

Los Angeles Police Department

CONFIDENTIAL INFORMANT MANUAL

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Table of Contents

Table of Contents	i
VOLUME 1 – INFORMANT DEFINITIONS	1
100. DEPARTMENT DEFINITION OF AN INFORMANT	1
110. TYPES OF DEPARTMENT INFORMANTS	1
- Confidential Informant - Testifying	1
- Confidential Informant – Non Testifying	1
120. CONFIDENTIAL INFORMANTS – NON TESTIFYING	2
130. OUTSIDE AGENCY INFORMANTS	2
140. UNDESIRABLE INFORMANT FILE	3
VOLUME 2 - INFORMANT SELECTION AND MANAGEMENT	4
200. INFORMANT REQUIREMENTS	4
205. INFORMANT INVESTIGATING OFFICER/HANDLER REQUIREMENTS	4
210. THE INFORMANT PACKAGE	4
215. PROCESSING THE INFORMANT	6
Preliminary Informant Processing Tasks	6
220. INFORMANTS REQUIRING SPECIAL REVIEW	8
Informants on Probation or Parole	8
County Probation	8
Assembly Bill 109 - 2011 Public Safety Realignment	9
Federal Probationer	9
State Parolee	9
Federal Parolee	9
230. PACKAGE APPROVAL PROCESS	10
240. UPDATING AN ACTIVE INFORMANT PACKAGE	10
Database Searches	10
Informant Contact by the Concerned Investigating Officer	10
Informant Photograph	10
Investigating Officer Notification Responsibilities	11
250. REACTIVATING AN INACTIVE INFORMANT PACKAGE	11
260. GUIDELINES FOR MANAGING INFORMANTS	11
Informant Contact Form (ICF)	11
Person to Person Informant Contact	11
Telephonic Informant Contact	12
270. MISCELLANEOUS INFORMANT ISSUES	12

LAPD Informant Manual

Off-Duty Contact/Fraternization with Informants 12

Documentation 12

Informants Assigned to Other Department Entities 12

270. PROTECTING THE IDENTITY OF THE INFORMANT 13

 Hobbs Search Warrants 13

280. PROCEDURES FOR REPORTING AND DOCUMENTING INFORMATION 14

VOLUME 3 - SUPERVISOR AND OFFICER IN CHARGE RESPONSIBILITIES 15

 300. APPROVING NEW OR REACTIVATED INFORMANTS 15

 310. REVIEWING NEW OR REACTIVATED INFORMANT PACKAGES 15

 320. REVIEWING AND APPROVING INFORMANT CONTACT FORMS 15

 330. MEETINGS WITH INFORMANTS 15

 340. FRATERNIZING WITH INFORMANTS 16

 350. INFORMANT MANAGEMENT AND THE STANDARDS BASED ASSESSMENT 16

VOLUME 4 - COMMANDING OFFICER RESPONSIBILITIES 17

 400. MAINTAINING AN ACTIVE INFORMANT PACKAGE 17

VOLUME 5 - GANG AND NARCOTICS DIVISION RESPONSIBILITIES 18

 500. COMMANDING OFFICER RESPONSIBILITIES 18

 510. DEPARTMENT CONFIDENTIAL INFORMANT COORDINATOR RESPONSIBILITIES 18

VOLUME 6 - GENERAL INFORMATION 19

 600. SECURITY OF INFORMANT PACKAGES 19

 610. DISTRICT ATTORNEY'S INFORMANT CONTRACT STATEMENT OF AGREEMENT 19

 620. LETTER OF ACCOMPLISHMENT 20

 Procedure 20

 630. PAYMENTS TO INFORMANTS 21

 640. SECRET SERVICE FUNDS 22

 650. FORMS REQUIRED FOR INFORMANT PAYMENTS 22

 Non-Narcotic Investigation Payment 22

 Narcotic Investigation Payment 22

 660. SUPPLEMENTAL POLICE ACCOUNT FUNDS 22

 670. SUPERVISOR PRE-APPROVAL AND SECRET SERVICE FUNDS 23

 680. TACTICAL CONSIDERATIONS 23

 Searching Informants 23

 690. USE OF MINOR AND JUVENILE INFORMANTS 24

GLOSSARY OF ACRONYMS 25

VOLUME 1 – INFORMANT DEFINITIONS

100. DEPARTMENT DEFINITION OF AN INFORMANT

An informant is a person whom:

- Is given specific direction by a police officer, for any reason, whether on one occasion or many, in an attempt to secure information on criminal activity; and,
- Requests compensation for information or tasks performed; and/or,
- Requests a Letter of Accomplishment on a pending criminal case.

Note: Citizen rewards for information are not considered compensation.

Exceptions: A defendant charged in a criminal case, who provides information on a co-defendant in the same criminal matter, shall not be considered an informant.

A victim or a witness should generally not be considered an informant. If the victim or witness requests anonymity, or there is a legitimate concern for the victim's or witness' safety, they shall be referred to as a "confidential victim" or "confidential witness" in all related reports.

Note: Simply advising a person to report to the police suspicious activity is not the equivalent of directing someone to gather information. Officers may continue to request citizens to remain alert and record suspicious activities, e.g., suspect vehicle license plate numbers, suspect descriptions, etc., without converting the citizen into an informant.

