

3.04-5

DAYTON POLICE DEPARTMENT
GENERAL ORDER
THEFT FROM MAIL



RICHARD S. BIEHL – DIRECTOR AND CHIEF OF POLICE

REV. 12/12

POLICY STATEMENT

Although Theft from Mail (O.R.C. § 2913.02) may be charged under state theft statutes, it is the policy of the Dayton Police Department to provide pertinent information to the Postal Inspection Service relating to these investigations to determine prosecutorial venue. Postal Inspectors support this procedure and the penalty provisions under United States Code, Title 18, Section 1708, "Theft or Receipt of Stolen Mail Matter", are more severe than the State of Ohio provisions for theft.

I. LEGAL OWNERSHIP OF U.S. MAIL

The transfer of mail as the property of the United States Postal Service to being the property of the intended recipient occurs when **the mail is obtained from the mailbox by the party entitled to possession, or their agent**. Until this occurs, mail is considered to be within the control of the United States Postal Service and theft thereof is governed by the United States Code, Title 18, Section 1708.

II. INITIAL INVESTIGATING OFFICER'S RESPONSIBILITY

- A. Conduct a complete and thorough on-scene investigation.
- B. Utilize crime scene investigators to process scene where practical.
- C. Conduct on-scene interviews of persons or neighbors.

III. REPORTING PROCEDURES*

- A. Complete a D.I.B.R.S. Information Report listing the nature of the investigation as "Theft from Mail".
- B. Dictate a thorough investigative narrative giving names, addresses, and telephone numbers of persons interviewed and whether or not a crime scene investigator processed the scene.
- C. Indicate where the Postal Inspectors can obtain results of processed evidence (i.e. MVRCL).

* This procedure is not followed when mail is stolen from a complainant **after** they have taken possession from the mailbox or the carrier. This **only** applies when theft of mail takes place **before** the true recipient takes possession of his/her mail. If the mail is stolen later, complete a D.I.B.R.S. Incident Report citing O.R.C. § 2913.02, Theft from Mail.

IV. COMPLAINANT'S RESPONSIBILITIES

Advise the complainant of their DIBRS report number and how they may obtain a copy of their report so that they may contact the Postal Inspectors Office. The complainant may file a complaint online or mail a copy of the report:

<https://postalinspectors.uspis.gov/contactUs/filecomplaint.aspx>

United States Postal Inspectors
Attention: Mail Theft Team
895 Central Ave, Suite 400
Cincinnati, Ohio 452 02-5748