

- SUBJECT:** Creating an offense for mail theft
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 4 ayes — Moody, Canales, Gervin-Hawkins, Hefner
2 nays — Lang, Wilson
1 absent — Hunter
- WITNESSES:** For — Robert Sholund, San Antonio Police Department; (*Registered, but did not testify*: Arianna Smith, Combined Law Enforcement Associations of Texas; Jimmy Rodriguez, San Antonio Police Officers Association; Noel Johnson, Texas Municipal Police Association; Robert Strande, United States Postal Service; Thomas Parkinson)
Against — None
On — (*Registered, but did not testify*: Douglas Smith, Texas Criminal Justice Coalition; Justin Owen, Texas Department of Public Safety)
- DIGEST:** HB 1747 would make it an offense for a person to appropriate pieces of mail that, in aggregate, are addressed to at least three other individuals, without the consent of the addressee and with the intent to deprive the addressee of the mail. The offense would be punishable by:
- a state-jail felony (180 days to two years in a state jail and an optional fine of up to \$10,000) if 10 or fewer pieces of mail were appropriated;
 - a third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000) if more than 10 but fewer than 50 pieces of mail were appropriated; or
 - a second-degree felony (two to 20 years in prison and an optional fine of up to \$10,000) if 50 or more pieces of mail were appropriated.

The bill would take effect September 1, 2017.

**SUPPORTERS
SAY:**

HB 1747 would clearly define crimes of mail theft and corresponding punishments so that law enforcement could effectively work to prevent them. Although mail theft is a federal issue, federal law has proven difficult to enforce. Crimes involving mail theft often are prosecuted under state property laws, which are not always adequately suited to punishing this crime.

Additionally, many pieces of mail are the property of state officials, agencies, and politicians, which makes effectively dealing with mail theft in the state's interest. HB 1747 also would help address and deter crimes supported by mail theft, including identity theft and illicit drug use.

**OPPONENTS
SAY:**

HB 1747 would create a duplicative set of offenses because federal law already addresses the issue of mail theft. Additionally, mail receptacles are not state property and so it is not within the scope of the state's duties to resolve issues surrounding them.