

FLORENCE POLICE DEPARTMENT GENERAL ORDER

| | | |
|--|---|--------------------------|
| Subject: POLICE INFORMANTS | Procedure: General Order 20.2.7 CALEA 42.2.7 | Total Pages: 5 |
| Authorizing Signature: Original with Authorizing Signature on File | Effective: 07/13/2011 | |
| | <input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds | |

I. POLICY

It is the policy of this Department to ensure personnel utilizing confidential informants shall adhere to the procedures identified. The use of confidential informants is important to the satisfactory completion of many criminal investigations. Procedures have been established to provide for this resource within a controlled system in order to avoid abuse and minimize adverse impact.

II. PURPOSE

This written order establishes guidelines for the effective use of informants and the information they provide.

III. SCOPE

This written order is applicable to all personnel.

IV. RESPONSIBILITY

All personnel will comply with the guidelines established in this directive.

V. DEFINITIONS

- A. **CONFIDENTIAL INFORMANT:** A person who, under the direction of a specific officer/investigator and with or without expectation of compensation, furnishes information on any criminal activity or performs a lawful service for the Police Department in its investigation of criminal activity. If compensated for services rendered to the Police Department, they must sign a voucher indicating receipt of payment.
- B. **CONFIDENTIAL INFORMANT REFERENCE NUMBER:** Number assigned to confidential informants to be used as a reference for the informant in place of the CI's name. The numbers will be assigned chronologically beginning with 1001. The number is assigned at the completion of the Confidential Informant File. Once assigned, all informants are to be referred to only by number and not by name. The assignment of numbers and maintenance of the reference number list is the responsibility of the designated Captain.
- C. **CONFIDENTIAL INFORMANT RECEIPT:** This is a voucher that is to be signed by an informant or an officer/investigator upon receipt of any funds used to further a criminal investigation. When making payment to

General Order 20.2.7
POLICE INFORMANTS

an informant, a second officer/investigator should be present and witness the transfer of funds to a confidential informant. These vouchers will be returned to and maintained by the designated Captain.

- D. INFORMANT RELIABILITY FORMS: A form used to track contacts between the officer/investigator and the informant. Both reliable and unreliable information will be added and included on this form.
- E. DEFENDANT/INFORMANT: Same as above, but subject to arrest and prosecution for a criminal offense or a defendant in a pending municipal, state or federal case who expects compensation of another form. If there is a reason to believe that an informant has committed a felony offense, a reasonable attempt to notify the appropriate district attorney's office will be made. After consultation, the Investigations Division Captain will make a determination whether or not the Police Department may continue to use the individual as an informant.
- F. UNRELIABLE INFORMANT FILE: File containing information pertaining to individuals determined generally unfit to perform as informants. The designated Captain maintains this file.

VI. GENERAL PROVISIONS

- A. CONFIDENTIALITY: The confidentiality of informants, as well as the safety of both the informant and the officer, is of primary concern. Information about informants will not be released to any unauthorized person.
- B. PRECAUTIONS: Investigating officers/investigators will take additional precaution in dealing with informants of the opposite sex, or with informants whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties. The unit supervisor has the discretion to assign a second investigator to be present if the contact is with a questionable individual.
- C. JUVENILE INFORMANTS: The use of juvenile informants is discouraged. They will only be utilized in extraordinary circumstances, and then only with the approval of the Bureau Commander where the information originates.
- D. IMMUNITY: The Florence Police Department will not grant immunity from prosecution in exchange for information, without the approval of the District Attorney.
- E. MASTER INFORMANT FILE:
 - 1. CONTENT: The file will contain, at a minimum, the following information on each confidential informant:
 - a. Biographical and background information;
 - b. Criminal history record, if any;