Informants are utilized to gather evidence or criminal intelligence and operate within a very controlled information-gathering relationship. All informants shall be identified, documented and approved prior to an officer directing them in any evidence or intelligence gathering investigation.

110. TYPES OF DEPARTMENT INFORMANTS

The following types of informants are the only two recognized by the Department. Both are presumed to be confidential in nature. For the purposes of this Informant Manual, unless otherwise noted, the term "informant" shall refer to both types of informants.

- Confidential Informants – Non-Testifying

A criminal informant has a criminal background and may be motivated by personal reasons to be an informant or is a suspect in a pending investigation. These personal reasons may include revenge, monetary compensation, or a request for a Letter of Accomplishment for a pending investigation.

-Confidential Informants - Testifying

A Confidential Informant – Testifying - is a criminal informant.

A Confidential Informant – Testifying differs from a traditional informant in that the Confidential Informant – Testifying agrees to have their activities recorded, submit a written statement and testify in court, as necessary. The use of a Confidential Informant – Testifying has proven to be valuable in cases where traditional enforcement strategies have not been effective.

120. CONFIDENTIAL INFORMANTS - TESTIFYING

The concerned supervisor must carefully evaluate the circumstances in which a Confidential Informant – Testifying is used.

The concerned supervisor should consider the following prior to using an Confidential Informant – Testifying:

- Is the Confidential Informant – Testifying willing to be recorded and wear electronic surveillance equipment?
- Is the Confidential Informant – Testifying willing to prepare a written statement describing their actions?
- Is the Confidential Informant – Testifying willing to meet and cooperate with officers of the court, and testify if needed?
- What is the likelihood the Confidential Informant – Testifying will be known in the area/identified by suspects?

Note: All current procedures and requirements pertaining to conventional informants regarding handling and documentation shall apply to the Confidential Informant – Testifying. Additionally, the Confidential Informant – Testifying shall sign the Confidential Informant – Testifying Admonishment and Consent to Search Form.

A Confidential Informant – Testifying should only be used in those cases in which traditional enforcement strategies prove ineffective.

130. OUTSIDE AGENCY INFORMANTS

When information is received from the confidential informant of another law enforcement agency, that source is deemed reliable and does not require an informant package (*People v. Hill* (1974) 12 Cal. 3d 731, 761). The affiant need only state that the person from whom the information was received is a law enforcement officer/agent in order to satisfy the requirement of reliability.

Department personnel assigned to a task force with a Memorandum of Understanding with the Department shall follow the policies and procedures of the concerned law enforcement agency with regards to informants who are signed up with that agency. If an informant is not packaged with the other law enforcement agency, Department personnel shall treat the informant as a Department informant and follow the policies and procedures outlined in the Department's Informant Manual.

140. UNDESIRABLE INFORMANT FILE

The following actions shall cause an informant to be classified as “undesirable” and that informant shall be entered into the Department’s Undesirable Informant File (UIF), precluding their use by Department personnel:

- Acting in any way which would endanger the life of an officer
- Revealing the identity of any officer or the existence of an investigation to suspects during an investigation

The following actions may cause an informant to be classified as “undesirable”:

- Attempting to use the Department to further his or her own criminal objectives;
- Putting one law enforcement agency against another by giving false or misleading information to one or both agencies; or,
- Providing unreliable information

The Commanding Officer, Detective Bureau (DB), is responsible for approving any informant entered into the Undesirable Informant File. When an informant is deemed “undesirable”, the concerned investigating officer shall immediately notify:

- The concerned investigating officer’s supervisor;
- The concerned investigating officer’s commanding officer; and,
- The Department Confidential Informant Coordinator (DCIC) at (213) 833-3700

The concerned investigating officer shall prepare an Informant Contact Form (ICF) and a copy of the Informant Information Form (IIF), to the investigating officer’s commanding officer. The investigating officer’s commanding officer shall complete an Intradepartmental Correspondence, Form 15.2, documenting the informant’s conduct. This information shall be hand-carried to the Commanding Officer, Gang and Narcotics Division (GND), for review and forwarded to the Commanding Officer, DB, for approval to enter the undesirable informant into the Department’s Undesirable Informant File.

After approval by the Commanding Officer, DB, DCIC staff shall notify the concerned investigating officer’s commanding officer and the concerned investigating officer. Upon approval by the Commanding Officer, DB, DCIC staff shall enter the undesirable informant into the Confidential Informant Tracking System Database (CITSD).

VOLUME 2 - INFORMANT SELECTION AND MANAGEMENT

200. INFORMANT REQUIREMENTS

All informants shall be completed, processed and packaged as described below prior to use by Department personnel.

Note: No person with open charges will be approved for use by DCIC staff prior to the case being presented to the District or City Attorney's office.

205. INFORMANT INVESTIGATING OFFICER/HANDLER REQUIREMENTS

The use of informants is restricted to non-uniform personnel assigned to Department investigative entities, e.g., Area detectives and specialized detective divisions. Uniformed officers assigned to Area Gang Enforcement Details shall not use informants. In those situations, where the informant will only communicate with a specific officer and the officer is not authorized to use an informant, the officer shall seek assistance from DCIC staff.

