

# **A Law Enforcement Guide to the U.S. Postal Inspection Service**

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## Introduction

The mission of the United States Postal Inspection Service is to protect the United States Postal Service, its employees, and its customers from criminal attack, and protect the nation's mail system from criminal misuse. The Postal Inspection Service has a long, proud, and successful history of fighting the criminals who attack our nation's postal system and those who misuse the system to defraud, endanger, or otherwise threaten the American public.

While investigating certain postal and postal-related crimes, Postal Inspectors often work closely with other federal agents, police officers, sheriffs, and other local and state law enforcement officers and prosecutors. The Postal Inspection Service is proud of its history of such cooperation, which results in greater protection to the public against criminal attack. We intend to continue using this approach.

This guide is designed to help federal, state, and local law enforcement agencies understand how the Postal Inspection Service can assist in your investigations. It also provides information on postal crimes for which a Postal Inspector should be notified. The Postal Inspection Service is committed to sharing its knowledge and experience, intelligence data, resources, and personnel within the limits of legal restrictions, staffing, and physical distance.

The Postal Service is working to provide everyone in America secure, affordable, universal mail service. The Postal Inspection Service ensures the safety, security, and integrity of the U.S. Mail — key elements of the Postal Service's Transformation Plan. The Postal Inspection Service looks forward to continuing its mutually beneficial relationship with all law enforcement agencies.

## In an average year, the U.S. Postal Inspection Service:

- Arrests about 12,000 **criminal suspects**, nearly half for mail theft or possession of stolen mail.
- Responds to about 800 postal-related **assaults and credible threats**, resulting in hundreds of arrests.
- Investigates more than 3,000 **mail fraud cases**, resulting in some 1,600 arrests and millions of dollars in restitution.
- Responds to thousands of incidents of **suspicious items** in the mail, including mail bombs, biohazardous material, and other dangerous mail.
- Investigates about 100 **robberies** of Postal Service employees and facilities and three times that many **burglaries** of Postal Service facilities.
- Responds to more than 60,000 **consumer fraud** complaints related to the mail.
- Arrests hundreds of suspects for **child sexual exploitation** offenses related to the mail and identifies child molesters.
- Arrests at least 1,500 suspects for **drug trafficking** and **money laundering** via the mail.
- Conducts about 4,000 forensic examinations, makes scores of court appearances to provide expert testimony, and identifies more than 1,000 **violators of postal statutes**.

## **Investigative Authority**

As one of our country's oldest federal law enforcement agencies, founded in 1737, the Postal Inspection Service protects the postal system from criminal attack and has jurisdiction in matters infringing on the integrity of the Postal Service system; the security of the mail; and the safety of Postal Service funds, property, and personnel.

As fact-finding and investigative agents, Postal Inspectors are federal law enforcement officers who carry firearms, make arrests, and serve federal search warrants and subpoenas. Inspectors work closely with U.S. attorneys, other law enforcement agencies, and local prosecutors to investigate Postal Service cases and prepare them for court. Postal Inspectors stationed throughout the United States enforce more than 200 federal laws covering investigations of crimes that adversely affect or fraudulently use the U.S. Mail and postal system.

To assist in carrying out its responsibilities, the Postal Inspection Service maintains a Security Force staffed by uniformed Postal Police Officers assigned to major mail facilities throughout the country. The officers provide perimeter security, escort high-value mail shipments, and perform other essential protective functions.

## Resources to Assist Local Law Enforcement Agencies

Postal Service facilities may not be in close proximity to a Postal Inspection Service office, so when a postal crime is committed, local law enforcement agencies may respond more quickly than the Postal Inspection Service. In fact, Inspectors instruct Postal Service managers and employees to first telephone their local police about a postal crime, such as a Post Office robbery or an assault of a letter carrier, and *then* to call a Postal Inspector.

The Postal Inspection Service extends its full cooperation to all investigative and prosecutive authorities in law enforcement matters to ensure greater protection to the public. The chart on page 6 identifies how Postal Inspectors can assist federal, state, and local law enforcement agencies.

The Postal Inspection Service has significant resources, including state-of-the-art technical equipment, to help law enforcement agencies accomplish their objectives. We extend the use of our crime laboratory facilities when you are working a joint investigation with a Postal Inspector. Crime laboratories located throughout the country analyze evidence needed to identify and trace criminal suspects and provide expert testimony for postal cases brought to trial.

Crime laboratory capabilities include handwriting and handprinting comparisons; detection of counterfeit paper and documents; typewriting comparisons; detection of indented writing; and development and comparison of fingerprints, palm prints, and sole prints. Our Forensic Services Division provides chemical analysis, bomb identification, and analysis of suspected controlled substances.

Crime prevention duties are shared by Postal Inspectors with different functional responsibilities, such as in mail fraud. Postal Inspectors try to anticipate, identify, and analyze areas posing the greatest crime risk to Postal Service employees, funds, property, or the public. Once identified, risks are addressed through specific prevention countermeasures.

Postal Inspectors can assist local police departments in their public education efforts to prevent crimes such as fraud conducted through the mail, mail stolen from house mailboxes, and mailbox vandalism.

## How Postal Inspectors Can Help Other Law Enforcement Agents

The Postal Inspection Service can assist other law enforcement agents in the following ways:

- Investigating and locating suspects and witnesses by providing information from Postal Service records.
- Instituting a mail cover for locating a fugitive or for investigating felonies.
- Assisting in serving an arrest warrant for a Postal Service employee on duty on postal property.
- Assisting in securing the mail and other Postal Service property in a carrier's possession after an on-duty letter carrier is arrested.
- Assisting in obtaining a federal search warrant for, and making a controlled delivery of, mail containing illegal narcotics.
- Assisting in child pornography investigations where the mail has been used to send or receive pornographic pictures of children.
- Assisting in obtaining an equitable share of private property or proceeds that have been illegally used or acquired in cases where the federal forfeiture law is applied to a postal crime.
- Providing forensic analysis of evidence for joint investigations with the Postal Inspection Service.
- Providing your crime prevention unit with written materials on mail fraud, mail theft, mailbox vandalism, and other postal crimes.



