commit financial crimes. Postal keys, sometimes also called arrow keys, are keys that permit access to collection boxes, outdoor parcel lockers, cluster box units, and apartment panels in a given geographic area. The Postal Service and the Postal Inspection Service maintain accountability of postal keys to ensure they are not lost or stolen. However, this has led to robberies of carriers being a significant method criminals use to obtain keys.

Once in the hands of bad actors, criminals utilize the keys to steal large volumes of mail, which we call “volume attacks.” Criminals have always sought immediate financial gain through the theft of cash and merchandise in the mail. Criminals have also sought to steal checks in order to “wash,” or alter, the information on the check to fraudulently cash it. Often, these thefts were committed by people experiencing addiction issues for a for a quick payday and were relatively unsophisticated. However, the dark web and encrypted messaging apps have created forums that criminals exploit to sell stolen checks and personal identifying information to commit identity theft. This has shifted from the theft of mail being committed by lone actors and small informal groups to large, organized criminal elements. Stolen checks and personal identifying information are a new currency and are traded amongst criminals online with often devastating financial effects to victims.

To counter this trend, the Postal Service and the Postal Inspection Service launched the Project Safe Delivery initiative to prevent the theft of mail, to protect the mail and letter carriers, and to increase the enforcement of criminal laws. We are upgrading blue collection boxes with high security features, including electronic components. We are raising awareness through public education messaging and training our employees and law enforcement partners. And when robberies and mail theft do occur, postal inspectors enforce the laws that protect our employees and the nation's mail, collaborating with prosecutors and other law enforcement agencies at the federal, state, and local level.

The legislation before this committee would significantly enhance the ability of law enforcement to investigate robberies of letter carriers and the theft of mail in Maryland. For example, in the course of investigating a robbery, law enforcement will often catch a suspect in possession of the postal key taken from the carrier. Depending on the other evidence established, the suspect may or may not have been associated with the robbery. Unauthorized possession of a postal key is illegal federally, but under Maryland law these keys are not provided any special protection or status, even though they give criminals access to a vast amount of personal and financial information that may be contained in collection boxes, apartment panels, and other mail receptacles. This bill would fill this critical gap and give law enforcement the tools to charge those who we can only establish possessed the fruits of the robbery.

Additionally, the legislation before this committee seeks to update and modernize Maryland law to keep Marylanders' finances safe. In Maryland, basic theft charges lack the ability to effectively address the issue. Maryland grades theft by the value of the property, but mail containing PII is typically valueless for charging purposes. This bill recognizes that mail containing PII is extremely valuable to both victims and criminals and treats the theft of mail or possession of stolen mail as such.

The legislation proposed does not replace or usurp the federal laws on mail theft, financial crimes, and assault and robbery of federal employees. Rather, it is complimentary to existing federal law and the work being done in the federal court system. As discussed above, lone actors and informal criminal groups have largely been supplanted with sophisticated organized criminal elements. While federal charges may be appropriate for some members of the groups, state charges may be most appropriate for others. This law will give law enforcement and prosecutors the flexibility needed in many instances to seek justice, deterrence and rehabilitation. Further, as is the case with drug trafficking organizations, charging one member of the organization is often a way to build a case against a group's leadership. This bill would give federal law enforcement and prosecutors the ability to work together with Maryland law enforcement and prosecutors to investigate, disrupt and dismantle entire criminal organizations through a collaborative effort at the state and federal level.

Postal inspectors are proud to work diligently alongside local Maryland law enforcement and prosecutors to protect Maryland Postal Service employees and keep Maryland postal customers' mail safe, and this bill would enhance our ability to carry out this mission. Thank you.

OPD Testimony Unfavorable_SB171_Mail Theft.pdf

Uploaded by: Krystal Williams

Position: UNF



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

ELIZABETH HILLIARD
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POSITION ON PROPOSED LEGISLATION

BILL: Senate Bill 171 – Mail Theft
FROM: Maryland Office of the Public Defender
POSITION: Unfavorable
DATE: 01/22/2026 – Senate Judicial Proceedings Bill Hearing

The Maryland Office of the Public Defender respectfully requests that the Judicial Proceedings Committee issue an unfavorable report on Senate Bill 171. Our opposition is rooted in three facts:

- 1) Current Maryland law already criminalizes theft.¹ Indeed, Section 7-104 of the Criminal Law Section of the Maryland Code provides graduated penalties for thefts based upon the value of the goods or services stolen. The chart below illustrates how the application of Section 7-104 works in a typical theft case;
- 2) A felony conviction does not work to deter criminal behavior and instead ends up harming an individual's ability to access educational, employment, and housing opportunities in the future; and
- 3) The bill as written is overbroad and if it is meant to address solely the issue of arrow key reproduction it should be written as such.

