

THE OFFICE OF THE INSPECTOR GENERAL

The Office of the Inspector General in the United States Postal Service is an independent agency which is designed to maintain the integrity and accountability of the United States Postal Service. With 90 regional offices across the country and a staff of over 1,000, the Office of the Inspector General is one of the largest such agencies in the United States, and it is constantly investigating allegations of crimes, performing routine audits, and working to improve the efficiency of the United States Postal Service. By maintaining the integrity of the postal service, the Inspector General hopes to keep consumer confidence high.

(Source: <http://www.wisegeek.com/in-the-united-states-postal-service-what-is-the-office-of-the-inspector-general.htm>)

THE OFFICE OF THE INSPECTOR GENERAL... ... AND YOU

If questioned by an OIG Inspector about your conduct, even if you believe you are not guilty of any wrong doing, it is suggested you do the following:

1. Remain Calm
2. Correctly identify yourself if requested to do so;
3. Do not physically resist an arrest or a search of your person or property;
4. Read aloud to the OIG Inspector (s) the statement below;
5. Remain silent until you have consulted with your NAPUS representative or an attorney

***BE YOUR OWN PROTECTOR – TAKE NO LIE DETECTOR
DO NOT SIGN – GET ON THE PHONE LINE***

STATEMENT

I request the presence of my NAPUS representative. If I am a suspect in a criminal matter, please do advise me. If so, I wish to contact my representative.

(His/Her) Name is: _____

Telephone Number: _____

If I am under arrest, I request you to so advise me and to inform me of the reason or reasons. I will not resist an arrest.

I do not consent to a search of my person or property. However, I will not physically resist or obstruct such a search. If you have a search warrant, I request to see it at this time.

I will cooperate with you fully, but I do not waive any of my rights, including my right to remain silent. I will not sign a waiver-of-rights form, not admit or deny any allegations, nor make any written or oral statements unless my attorney and/or a NAPUS representative are personally present and so advise me.

OFFICE OF THE INSPECTOR GENERAL FORMS

MIRANDA

Miranda warnings are given to subjects of OIG investigations when they are placed under arrest or are in custody, as required by Miranda v. Arizona, 387 U.S. 436 (1966). Miranda warnings advise the subject of OIG investigations who are under arrest or otherwise in custody that they have a right to remain silent; that statements they make can be used against them; that they have a right to an attorney during questioning; and that an attorney will be appointed to them if they cannot afford one.

GARRITY

Garrity warnings are given to subjects of OIG investigations, who are not under arrest or in custody, as suggested by Garrity v. New Jersey, 386 U.S. 493, 500 (1967). Garrity warnings are designated to ensure that employees' interviews are voluntary. Garrity warnings advise subjects that they may remain silent on matters where there may be criminal exposure, but must report on activities for which there is no criminal exposure. Subjects are also reminded that the interview is strictly voluntary.

KALKINES

Kalkines warnings are given to subjects of OIG investigators to assure employees that their statements may not be used against them in any criminal proceeding, in accordance with guidance in Kalkines v. U.S. 473 F. 2d 1391 (Ct. Cl. 1973). Courts have long held that once an individual's statements are immunized, the employee no longer has a right to remain silent. Lefkowitz v. Cunningham, 431 U.S. 801, 806 (1977). Kalkines warnings remind employees that they have a duty to respond to investigate questions and that agency disciplinary actions may follow if employees fail to cooperate or fail to answer fully and truthfully. Employees are also told that statements they provide may be used in civil or administrative proceedings, but cannot be used in criminal proceedings.

**UNITED STATES POSTAL SERVICE
OFFICE OF INSPECTOR GENERAL**

**1735 NORTH LYNN STREET
ARLINGTON, VA 22209-2020**

MIRANDA RIGHTS

I, _____, have been advised by Special Agent _____, who has identified himself/herself to me as a Special Agent of the United States Postal Service, Office of Inspector General that he/she is conducting criminal investigation.