## Crime Prevention Materials

The following Postal Inspection Service materials are available free of charge from your nearest Postal Inspection Service office (see the back cover of this guide for a list of offices). Items marked with an asterisk can be found on the Postal Service Web site at [www.usps.com](http://www.usps.com).

- ***Because the Mail Matters\**** (Publication 162)  
Provides a snapshot history and background of the U.S. Postal Inspection Service.
- ***Bombs by Mail\**** (Notice 71)  
Gives the common characteristics of mail bombs and instructions for the safe handling of suspicious mail or parcels received if the addressee is unable to verify the contents.
- ***Bomb Threat*** (Publication 54)  
A preprinted card to record time and date of the call; the date, sex and age of the caller; and exact wording used by the caller in the event of a bomb threat.
- ***Guide To Preventing Mail Fraud\**** (Publication 300-A)  
Gives examples of typical mail fraud schemes, prevention tips on mail theft, and tips on how to prevent unwanted sexually oriented advertisements. (This is also available in Spanish as Publication 300-S.)
- ***Consumer Fraud by Phone or Mail \**** (Publication 281)  
Provides tips to help recognize and resist high-pressure sales tactics used by boiler room telemarketing operators (this is also available in Spanish as Publication 281-S).
- ***Identity Theft\**** (Publication 280)  
Recommends actions to help reduce the likelihood of becoming a victim of identity theft.
- ***Mail Cover Requests*** (Publication 55)  
For law enforcement only. Use this publication to request a mail cover.
- ***Warning: Penalty for Damage to Mailboxes and Theft of Mail*** (Label 33)  
This adhesive-backed label describes, in bold print, the criminal penalties for the theft, tampering, or destruction of correspondence or mail receptacles. It serves as a deterrent to mailbox vandalism.

## Jurisdiction and Laws

Postal Inspectors enforce more than 200 federal laws in investigations of crimes that may adversely affect or fraudulently use the U.S. Mail, the postal system, or Postal Service employees. The list below describes some of our most important areas of jurisdiction.

### **Assaults (18 USC 111 and 1114)**

The protection of Postal Service employees is one of our most important responsibilities. Inspectors promptly investigate assaults and threats that occur while Postal Service employees are performing official duties or as a result of their employment.

### **Bombs (18 USC 1716)**

Although a rare crime, the mailing of bombs is given one of our highest investigative priorities due to the severe impact it can have on Postal Service customers, employees, and operations.

### **Burglary (18 USC 2115)**

The Postal Service has averaged about 300 burglaries each year. Inspectors minimize losses through the use of security equipment and facility design.

### **Child Exploitation**

#### **(18 USC 1470, 2251, 2252, 2253, 2254, 2422, 2425)**

The Postal Inspection Service has long been recognized as the leading federal law enforcement agency in the effort to combat the production and distribution of child pornography and other crimes exploiting children through the mail and, when it involves the mail, over the Internet.

### **Controlled Substances (21 USC 841, 843, and 844)**

Postal Inspectors initiate investigations related to transporting and distributing narcotics through the mail.

### **Electronic Crimes (18 USC 1029, 1030, 1343, and 2701)**

Inspectors protect Postal Service customers from fraud schemes and other crimes that may occur online and involve the misuse of the mail or of the Postal Service. This includes using or selling stolen or counterfeit access devices, such as credit card numbers; using protected computers without proper authority or exceeding authorized access; using computer communications in a scheme to defraud; and unauthorized access to communications that are stored electronically via a communications service.

### **Extortion (18 USC 876)**

The Postal Inspection Service has jurisdiction when the U.S. Mail is used to injure a person's reputation or property, or as a threat to accuse a person of a crime, accompanied by a demand for money or other item of value.

### **Forfeiture (18 USC 981 and 982)**

Postal Inspectors use criminal and civil forfeiture statutes, when appropriate, to seize assets associated with criminal acts. The Postal Inspection Service equitably shares forfeited assets with other local, state, and federal law enforcement agencies as appropriate.

### **Identity Theft (18 USC 1028 and 1029)**

The Postal Inspection Service is a leading federal law enforcement agency in the investigation of identity takeovers, a crime that may begin with the theft of mail or use of the mail to defraud individuals or financial institutions.

## **Mail Fraud**

### **(18 USC 1341, 1342, and 1345; 39 USC 3005 and 3007)**

The Postal Inspection Service is committed to protecting Postal Service customers from misuse of the mail. Inspectors place special emphasis on mail fraud scams related to advance fees, boiler rooms, health care, insurance, investments and other consumer frauds, especially when they target the elderly or other susceptible groups.

## **Money Laundering (18 USC 1956 and 1957)**

Postal Inspectors aggressively investigate criminals who attempt to conceal the proceeds of illegal acts through monetary transactions. Inspectors identify and seize criminals' assets, denying violators the proceeds of their crimes.

## **Money Order Crimes (18 USC 500)**

Postal Inspectors investigate the counterfeiting, altering, and forging of postal money orders.

## **Robbery (18 USC 2114)**

Postal Inspectors respond promptly to robberies of Postal Service employees and contractors. Inspectors focus on preventing robberies through the use of security equipment and improved postal procedures.

