

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

February 21, 2025

1:00 p.m.

MEMBERS PRESENT

Representative Andrew Gray, Chair
Representative Chuck Kopp, Vice Chair
Representative Ted Eischeid
Representative Genevieve Mina
Representative Sarah Vance
Representative Mia Costello
Representative Jubilee Underwood

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 77

"An Act making the theft of mail or an article within mail theft in the second degree."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 77

SHORT TITLE: MAIL THEFT

SPONSOR(S): REPRESENTATIVE(S) COULOMBE

01/31/25	(H)	READ THE FIRST TIME - REFERRALS
01/31/25	(H)	JUD, FIN
02/21/25	(H)	JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

REPRESENTATIVE COULOMBE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 77.

RYAN SHELDON, Staff
Representative Julie Coulombe
Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Provided a sectional analysis of changes to HB 77 and presented a PowerPoint, on behalf of Representative Coulombe, prime sponsor.

TIFFANI LOUGHMAN, representing self

Juneau, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 77.

DAVID LARSON, representing self

Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 77.

KELLY REYNOLDS, Security Manager

Northrim Bank

Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 77.

KACI SCHROEDER, Assistant Attorney General

Criminal Division

Department of Law

Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 77.

ACTION NARRATIVE

[1:00:38 PM](#)

CHAIR ANDREW GRAY called the House Judiciary Standing Committee meeting to order at 1:00 p.m. Representatives Underwood, Costello, Mina, Kopp, and Gray were present at the call to order. Representatives Eischeid and Vance arrived as the meeting was in progress.

HB 77-MAIL THEFT

[1:01:31 PM](#)

CHAIR GRAY announced that the only order of business would be HOUSE BILL NO. 77, "An Act making the theft of mail or an article within mail theft in the second degree."

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REPRESENTATIVE COULOMBE, Alaska State Legislature, as prime sponsor, presented HB 77. She paraphrased the sponsor statement [included in the committee packet], which read as follows [original punctuation provided]:

Mail theft is not just an inconvenience—it is a gateway to financial fraud, identity theft, and serious economic harm, particularly for our elderly and most vulnerable citizens. In an age where personal and financial information is increasingly targeted, HB 77 seeks to modernize Alaska's theft laws by classifying mail theft as a Class C felony, strengthening penalties, and closing legal loopholes that have allowed criminals to exploit our residents.

Mail theft is on the rise across the nation, contributing to millions of cases of identity theft and fraud. According to the Federal Trade Commission (FTC), Alaskans report high levels of fraud, and with the increasing sophistication of mail-related crimes—including stolen checks, credit card statements, and government documents—it is essential that we act now. Currently, Alaska's laws do not adequately address mail theft as a serious crime. Under existing statutes, mail theft can be prosecuted as a misdemeanor or under vague general theft laws, leaving room for lenient sentencing or even lead to an absence of sentencing. HB 77 changes this by clearly defining mail theft as theft in the second degree, a felony offense, ensuring that perpetrators face real consequences.

By passing HB 77, we equip law enforcement with the tools needed to effectively prosecute mail thieves, deter would-be offenders, and protect Alaskans from the devastating consequences of identity fraud. This bill ensures that victims of mail theft—especially seniors and vulnerable populations—have stronger legal protections and recourse.

HB 77 is a common-sense, necessary step in modernizing Alaska's theft laws to keep pace with evolving criminal activity. It ensures stronger deterrence, clearer legal definitions, and harsher penalties for those who exploit our postal system.

We urge our colleagues in the Legislature to support HB 77 to protect Alaskans, their privacy, and their financial security.

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REPRESENTATIVE KOPP moved to adopt the proposed committee substitute (CS) for HB 77, Version 34-LS0144\H, C. Radford, 2/20/25, as the working document.

REPRESENTATIVE MINA objected for the purpose of discussion.

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RYAN SHELDON, Staff, Representative Julie Coulombe, Alaska State Legislature, on behalf of Representative Coulombe, prime sponsor, presented a sectional analysis of changes in Version H [included in the committee packet], which read as follows [original punctuation provided]:

Section 1: Establishes the crime of mail theft under AS 11.46.130(A) Theft in the Second Degree.

Section 2: provides definitions for authorized depository, mail, mail receptacle and postage.

Section 3: The provisions of (a)(8) of this section do not apply to an act carried out in accordance with the official duties of an employee charged with the operation of a juvenile treatment facility, juvenile detention facility, or correctional facility.

Section 4: Effective date clause

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REPRESENTATIVE MINA removed her objection. There being no further objection, Version H was before the committee.

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MR. SHELDON directed attention to a PowerPoint presentation on HB 77 [hard copy included in the committee packet] and began on slide 2, "The Problem," which read as follows [original punctuation provided]:

Mail theft is on the rise in the United States and in Alaska.

Mail theft is a precursor to identity theft resulting in financial hardship.