210. THE INFORMANT PACKAGE

The informant package is the primary source document for recording the informant's identity, suitability, contact activity, history, and productivity. When preparing the informant package for approval, the informant package shall follow the instructions provided on the Informant Package Checklist. As applicable, the informant package shall contain the following forms and documents:

- Informant Package Checklist;
- Informant Information Form (IFF); and,
- Any related reports, e.g., the informant's Arrest Report; the Court's Minute Order (when obtainable), the completed Letter of Accomplishment, etc.
- The Informant File Sign-Out Form;

Note: The Arrest Report is required when the informant requests a Letter of Accomplishment.

- The following database searches and informant's Criminal Summary Record (Rap Sheet):
 - Review of the informants Criminal Consolidated History Reporting System (CCHRS) for key name, convictions, and probation status.
 - Review of the informant's Criminal Investigation and Identification number (CII) for key name and convictions.
 - Review of the Federal Bureau of Investigation (FBI) database for key name and convictions.

- Check the Automated Wants and Warrants System (AWWS) in the Network Communication System (NECS) with informant's CII number for warrants.
- Check the Law Enforcement Agencies Data System (LEADS) for parole status on informant's key name.
- Check the concerned State Department of Motor Vehicle record (DMV) and the informant's driver license status and attach a printout.
- Check for any vehicle registered to the informant.
- Exceptional Handling Report;
- Informant Admonishment and Consent Search Form;
- Informant Contact Form (not needed for the initial informant package approval);
- A copy of the Expenditure of Secret Service Funds, as applicable; and,

A photograph of the informant taken within 30 days of the informant package being submitted for approval. In addition, the informant's photograph shall indicate the name and serial number of the investigating officer taking the photograph and the date on which the photograph was taken. It is recommended that a digital photograph of the informant be used. A booking or DMV photo of the informant is not acceptable. A current photograph of the informant must be maintained in the informant's package and be re-submitted every two years.

Whereas the forms and related items listed above are the minimum required in most situations to complete the basic informant package, there could be special circumstances that would require additional documentation, e.g., Informant Contract Form or Statement of Agreement. These additional forms shall also be placed in the informant package.

Note: These forms are available on the Department's Local Area Network System (LANS). However, if an investigating officer does not have access to the LANS, all related forms shall be completed in ink. Any correction made on the form shall be lined out and initialed. No white out, liquid paper or correction tape shall be used to make corrections to any related informant form.

All information related to the informant package shall be current and should be submitted within 30 calendar days of updating to the DCIC, GND. The office of the Commanding Officer, GND, is located at 251 E. 6th Street, Los Angeles, CA 90014, Room 349, and may be contacted at (213) 833-3700.

Note: Due to their sensitive nature, informant packages completed by Major Crimes Division (MCD) are exempt from being submitted to the Commanding Officer, GND, for approval. The Commanding Officer, Counter Terrorism and Special Operations Bureau (CTSOB), shall approve informant packages completed by MCD personnel.

In addition, the Commanding Officer, CTSOB, shall ensure that informant packages completed by MCD personnel are in compliance with the procedures outlined in the Department Informant Manual.

215. PROCESSING THE INFORMANT

The concerned investigating officer may conduct a preliminary investigation based on a prospective informant's information prior to the informant being approved by the Commanding Officer, GND. This preliminary investigation should be limited in scope and only serve to corroborate the informant's information. Examples would be to identify a suspect or to confirm a crime by conducting database inquiries. The preliminary investigation is not limited to administrative options. Driving to a location to verify the existence of a residence, a business or a vehicle would be permitted.

Note: The investigating officer shall obtain supervisory approval prior to conducting an investigation into information provided by a prospective informant.

If the information provided by the informant is corroborated, the investigating officer shall not take additional investigative steps towards the apprehension of the suspect or the seizure of evidence until the informant has been processed and approved by the investigating officer's chain of command. However, the investigating officer can take appropriate action if a crime is being committed in their presence or exigent circumstances dictate the necessity of using an informant prior to obtaining approval.

Note: Exigent circumstances exist when a delay in acting upon the informant's information would jeopardize the investigation of a serious crime. In such cases, the investigating officer shall request verbal approval from their concerned commanding officer who shall cause contact with the Commanding Officer, GND, for final approval. The Department Operations Center (DOC), at (213) 484-6700, can assist in contacting the Commanding Officer, GND, during off-hours.

Verbal approval by the Commanding Officer, GND, shall be documented in the Exceptional Handling Report and the informant package shall be completed and hand-carried to the Commanding Officer, GND, by the investigating officer's next working day, unless otherwise directed by the Commanding Officer, GND. **If the investigating officer fails to provide a completed informant package, the informant will be de-activated.**

Preliminary Informant Processing Tasks

Upon determining that the informant is eligible for processing, the investigating officer shall:

- Complete the Exceptional Handling Report (EHR).

Note: The concerned investigating officer's supervisor shall meet with the informant within 30 calendar days prior to the approval of the informant package to determine the informant's motivation and suitability and this shall be documented in the EHR.

- Complete the Informant Admonishment and Consent Search Form.