## **Theft of Mail (18 USC 1708)**

Postal Inspectors invest significant resources into the investigation of mail theft by criminals and Postal Service contractors.

## **Federal Laws for Selected Postal and Postal-Related Crimes**

18 USC	111	Assault on a Postal Officer or Employee
18 USC	287	False Claims Against the Government
18 USC	500	Money Orders
18 USC	501	Counterfeiting Stamps, Meter Stamps, or Postal Cards
18 USC	876	Mailing Threats and Extortion Letters
18 USC	912	Impersonating a Postal Employee
18 USC	1001	False Statements to the Government
18 USC	1029	Fraud via Access Device
18 USC	1302	Mailing Lottery Tickets and Related Items
18 USC	1341	Mail Fraud
18 USC	1342	Using Fictitious Name or Address in Mail Fraud Scheme
18 USC	1343	Fraud by Wire, Radio, or Television
18 USC	1461	Mailing Obscene or Crime-Inciting Matter
18 USC	1463	Mailing Indecent Matter on Wrappers or Envelopes
18 USC	1705	Destruction of (Vandalism to) Mailbox or Mail Therein
18 USC	1707	Theft of Postal Service Property
18 USC	1708	Theft of Mail or Possession of Stolen Mail (by a Nonpostal Person)
18 USC	1715	Nonmailable Firearms
18 USC	1716	Bombs and Other Injurious Articles Nonmailable
18 USC	1720	Reuse of Canceled Stamps or Envelopes
18 USC	1725	Postage Unpaid on Mail put in Mailbox
18 USC	1735	Mailing Sexually Oriented Advertisements
18 USC	2114	Robbery of a Post Office or Postal Employee
18 USC	2115	Burglary of a Post Office
18 USC	2252	Mailing Child Pornography
21 USC	812	Schedules of Controlled Substances
21 USC	843b	Unlawful Mailing of a Controlled Substance
39 USC	3005	False Representation Statute
39 USC	3010	Mailing of Unordered Merchandise

## Detecting Postal Crime on the Street and During Searches

Thieves often target mail, as it may contain cash, checks that can be converted to cash, and credit cards. A local police officer in a vehicle or on foot patrol is often the first person to discover that a postal crime has been committed. Street crimes may include mail theft, especially on days when welfare, Social Security, and other checks are delivered.

Also, when law enforcement officers conduct searches of residences, vehicles or other properties, and individuals, they have an opportunity to find stolen mail and other evidence of postal crimes.

While on the street and during searches, law enforcement officers should be especially alert for, and notify the Inspection Service about, the following:

- **Theft from Postal Service clerks, carriers, and drivers.** Robberies of Post Office clerks or Postal Service employees delivering or transporting the mail are often first reported to local police for quick response. In all cases, Postal Inspectors respond to and investigate a robbery or physical assault of Postal Service employees on duty.
- **Theft from Postal Service delivery vehicles.** Thieves target parked Postal Service trucks and jeeps because they may contain large quantities of mail. Postal Service employees whose vehicles are broken into are instructed to call local police and Postal Inspectors to report any theft.

- **Theft of mail from Postal Service mailboxes.** Blue collection boxes and dark-green relay boxes (used by the Postal Service to temporarily store mail) are often the targets of crime. Relay boxes can contain large quantities of mail in gray sacks that thieves cart off looking for checks and credit cards. Counterfeit or stolen keys are used to gain entry.
- **Theft of mail from rural mailboxes.** A popular target of thieves, rural mailboxes are not always visible to the home owners and are clustered by the side of the road. Thieves may steal outgoing mail left in mailboxes for pick up by Postal Service letter carriers. Such mail may contain checks with bank account and other personal information that can be misused in various ways, including check forgery scams. Thieves often open mail and then discard unwanted items by the side of the road.
- **Theft of mail from apartment house and cluster boxes (neighborhood delivery and collection box units).** When many mailboxes are grouped together, be suspicious of any person going through more than one box.
- **Possession of stolen mail.** Possession of mail addressed to others, particularly checks or credit cards, should be regarded suspiciously. The envelopes in which the checks or credit cards were contained may have been destroyed, but the item is still considered stolen from the mail if it was stolen before delivery to the rightful owner.
- **Fraudulent credit card applications.** Con artists may apply through the mail for credit cards in the names of unsuspecting victims or use fictitious names. Be alert for applications in a number of different names.

- **Possession of certain Postal Service property without authorization.** Be suspicious of anyone with a Postal Service money order imprinting machine, blank Postal Service money orders, postmarking equipment, or large quantities of postage stamps. Unauthorized possession of Postal Service keys for collection boxes, relay boxes, and other mail receptacles violates federal law.
- **Possession of a postage meter that has been tampered with or broken into.** A postage meter cannot be owned by an individual or business; instead, it is leased from a meter manufacturer. A tampered meter can be used to obtain free postage and to defraud the Postal Service of revenue.
- **Large quantities of recently issued postage stamps in single-stamp form.** Thieves obtain thousands of canceled postage stamps, illegally wash the cancellations, and package the stamps for resale at a discount. Refer to a Postal Inspector any suspicious offer to sell stamps at a discount.

The items referred to above should be seized as evidence of postal crimes if found during the execution of a search warrant. In some cases you may have sufficient probable cause to make an arrest. In all cases, the Inspection Service should be notified immediately.

On the following page are listed various postal crimes to which you may respond. The Inspection Service would like notification of these matters. The commission of many, if not all, of these crimes violates state statutes as well as federal law. For the more significant crimes, the U.S. Attorney's Office will prosecute the offenders under federal laws, which often carry stiffer penalties than those provided by state statutes.



