DAVIS POLICE DEPARTMENT
INFORMANTS/INVESTIGATIVE FUNDS
Policy and Procedure 2.30-A

DEPARTMENT MANUAL

Index as:
Informants
Use of Informants
Investigation Funds

I. POLICY

A confidential informant is a person who is not a member of a law enforcement agency who provides information concerning suspected criminal activity.

Confidential informants may be used by members of the Davis Police Department in the course of investigating crimes pursuant to the procedures in this policy.

Investigative funds are available to assist in police enforcement activities provided supervisory approval is sought and proper documentation and release of funds occurs.

II. PROCEDURE

A. Authorization to Use Informants

1. This policy applies to informants who meet one or more of the following criteria:
   a. The person is assisting in an active investigation or undercover operation.
   b. The person has or intends to provide information that was or will be used to obtain a search or an arrest warrant.
   c. The person will be compensated or given consideration for providing information or assistance to law enforcement investigators.

2. No member will use the services of an informant without the explicit permission of a manager.

B. Use of Informants

1. A member will not use the services of an informant who has a pending criminal case without the permission of the District Attorney and the agency responsible for the case against the informant.

2. The use of an informant who is on probation or parole requires prior approval of their probation or parole officer.

3. Before an informant is used, the Informant Consent Form, the Informant Personal History and the Confidential Operators Agreement Form, shall be completed.

C. Juvenile Informants

1. No member shall use a person who is 12 years of age or younger as an informant.
2. No member shall use a person under the age of 18 years as an informant, except as authorized pursuant to the Stop Tobacco Access to Kids Enforcement Act, unless the officer obtained an order from the Court authorizing the minor’s use.

D. Relationship between Members and Informants

1. Relationships between members and current or past informants shall be professional in nature. Fraternization or having personal relations of any type with an informant or person who acted as any type of informant outside the course and scope of duty is prohibited, except as noted in II D 4.

2. When contacting informants in person, members shall have another officer present. Only during actual undercover operations while under direct or indirect surveillance may a member be alone with an informant.

3. Members shall not accept any gifts or gratuities from an informant or engage in any business or financial dealings with an informant.

4. On occasion, members may use an informant who is a relative or personal friend. It is not the intent of this policy to regulate such a relationship, however, a manager must be aware of the relationship and approve. If a member has a personal relationship with an informant whenever possible, the information obtained from the informant should be forwarded to an uninvolved officer.

E. Informant Files

1. The Intelligence Led Policing Division Commander will maintain an individual file on each informant. This file will contain the following:
   a. Informant Personal History Form
   b. Confidential Operator Agreement Form
   c. Informant Consent Form
   d. Informant Performance Record
   e. Photograph of informant
   f. Copy of NCIC and CLETS warrant inquiries
   g. Copy of DMV inquiries
   h. Copy of criminal history

2. These files shall be maintained in a secure, lockable cabinet and separated into “Active” and “Inactive” sections. Once an informant has been inactive for one year, the file will be moved to the inactive section. If the informant is reactivated at a later date, the same file is used, however the file shall be updated with current information.

3. The Commander will ensure a quarterly DMV and warrant inquiry is made for all active informants.

F. Reports involving Undercover Operators

1. All undercover operations in which an informant participates shall be recorded in a written report.

2. If the informant is a percipient witness to the undercover operation, then a complete statement will be taken from the informant and included in the report. The informant will be designated as a “confidential information” in the report.
G. Informant Contraband Purchase

1. When department funds are used, all informant purchases will be under the direct control and supervision with knowledge of a manager.

2. When funds are provided to the informant, at least two police officers must be present to witness the furnishing of the funds to the informant. The same two officers will sign the voucher documenting the expenditure of funds.

3. All funds shall be prerecorded prior to the undercover operation and a copy of the funds used during the operation will be booked into evidence.

4. Informants shall not “front” funds to any suspect without prior authorization from the detail supervisor.

5. The informant shall be fitted with a transmitting device and the transmission shall be recorded, unless the detail supervisor authorizes not using a transmitting device due to the nature of the operation.

6. The informant shall be searched for money and contraband by an officer prior to and immediately following any undercover operation. This search will include the informant’s vehicle if the vehicle is used during the operation.

7. Officers will maintain constant surveillance of the informant during the operation to ensure any contraband or evidence came from the “buy” location.

H. Control of Investigative Funds

1. The Intelligence Led Policing Division Commander Division Commander is responsible for the accounting, acquisition, storage, and disbursement of monies used for investigations.

2. The Division Commander shall not access investigative funds unless there is a witness officer.

3. All officers must have prior manager approval before seeking and spending any investigative funds.

4. Investigative funds used in any operation should be maintained pursuant to any applicable statute or rule of evidence.

I. Use of Investigative Funds

1. Use of investigative funds shall be limited to:
   a. Purchase of evidence - funds may be used for the undercover purchase of illegal contraband or other goods in furtherance of a criminal investigation.
   b. Payment for information and informant services - funds may be used to pay informants for information or specific services rendered in furtherance of an investigation. Payment to an informant shall not be made without prior approval from executive command staff. The amount of funds to be paid will be evaluated using the following criteria:
      1. The extent of the informant’s personal involvement in the case.
      2. The amount of assets seized.
      3. The quantity of contraband seized.
      4. The informant’s previous criminal activity.
      5. The level of risk taken by the informant.
Darren Pytel
Police Chief
Created:
   8/02

Reviewed:
   1/03, 12/05, 04/08, 04/10, 10/11, 7/17, 12/17

Amended:
   9/14 - Control of informant files & informant funds
   05/19
DAVIS POLICE DEPARTMENT
INFORMANT PERSONAL HISTORY

1) Date: _______________________

2) Informant No.: _______________________

3) Name: ________________________________________
   Last                First                Middle

4) Alias: _______________________________________

5) Address: _______________________________________
   City: ______________________________ State: _______________ Zip: __________________


14) Occupation: _______________________________________

15) Employer: _______________________________________

16) Home Phone: (____) _______________ 17) Work Phone _______________________

18) Identifying Characteristics: _______________________________________

19) CII #: _______________ 20) SS#: _____________________ 21) FBI #: _______________________

22) DL #: _______________ State: ______ Expires: ____________ FTA/Wrt: Yes ____ No ___

23) WSIN CHECK: ☐ Reliable ☐ Unreliable ☐ No Record ☐ Other
   WSIN REP: _______________________________________

24) Criminal Hist.: ☐ Probation ☐ Parole ☐ Expunged ☐ No Record
   ☐ Other (explain): _______________________________________

25) Vehicle: Year ______ Make ________ Model ______________ Lic # __________

26) Source of Informant: _______________________________________

27) Immediate Family:
   a) _______________________________________
      Last                First                Middle (Relationship)
      Address: __________________________________ Phone: (____)
   b) _______________________________________
      Last                First                Middle (Relationship)
      Address: __________________________________ Phone: (____)

28) Informant Motivation: _______________________________________


29) Will Informant Testify:  

Yes ☐  No ☐

30) Informant Consent Form Attached:  

Yes ☐  No ☐

31) Remarks (refer to Item No’s. when applicable):

32) Officer’s Name (print or type)  

Office’s Signature  

Date

33) Lieutenants’s Signature  

Approval:  

Date  

Yes _____  No _____

34) Remarks: