

NEW CANAAN POLICE DEPARTMENT

SUBJECT: INFORMANTS

GENERAL ORDER NUMBER: 89-8-61

FILE: OPS 10

Law Enforcement

I PURPOSE/POLICY

The New Canaan Police Department recognizes that good investigative procedures include the development of information through all available resources. These resources include the confidential informant.

The purpose of this general order is to establish procedures and policies regarding the recruitment and management of informants.

II RESPONSIBILITY

It is the responsibility of all departmental personnel to adhere to this general order. It is the additional responsibility of the Commander of the Investigative Section and the Chief of Police to ensure compliance.

III PROCEDURES (ORGANIZATION AND ADMINISTRATION)

A The Commander of the Investigative Section shall be responsible for the confidential informant records. These records include the informant master file and any records relating to the disbursement of funds to informants.

- 1.** The confidential informant master file includes;
 - a. Incidental Informant Registration Forms
 - b. Conduct of Confidential Informant
 - c. Informant biographical data, including a criminal history record, if any.
 - d. Confidential Informant Number Log Book
 - e. Signed Receipts for money disbursed to the informant.
 - f. Any correspondence relative to the informant.

- 2.** The Investigative Commander is responsible for the maintenance of these informant records. A periodic re-appraisal of the credibility and performance of each confidential informant will be part of the master file maintenance.

3. All confidential informant records and related codes will be secured in a locked file in the Office of the Commander of Investigations. The only other personnel authorized to have access to the informant records are the Chief of Police or designee.

IV PROCEDURES (CONFIDENTIAL INFORMANT SOURCES)

Generally confidential police intelligence will be received by members of the department through one of the following;

1. Persons who deliver information and who refuse to identify themselves.
 - a. The officer(s) receiving the information will discuss with his/her supervisor the information received and the suitability of taking action on the information.
 - b. If the information received alleges continued criminal activity, the information will be forwarded to the Investigative Commander on an Incident/ Narrative Report.
2. Persons not established as confidential informants, who deliver information.
 - a. The officer(s) receiving the information will alert the Investigative Commander of the information and it's source.
 - b. The Investigative Commander will check the Incidental Informant Registration File. If there is no form on this source, the officer who received the information will complete the Incidental Informant Registration Form. (Re: Appendix I) This form will be forwarded, either in person or by sealed envelope, to the Investigative Commander for filing.
 - c. After review, the Investigative Commander will decide whether to assign an investigator as "Control Officer" to work with the officer.
 - d. The Control Officer and/or officer, upon investigation of the information, will forward to the Investigative Commander, a confidential Incident/Narrative Report indicating;
 - 1) How the information was used.
 - 2) Whether the information proved reliable.
 - 3) Whether an arrest was made or a case was solved.
 - e. Incidental Informants may be paid for police intelligence under the guidelines established in Section **VI** of this general order.
 - f. Any Incidental Informant used again for information shall be classified as an "Established Informant."
 - 1) Established Informants must have an Investigator assigned as a "Control Officer" unless waived by the Chief of Police or his designee.

3. Confidential intelligence received from an established informant.

- a. The control officer and or the secondary officer will be responsible for collecting and forwarding any information from an established informant.
- b. When a classified Incidental Informant offers information to his/her control officer, the following forms shall be completed for classification as an established informant;
 - 1) The Conduct of Confidential Informant Form (Re: Appendix II).
 - 2) The Informant Biographical Data Form (Re: Appendix III).
- c. The above forms, and a photograph of the informant (if available) will be forwarded, in person or in a sealed envelope, to the Investigative Commander.
 - 1) Upon receipt of the completed forms and photograph, the Investigative Commander shall assign the informant the next available number in the confidential informant log book. An operative name may also be assigned to the informant should telephone contact be made between the informant and control officer.
- d. Once a source has been classified as an established informant, the informant will be identified in all subsequent reports by his/her log number.
- e. The control officer is responsible for submitting to the Investigative Commander, reports describing;
 - 1) Information received from established informants.
 - 2) Police action taken, if any, based upon the information received.
 - 3) Level of activity of the informant.
- f. The Investigative Commander will attach these reports to the informant's registration and biographical data form and photograph. They will then be placed in the informant's master file.