## **How Police Can Help Postal Inspectors**

Contact the Postal Inspection Service promptly if you suspect or have evidence of the following crimes:

- Mailing a bomb or other explosive or incendiary device whether or not the device explodes or ignites.
- Making a bomb threat (whether real or a hoax) through the mail.
- Assaulting or robbing mail from a Postal Service letter carrier.
- Break-in of a Postal Service delivery vehicle to steal mail.
- Break-in of a residential or apartment house mailbox or other private mailbox to steal mail.
- Tampering with, breaking into, or stealing mail from a Postal Service (blue) collection box or (dark-green) relay box.
- Forgery of a U.S. Treasury check or other check stolen from the mail.
- Use or possession of a credit card stolen from the mail.
- Possession of stolen mail.
- Unauthorized possession of a mail key or other Postal Service property.
- Counterfeiting of a mail key.
- Counterfeiting of postage stamps, meter stamps, or postal cards.
- Vandalism or burglary of a Post Office.
- Possession of a large number of blank Postal Service money orders or a Postal Service money order imprinting machine.
- Possession of a large number of maximum-value (currently \$1,000) Postal Service money orders or receipts used in a money laundering scheme.
- Vandalism against or destruction of a mailbox, including the placement therein of an explosive or incendiary device, such as a pipe bomb.
- Conducting a mail fraud scheme.
- Conducting a false representation scheme through the mail.
- The mailing of illegal narcotics.
- The mailing of child pornography.
- Attempting to extort money or other things of value by mailing a threat to injure a person's reputation or property or accuse him or her of a crime.
- Illegally breaking into a postage meter to obtain postage.

## **Mailbox Vandalism**

When a customer's mailbox is vandalized, the local police department is often the first, and sometimes the only, law enforcement agency to whom the event is reported. However, mailboxes are protected by federal law (18 USC 1705) and it is a crime to vandalize them (and to injure, deface, or destroy any mail deposited in them). Therefore, any act of mailbox vandalism should be reported to the Postal Inspection Service.

The Postal Inspection Service realizes that local police departments may be involved in criminal investigations of a more serious nature and are not able to assist in locating and apprehending mailbox vandals. The perpetrators are often not identified in this type of crime.

Postal Inspectors do not have the resources to investigate every report of mailbox vandalism or to conduct surveillances on Postal Service delivery routes that have a mailbox vandalism problem. However, the Postal Inspection Service will attempt to investigate mailbox vandalism when large numbers of boxes are damaged or destroyed and will investigate when there is evidence of tampering, rifling, or theft of mail from the vandalized boxes.

Rural mailboxes are especially vulnerable to vandalism because they are usually isolated, located on public thoroughfares, and frequently not visible to mailbox owners from their homes. Non-rural residential mailboxes are vandalized to a lesser degree. Teenagers are often responsible.

Mailbox owners can help prevent the vandalism or destruction of their mailboxes by obtaining Postal Service Label 33, *Warning: Penalty for Damage to Mailboxes and Theft of Mail*, from the Inspection Service. The label can be affixed to a mailbox and warns of the penalties for willful damage to mailboxes and theft of mail. In addition, the Postal Inspection Service advises a customer who discovers someone tampering with a personal or neighbor's mailbox to obtain a description of the tamperer and his or her vehicle, including license plate number, and to immediately report the information to the local police department and the Inspection Service.

At a minimum, the Inspection Service responds to any complaint of mailbox vandalism by sending Label 33 and a letter explaining its investigative approach to the problem.

## **Mail Fraud**

Mail fraud includes any scheme that uses the U.S. Mail to obtain money or anything of value by offering a product, service, or investment opportunity that intentionally does not live up to its claims.

A mail fraud scheme in which the promoter intends to defraud the consumer can be prosecuted under the Mail Fraud Statute (18 USC 1341). Types of schemes typically prosecuted under this statute include investment frauds, fraudulent insurance claims, and intentional failure to provide merchandise ordered or paid for through the mail.

When proof of a promoter's fraudulent intent is difficult to obtain, Inspector-Attorneys, working with the Postal Service Law Department, can protect consumers from substantial monetary loss through proceedings under the False Representation Statute (39 USC 3005). This requires proof that a false representation was made and that the promoter sought money or property through the mail. Types of schemes typically prosecuted under this statute include free-prize and free-vacation schemes, phony charity scams, deceptive credit card offers, and promotions of fake medical cures.

Consumers who believe they are victims of a mail fraud scheme should complete a Postal Service Form 8165, *Mail Fraud Complaint*, available at the local Post Office. The form may also be completed online at [www.usps.com/postalinspectors](http://www.usps.com/postalinspectors). The following details should be included in the complaint:

- Full name and address of the individual seller or firm suspected of fraudulent activities.
- Copies of any advertisements relating to the order or transaction.
- Copies of correspondence, including copies of envelopes.
- Method of payment, including a copy of the receipt, canceled check, or money order.
- Whether money was required before receipt of any merchandise ordered and the total dollar amount of the loss.

Complainants are encouraged to mail completed reports to the address provided on PS Form 8165 for processing and review.

Postal Inspectors can also fight suspected fraudulent schemes by causing mail to be withheld from delivery under certain circumstances.

Under 39 USC 3003, mail can be withheld if a Postal Inspector obtains evidence the mail is addressed to a person using a fictitious name or address to conduct by mail any activity which violates the Mailing Lottery Tickets and Related Items Statute or the Mail Fraud Statute. The party claiming the mail may also be required to furnish proof of his or her identity and right to receive the mail.

Sections 3003 and 3004 allow Postal Inspectors to withhold the mail of an individual who uses a fictitious name or address as part of a fraud scheme or an illegal lottery. Inspectors may continue to withhold mail until the person presents proof of identity and the right to receive the mail. If no proof of identity is given within a specified time, the Postal Service issues an order returning the mail to sender. These statutes are used, for example, when a suspect orders items through the mail using a fictitious name, or when a criminal opens a Post Office box to receive financial mail using a victim's personal identifiers.

## **Identity Theft**

More and more criminals are committing identity theft. It's an insidious crime. And chances are, victims have no idea that their identity has been stolen until a great deal of damage has been done.

Identity theft involves someone unlawfully assessing a person's date of birth, Social Security number, mother's maiden name, and other identification to gain unlawful access to their personal and financial information. This information may come from financial documents stolen from the mail.

There are an estimated 9.9 million victims of identity theft each year, and the number is growing. Identity thieves can wreak financial havoc with a victim's credit cards. Crooks can switch funds from someone's bank account to theirs. They can divert someone's check order to themselves. They can even have someone's check mailed directly to them. The list goes on.

Because the mail may be used to commit these crimes, the Postal Inspection Service has become a leading agency in investigating identity theft and in preventing consumers from being victimized by unscrupulous scam artists.

## Narcotics in the Mail

If a police officer receives information that illegal drugs are being sent through the mail, the Postal Inspection Service can provide a mail cover on the suspect. The mail cover provides an alert when the suspect's drug letter or parcel is received at the delivering Post Office.

A federal search warrant is required to open U.S. Mail. When a state narcotics violation also violates federal law, Postal Inspectors may be able to help develop the probable cause needed to obtain the federal search warrant. Once mail is seized, the contents may be tested to verify its illegal nature prior to delivery.

The Inspection Service may also be able to assist in interdicting illegal drugs originating from either foreign or domestic sources that enter a major Postal Service facility to be processed for delivery. This help includes working with narcotics-trained canines from your department in a mail screening and profiling program for illegal drugs.

## **Child Pornography in the Mail**

It is illegal to traffic in child pornography through the U.S. Mail. Child pornography includes the visual depiction of sexual activities by children, defined by federal law as persons less than 18 years of age.

Increased public concern over child pornography resulted in the U.S. Congress enacting the Protection of Children Against Sexual Exploitation Act of 1977. Pornographic pictures of children are not constitutionally protected speech. Rather, such pictures are evidence of the sexual abuse and exploitation of children. If sexual intercourse is depicted, the photographs are evidence of physical child abuse.

The Child Protection Act of 1984 and the Child Sexual Abuse and Pornography Act of 1986 are other federal weapons in the legal arsenal against child pornography. Under the Child Protection Act of 1984, child pornography does not need to be obscene to be unmailable, nor does it need to be mailed for a commercial purpose or to make a monetary profit.

The Postal Inspection Service cooperates with other law enforcement agencies that combat the production, distribution, and receipt of child pornography and the sexual exploitation of children. We can provide assistance in a number of ways, including sharing intelligence gathered through a nationwide network of Postal Inspectors specializing in child pornography undercover investigations. The focus of the undercover operations is to identify suspects and gather evidence to support prosecutions.

If your agency has information on the trafficking of child pornography through the U.S. Mail, or if we can assist you in your investigations, contact the Postal Inspection Service.

## Asset Forfeiture

Forfeiture is a process by which the government seizes private property, or proceeds that have been illegally used or acquired, without providing compensation to the owner. The sanction is primarily designed to punish and deter criminal activity by taking the profit out of crime, which helps immobilize crime syndicates and individual criminals.

The Postal Inspection Service gained forfeiture authority in 1984, when the Child Protection Act was signed into law. The act makes certain property, including profits and proceeds from child pornography activities conducted through the U.S. Mail, subject to forfeiture.

In recent years, forfeiture provisions have been added to numerous other federal statutes for which the Postal Inspection Service has investigative jurisdiction. They include statutes covering money laundering violations, the mailing of illegal drugs and drug proceeds, and the mailing of obscene materials or child pornography.

Two types of forfeiture are available under federal law: Civil forfeiture is a proceeding against property, and the property itself is a defendant. Conviction of the defendant is not required; the government must simply show probable cause that the property was used or acquired in violation of a federal statute that includes a forfeiture provision. Property may be seized and held during the forfeiture process.

Criminal forfeiture is a proceeding against a person or organization, undertaken in a federal district court, where the government must prove beyond a reasonable doubt the defendant violated a federal statute that includes a forfeiture provision authorizing the forfeiture of property used or acquired during the commission of the crime. The defendant must be indicted, and the property can be seized prior to conviction only if it is required as evidence. Upon the conviction of the defendant, the forfeiture process can go forward and seizure of the property can be completed.



All federal, state, and local law enforcement agencies that directly participate in a federal investigation are entitled to an equitable share of any forfeited property. The share given to the participating agency depends on the extent to which the agency was involved in the investigation.

An agency that participates in a Postal Inspection Service investigation may request an equitable share of forfeited assets by writing to the Postal Inspector in Charge in its area. The agency should present information about its participation.

## **Money Laundering**

The Postal Inspection Service investigates criminals who launder illicit proceeds and avoid federal reporting requirements in violation of the Money Laundering Control Act and the Bank Secrecy Act. Illegally obtained proceeds may include those gained through narcotics sales, the selling of counterfeit merchandise, mail fraud, tax evasion, embezzlements, and the smuggling of illegal aliens.

The Postal Inspection Service is one of several federal agencies with authority to investigate the laundering of illicit proceeds. Others are the Federal Bureau of Investigation, Drug Enforcement Agency, Internal Revenue Service, and the U.S. Customs Service.