Senior citizens particularly fall victim.

Alaska does not currently have a way to prosecute mail theft as it is not codified in statute.

The US Attorney's office has an incredible back log of cases, due in part to a lack of District Court Judges on the bench. Meaning, they cannot prosecute these cases in a timely manner.

Alaskan courts need the legal backing (HB77) to prosecute these cases of mail and identify theft; attaching a REAL punishment to the crime.

MR. SHELDON continued to slide 3, "Facts and Figures of the Problem," which read as follows [original punctuation provided]:

~23 million persons (~9% of all U.S. residents age 16 or older) experience identify theft annually (DOJ)

~59% of identity-theft victims had financial losses; which totaled \$16.4 billion in 2021 (DOJ)

1 in 5 persons (22%) will experience identity theft in their lifetime (DOJ)

USPS Check fraud has nearly doubled since 2021 to 2023 (DOJ)

DOJ released a PSA alerting the public to the rise of mail fraud on 01/27/25

Alaska ranks 10th highest (out of 50 states) in Fraud (FTC)

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MR. SHELDON described the graphic on slide 4, which indicated that 10 percent of Alaska residents have had a package stolen in the past three months. He continued to slide 5, which positioned HB 77 as the solution to protecting at-risk citizens.

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MR. SHELDON outlined the mechanics of the bill on slides 6 and 7, which read as follows [original punctuation provided]:

DEFINITION OF THE CRIME:

Classifies mail theft as theft in the second degree via

- Mail or mail items obtained by fraud

LEGAL CLASSIFICATION AND PENALTIES

Theft in the second degree (AS 11.46.130) is a class C felony in Alaska.

A class C felony carries penalties such as:

- Up to 5 years in prison
- A fine of up to \$50,000
- Probation (in lieu of incarceration)
- Restitution to victims

DEFENSES AGAINST & SAFEGUARDS OF MAIL THEFT CHARGES

HB 77 provides specific legal "affirmative" defenses to avoid wrongful convictions, including:

- The defendant reasonably believed they were entitled to the mail.
- The stolen mail belonged to a household member if dwelling together.
- The accused had power of attorney for the recipient.
- The recipient explicitly gave permission to collect their mail.

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CHAIR GRAY asked whether, if the bill were to pass, people would be prosecuted in state court in lieu of federal court.

MR. SHELDON said yes, the intent is for the state to be able to prosecute these cases.

CHAIR GRAY asked how many Alaskans have had their identity stolen because of mail theft.

MR. SHELDON said it's hard to track the data because it's not currently a crime.

CHAIR GRAY shared his understanding that identity theft is largely attributable to cyber issues.

REPRESENTATIVE COULOMBE pointed out that mail theft is disproportionately affecting seniors because they don't go online as much.

CHAIR GRAY shared his understanding that the bill has a zero fiscal note, which suggests that there wouldn't be many cases to prosecute.

REPRESENTATIVE COULOMBE stated that the Alaska Court System's (ACS) fiscal note is indeterminate because it's hard to project how many cases would be prosecuted.

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REPRESENTATIVE MINA asked how the bill would impact other institutions, like Division of Juvenile Justice (DJJ) facilities, and prisons. She asked whether the bill would apply to a scenario in which an individual at a correctional facility had stolen a prisoner's mail.

MR. SHELDON said people in detention facilities are protected under Section 3 of Version H.

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REPRESENTATIVE COSTELLO informed the committee that she was a victim of identity theft that occurred while she was on maternity leave and shared her experience. She acknowledged the importance of the bill for seniors in particular.

CHAIR GRAY opened invited testimony.

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TIFFANI LOUGHMAN, representing self, gave invited testimony in support of HB 77. She shared her experience investigating mail theft during her tenure as a police officer and detective in Anchorage. She said the crime continuously ties law enforcement's hands with no ability to make arrest or provide justice for victims. While there is a federal law addressing mail theft, constraints on federal resources mean that these cases rarely meet the threshold for prosecution. She stated her support for enacting a state level statute to address mail theft, as the crime is becoming increasingly prevalent.

According to the U.S. Postal Inspection Unit, there were over 300,000 reported incidents in the past year alone. These crimes typically lead to identity theft, financial loss, loss of personal or legal documents, damages to credit scores, increased risk of fraud, and delayed or missing deliveries. She spoke to the disproportionate vulnerability of the elderly population, and how mail theft may impact them both financially and emotionally. She said the bill would empower state and local law enforcement with the tools to more efficiently combat mail theft and serve as a deterrent to other crimes.

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REPRESENTATIVE MINA asked how many calls the Anchorage Police Department (APD) receives related to mail theft.

MS. LOUGHMAN did not have an exact number because it's not being tracked; however, she anecdotally reported that APD comes across stolen mail often.

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REPRESENTATIVE KOPP referred to AS 11.76.120, which prohibits the opening of sealed letters, and asked why Version H would be a better vehicle to address the issue at hand.