To preclude an informant's involvement in criminal activity, the investigating officer shall admonish the informant using the Informant Admonishment and Consent Search Form or the Confidential Informant - Non-Testifying Admonishment and Consent Search Form. The informant, the concerned investigating officer, a supervisor, and, if needed, the translator, shall sign the Informant Admonishment and Consent Search Form or the Confidential Informant – Testifying Admonishment and Consent Search Form on the same date.

If the informant does not speak English or otherwise has difficulty understanding the language in the Informant Admonishment and Consent Search Form, an officer qualified to interpret shall translate the form. In addition, the date that the translation was provided, officer's name, and serial number, and language shall be documented on the Informant Admonishment and Consent Search Form.

Note: By signing the Informant Admonishment and Consent Search Form, the informant provides consent to be searched under the specified conditions. The investigating officer shall ensure that the informant understands all provisions of the form.

- Photograph the informant. The date the photograph was taken, the investigating officer's name and serial number shall be documented on the photograph.
- Complete the IIF. The investigating officer shall identify the informant through their CII number, driver's license or state-issued identification card. If the investigating officer is unable to identify the informant through these databases/resources, the investigating officer should utilize the Identification Network (IDN), previously known as the Facsimile Identification Network (FIN).
- Check the Automated Want and Warrant System (AWWS) in Network Communications System (NECS) for wants and/or warrants. Prior to their approval, the informant should not have any outstanding wants and/or warrants, (e.g., felony, misdemeanor, or infractions). However, the Commanding Officer, GND, may approve the informant under exigent circumstances should the informant have an outstanding warrant.
- Make a Criminal History Inquiry (CII) and check CCHRS to determine the informants' criminal history, convictions, parole or probation status. Some convictions may cause the informant to be unsuitable and jeopardize their use, e.g., perjury, Assault with a Deadly Weapon on a Peace Officer, child molestation, etc.
- Contact GND, at (213) 833-3700 and request an inquiry to verify if the person is an informant, has previously functioned as an informant, or is currently under investigation. The investigating officer needs to check with LACLEAR at (800) 522-5327 and document the name and serial number of the operator on the IIF. The results of the inquiry shall be documented on the IIF with the date, name and serial number of the GND personnel who verified the inquiry.
- All informants shall be checked through the Department's Undesirable Informant File maintained at GND by contacting the DCIC at (213) 833-3700.

220. INFORMANTS REQUIRING SPECIAL REVIEW

Some persons require special review prior to receiving authorization for use as an informant:

- Persons who are on probation or parole
- Persons in the following occupations: attorney, doctors, members of the clergy, and newspaper reporters
- Persons in a Witness Protection Program
- Former law enforcement officers

The Exceptional Handling Report shall clearly state a prospective informant's membership in one of these groups. Detective Bureau shall take their status into consideration when determining the appropriateness of using them as an informant. In order to make an informed decision in these cases, DB may choose to contact subject matter experts in these fields to clarify any potential conflicts and/or restrictions that should be placed on the potential informant.

Informants on Probation or Parole

There are additional concerns that must be addressed when using an informant who is on probation or parole. The Department cannot place a probationer or parolee into a situation that is in conflict with their conditions of probation or parole. The Department has no authority to unilaterally amend or release conditions imposed by a court or another authority.

County Probation

An investigating officer intending to use an informant on County Probation shall:

- Determine if the person is on Summary or Formal Probation. If the person is on formal probation, the investigating officer shall do the following:
- Contact the court or officer having authority over the probationer in order to determine that the informant's mission is not in conflict with their conditions of probation.

If an informant's mission conflicts with their conditions of probation, the investigating officer shall seek an amendment to those conditions. This can be accomplished through the court for Summary and Formal Probation.

If the court requires a written request, it shall be submitted on Department letterhead and signed by the investigating officer's commanding officer. When a letter is submitted to the court, the court shall be requested to refrain from entering the letter into official court records in order to preserve the confidentiality of the informant.

Assembly Bill 109 - 2011 Public Safety Realignment

Effective October 1, 2011, Assembly Bill 109 mandates that individuals sentenced to non-serious, non-violent or non-sex offenses will serve their sentences in county jails instead of state prison. Currently, the Los Angeles County Probation Department does not condone or assist in the use of individuals who fall under the provisions of Assembly Bill 109 as confidential informants.

The Department requires all investigating officers who are considering utilizing such persons as a confidential informant to contact the Los Angeles Department of Probation at (866) 931-2222. The investigation officers are only required to advise probation personnel of the Department's intention to use the person as an informant. Investigating officers shall document the name of the person contacted, the probation office to which the prospective informant is assigned and the date and time of the notification on the Exceptional Handling Report under Section 3, Probation/Parole status.

Federal Probationer

An investigating officer intending to use a federal probationer as an informant shall contact the prospective informant's Probation Officer.

- Federal probationers can only be used as informants after the concerned federal court has been formally contacted and has approved the activity.
- A formal request to use the federal probationer as an informant shall be made on Department letterhead signed by the investigating officer's commanding officer. If the request is approved, the probation officer will prepare the necessary reports and submit them to the concerned federal court.