Money laundering is a process that disguises the origins of illegal proceeds, allowing criminals to evade detection, prosecution, seizure, and taxation. Proceeds are placed or entered into a financial system with funds deposited directly into bank accounts in small, inconspicuous amounts; or the funds may be converted to Postal Service money orders or other monetary instruments and then deposited into bank accounts. Money is moved to distance itself from its source. Criminals may electronically transfer deposited funds through domestic or international bank accounts. Then, illegal proceeds are integrated back into the economy through the purchase of tangible assets.

Under 18 USC 5325, financial institutions are required to complete a Cash Transaction Record (CTR) and collect certain information from a person if it issues a bank check, money order, or cashier's check in an amount greater than \$10,000. The Postal Service is required to complete Form 8105-A, *Funds Transaction/Transfer Report*, giving details of a transaction that is greater than \$3,000. Criminals often try to "structure" money order purchases to avoid reporting requirements. A purchase is considered structured if the buyer breaks currency totaling \$10,000 into smaller sums, even over a period of more than one day. The practice prevents the Postal Service from complying with federal reporting requirements.

Any property involved in a violation of 18 USC 1956, Laundering of Monetary Instruments, or 18 USC 1957, Engaging in Monetary Transactions in Property Derived from Specified Unlawful Activity, can be seized if it is subject to federal forfeiture laws. Under Inspection Service forfeiture guidelines, the seized assets may be equitably shared with any federal, state, or local law enforcement agency that participated in any of the acts that led to the seizure or forfeiture of the property.

## **Post Office Box and Change-of-Address Information**

The Postal Service can assist a federal, state, or local law enforcement agency in its criminal investigations by making available certain information from records kept on Postal Service customers. The records may provide leads to suspects and witnesses.

Information provided by a Post Office boxholder on PS Form 1093, *Application for Post Office Box or Caller Service*, and PS Form 1583, *Application for Delivery of Mail Through Agent*, will not generally be available to the public. The Postal Service will only release information to law enforcement or government agencies on written certification of official need, to an appropriate person when needed for the service process, or to a person in compliance with a subpoena. When a customer has submitted a court order of protection, however, the Postal Service will not disclose the customer's name, address, or telephone number pursuant to these provisions, unless the requester obtains a court order.

The sample on the next page can be reproduced on your agency's letterhead and used for written requests to the postmaster who maintains the record you seek. When you certify the information is required for the performance of official duties, the postmaster can provide the following information:

- The street address of a Post Office box.
- Change of address (forwarding) information for both permanent and temporary changes of address.
- Address verification. The Post Office will indicate if the subject of your inquiry is receiving mail at the address you provide, but this does not guarantee the subject resides at that address.

Frequently, persons sought by a law enforcement or other agency rent a private mailbox at a commercial mail receiving agency (CMRA) to disguise their identity, location, or business names. New regulations help deter criminals from using CMRAs to misrepresent themselves and gain access to other individuals' mail, a common source of identity theft. The regulations also make it more difficult for criminals to hide their identities behind private mailboxes and defraud consumers (particularly senior citizens), businesses, and the federal government out of millions of dollars each year.

Information provided by a CMRA customer on PS Form 1583, *Application for Delivery of Mail Through Agent*, will only be released to law enforcement or government agencies upon written certification of official need or pursuant to a subpoena.

# Sample Address Information Request

To Postmaster: \_\_\_\_\_

Date: \_\_\_\_\_

## Address Information Request

Please furnish this agency with the new address, if available, of the following individual, or verify if the address given below is one at which mail for this individual is currently being delivered. If the following address is a Post Office box, please furnish the street address, as recorded on the boxholder's application form.

Name: \_\_\_\_\_

Last Known Address: \_\_\_\_\_

I certify that the address information for this individual is required for the performance of this agency's official duties.

\_\_\_\_\_  
(Signature of Agency Official)

\_\_\_\_\_  
(Title)

### For Post Office Use Only

- |   |                                  |
|---|----------------------------------|
| <input type="checkbox"/> Mail is delivered to address given | New address: _____               |
| <input type="checkbox"/> Not known at address given         | _____                            |
| <input type="checkbox"/> Moved, left no forwarding address  | _____                            |
| <input type="checkbox"/> No such address                    | Boxholder's street address _____ |
| <input type="checkbox"/> Other (Specify):                   | _____                            |

Agency return address: \_\_\_\_\_

Postmark/date stamp

\_\_\_\_\_  
\_\_\_\_\_

## **Mail Covers: An Investigative Tool**

A mail cover is used to record information on the outside container, envelope, or wrapper of mail, including the name and address of the sender and the place and date of postmarking. Obtaining information from the cover of a piece of mail from a Postal Inspector or any other Postal Service employee, without an authorized mail cover, is illegal and can jeopardize a case that goes to court.

Mail covers may be authorized only in criminal cases where information is needed to locate a fugitive or to obtain evidence of the commission or attempted commission of any crime punishable by imprisonment for a term of more than one year (felony). The use of a mail cover is not an exploratory act and should not be requested if an investigation is not already underway.

A mail cover request must contain the following (see Sample Mail Cover Request — Forfeiture on page 29):

- Reason the mail cover is needed; for example, to locate a fugitive or to obtain information on the commission or attempted commission of a felony.
- Full name and complete address of the subject.
- Classes of mail to be covered, including reasons for any class other than First-Class Mail.
- How long the mail cover is to be in effect. Mail covers are usually authorized for 30 days, but extensions are available.
- Laws suspected of being violated, including legal citations and penalties.
- Whether the subject has been indicted and whether the subject has an attorney. If so, the attorney's name and address must be included.
- How often the mail cover data is needed (daily, weekly, or less frequently).
- Additional circumstances relevant to the investigation.