First, the current theft penalties are numerous with graduated penalties:

Graduated Penalties Under MD Code, Criminal Law, (General Theft Provisions)			
Subsection	Value Lost	Misdemeanor/Felony § 7 – 104	Statutory Max. Penalty
(g)(1)(i)	More than \$1,500 but less than or equal to \$25,000	Felony	5 years imprisonment and/or a fine not more than \$10,000 (plus restitution)

¹ Federal law criminalizes mail theft in 18 U.S.C. § 1708, which carries a fine and imprisonment of “not more than five years, or both.” *Id.*

(g)(1)(ii)	More than \$25,000 but less than \$100,000		10 years imprisonment and/or a fine not more than \$15,000 (plus restitution)
(g)(1)(iii)	More than or equal to \$100,000	Felony	20 years imprisonment and/or a fine of not more than \$25, 000 (plus restitution)
(g)(2)(i)(1)	at least \$100 but less than \$1,500	Misdemeanor	upon first conviction, 6 months imprisonment and/or a fine of not more than \$500 (plus restitution)
(g)(2)(i)(2)	at least \$100 but less than \$1,500	Misdemeanor	upon second conviction, 1 year imprisonment and/or a fine of up to \$500 (plus restitution)
(g)(3)(i)	less than \$100	Misdemeanor	imprisonment up to 90 days and/or a fine of \$500 (plus restitution)

Senate Bill 171 seeks to make possession of 1-16 mail items procured by “theft” under CL 7-104 a misdemeanor subject to 6 months imprisonment, and to make 16 or more mail items procured by “theft” under CL 7-104 a felony subject to 2 years imprisonment. A person who possesses an arrow key due to “theft” under CL 7-104 or uses an arrow key to commit theft would be subject to a felony subject to 5 years imprisonment or 3 years imprisonment respectively. To put the unnecessary duplicativeness of such a policy into perspective, it bears noting that OPD generally defends thousands of theft-over \$100 but less than \$1,500 every year. The charts below illustrate the number of cases OPD defended for the indicated fiscal and calendar years:

THEFT \$100-1,500 Annual Breakdown

FY Year
 Multiple selections Multiple selections

Fiscal Year

FY - # Matters with Charge - Theft \$100 - \$1,500				
Charge Description	sectionCode	section Name	sectionNumber	# Cases Per Client Adjusted*
THEFT \$100 TO UNDER \$1,500	CR 7-104	1 1137	3569	46,702
THEFT \$100 TO UNDER \$1,500	CR 7-104	1F1137	3572	300
Total				46,957

FY - # Matters with Charge - Theft \$100 - \$1,500							
sectionNumber	FY20	FY21	FY22	FY23	FY24	FY25	Total
3569	533	9,573	8,898	9,450	11,508	6,740	46,702
3572	11	83	40	53	76	37	300
Total	544	9,646	8,929	9,494	11,571	6,773	46,957

Calendar Year

CY - # Matters with Charge - Theft \$100 - \$1,500				
Charge Description	sectionCode	section Name	sectionNumber	# Cases Per Client Adjusted*
THEFT \$100 TO UNDER \$1,500	CR 7-104	1 1137	3569	46,602
THEFT \$100 TO UNDER \$1,500	CR 7-104	1F1137	3572	299
Total				46,856

CY - # Matters with Charge - Theft \$100 - \$1,500							
sectionNumber	2020	2021	2022	2023	2024	2025	Total
3569	5,481	8,992	9,065	10,177	12,581	306	46,602
3572	65	44	47	65	75	3	299
Total	5,541	9,026	9,105	10,231	12,644	309	46,856

*Adjusted to remove ineligible matters and matters where client retained private counsel

As illustrated in the charts above, OPD defends an average of 10,251.5 theft-over \$100, but less than \$1,500, charges per calendar year.² Maryland State prosecutors are already charging thousands of people with theft annually. Adding new theft crimes to the Code, will not solve the problem. Leading to the second fact that necessitates our opposition.

A felony conviction is not a deterrent and does not work to make Maryland, or our mail, any safer. Certainty and swiftness of a conviction are the primary ways that the criminalization of behavior works to deter that behavior. Research shows clearly that the chance of being caught is a vastly more effective deterrent than even draconian punishment.³ Thus, enforcement of existing statutes with celerity and certainty should be the focus, not further legislation.

Additionally, felonies are the highest level of crime. As such, people with felony convictions face increased challenges in gaining employment. Eighty-seven percent of employers conduct background checks. Most employers do not hire people with felony convictions and/or who have served time in prison. Sixty percent of incarcerated people remain unemployed one year after

² Please note the data for 2020 is not complete. OPD rolled out its eDefender case management system in May of that year and, unfortunately, the charge data did not migrate to our new system from Prolaw. The remainder of the data is valid through 1/10/25. We derived the average annual number from adding CY 2021 - 2024 data and dividing by 4 (i.e. 9,026 + 9,105 + 10,231 + 12,644 = 41,006/4 = 10,251.5).

³ <https://nij.ojp.gov/topics/articles/five-things-about-deterrence>.

their release. This inability to gain employment desperately impacts on a person's quality of life and ability to establish a livelihood without committing crime.

Similarly, without employment, a person re-entering society cannot provide him or herself housing if they have no income to pay for it. At the same time, people with felony convictions are unable to access public housing and housing voucher programs. Most, if not all, government housing disqualifies applicants with felony convictions. Furthermore, families that live in public housing or have housing through a government voucher, are often not allowed to have family members with felony convictions live with them. Additionally, most landlords often do background checks and do not rent to people with criminal backgrounds and specifically felony charges. This means that a person with a felony conviction not only faces significant barriers accessing housing but is most likely unable to access affordable housing because of their conviction. They could also be prohibited from reunifying with their families if their family lives in any form of public housing.

Additionally, people with felony convictions are excluded from participating in food supplement programs in Maryland. With the prices of food on the rise, limited income and no access to food supplement programs, the options for a convicted felon to survive and meet their basic needs without reoffending are little to none.

Finally, this bill seeks to cover a swath of mail-related behavior resulting in the aforementioned issue of duplicativeness. If the bill is meant to address theft and misuse of an arrow key alone, it should be drafted as such.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on SB 171.

Submitted by: Government Relations Division of the Maryland Office of the Public Defender.