State Parolee

An investigating officer intending to use a state parolee as an informant shall contact the concerned state agent or a supervisor within that agency and document that person's name in the EHR. A written request to the state parole agent to use the parolee as an informant may be provided upon request and shall be on Department letterhead signed by the concerned investigating officer's commanding officer. The request shall describe in general terms the activity in which the parolee will be involved, the duration of the activity and any travel from the area that will be required.

Federal Parolee

Currently, the use of federal parolees as informants is strongly discouraged by the United States Parole Commission. If the use of a federal parolee is necessary due to a case of major importance or involving national security, the Chief of Staff shall submit a written request to the Chairperson of the United States Parole Commission. Each case is reviewed on an individual basis and the federal parolee may only be used as an informant for a period of three months.

The Chief of Staff through the Chairperson, United States Parole Commission, shall request any extension.

230. PACKAGE APPROVAL PROCESS

Once approved by the concerned investigating officer's commanding officer, the informant package shall be hand-carried to the GND Commanding Officer, for final approval. Once the GND Commanding Officer, has given his/her approval, person may be used as an informant.

240. UPDATING AN ACTIVE INFORMANT PACKAGE

The concerned investigating officer is responsible for updating their respective informant package(s) as required, and to advise the DCIC of any changes by documenting the information on the ICF and submitting it as soon as possible. Informant packages not properly updated may cause the informant to be deactivated.

Database Searches

As indicated in Volume 200, the concerned investigating officer shall update every active informant's packages by completing the required database searches twice a year (January and July), regardless of when their informant package was approved, and provide copies of the results to the DCIC.

If there is a need to determine whether if a potential informant is already an informant, has previously functioned as an informant, or is currently under investigation, contact the following entities:

- Investigative Support Detail (ISD), GND
- DCIC (for an Undesirable Informant File inquiry)
- LA CLEAR at (800) 522-5327

The information obtained shall be documented on the IIF.

Informant Contact by the Concerned Investigating Officer

Once an informant has been approved for use, the investigating officer shall make contact with their informant at least once every 90 calendar days. This contact may be in person or telephonic. The informant contact shall be documented on an ICF approved through the investigating officer's chain of command and hand-carried to the DCIC. Failure to contact the informant within 90 days as well as submitting an ICF will result in deactivation of the informant.

Informant Photograph

The concerned investigating officer shall ensure that every two years a current photo of the informant is taken and included in the informant's package. The date the photograph was taken,

the investigating officer's name and serial number shall be documented on the photograph. If the informant's appearance significantly changes, the investigating officer should submit an updated photograph. A current photograph of the informant must be maintained in the informant's package and be re-submitted every two years.

Investigating Officer Notification Responsibilities

The investigating officer is responsible for notification to the DCIC with information that may compromise the status of the informant, e.g., warrants, informant is arrested/charges pending, and/or involved in any incident that would make the informant undesirable. The investigating officer shall notify and complete an ICF if the informant becomes deceased. The investigating officer shall complete an ICF documenting any change in their informant's status. When the investigating officer becomes aware of any of the above examples, the informant shall not be used in any further investigations until the matter is resolved. However, the Commanding Officer, GND, may approve the continued use of the informant under exigent circumstances.

250. REACTIVATING AN INACTIVE INFORMANT PACKAGE

The informant's previous investigating officer or a new investigating officer may reactivate an inactive informant. To reactivate an inactive informant package, the concerned investigating officer shall locate the inactive informant package and request permission from the informant's previous investigating officer to utilize the informant. If permission is granted, the concerned investigating officer shall update the old package, or complete a new package. If the previous investigating officer cannot be contacted, the Commanding Officer, GND, may give approval without notifying the previous investigating officer.

260. GUIDELINES FOR MANAGING INFORMANTS

The following procedures shall be followed when dealing with informants:

Informant Contact Form (ICF)

- Once an informant package has been approved by the Commanding Officer, GND, all subsequent meetings and contacts with the informant shall be documented on an ICF. The ICF serves as a chronological log and follow-up report.
- In addition, the ICF may be utilized for administrative purposes to document information relevant to the informant's suitability, productivity history, or other miscellaneous information.
- All ICFs should be submitted to the DCIC within 30 calendar days. If late, the reason why should be documented under the administrative section on the ICF continuation sheet.

Person to Person Informant Contact

Prior to each meeting with an informant, the investigating officer shall notify and obtain approval from their supervisor.

The investigating officer shall provide the supervisor with the identity of the informant, the location of the meeting, the name of the accompanying officer(s) and the general purpose of the meeting. At least two officers shall be present when meeting with an informant.

Telephonic Informant Contact

The investigating officer shall request supervisory approval prior to initiating a telephonic contact with an informant and inform the supervisor of the nature of the call. After a telephonic contact initiated by an informant, the investigating officer shall notify a supervisor with the identity of the informant and the nature of the telephonic contact as soon as practicable. When generating an ICF from the telephonic contact, the investigating officer shall indicate in box (6) of the contact form who made the initial contact; e.g., investigating officer contacted the informants or the informant contacted the investigating officer. Telephonic contact also includes texting and E-mail.

270. MISCELLANEOUS INFORMANT ISSUES

Off-Duty Contact/Fraternization with Informants

Any relationship between an investigating officer and an informant shall, at all times, remain on a professional level. Fraternalizing with an informant is strictly prohibited and could cause an investigating officer to lose objectivity and compromise the integrity of the Department, the investigation and the concerned investigating officer.

