

OFFENSES AGAINST THE MAIL: NOTICE AND ACKNOWLEDGEMENT

NAME OF INDIVIDUAL:

DATE:

Ref: (a) OPNAVINST 5112.6D
(b) DODINST 4525.6-M
(c) Administrative Support Manual

1. Purpose and Use. This document supplies a notice and acknowledgement of general mail security duties, laws and rules and the sanctions imposed for violations thereof. Reference (a) requires Naval personnel designated to receive, process, maintain and deliver postal material to endorse this form at initial designation and annually thereafter, the endorsed form to be maintained in the member's service record.

2. General. References (a) and (b) require the Military Postal System to preserve the security of all mail in its custody and protect it from unauthorized opening, inspection, reading, tampering, delay or other offenses against the mail. Mail is considered to be in the possession of the U.S. Postal Service or Military Postal Service from the time deposited in an authorized civilian or military post office or authorized mail depository or given to an authorized unit mail clerk for posting until it is delivered to the addressee or an authorized representative.

3. Sanctions. Navy postal clerks and unit mail clerks who commit or allow others to commit an offense against the mail are subject to administrative discipline, court martial or criminal prosecution leading to a fine, imprisonment or both.

4. Specific Duties and Prohibitions

a. Tampering. Tampering with or depredation against mail matter are offenses against the United States and are punishable by law. Navy postal clerks and unit mail clerks will not break or permit to be broken the seal of first class matter while it is in military postal channels. Standard Mail A and B believed to contain unmailable matter may be opened by Navy Fleet Post Office (FPO) postal officers in the presence of a witness (DOD 4525.6-M, vol I, chap 9, sec 908).

b. Safeguarding Mail. Navy postal clerks and unit mail clerks may be held responsible for loss brought about by their failure to safeguard mail entrusted to their care. When unit mail clerks are absent from unit mailrooms, receptacles for registered and certified mail and entrance to the unit mailroom will be locked. Mail in the custody of unit mail clerks will not be subject to delay, interception or search. Mail will be delivered only to the addressee, an agent designated by the addressee in writing, or to the servicing post office or FPO for outgoing mail (DOD 4525.6-M, vol II chap 3, sec 309).

c. Moving the Mail. Where a designated Navy postal clerk or unit mail clerk cannot consult a supervisor concerning proper mail security procedures in a particular matter and when postal regulations or written directions issued by the Postal Inspection Service or General Counsel do not detail lawful security procedures in the matter, the member must protect the mail in all respects and move it or permit it to move without interruption to its destination. (Ref. C., chap. 2 para 274.1)

5. Some Associated Criminal Statutes (non-exclusive)

a. **Obstruction of Correspondence and Theft or Receipt of Stolen Mail Matter**. Whoever steals, takes or obtains by fraud, any letter, postal card, package or bag from an authorized mail depository; opens or destroys such mail; or removes from such mail or anything contained herein is subject to a fine of not more than \$2,000 or imprisonment for not more than 5 years, or both. Any person buying, receiving, concealing or unlawfully possessing mail matter or contents thereof, knowing same to have been stolen, also will be subject to a fine or imprisonment (18 USC 1708).

b. **Mailing Obscene or Crime Inciting Matter**. Whoever deposits in a post office or authorized mail depository any letter, package or other mail matter containing obscene or indecent pictures, writings or publications is subject to a fine of not more than \$5,000 or imprisonment for not more than 5 years, or both (18 USC 1461).

c. **Removal of Postage Stamps from Mail.** Whoever unlawfully or willfully removes from any mail matter any stamp attached thereto in payment of postage shall be fined under this Title or imprisoned for not more than 1 year, or both (18 USC 1720).

d. **Injury of Mail Bags or other Equipment.** Whoever tears, cuts or otherwise injures any mailbags or other piece of equipment use or designated for use in the conveyance of the mail, or draws or breaks any staple or loosens any part of any lock, chain or strap attached thereto with the intent to rob or steal such mail or to render the same insecure shall be fined under this Title or imprisoned for not more than 3 years, or both (18 USC 1706).

e. **Punishment of Accessories After the Fact.** Whoever, knowing that an offense against the United States (U.S. Postal Service and Military Postal Service inclusive) has been committed, receives, relieves, comforts or assists the offender to hinder or prevent his or her apprehension, trial or punishment is an accessory after the fact. Except as otherwise expressly provided by an act of Congress, an accessory after the fact is subject to not more than one-half the maximum sentence prescribed for the punishment of the principal. If the principle is punishable by death, the accessory will be imprisoned for not more than 20 years (18 USC, Suppl V3).

f. **Theft of Property Used by Postal Service.** Whoever steals, purloins or embezzles any property of the U.S. Postal Service or appropriates any such property to his own or any other than its proper use, or conveys away any such property to the hindrance or detriment of the public service, shall be fined under this title or imprisoned not more than 3 years, or both; but if the value of such property does not exceed \$1,000, he shall be fined under this title or imprisoned not more than 1 year or both (18 USC 1707).

g. **Uniform Code of Military Justice.** Article 92, Dereliction of Duty; Article 92, Failure to Obey Order or Regulation; Article 134, (Mail: taking, opening, secreting, destroying or stealing); Article 134, (Mails: depositing or causing to be deposited obscene matters in.)

I, _____ have read, had explained to me, and understand paragraphs 1 through 5.

WITNESSED:

POSTAL OFFICER'S SIGNATURE	DATE	POSTAL CLERK/MAIL ORDERLIES SIGNATURE	DATE
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***This statement must be updated semi-annually.**