

INFORMANTS

STANDARD NO(S):

NYSLEAP#50.5

DATE:

03/22/95

REVISED: 08/27/10

REVISED: 01/23/13

REVIEWED

03/15/2017

REVISED:10/29/18

REFER TO:

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I. OBJECTIVE:

To establish procedures for the use and handling of informants by members of the Uniform Road Patrol and CID Investigators of the SCSO.

II. POLICY:

It shall be the policy of the Seneca County Sheriff's Office to encourage all officers assigned to law enforcement functions to develop and use sources of information, referred to herein as confidential informants, or confidential paid informants.

III. DETAILS:

A. The use of confidential informants is an accepted practice in law enforcement; however, such use must always be firmly controlled and fully documented. All members are encouraged to establish contacts that will produce information to assist in the solution and successful prosecution of criminal matters. Some contacts require anonymity as a condition of their cooperation. Such contacts may include private citizens, business people, former arrestees or inmates of the Seneca County Correctional Facility or other correctional facilities. High priority should be placed on reliability and confidentiality when developing an informant. Although the use of confidential informants by investigative personnel may be of longer duration and involve their actual direction to a greater extent, the following guidelines attempt to address the needs of both those members assigned to the Road Patrol as well as CID.

1. Confidential Sources- Persons who furnish information on the condition that their identities will not be revealed. Persons in this category may be furnishing information about a single happening, as

would an observant neighbor or a disgruntled co-worker, who for personal reasons is reluctant to speak for the record but, nevertheless, wants to help the police agency.

A confidential source may also furnish information on a continuing basis, which information might be obtained as a result of his position in the community, and his cooperation, if known, would be detrimental to that position.

2. Unlike an informant, the activities of a confidential source are seldom controlled by the member receiving the information. Disclosure of the source's identity within the SCSO shall be on a need-to-know basis. Any report prepared for dissemination outside the agency should note his request for confidentiality.
3. Confidential Informants (CI)- Persons who supply information, which information is obtained at the direction of the member who is acting as the controlling officer (CO). All Confidential Informants must fully understand and sign the Confidential Informant Agreement Form (SCSO-ND-002) prior to the undertaking of their role as a Confidential Informant.
 - a. The CO shall compile information about the CI to include the CI's full name, aliases, date of birth, education, criminal history, vehicles, employment, living arrangements, reliability, motives for cooperation, and the CI's potential for personal gain from the transaction; a thorough background investigation may be conducted if necessary. All information that is obtained will be fully documented in the Confidential Informant Personal History Report Form (SCSO-ND-001). The CO shall place all the documentation, which should include a photograph and fingerprints of the CI, if available, in a sealed manila envelope identified by a number to be assigned by the CID supervisor, or his designee. The number to be assigned will be sequential and will start with the letters CI. The next group of numbers will be a 3 digit sequentially assigned number (Example: CI-1001). This becomes the number under which information pertaining to the CI is filed, and by which the informant is thereafter known. The sealed envelope shall be maintained in a secure place under the control of the CID supervisor, or his designee, along with a master file showing the identifying number and a general statement as to the type cases about which the CI can furnish information.
 - b. A permanent record will be kept of every meeting with the

informant to include time, date, place and persons present, as well as any specific directions given the informant by the CO. Prior to each meeting, when practical, the CID (or patrol) supervisor is to be advised.

- c. **NO PROMISES OF ANY KIND** are to be made to a criminal informant. In the event there are criminal charges pending against the potential informant, prior approval for his use as an informant must be secured from the district attorney in concert with the defendant's attorney, if any. The agreement will be documented in the Confidential Informant Contract Worksheet (SCSO-ND-003). All parties involved are required to sign the form prior to the execution of the agreement.
 - d. Notwithstanding the prohibition against revealing the CI's identity within the SCSO, it is highly desirable to introduce an Alternate Controlling Officer (ACO) to the CI early in the relationship, provided it can be done without objection. The advantage of having an alternate contact in an emergency should be obvious to the CI, and from the CO's standpoint, having a witness to all informant transactions could prove invaluable.
 - e. If an informant's veracity becomes suspect, he should be requested to submit to a polygraph or CVSA examination. The CI's refusal should be considered to be grounds for discontinuing the relationship.
4. Confidential Paid Informants (CPI)- Persons who are paid, either for expenses or services, based on their information furnished, which payments are made from the public monies known as the "Investigative Expense Fund".
- a. All CPI's will be coordinated by the CID supervisor using the procedures as set out under paragraph B above.
 - b. Any arrangements for payments to be made to an informant must be approved by the CID supervisor and either the Chief Deputy, Under Sheriff or Sheriff after full justification, with the terms of such arrangement clearly understood by all parties concerned.
 - c. Any payments given to an informant must first be

photocopied. A receipt must be obtained from the informant and initialed by the CO. This document, like others pertaining to the CI, is placed in a sealed envelope bearing the CI's identifying number, and showing the amount, date and purpose of the payment and placed in the CI's master file.

5. Always remember that at an informant's motive for cooperating with a law enforcement agency is the desire to somehow benefit himself. Never furnish or even allude to information which the CI can use for their own gain. Each and every transaction, however slight, must be fully documented, and the appropriate supervisor advised. The CO is responsible for keeping the informant under control and in the event that the CI does not comply with the CO the CI will be contacted and told that the relationship has ended.
6. Files relating to a criminal informant, paid or not, will be subject to special security. They will be under the cognizance of the CID supervisor (or an alternate) who will limit access to them on a strict "need to know" basis. No information from these files will be released to anyone, unless authorized by the CID supervisor, or upon the direction of the Sheriff, a designee, or upon the order of a competent court.