Any off-duty contact with an informant is strictly prohibited. If an inadvertent contact occurs, the investigating officer shall immediately notify their supervisor and document the contact on an ICF and submit the form for approval to the Commanding Officer, GND.

Documentation

The investigating officer shall document all enforcement actions, payments and contacts with the informant on the appropriate form(s). These form(s) should be submitted for approval within 30 calendar days.

Note: An informant is a Department asset and not a resource allocated to only the investigating officer. Any informant should be utilized for the benefit of Department investigations and may be utilized by other investigators if a case merits their use.

Informants Assigned to Other Department Entities

Whenever an investigating officer decides to use an informant, who is currently being used by another Department entity, the inquiring investigating officer shall contact that informant's investigating officer and inform that investigating officer of the need to utilize or interview the informant. It is the responsibility of the inquiring investigating officer to continually advise the informant's investigating officer prior to each activity, including meetings, telephone calls and administrative follow up investigations.

The informant's investigating officer does not need to be present; but is responsible to document

the contact on the appropriate form and ensure that the form is submitted for approval.

If the information provided by the informant poses a potential for conflicts, the investigating officer shall contact ISD and ensure an entry is logged regarding that potential conflict.

Whenever there is a need to reassign an informant to another investigating officer; the current investigating officer with their concerned commanding officer's approval, shall complete an ICF along with an Informant Contact Continuation Form, if necessary, advising the DCIC of the change in the investigating officer.

270. PROTECTING THE IDENTITY OF THE INFORMANT

California Evidence Code Sections 1040 through 1042 sets forth the law regarding the confidentiality and disclosure of informants. The Evidence Code indicates that an officer can refuse to name an informant when, "disclosure of the identity of the informant is against public interest because there is a necessity for preserving the confidentiality of their identity that outweighs the necessity for disclosure in the interest of justice."

However, if the informant participated in or witnessed a crime that the defendant is being charged with, or if the defendant can show a "reasonable possibility" that the informant could testify in a manner that would exonerate the defendant or benefit their case, disclosure may be ordered by the court.

In such cases, the prosecutor may request the dismissal of the case should circumstances warrant the need to decline disclosing the informant's identity. Disclosure depends upon each individual case and the defendant's theories of exoneration by the informant that are accepted by the court. Therefore, the investigating officer should be familiar with the legal requirements outlined in California Evidence Code Sections 1040 through 1042.

In the event that the identity of the informant or confidential informant - testifying's identity is discovered by any outside source, e.g., public defender or investigator, or any other entity without a written request and permission of the City Attorney Discovery Section and DCIC, the informant handler should immediately notify his/her supervisor and document the event on an ICF continuation.

Hobbs Search Warrants

In some cases, an investigating officer, as the affiant, can request a court order from a Magistrate to seal all or part of a search warrant affidavit in order to protect the identity of an informant. This type of warrant is commonly referred to as a Hobbs Search Warrant. Sealing all or a portion of the affidavit is intended to prevent disclosure of information that if made public, might endanger the life of the informant and/or impair present or future investigations.

The affiant officer shall file the entire warrant affidavit, including any portion sealed by the Court, with the Clerk of the Superior Court at the officer's earliest opportunity. To ensure that there is no unauthorized access to these files, a special clerk at each courthouse clerk's office will be responsible for storing the warrant.

280. PROCEDURES FOR REPORTING AND DOCUMENTING INFORMATION

The identity of a person, other than an informant, who is a source of information, shall be documented in the appropriate report. For example, when the person's information is so specific that the person is essentially a material witness to the crime, their information is necessary for officers to make an arrest, and/or provides a written basis for subsequent prosecutorial activity. The person's identity shall also be documented in the concerned officer's Daily Activity Log (DAL) when no other reports are applicable.

In situations where the identity of the person is unknown, and that person refuses to provide their identifying information, a notation shall be made in the appropriate report or in the concerned officer's DAL indicating this fact, along with any other information provided. Sources of information shall never be forced to identify themselves. Officers should not refer to sources of information, in any Department report, as a non-informant or citizen informant.

In situations where the source provides identifying information and an arrest is made, but the source requests anonymity, due to fear of retaliation, danger to self or family, that information shall be documented in the arrest report and their identity not disclosed. In addition, their identity and the facts of the situation shall be documented in the concerned officer's DAL when no other reports are applicable.

VOLUME 3 - SUPERVISOR AND OFFICER IN CHARGE RESPONSIBILITIES

300. APPROVING NEW OR REACTIVATED INFORMANTS

The investigating officer's supervisor shall meet with a potential new or reactivated informant prior to the approval of the informant package or the use of the informant. The primary purpose of this meeting is to determine the motivation and suitability of the informant.

310. REVIEWING NEW OR REACTIVATED INFORMANT PACKAGES

Each informant has a package containing a variety of information. The investigating officer's supervisor shall:

- Review the informant package for accuracy and completeness.
- If accurate and complete, the supervisor shall approve the package by completing the supervisor section of the Exceptional Handling Report and the IIF.
- The approved informant package shall be forwarded through the investigating officer's chain of command to the concerned commanding officer for review and approval.