General Order 20.2.7
POLICE INFORMANTS

- c. CI reference number; and
 - d. Photograph of informant.
2. MAINTENANCE: The designated Captain will maintain the master informant file, updating and purging information as necessary.
 3. SECURITY: This file will be kept in a secure area. Access to the file will be limited to the designated Captain. No employee will under any circumstances release the identity of any informant, except by lawful order of the Court. Informant reference numbers will be utilized to ensure the confidentiality of informants used by investigators. These numbers will be used on all documents rather than the identity of the informants. These numbers will be kept in the Master Informant file, secured in the designated Captain's office.
 4. IDENTITY: The identity of an informant will always remain confidential. The identity of an informant will NOT be released under any circumstances, only with the exception of a court order or if the informant is related to criminal activity where he/she might be considered a suspect.
 5. OTHER METHODS FOR PROTECTING CONFIDENTIAL INFORMANTS: Department personnel having contact with or knowledge of informants will take every reasonable precaution to avoid compromising or endangering an informant.
- F. USE OF INFORMANTS BY PATROL OFFICERS: Informants used by patrol officers must also be included in the Master Informant File located in the designated Captain's office.
1. Officers wishing to initiate an informant transaction will contact the Captain designated to manage the CI program.
 2. Informant transactions initiated by patrol officers will follow procedures established in existing directives for use of confidential funds.
 3. Use of informants by patrol officers will also be governed by the other guidelines in this directive.

VII. PROCEDURES

- A. The designated CI program Captain will create and maintain a "Master Informant File." This file will store information identifying police informants.
- B. A "confidential informant reference number" will be created for each informant. Each informant will then be assigned a folder that will contain identifying information about the informant and copies of all transactions involving the informant.

General Order 20.2.7
POLICE INFORMANTS

- C. Each confidential informant will thereafter be referred to by the “confidential informant reference number.”
- D. Cash payments will be made to informants in exchange for reliable information given to police regarding criminal activity.
- E. Upon receipt of a cash disbursement, the confidential informant will sign his own name to a “confidential informant receipt.” These receipts will be kept in each respective informant’s file.
- F. The Florence police officer(s) making the cash disbursement will sign the “confidential informant receipt” using their own name and badge number.
- G. Information contained on the “confidential informant receipt” will include:
 - a. The officer to whom the original cash disbursement was made.
 - b. A signature from the confidential informant.
 - c. The amount of cash received by the officer.
 - d. The amount of cash received by the informant.
 - e. A Florence Police case number.
 - f. Brief statement about what police action was taken based on the confidential informants information. (Ex: arrest, search warrant, no action taken, used to corroborate other information, etc.)
- H. Quarterly accounting reports will be submitted to the General Fund Accounting Department Head for review.
- I. The mandatory, quarterly reports will include:
 - a. The confidential informant reference number.
 - b. The amount of cash distributed.
 - c. The Florence Police case number.
 - d. Beginning and ending balance of the cash fund.
- J. When no cash disbursements are made, the quarterly report will be submitted with a beginning and ending balance and a statement to the effect that no disbursements were made.
- K. A total of no more than five thousand (\$5000.00) dollars cash and/or receipts will be kept in the confidential informant fund. Any exceptions to the five thousand (\$5000.00) dollar limit will get the prior approval of the Chief of Police and the Florence Accounting manager.

VIII. EXAMPLE OF PROCEDURES

1. An officer/investigator will contact the designated CI program Captain and request cash for a confidential informant.
2. The Captain will require the officer to completely fill out a Confidential Informant File sheet.
3. The Captain will then assign a Confidential Informant Reference Number.
4. The Captain will distribute the cash to the officer/investigator and will have the officer/investigator sign a Confidential Informant Receipt indicating that he received the funds (Section # 1).
5. A copy of the receipt is made and given to the officer/investigator.
6. When the officer/investigator distributes the cash to the informant, the informant will sign the copy of the Confidential Informant Receipt under section # 5, "Payment of Funds to Non-Police Personnel." The officer/investigator (s) making the disbursement will also sign the receipt indicating they have witnessed the disbursement.
7. Additionally, the officer/investigator will document all significant contact with the informant on the Informant Reliability form. This form will be maintained in each informant's respective file, which is stored and maintained by the designated CI program Captain.
8. The receipt signed by the informant and police agents will be returned to the Captain. This copy will be reconciled with the original Confidential Informant Receipt form.
9. A quarterly report will be made to Florence Accounting.