

St. Joseph, Missouri Police Department



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SUBJECT: Confidential Informants		
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I. POLICY

Information is obtained in a variety of ways, including the use of cooperating individuals who willingly contribute this information either out of their sense of civic duty, personal satisfaction, special consideration on pending criminal charges, or monetary compensation. The Detective Division maintains an account to finance this activity. More often than not these individuals require their identity remain anonymous. To protect informant identity and provide accountability for the distribution of funds, it is imperative that a procedure be on file and strictly adhered to by all members of the Department.

II. DEFINITIONS

- A. **Confidential Informant:** Any individual receiving compensation who wishes to remain anonymous, who provides useful and credible information to a Department member regarding felonious criminal activities, or from whom the member expects or intends to obtain additional useful and credible information regarding such activities in the future.

III. PROCEDURE

A. Eligibility Criteria for Confidential Informants

1. In order for an individual to be considered for admission into the department's confidential informant program, the following basic criteria must be met:
 - a. First and foremost the subject must be in a position to assist the department in a present or future investigation;
 - b. Based upon the prudent judgment of the investigating officer, the subject will not in any way compromise the department's interests and activities; and

- c. The subject must be willing to accept the measure of direction necessary to effectively utilize the informant's services.
2. There are also restrictions in place that will be applicable to certain individuals:
 - a. Subjects under seventeen years of age will not be utilized without the written consent of the parent or legal guardian (parental consent form);
 - b. Members should not, under normal circumstances, actively engage individuals under the control of federal or state probation or parole, without the permission of their assigned probation or parole officer. Members should also not provide any compensation or benefit to these individuals without notification and approval by their assigned probation or parole officer. This notification must be approved, documented and on file prior to use.

B. Confidential Informant Registration

1. All subjects used as confidential informants will be established as such through formal documentation in accordance with the standardized departmental procedures. A separate file jacket shall be kept for each individual informant. This file jacket shall consist of:
 - a. Confidential informant checklist;
 - b. Cooperating individuals agreement;
 - c. Photograph and thumbprint;
 - d. Cooperating individuals personal data sheet;
 - e. Informant payment record;
 - f. Informant contact record;
 - g. Informant vouchers;
 - h. Criminal History; and
 - i. Parental consent form (if applicable).

C. Informant Coordinator

1. An individual shall be designated by the Commander of the Detective Division as the Informant Coordinator. It is the responsibility of the coordinator to supervise, manage and control access to the C.I. files to ensure the integrity of the files.
2. Officers with a specific need to review a C.I. file may do so with the Informant Coordinator's approval.
3. Informant files shall be kept in a locked storage area separate from all other files and under the direct control of the Informant Coordinator and a designated alternate.
4. C.I. files shall be locked at all times and will not leave the immediate area unless authorized by the coordinator. A sign-out log shall be maintained for control—no exceptions.
5. In addition to the C.I. files, the coordinator will maintain an informant codebook. All documented informants will be assigned a code number by the coordinator. The code numbers will appear in lieu of the informant's name on all reports and documents. In addition to the assigned code number, the

codebook files shall also contain the informant's true name, the name of the establishing officer, the date the informant was approved and the date of deactivation, if applicable. The codebook will be kept in the same secure area as the other C.I. files.

6. The coordinator will be required to conduct a monthly audit of the expenditures and report the status of the program to the Commander of the Detective Division.
7. A comprehensive audit of the informant account and expenditures will be conducted on a quarterly basis by the Detective Division Commander or his/her designee.

D. Use of Informants

1. Confidential informants are to be considered resources of the St. Joseph Police Department and not the personal asset of any single officer or detective.
2. Contacts with informants shall be strictly professional in nature and should be documented in writing on the informant contact record when appropriate.
3. The informant's knowledge of the LEC facility, and the activities and personnel of the St. Joseph Police Department, shall be kept to the bare minimum necessary for their successful ability to provide useful information.
4. It is imperative that informants read, understand and sign the cooperating individual agreement form prior to their use.
5. No officer shall attempt to recruit as an informant any subject who is the target of another investigation without prior coordination with the agency and/or officers conducting that investigation.

E. Payments to Informants

Approved expenditures regarding the development and management of informants fall into two primary areas:

1. **Cultivation Expenses:** Funds expended in this area shall be related to the development of an informant. Examples of cultivation expenses are:
 - a. Gasoline for an informant's vehicle to be used in conjunction with an investigation;
 - b. Meals or drinks for an informant during meetings; and/or
 - c. Compensation for personal needs of the informant.

Acceptable cultivation expenses are those that provide the investigating officer with leverage over the potential informant and increase the probability of successful informant recruitment.

2. Informant Fees

- a. Shall be expended after a department member knowledgeable in the area to which the information is relevant evaluates the information.
- b. The amount of payment must be commensurate with the value of the services and/or information provided.
- c. The amount of payment will be based upon the following criteria:
 - 1) The level of the violator or the seriousness of the offense under investigation.

- 2) The significance of the contribution made by the informant toward the desired objective.
- d. All payments to informants are to be witnessed by two officers, or in an unusual circumstance, an officer of another law enforcement agency may serve as witness.
- e. At the time of payment the informant shall sign a completed informant voucher form in the informant's true name in the presence of witnesses and the signature must be in ink.
- f. All payments are to be documented and submitted to the Informant Coordinator as part of the C.I. registration required in section III.B.

F. Deactivation of Informants

Informants should be deactivated when it is determined that they no longer have the potential to furnish needed information or services, or if the performance/cooperation of the informant is unsatisfactory. The informant may also be deactivated if they have been inactive for an extended period of time. The officer developing the informant is responsible for the decision to deactivate that informant after coordination with the Informant Coordinator.

Chris Connally, Chief of Police

Date