320. REVIEWING AND APPROVING INFORMANT CONTACT FORMS

An ICF shall be completed for every contact between the investigating officer and the informant. The investigating officer's supervisor shall:

- Review the ICF and ensure that the form is accurate and complete.
- If accurate and complete, the supervisor shall complete the supervisor approving section of the form. The ICF shall be forwarded through the investigating officer's chain of command to the concerned command officer for review and approval.

330. MEETINGS WITH INFORMANTS

An effort should be made to ensure that an officer of the informant's gender is present and available to conduct any necessary search during pre-planned field operations. In the event that an officer of the same gender is not available, a visual search should be conducted.

Note: If an officer of the informant's same gender is unavailable, it should be noted on the ICF in box (5) or on the continuation sheet of the ICF.

A visual search of the informant shall include the following:

- Emptying the informant's pockets;
- Searching any bag or purse belonging to the informant, if applicable; and,

- Removing and searching the informant's shoes and socks, if applicable.

340. FRATERNIZING WITH INFORMANTS

In the event that a supervisor discovers that an investigating officer is fraternizing with an informant as described in Department Informant Manual Section 260, the supervisor shall immediately:

- Notify the investigating officer's commanding officer;
- Complete an ICF documenting the incident;
- Ensure that the informant is reassigned to another investigating officer; and,
- Initiate appropriate disciplinary action.

350. INFORMANT MANAGEMENT AND THE STANDARDS BASED ASSESSMENT

Supervisors shall ensure that the investigating officer's Standards Based Assessment documents effective or ineffective oversight of the Investigating Officer's use, management and administration of their informants. Officers in charge shall ensure that the Standards Based Assessment, Supervisor's Supplement, documents each of their supervisor's efforts in providing oversight of their employee's use, management and administration of informants when appropriate.

Note: A supervisor is responsible for ensuring that the appropriate procedures and tactics are followed, e.g., that two officers are present during any meeting with an informant, an appropriate search of the informant is conducted, etc.

VOLUME 4 - COMMANDING OFFICER RESPONSIBILITIES

400. MAINTAINING AN ACTIVE INFORMANT PACKAGE

The investigating officer's commanding officer shall review and approve the informant package, including the Exceptional Handling Report and IIF for accuracy and completeness. If approved, the commanding officer shall sign, date and include their serial number on the reports.

In order for the informant to remain active, it is the responsibility of the investigating officer's commanding officer to ensure that all updates and pertinent information are promptly forwarded to the DCIC.

Note: The concerned commanding officer is responsible for the approval and accuracy of the ICF.

Should a conflict arise between two officers from different Department entities who are using the same informant, their respective commanding officers should resolve the matter, taking into account the seriousness of the investigation and determining the feasibility of continuing the investigation without the use of the informant. If the concerned commanding officers cannot resolve the conflict, the Commanding Officer, DB, shall resolve the matter.

It is the responsibility of the concerned commanding officer and the handling investigating officer to ensure officers assigned to their command are not using an inactive informant. The concerned commanding officer may validate the status of their informants by contacting the DCIC at (213) 833-3700.

It is the investigating officer's responsibility to contact DCIC before conducting each operation to verify that his/her informant is currently active.

VOLUME 5 - GANG AND NARCOTICS DIVISION RESPONSIBILITIES

500. COMMANDING OFFICER RESPONSIBILITIES

The Commanding Officer, GND, is responsible for providing oversight regarding the policies and procedures outlined in the Department Informant Manual.

Gang and Narcotics Division is responsible for conducting periodic audits of the informant packages to ensure proper documentation is being maintained and that the informant's information is current and in accordance with the procedures outlined in the Department Informant Manual.

510. DEPARTMENT CONFIDENTIAL INFORMANT COORDINATOR RESPONSIBILITIES

Once the Commanding Officer, GND, approves an informant package, the DCIC shall ensure that the informant is entered into the Confidential Informant Tracking System Database (CITSD) and generate an informant number. The CITSD is a confidential database of all confidential informants, except those informants used by Major Crimes Division relating to national security.

The DCIC will input informant data into the CITSD to include:

- Informant's name;
- Date of birth; and,
- Any informant alias not indicated in the database searches and criminal summary record inquiry conducted by the investigating officer.

All Department informant packages are maintained and secured by restricted access at GND by the DCIC. When updates, e.g., ICF, computer database updates, etc., are received by the DCIC and are not completed correctly, the DCIC will immediately notify the concerned investigating officer and their supervisor to provide training, as necessary.

Note: The Commanding Officer, GND, has the authority to make an informant inactive in certain cases, e.g., the informant's confidentiality has been compromised, or meets the criteria for inclusion in the Undesirable Informant File (Department Informant Manual Section 1/120).

The DCIC shall maintain storage of the informant packages. The DCIC may request permission from the Commanding Officer, Records and Identification Division, to permanently store informant packages that have been inactive for longer than ten years. The DCIC is responsible for the removal and destruction of computer database records, which have been in the informant's package for longer than three years.

VOLUME 6 - GENERAL INFORMATION

600. SECURITY OF INFORMANT PACKAGES

When an investigating officer or supervisor wants to check-out an informant package, that person shall complete the Informant Package Sign-Out Form. The Commanding Officer, GND, or designee shall sign-out the informant package to the requesting investigating officer and sign the informant package back in when it is returned.