Mail cover requests for all locations must be sent to the following address:

ATTN MC  
US POSTAL INSPECTION SERVICE  
CRIMINAL INVESTIGATIONS SERVICE CENTER  
222 SOUTH RIVERSIDE PLAZA STE 1250  
CHICAGO IL 60606-6100

Where an emergency exists, the Postal Inspector in Charge or designee may grant a mail cover based on a verbal request. While the mail cover data will be released immediately, the requesting agency must submit a written request for the mail cover within 3 business days to the address above.

Information from a mail cover often provides valuable investigative leads. The initial information itself is not evidence, and you should not refer to the use of a mail cover in any criminal or administrative action. Information from a mail cover is confidential and should be restricted to those persons who are participating in the investigation.

Additional guidance regarding mail cover requests can be found in Publication 55, *USPS Procedures: Mail Cover Requests*. This publication is for law enforcement use only. Contact your nearest Postal Inspection Service office to obtain a copy of Publication 55 and for further assistance concerning mail cover requests.

## **Sample Mail Cover Request — Forfeiture**

(Must be on official agency letterhead.)

[DATE]

CRIMINAL INVESTIGATIONS SERVICE CENTER  
US POSTAL INSPECTION SERVICE  
222 SOUTH RIVERSIDE PLAZA STE 1250  
CHICAGO IL 60606-6100

ATTN: MAIL COVER SPECIALIST

RESTRICTED INFORMATION

### **(1. Justification)**

This is a request for a mail cover to assist in the identification of property, proceeds, or assets forfeitable under law. Our investigation has developed evidence that the subject J. Doe, 123 Main Street, San Francisco, CA 12345-6789 is engaged in money laundering.

### **(2. Subject)**

The cover subject is:

J. DOE (AND ALL OTHER NAMES)  
123 MAIN STREET  
SAN FRANCISCO CA 12345-6789

All other names at the subject's address should be covered, because the information developed in this investigation indicates that J. Doe is using different names to facilitate this money laundering operation. The address is a single-family house. Mail delivered to this address is intended for J. Doe and, to our knowledge, no one else receives mail at the same address.

### **(3. Mail Class)**

The mail cover should include information from sealed mail to include: First-Class Mail, Express Mail, and Priority Mail.

#### **(4. Time Frame)**

Cover is requested for 30 days, to begin as soon as possible.

#### **(5. Violation)**

Our investigation has disclosed evidence that J. Doe is engaged in money laundering activity in violation of 18 USC 1956, and this cover will help identify proceeds and other assets which are subject to forfeiture under 18 USC 981, Civil Forfeiture. Doe has not been indicted, but if he is formally charged during the 30 days requested, you will be promptly notified to terminate the mail cover.

#### **(6. Attorney)**

We are unaware of any legal representation for J. Doe. However, if this information becomes available, the name of his attorney will be relayed to you at once.

#### **(7. Documentation)**

PS Form 2009, *Information Concerning Mail Matter*, will be needed on a weekly basis. We will not copy these forms. They will be returned to you within 60 days of the mail cover completion date.

#### **(8. Special Instructions)**

Postal Inspector J. Smith has been contacted regarding this case. (Provide complete name, address, and phone number for case agent, if different than requestor).

(Signature)

T. Jones

Special Agent

Internal Revenue Service

Phone: (000)123-1234



## **Search Warrants for U.S. Mail**

Because so many search warrants for U.S. Mail are requested from various law enforcement agencies, Title 39 USC Section 3623 (d) requires that only search warrants authorized by law be honored, and only federal search warrants are authorized. Due to disparate state laws, state warrants place a severe burden on the Postal Service system and the mailers who use it.

This restriction is contained in the U.S. Constitution, which grants exclusive authority over the U.S. Mail to the federal government. Federal search warrant authority under the Constitution was first enacted into law by the U.S. Congress in the Espionage Act of 1917.

A Postal Service employee, authorized by the head of a Postal Service installation, may submit mail to a federal agent who is not a Postal Inspector only if that agent has a valid and duly issued federal search warrant. However, we request that Postal Service managers notify the Inspection Service before granting an agent direct access to the mail, so we can ensure the search warrant is a valid federal warrant.

State search warrants cannot be accepted under any circumstances. If you present such a warrant at a Postal Service facility, the manager in charge of the facility is not authorized to release any mail to you. For further information, contact the Postal Inspection Service, which may be able to assist you in obtaining a federal search warrant, if the violation of state law you are investigating is also a violation of federal law. While you are seeking our guidance or while we are applying for and obtaining a federal search warrant, the mail in question may be temporarily detained for a reasonable time.

When considering if you need access to “live” mail, you may find you don’t need to keep the contents of mail in all cases. (For tasks such as gathering evidence, identifying victims, and obtaining asset information, a mail cover may be more appropriate.)

## Arrest of On-Duty Postal Service Employees

The arrest of an on-duty Postal Service employee sometimes requires certain arrangements in advance of the arrest. If the employee is on duty in a Postal Service facility (which is federal property), contact the Postal Service manager in charge of the facility. Also, a Postal Inspector should be contacted if assistance is required to make the arrest.

