

<b>Subject: Use of Informants by Police</b>	<b>Page 1 of 3</b>
<b>Effective Date: July 1997</b>	<b>Revision Date: November 2011</b>
<b>Amends/Supercedes: 1000.30/ July 2007</b>	<b>Approved by: Chief Kevin Higdon</b>
<b>Meets Accreditation Standard:</b>	<b>17.8</b>

## **Section 1500.70 Confidential Sources**

The Shively Police Department shall utilize one of the most important and valuable sources of information available, the Confidential Source.

Whenever this department utilizes confidential sources, the source's constitutional guarantee and individual liberties as citizens shall be adhered to at all times. Any contact with confidential sources must be based on legal and ethical practices,

Supervision is required at all time when a confidential source is working. The extent of control is contingent upon the habits and degree of involvement of the confidential source. As confidential sources continue to work, they will consider themselves somewhat knowledgeable in the given field. Unless the controlling officer takes firm actions, the confidential source may try to run the investigation. While suggestions should be solicited from confidential sources, the controlling officer shall make all decisions. Under no circumstances should a confidential source be given all the information on a case. By withholding, information, the reliability of confidential source can be checked when they are debriefed.

The judicial system is a separate entity and Shively Police officers shall not intercede in any court action pending against a confidential source or promise confidential sources protection from prosecution for any violation of the law. However, if a confidential source has proven reliable and has contributed to the effectiveness of this department, the department shall, at the confidential source's request, inform the proper prosecutor of the assistance rendered.

Relationships between officers and confidential sources will be strictly professional in nature. Social, financial or business contracts beyond the parameters of the job are expressly prohibited. Examples of violation include but are not limited to:

- Socializing with confidential sources and/or their families.
- Becoming romantically involved with confidential sources.
- Purchasing items from confidential sources or confidential sources purchasing items from officers.
- Borrowing money from confidential sources.
- Lending money to confidential sources.
- Exchanging gifts with confidential sources.
- Meeting with confidential sources alone.
- Paying confidential sources without benefit of a witness.

The safety of confidential sources is paramount and shall override the necessity to gather information. Juvenile confidential sources shall only be used as a last resort and must be approved by the Chief of Police and a parent or guardian.

<b>Subject: Use of Informants by Police</b>	<b>Page 2 of 3</b>
<b>Effective Date: July 1997</b>	<b>Revision Date: November 2011</b>
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Officers shall maintain a professional relationship at all times and only communicate or meet with confidential sources to obtain or exchange information. Contact with confidential sources for other than business purposes shall not be permitted. To maximize officer safety, officers should select the location for the meeting with a confidential source and advise another officer of the date, time and location of the meeting. When meeting with a confidential source of the opposite gender, officers should arrange for a second officer to observe the meeting as a witness.

Confidential sources may be paid for information that they provide if that information leads to an arrest and/or seizure of illegal drugs and narcotics or stolen property, clearance of multiple cases or apprehension of a fugitive. A ledger and receipts shall be maintained by the Special Investigations office to document all transactions payments to confidential sources and undercover investigations involving the purchase of drugs and/or weapons. The Major and the Lead Special Investigations Officer shall conduct a monthly audit of the ledger. The Lead Special Investigations Officer shall approve payments of up to \$300.00 (Three Hundred Dollars). The Chief and/or the Major shall approve payments of more than \$300.00 (Three Hundred Dollars). The Special Investigations office safe shall contain no more than \$500.00 (Five Hundred Dollars) for payment of confidential sources and may be replenished by request from the Lead Special Investigations Officer to the Major. Funds to be used for these operations shall be withdrawn from the Shively Police Department Asset Forfeiture Account by request of the Chief of Police or the Major. The Lead Special Investigations Officer and 1 (one) other officer shall witness all payments made to confidential sources and obtain the signature of the individual receiving the payment. The reason for the payment and the name of the confidential source shall be listed on the receipt which will be maintained in the ledger.

The Lead Special Investigations Officer shall be responsible for maintaining files on all confidential sources being used for undercover operations and/or receiving payment for information. Confidential source files shall include, but are not limited to:

- Photo identification
- Personal Information
- Family/ associate history
- Criminal history
- Area of knowledge and expertise
- Records and receipts of all payments made
- Code number assigned to confidential source

The Lead Special Investigations Officer shall monitor the credibility and reliability of all confidential resources and note any discrepancies in their file. Confidential source files shall be secured in the Special Investigations Office and shall only be accessible to the Chief of Police, Major Criminal Investigations Detectives and Special Investigations Officers. A separate ledger shall be maintained by the Lead Special Investigations Officer listing all confidential sources by an assigned code number.

In order to further protect the identity of the confidential source; procedures for entering confidential source property/evidence in to the property room will be as follows:

<b>Subject: Use of Informants by Police</b>	<b>Page 3 of 3</b>
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- The confidential source's name will be replaced with the assigned confidential source ID number.
- The address of collection will be listed as confidential control buy with the control buy receipt number.
- The date and time collected may be omitted from the form.
- All other areas of the form will be filled out in conformance to the normal property procedures.