V PROCEDURES (SPECIAL PRECAUTIONS)

- A Informants' motivations for delivering information may vary widely. Officers should carefully consider these motivations prior to taking any action.
 1. If an informant is subject to criminal prosecution, officers shall not make any promises of immunity or guarantee a reduction in the charges or sentencing.
 - a. If approved by the Chief of Police, officers may request a meeting, or send a letter to the State's Attorney assigned to the informants case and advise them of the informant's assistance to the police department.

- 1) All meetings and/or correspondence with the States Attorney's Office shall be documented by the Investigative Commander. Such documentation will be placed in the informant's master file.
 2. In order to insure the safety and accountability of the control officer, the following procedures shall be followed;
 - a. Control officers shall introduce a secondary control officer to their established informant. The secondary control officer shall maintain contact with the informant if the control officer is unavailable.
 - b. No meetings will occur between the control officer and informants of the opposite sex, without the presence of a secondary control officer.
 - c. Control officers should exercise extreme caution before receiving information from informants whose sexual preference may compromise an investigation.
- B** Juveniles may only be used as an informant under the following conditions;
1. The parents or legal guardian of a juvenile/minor, if necessary, will be fully informed of informant procedures and sign a written document authorizing the juvenile's use as an informant.
 2. No juvenile informant shall be used in a situation that will jeopardize his/her physical or emotional safety.
 3. When all other means have been exhausted and the case is of such magnitude that it warrants the use of the information.

VI PROCEDURES (DISBURSEMENT OF FUNDS)

- A** When a control officer recognizes the need for funds or payments to an informant, this officer shall provide the Commander of the Investigative Section with a detailed explanation for the request and include;
1. The case report involved,
 2. The informants log number, if applicable,
 3. The purpose of the funds.
- B** The Commander of the Investigative Section will review the request and determine if it is appropriate and forward it, along with his/her recommendations, to the Chief of Police or designee. The Chief of Police or designee will then approve or dis-approve the request.
1. The Commander of the Investigative Section shall, when extenuating circumstances exist, have the authority to approve up to \$250.00 without the approval of the Chief of Police. These funds will be available to and under the control of the Commander of the Investigative Section at all times.
 2. When approved, all disbursements of funds shall be controlled by the Chief of Police, his designee, or the Commander of the Investigative Section and forwarded to the control officer.

3. Additional funds will be available through the Chief of Police, or his designee.
- C** Payments will be made to the informant by the control officer while in the presence of a secondary control officer or the Commander of the Investigative Section.
1. After the disbursement of funds has been completed, said officers shall submit to the Commander of the Investigative Section, a receipt to include:
 - a. Amount/Purpose of payment
 - b. Officers names
 - c. Informants number, if any
 - d. Information on material purchased
 - e. Subsequent law enforcement action.
 - f. Date, Case Number
- D** The Commander of the Investigative Section shall record the disbursement on the Special Investigative Expenditure Log Sheet. (Re: Appendix IV)

VII PROCEDURES (CONTROLS ON INFORMANT FUNDS)

- A** The only personnel authorized to have access to the account(s) established for the payment of funds to informants shall be the Chief of Police or designee, Commander of the Investigative Section or other designated persons.
- B** The Commander of the Investigative Section shall use the following criteria to determine if a request for funds by the control officer is appropriate;
1. It is likely that the expenditure will develop information whose value is crucial to the investigation.
 2. It is unlikely that the information could be developed without the expenditure.
 3. The funds are necessary to maintain the physical safety of an informant who is delivering information in a major criminal investigation.
- C** The accounting of the expenditures will be performed by the Commander of the Investigative Section using the Special Investigative Expenditure spread sheet and will be subject to review by the Chief of Police or designee.
1. The Commander of the Investigative Section shall complete an audit of the fund quarterly and each quarterly audit shall be reconciled with the Chief of Police or his/her designee to insure accuracy and full accountability of cash.
 2. The Commander of the Investigative Section shall have any and all cash showing on the Special Investigative Expenditure spread sheet ready for inspection by the Chief of Police or his/her designee at all times.

VIII DISTRIBUTION

This general order will be reproduced in electronic and traditional media. All sworn personnel shall have access to Department general orders through a read-only file on their individual domain of the Department's computer network. Printed copies and/or CD's will also be placed in locations throughout headquarters so that they are easily accessible to all personnel.

IX EFFECTIVE DATE

This general order approved by the Police Commission on November 20, 1991, and is effective January 1, 1992.

Reviewed April 2000
Reviewed July 2009
Revised August 2012

Per Order,

Edward J. Nadriczny
Chief of Police