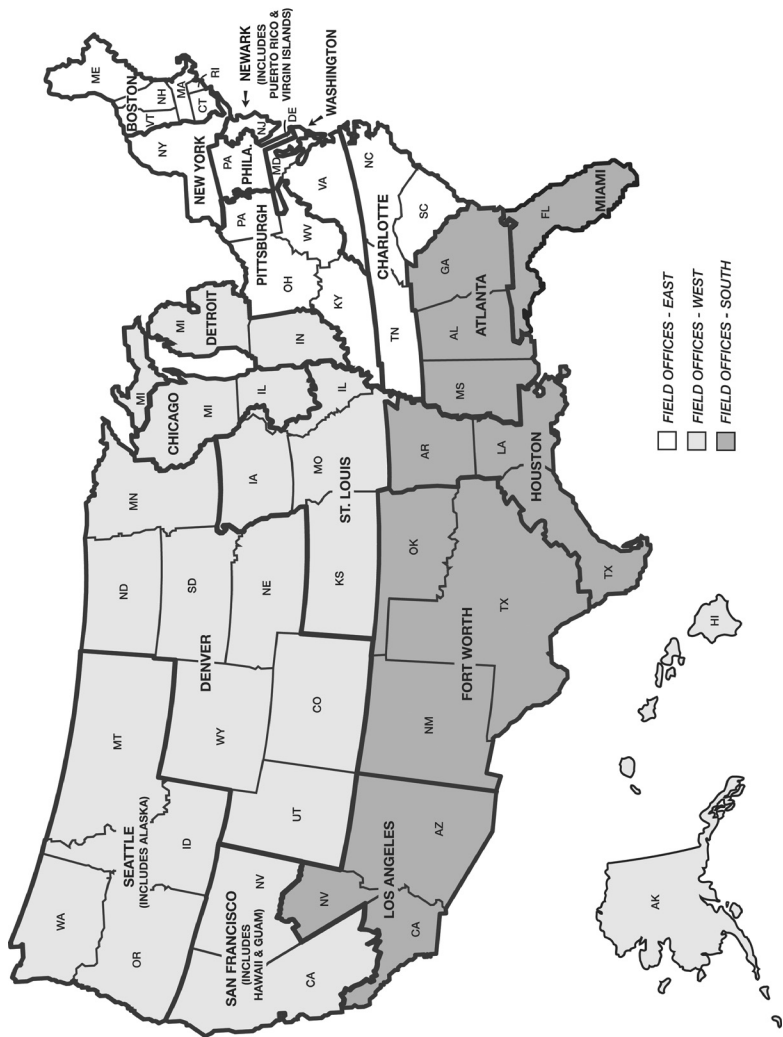
When a police officer arrests an on-duty Postal Service letter carrier (mail carrier) for a nonpostal crime, the officer should immediately notify the local postmaster or a Postal Inspector of the arrest and arrange for protection of the mail, mail keys, and any other postal property that the carrier may have. (Police officers may not legally delay or search the mail carried by a Postal Service employee without a federal search warrant.)

## Conclusion

We hope this guide has been helpful. For publications described in the guide, contact your local Postal Inspector. For additional information on the United States Postal Inspection Service, visit our Web site at [www.usps.com/postalinspectors](http://www.usps.com/postalinspectors).

*Cover photo: Inspector Allen McHenry, U.S. Postal Inspection Service.*

# U.S. POSTAL INSPECTION SERVICE DIVISION BOUNDARIES



# U.S. Postal Inspection Service Divisions

## NATIONAL HEADQUARTERS U.S. POSTAL INSPECTION SERVICE

475 L'ENFANT PLZ RM 3100  
WASHINGTON DC 20260-2100  
202-268-4267

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### ATLANTA DIVISION

PO BOX 16489  
ATLANTA GA 30321-0489  
404-608-4500

### BOSTON DIVISION

495 SUMMER ST STE 600  
BOSTON MA 02210-2114  
617-556-4400

### CHARLOTTE DIVISION

PO BOX 3000  
CHARLOTTE NC 28228-3000  
704-329-9120

### CHICAGO DIVISION

433 W HARRISON ST RM 50190  
CHICAGO IL 60669-2201  
312-983-7901

### DENVER DIVISION

1745 STOUT ST STE 900  
DENVER CO 80299-3034  
303-313-5320

### DETROIT DIVISION

PO BOX 330119  
DETROIT MI 48232-6119  
313-226-8184

### FT. WORTH DIVISION

14800 TRINITY BLVD STE 600  
FT WORTH TX 76155-2675  
817-359-2711

### HOUSTON DIVISION

PO BOX 1276  
HOUSTON TX 77251-1276  
713-238-4400

### LOS ANGELES DIVISION

PO BOX 2000  
PASADENA CA 91102-2000  
626-405-1200

### MIAMI DIVISION

3400 LAKESIDE DR 6TH FL  
MIRAMAR FL 33027-3242  
954-436-7200

### NEWARK DIVISION

PO BOX 509  
NEWARK NJ 07101-0509  
973-693-5400

### NEW YORK DIVISION

PO BOX 555  
NEW YORK NY 10116-0555  
212-330-3844

### PHILADELPHIA DIVISION

PO BOX 7500  
PHILADELPHIA PA 19101-9000  
215-895-8450

### PITTSBURG DIVISION

1001 CALIFORNIA AVE  
PITTSBURGH PA 15290-9000  
412-359-7900

### ST. LOUIS DIVISION

1106 WALNUT ST  
ST LOUIS MO 63199-2201  
314-539-9300

### SAN FRANCISCO DIVISION

PO BOX 882523  
SAN FRANCISCO CA 94188-2528  
415-778-5800

### SEATTLE DIVISION

PO BOX 400  
SEATTLE WA 98111-4000  
206-442-6300

### WASHINGTON DIVISION

10500 LITTLE PATUXENT PKWY 2ND FL  
COLUMBIA MD 21044-3509  
410-715-7700

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**To order this publication, call 1-800-332-0317.**

**Select option 4, customer service.**

**Select option 2 and enter your 10-digit telephone number.**

ENSURING CONFIDENCE IN THE U.S. MAIL

[www.usps.com/postalinspectors](http://www.usps.com/postalinspectors)