MS. LOUGHMAN said the bill would create a felony crime and give law enforcement some "teeth."

REPRESENTATIVE KOPP further clarified that the bill would move this conduct under the theft statutes.

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MR. SHELDON played two videos that showed police camera footage of officers intercepting a person in the process of stealing mail.

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DAVID LARSON, representing self, shared his experience as a victim of mail fraud and attempted identity theft. He credited his son for helping him and said without him, he would not have been able to resolve the issue and safeguard his accounts. He encouraged the legislature to fix this problem.

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KELLY REYNOLDS, Security Manager, Northrim Bank, shared her experience overseeing and investigating external fraud at Northrim Bank, indicating that mail theft has become an increasingly serious issue that warrants attention at the state level. Despite the gravity of the issue, she said mail theft is often treated as a low-level crime, with federal jurisdiction being the only recourse for offenders. By making mail theft a state crime, it would allow law enforcement to address the issue more affectively and without delay. She added that the consequences of mail theft extend beyond individual victims and has broader societal implications, including distrust in the mail system, local law enforcement, and public safety. Classifying mail theft as a state crime would empower law enforcement to act swiftly; enable quicker responses and faster prosecution; send a clear message of intolerance; establish more substantial penalties and deter potential criminals; and ensure a more consistent and uniform approach to the crime.

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CHAIR GRAY asked whether a person would be charged separately for each item of stolen mail in their possession.

KACI SCHROEDER, Assistant Attorney General, Criminal Division, Department of Law (DOL), said they could be; however, an individual cannot be punished more than once for an act, so the charges would likely merge upon conviction.

CHAIR GRAY sought to confirm that the crime is a Class C felony regardless of what was stolen, whether that be a post card or a laptop, for example.

MS. SCHROEDER answered yes.

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REPRESENTATIVE VANCE asked whether there would be multiple charges if the mail was stolen from different people.

MS. SCHROEDER said a charge could be brought for each act that satisfies all the criminal elements; however, upon conviction, the charges would likely merge because a person cannot be punished more than once.

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REPRESENTATIVE COSTELLO asked whether there would be value in differentiating mail theft from mail theft that's performed with the intent to steal a person's identity.

MS. SCHROEDER said Alaska has other statutes that may be applicable to conduct that could be described as identity theft.

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REPRESENTATIVE KOPP asked about the practical application of the law and how discretion works for police and prosecutors.

MS. SCHROEDER explained that the crime of theft is an intentional crime. Currently, without being able to value the mail, the conduct would likely be charged with a Class B misdemeanor. The bill, however, would make mail theft a felony crime regardless of the mail's valuation.

CHAIR GRAY said it sounds like the bill is being proposed because currently, mail theft is not being prosecuted as a federal crime.

MS. SCHROEDER clarified that mail theft would remain a federal crime but codifying it would give state prosecutors the ability to prosecute mail theft as a Class C felony without performing the valuation that's required under current law. She pointed out that the federal government is a separate sovereign, so potentially, the offender could be charged under both; however, given existing resources, it's unlikely.

CHAIR GRAY asked whether state prosecutors have the bandwidth to process additional cases.

MS. SCHROEDER said DOL submitted a zero fiscal note because they already have the ability to prosecute this conduct and the belief is that there wouldn't be an increase in caseload to the degree that another prosecutor would be needed.

CHAIR GRAY asked how the time to disposition would be impacted by the bill.

MS. SCHROEDER acknowledged that more cases slow the system; however, that shouldn't discourage the legislature from passing the bill, creating new crimes, or trying to protect the public.

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REPRESENTATIVE MINA asked whether the affirmative defense was removed from Version H.

MR. SHELDON explained that the affirmative defense was removed from Version H based on counsel from Ms. Schroeder. He added that the affirmative defense was confining the bill with too much specificity.

CHAIR GRAY sought to confirm that the goal of the bill is to stop identity theft; however, the bill reclassifies mail theft, which is more frequent and not related to identity theft, to a felony crime.

MR. SHELDON said that's correct, adding that this would be another tool in the toolbox.

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REPRESENTATIVE COSTELLO requested a visual of the sentencing ranges.

REPRESENTATIVE MINA requested information on the existing statutes related to theft and identity theft.

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REPRESENTATIVE VANCE stated that one-third of her district are seniors who rely on medication and other important documents in the mail. She expressed appreciation for the bill and shock that it's not currently in statute. She said the bill would offer a tool for prosecutors to take on larger crimes.

CHAIR GRAY sought to confirm that the bill would make it a crime to steal mail, whereas under existing statute, the mail must be opened to be charged with a crime.

MS. SCHROEDER stated that under current law, mail theft that is subject to valuation is considered theft. In addition, there is another statute that deals with the opening of mail.

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CHAIR GRAY offered closing remarks.

[HB 77 was held over.]

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ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:09 p.m.