

		Policy & Procedures			No. 2.01	
		Subject:				
		Informants				
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CALEA STANDARDS:
42.2.7

GENERAL CONSIDERATIONS AND GUIDELINES

The traditional short cut to the solution of a crime, or to the location of a wanted person, is the informant. An informant is defined as a person who gives information to an investigator. A confidential informant is a person who provides confidential information concerning a past or projected crime and does not wish to be known as the source of the information.

The motives for revealing information are numerous and it becomes the investigator's responsibility to evaluate the informant and the information given in order to arrive at the truth. Some of the more common motives are: vanity, civic-mindedness fear, repentance, avoidance of punishment, gratitude, gain, competition, revenge, remuneration (although the Canton Police Department discourages the use of paid informants) or jealousy. **42.2.7 (15)**

The investigating officer should compromise neither himself/herself, nor the informant, in his/her pursuit of information. He/she should make no unethical promises or deals and should not undertake any commitments that cannot be fulfilled. *Identity of informants should not be disclosed unless absolutely necessary, and then only to the proper authorities.* **42.2.7 (13)** To preserve this secrecy, each confidential informant shall be assigned a code number. *All Detective's informants will be included in a master file (under strict security-in a locked file(2) cabinet within a locked office (4)) maintained by the Officer in Charge of the Detective Bureau(5A). Information on the informant will include: his/her designated, code number(7C); biographical and background information(7A); criminal history (7B), if any; place and manner of contact; telephone number(s); pretext to be used when contacting (if any); the primary and alternate investigator who may make contact; and a notation regarding the informant's availability 42.2.7 (7C))* with regards to time or travel. Further notation should be made with regard to the informant's track record; and his/her involvement in prior operations. Whenever possible, fingerprints, handwriting samples, and a photograph will be included in the file.

The investigator's "working" file **42.2.7 (5B, 9,10)** shall be kept in his/her locked desk at all times until information is ready to be copied to the Master File.

The Chief of Police will maintain the only spare key to both the Detective Sergeant's file cabinet and investigators' desks. **(11)**

PROCEDURES

PROCEDURES TO BE USED WHEN DEALING WITH INFORMANTS (UNIFORMED AND DETECTIVE PERSONNEL) **42.2.7 (15)**

- I. The informant should be treated courteously regardless of his/her character, education or occupation.
- II. The investigator should be scrupulous in the fulfillment of all ethical promises that he/she has made. Any other promises results in distrust and the ultimate loss of the informant's services.
- III. The informant should never be permitted to take charge of any phase of an investigation.
- IV. Meetings with informants should not be held at the police station unless it is advantageous to the investigation and can be safely done without compromising the identity of a confidential informant. **42.2.7 (13)**
- V. The circumstances surrounding a meeting should not be repeated to the extent that a recognizable pattern is created. **42.2.7 (13)**
- VI. In corresponding with the informant, the Department should never be identified. **42.2.7 (13)**
- VII. **JUVENILE INFORMANTS – Special precautions must be taken. 42.2.7 (16, 16A)**

A. A juvenile informant may be used if:

- 1. Officers have met and discussed the involvement with at least one parent or legal guardian.
- 2. Officers have obtained written permission from at least one parent or legal guardian.

NOTE: In the case of a juvenile, whose parents are separated or divorced, permission shall be obtained from the parent having legal custody.

B. When meeting with a juvenile informant, two officers should be present.

VIII. CRIMINAL ACTIVITY BY AN INFORMANT

A. Informants sometimes gain authority from police officers for participation in activity, which would otherwise be criminal. Such authorization must be carefully considered. Authorization for such activity shall be as follows:

1. The Chief of Police or his designee or his designee or his/her designee only must approve the use of an informant for activities, which would otherwise be criminal. The Chief's approval should only cover activities, which there is little danger of violence, or corrupt action by a public official is not involved.

2. When authorizing activity which would otherwise be criminal, the Chief or his/her designee shall attempt to ensure the following:

- a. There is minimal effect on innocent people;
- b. The informant is not the primary source of technical expertise or financial support;
- c. The informant's activity is closely monitored; and

B. Unauthorized criminal activity by an informant shall be dealt with as follows:

1. An officer learning of unauthorized criminal activity by an informant shall notify the Chief of Police or his designee or his designee or his/her designee, who will in turn notify the Chief.

2. The Chief of Police or his designee or his designee shall:

- a. Decide whether or not to delay notification of appropriate law enforcement personnel;
- b. Decide whether or not to request appropriate authorities to delay or forgo enforcement action; and
- c. Decide whether or not to continue the use of the informant.

3. The Chief of Police or his designee or his designee must contact the District Attorney's Office from the affected jurisdiction if he wants to delay notification of law enforcement authorities or request authorities not to take action. Only after contacting the District Attorney shall the Chief of Police or his designee or his designee make the decision to delay such notification or make such request and continue the use of the informant.

IX. Because of the visibility and restricted mobility of the uniformed officer, consideration should be given to the time and place of meeting an informant when on duty. A plausible explanation or ruse should be agreed upon (between the officer/informant) in the event that they are observed. Extended meets with informants while on duty are not encouraged. However, the officer's discretion, good judgment and the amount of activity on the shift should be considered when conducting meetings. The Patrol Supervisor should be consulted if an officer feels he may be distracted from other duties during such meets.

X. *When an officer remunerates an informant for information or cooperation it will be at the direction of the OIC Detective Bureau.* The officer will consider the reliability of the informant and the usefulness of the information prior to compensating any informant. *Only informants that have been registered in the master file will be given funds.* The officer distributing the monies will record the date, amount given, and the master file identification on the ledger. *Two officers should be present when at all possible.* The ledger will be kept by the OIC Detective Bureau who will submit a quarterly report to the Chief of Police or his designee or his designee regarding the expenditures of confidential funds. The Deputy Chief and the OIC Detective Bureau will audit the ledger bi-annually. **42.2.7 (14A) – Paying informants**

XI. DISMISSING INFORMANTS

If after a period of time an informant becomes undesirable (ineptitude, compromise, criminal activity, false or inaccurate information, etc.) the investigator will advise the OIC Detective Bureau of the situation and a decision will be made as to the informant's further use. Since the question of the informant's usefulness may arise in the future, the reason(s) for dismissal will be recorded and maintained in the master file.