



Carrboro Police Department

Subject: Chapter 14: CONFIDENTIAL INFORMANTS		Number: IV. Subsections
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- I. Policy
- II. Purpose
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- IV. Procedures

I. POLICY

The policy of the Department shall be to recognize the importance of confidential sources of information as legitimate tools for police operations.

II. PURPOSE

- A. The purpose of this directive is to establish policy and procedure for the use and control of confidential sources of information and the disbursement and control of funds intended for assisting with investigative efforts.
- B. Confidential sources of information are often a prerequisite to the successful solution of many crimes, as well as being important to other areas of investigation. They may provide information that result in the prevention of violence or disruption of public order. The courts have long upheld the use of confidential sources as legitimate and necessary tools for law enforcement to solve crimes and prevent criminal acts. Each police officer should be cognizant of the role of the confidential source and the need to use the source properly.
- C. All patrol officers of the department are authorized to develop confidential informants as legitimate sources of information. Professional relationships with confidential informants will be maintained in accordance with established policy and procedures.

III. DEFINITIONS

- A. Informant: A confidential source that discreetly provides information voluntarily, and /or is directed by an officer to perform certain authorized acts, in exchange for monetary or other considerations.
- B. Managing Officer: An Officer who maintains the ongoing professional relationship with a confidential source.



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- C. Entrapment: Activity on the part of a police officer or on behalf of the Department that includes or lures an otherwise innocent person to commit a crime that he did not contemplate committing.

IV. PROCEDURES

A. Managing Informants

1. The Managing Officer should attempt to establish the credibility and reliability of information and the informant. Methods include:
 - a. Assessing any information previously provided;
 - b. Checking with other law enforcement officers for which the informant has reportedly provided information;
 - c. Surveillance; and
 - d. The use of controlled test situations.
2. In situations where the use and/or role of the informant is questionable, the Managing Officer will seek guidance from supervisory personnel. The Managing Officer will make no promises that cannot be kept to an informant. Only the District Attorney will make agreements regarding pending charges against an informant.
3. Officers are instructed to use all reasonable measures to protect the identity of the informants, including clandestine meetings and communications.
4. Caution must be used in all circumstances, especially when activity involving informant(s) may create a life-threatening situation. Except in exigent circumstances, approval to use an informant in such situations must be received from the Chief of Police, who should seek guidance from the District Attorney. In exigent circumstances, the Chief of Police should be notified as soon as possible.



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5. The Department will accept information from any source; however, at no time will any person under the age of 18 years be used as an informant, unless specifically approved by the Chief of Police.
6. Whenever a confidential informant/source is contacted, at least two officers will be present. At no time will an officer meet a confidential informant/source alone. The exception to the above will be when no other officer is available and time constraints prohibit delaying the meeting. In that event an officer must meet with a confidential informant/source alone, a supervisor shall be contacted for approval of the "one on one" contact. Supervisors will be advised of meetings with confidential informants/sources as well as the purpose and results of the meeting. In the event a female confidential informant/source needs transportation and a second officer is not present, a supervisor will be contacted for approval. The transporting officer will then go to the Carrboro Police Dispatch radio channel and advise of his departure mileage and destination. Upon arrival the officer will advise of the ending mileage and location. There will be no other fraternization between the officer/detective and the confidential informant/source apart from the case handling and development.
7. If it is known that an informant is on supervised probation or parole, the Managing Officer will coordinate with the informant's probation or parole officer to ensure that using the informant does not violate or interfere with any conditions of probation or parole.
8. The Managing Officer should attempt to determine whether or not the informant is being used by another officer and/or law enforcement agency so as to prevent duplication of effort or compromise of any investigation.
9. Each time that an officer conducts a transaction with an informant after the initial Informant File has been established, the officer will complete and/or submit the following information for addition to the Informant File:
 - a. Narcotics Fund Receipt Form, if any;
 - b. Description of information received or involvement by informant.

B. Informant Files



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A confidential master file of informants will be maintained as follows:

1. The Managing Officer will meet with the CID Lieutenant to establish the Informant File. A separate file will be maintained for each individual informant, and will contain:
 - a. Informant code number;
 - b. Biographical and background information;
 - c. Criminal history, if any;
 - d. Payments made to informants;
 - e. Information received from informant; and
 - f. Informant's involvement in operations.
2. The CID Lieutenant will assign the code number to the Informant File.
3. The CID Lieutenant will record the Managing Officer's name and the informant number in a separate log. The log will document all inquiries into the Informant File, to include date(s) and reason for inquiry, and will be witnessed by the CID Lieutenant or his designee.
4. The Managing Officer is to complete or supply on each informant:
 - a. Confidential Informant Statement of Understanding;
 - b. Informant Biographical Information;
 - c. Criminal History Record Information; and
 - d. Narrative description of information received or other involvement by informant.
5. The CID Lieutenant will be responsible for maintaining the files in a



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current status. Each subsequent transaction involving an informant will be treated as a separate entry into an informant's file.

6. The Managing Officer is to assist in maintaining informant files by submitting required documentation for subsequent transactions involving an informant.
7. Information maintained in the Information File is regarded as confidential. Access will be controlled by the CID Lieutenant.

C. Information Fund Administration

1. The Information Fund will be maintained by the Administrative Captain, and will be accessible only to the CID Lieutenant and his designee. Information pertaining to payment of funds will be maintained in a secure file.
2. The Administrative Captain, or in his absence, the Chief of Police or the Patrol Captain, must approve payments of funds in excess of \$400.00.
3. The CID Lieutenant will keep a running ledger of the funds available for viewing by the Chief of Police upon request. Monthly audits of the fund will be conducted by the CID Lieutenant and reviewed by the Chief of Police and the Administrative Captain.
4. Individuals receiving Information Fund monies are fully accountable for all such monies.
5. All receipts and other documentation of expenditures are to be attached to the file.

D. Expenditure of Funds

1. Authorized Expenditures
 - a. Informant payments are authorized where there is a reasonable expectation that the information received will lead to the prevention of criminal activity, seizure, and/or verification of an



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existing case. Payments will be made after the information is obtained and proven to be of value.

- b. Food, drink, and miscellaneous expenses are authorized only when they are directly related to a covert operation or necessary to maintain the undercover nature of an operation.
- c. Rental car fees, facilities, or equipment necessary to conduct a covert operation or surveillance, which is directly related to a specific investigation, must be approved in advance by the Chief of Police or a Captain.
- d. Funds may be utilized for the purchase of stolen property with the expectation of additional seizure or verification of an existing case.
- e. Funds may be utilized for the emergency use of a hotel/motel to ensure the safety of an informant or witness.

2. Unauthorized Expenditures

- a. Informant funds are not to be used for travel that is preplanned or not related directly to an undercover operation.
- b. Personal items, alcoholic beverages, entertainment, and other expenditures, which are not directly related to undercover operations, are not allowed.
- c. If the goods or services to be purchased can be procured under routine purchasing procedures without jeopardizing the investigation, such procedures should be followed rather than the expenditure of Information Funds.