



COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **USE OF INFORMANTS**

NEW REVISED RESCINDS

APPROVED: *GM*
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

Effective Date 8/22/2018

I. POLICY

It is the policy of the Department to encourage the proper development and use of informants by all officers. An informant is a person who provides information. A person who has been arrested and provides information about other participants in a crime is an informant. In many situations, information will flow as a result of friendly, courteous conversations and questioning; by building a good rapport and by just listening. A juvenile will not be used as an informant, except with parental consent and Juvenile Services Administration consent, if the juvenile has been assigned an Intake Officer. Persons currently on probation will not be utilized as informants until the probationer's Probation/Parole Agent has been consulted.

11. OFFICER RELATIONSHIPS WITH INFORMANTS

A. Background Information

1. To ensure officer safety and the informant's credibility and character, any patrol officer who develops an informant will conduct a check of the informant's background, to include biographical and background information, criminal history record, if any, and code name or number of each informant. This information will be documented utilizing an Inter-Office Memorandum format.
2. The following items will be attached to the Inter-Office Memorandum and placed in a file:

- a. A print-out containing the results of a wanted check at the State, Local, and National Level (M.I.L.E.S., and N.C.I.C. and WARRS)
 - b. A print-out containing the informant's criminal history, and
 - c. A print-out containing the informant's driving record.
3. During the officer's background check of the prospective informant, the officer will contact the Division of Parole and Probation to determine if the informant is currently on parole or probation, and to determine to what extent the informant's involvement with the police would violate the terms and conditions of the informant's probation.
 4. The officer will check with PGPD Narcotics Investigations Division and the District Investigative Section to determine if the informant has had any prior dealings with them for the purpose of documenting the informant's accuracy and credibility.

B. Informant Master File

1. Once the Inter-Office Memorandum and the background investigation have been completed, the officer will submit all paperwork directly to the Chief of Police for inclusion into a locked Master File maintained in the Chief's Office.
2. Patrol officers will also include a current Polaroid picture (full face) of the informant for inclusion in the Master File.
3. The Informant Master File will contain any code names or identifiers used by the informant, and a record of funds paid to, and receipts signed by, the informant.
4. An informant's identity will not be made known to anyone, except by Court Order.

C. Procedures for Informant Use

1. During the course of an investigation, patrol officers will not allow an informant to do any of the following:
 - a. Search any suspect, person, house, papers or personal effects,
 - b. Use his/her sex, sexuality, or sexual activity to induce or persuade any individual to sell or deliver a CDS to any member of this Department.

- c. Become involved in activities that would likely constitute "entrapment" and/or,
 - d. Represent himself/herself as a representative or employee of the Cottage City Police Department.
2. Officers will take precautions when dealing with informants which include but are not limited to:
 - a. Keeping accurate records,
 - b. Letting another officer know that you intend to meet with your informant,
 - c. Whenever practical, selecting a location at which to meet an informant that provides for officer safety,
 - d. Maintaining a professional and business-like atmosphere, especially when dealing with:
 - An informant of the opposite sex, or
 - An informant whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties, in which case the officer should attempt to have someone accompany the officer.
 - Ensure that the informant is searched prior to any narcotics transaction and again after conducting a buy. Informants shall not possess or carry firearms at any time.
3. In the event an arrested person agrees 'to give information to a patrol officer in exchange for charges being dropped or dismissed, the State's Attorney's Office shall be consulted.
 - a. A patrol officer is not authorized to make any deals in this regard. However, an officer may use some discretion with respect to charging the individual with an included lesser offense in exchange for the information if the officer believes the information is valid, useful and will have a significant impact on the officer's case.
 - b. If this is done, the supervisor or Chief of Police, if available, will be contacted before the actual placing of charges.

4. If an officer wishes to pursue an "included lesser offense", the victim will also be consulted in accordance with Article 27, Section 761.

D. Criteria for Paying Informants

1. The criteria for paying informants shall be their demonstrated prior reliability. As the Cottage City does not have a budgeted Informant Fund, officers are encouraged to work with a District Investigative Officer who then can access the PGPD Informant Fund.
2. When a payment is made to an informant, PGPD policy will prevail. Normally, this requires two (2) officers, one making the payment and the other witnessing the transaction. The informant will be required by PGPD policy to acknowledge by signing a receipt. The officer making the payment will also sign and the other officer will sign as a witness.