I have also been advised that:

- ___ 1. I have the right to remain silent;
- ___ 2. Any statement I make can be used as evidence against me in a court of law;
- ___ 3. I have the right to consult with an attorney prior to and during any questioning;
- ___ 4. If I cannot afford an attorney, one will be appointed to me by the court without cost; prior to any questioning;
- ___ 5. I have the right to request an attorney at any time during this interview, and;
- ___ 6. I have the right to terminate this interview at any time, for any reason.

I have read my rights and had them read to me as set forth above and I understand my rights. With this understanding, I am willing to make a statement and answer questions I do not wish to consult with an attorney at this time, and I do not wish to have an attorney present during this interview. I make this decision freely, knowingly, and voluntarily, and without any threats, promises, or coercion of any kind being made against me.

Signature _____
Date & Time _____

Investigator _____
Date & Time _____

Witness _____
Date & Time _____

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KALKINES WARNING: ADMINISTRATIVE

This is an inquiry regarding information pertaining to or allegations of misconduct or improper performance of official duties. In accordance with the Privacy Act of 1974, you are advised that the authority to conduct this interview is contained in the Inspector General Act of 1978, as amended, 5 U.S.C. App 3 Section 4. The purpose of this interview is to obtain information which will assist in the determination of whether administrative action is warranted.

1. You are going to be asked a number of specific questions concerning the performance of your official duties as an employee of the United States Postal Service.
2. You have a duty to reply to these questions. Agency disciplinary proceedings, including your dismissal, may be initiated if you refuse to answer or fail to reply fully and truthfully.
3. Neither your answers nor any information or evidence which is gained by reason of your statements can be used against you in criminal proceedings; except that you may be subject to criminal prosecution for any false oral or written answers made by you during the course of this interview.
4. You are subject to disciplinary actions up to and including dismissal if you refuse to answer or fail to respond truthfully and fully to any questions, or give misleading information.

Acknowledgement

I have read the above warning or had it read to me, and I understand my rights. I have been advised of the nature of the inquiry and I am willing to discuss the subject(s) presented to me. No Promises, threats, or coercion of any kind have been made against me. I know and understand what I am doing.

_____	_____	_____	
Date	Time	Signature	

		Print Name	
_____		_____	_____
Investigator		Date	Time
_____		_____	_____
Witness		Date	Time

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GARRITY WARNING: ACKNOWLEDMENT OF RIGHTS

I, _____, have been advised by Special Agent _____, who has identified himself/herself to me as a Special Agent of the United States Postal Service, Office of Inspector General, that he/she is conducting an investigation into a matter affecting my official duties.

In connection with this, I have been advised that:

1. I have the right to remain silent if my answers may result in a criminal charge being brought against me.
2. Anything I say or do may be used as evidence in administrative proceedings, civil proceedings, or any future criminal proceeding involving me.
3. If I refuse to answer the questions posed to me on the grounds that the answers may tend to incriminate me, I cannot be discharged solely for remaining silent.
4. This interview is strictly voluntary and I may leave at any time.

I have read the Acknowledgement of Rights or had them read to me and I understand them as set forth above.

Signature: _____

Date & Time: _____

Investigator: _____

Witnessed: _____

Place: _____

**UNITED STATES POSTAL INSPECTION SERVICE
WARNINGS AND WAIVER OF RIGHTS**

Place: _____

Date: _____ Time: _____

WARNING

**BEFORE YOU ARE ASKED ANY QUESTIONS, YOU MUST UNDERSTAND
YOUR RIGHTS.**

- You have a right to remain silent.
- Anything you say can be used against you in court.
- You have the right to talk to a lawyer for advice before we ask you any questions to have him/her with you during questioning.
- If you cannot afford a lawyer, one will be appointed for you before you any questioning if you wish.
- If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

I have read this statement of my rights (This statement of my rights has been read to me) and I understand what my rights are.

Date	Time	Signature
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WAIVER

I am willing to discuss subjects presented and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Date	Time	Signature
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Witnessed by: _____

Title: _____

Witnessed by: _____

Title: _____