Note: Under no circumstances should the informant package be retained during non-business hours or removed from a Department facility without the written approval of the Commanding Officer, GND. Authorization to retain the informant package shall be documented in the ICF and shall also include where the package was stored, by whom, and the reason that the informant package needed to be retained by the concerned Department entity.

If it is necessary to retain the informant package beyond end of watch and the Commanding Officer, GND, approved the request, the investigating officer shall ensure the informant package is maintained and locked in a secure Department facility at the investigating officer's end of watch.

610. DISTRICT ATTORNEY'S INFORMANT CONTRACT STATEMENT OF AGREEMENT

A District Attorney's Informant Contract Statement of Agreement is an agreement between the Department and an informant that memorializes the agreement contained in the Exceptional Handling Report (EHR). Specifically, the agreement describes the past accomplishments and future expectations of the informant along with the reasons the informant has entered into the agreement. Parties to the agreement include the informant, the informant's attorney and the Department's representative (the investigating officer, in most cases). The concerned prosecutor is usually present during the negotiations and drafts the final agreement. The name of the prosecutor drafting the contract shall be documented in the informant package on the Informant Contract Cover Form and also indicated in the EHR.

Officers shall not contact a prosecutor or judge to discuss mitigating an informant's charges or sentence in exchange for information the informant has provided without adhering to the following guidelines:

- Officers shall not attempt to negotiate a District Attorney's Informant Contract Statement of Agreement without the prior approval of the concerned investigating officer's commanding officer.
- Contract negotiations shall not be conducted after an informant has had their first court appearance, without the approval of the informant's attorney.
- Exception: If an arrestee/informant makes an unsolicited contact with an investigating officer to explore the possibility of becoming an informant without the knowledge of the

informant's attorney, the investigating officer should immediately notify their supervisor and contact the Los Angeles District Attorney's Command Post for advice at (213) 974-3607.

- The prosecuting attorney shall be consulted regarding whether the penalty for an informant's offense can be reduced in exchange for information regarding criminal activity.
- The Informant Contract Statement of Agreement shall be completed and signed by the informant, the informant's attorney and the investigating officer. A copy of the Informant Contract shall be retained in the informant's package. The Informant Contract Cover Form shall be completed by the investigating officer and submitted with the Informant Contract Statement of Agreement to the investigating officer's commanding officer for approval.

Generally, it is desirable to obtain a guilty plea from an informant in a pending case as part of the informant's contract. A guilty plea increases the informant's incentive to cooperate more fully as an informant.

620. LETTER OF ACCOMPLISHMENT

A Letter of Accomplishment is a form of non-compensation for an informant who is motivated by a pending criminal case. The informant's cooperation and accomplishments are documented and presented to the District Attorney's Office for review and consideration.

Department employees shall not request dismissal of a case on behalf of an informant. However, an informant may request that the Department submit a Letter of Accomplishment (LOA) to the court for consideration during criminal proceedings, including sentencing. Consideration at sentencing can only be granted by the judge or prosecutor. An investigating officer has no authority to independently promise leniency or immunity from prosecution.

Procedure

When an investigating officer requests a Letter of Accomplishment for a defendant, the letter shall be hand carried directly to the DCIC for review.

All accomplishments shall be documented on an ICF prior to obtaining approval for a Letter of Accomplishment. The Letter of Accomplishment should indicate the following results of the informant's participation that would justify a Letter of Accomplishment:

- Informant's arrest charge;
- Number of persons arrested, if any;
- Number of investigations in which the informant has assisted law enforcement;
- Narcotic seizure results, including the type of narcotic and weight; and,

- Amount of money, guns, and other property seized.

Note: It is imperative to document accurate and specific seizure amounts.

The investigating officer, DCIC officer and the Commanding Officer, GND, will review the Letter of Accomplishment and compare the content with the ICF(s) from the informant's package. After their review, the Letter of Accomplishment will be submitted to the Commanding Officer, DB, or designee, for approval.

The investigating officer will meet with the Commanding Officer, DB, or designee, to review the original Letter of Accomplishment and the informant's package.

Note: After determining that the information in the Letter of Accomplishment accurately reflects the information in the informant's package the Commanding Officer, DB, or designee, will endorse the Letter of Accomplishment. Once the Letter of Accomplishment is signed by the Commanding Officer, DB, or designee a copy of the Letter of Accomplishment shall be maintained in the informant's package.

An informant cannot work with the Department for both a Letter of Accomplishment and monetary compensation at the same time. Once an informant is issued a signed Letter of Accomplishment, the informant package shall be deactivated. If the informant expresses a desire to continue working with law enforcement for any type of compensation, an updated informant package documenting the informant's change in motivation shall be required.

Exceptions: If an informant requests to be re-activated for compensation within ninety days of receiving a Letter of Accomplishment, the investigating officer may submit an ICF indicating the change to the informant's motivation and request that the informant package remain active.

An active informant may also change their motivation without being de-activated if they are working for something other than a Letter of Accomplishment. An example is an informant who starts off working for revenge and later requests to be paid for the information provided. The investigating officer shall complete an ICF, which documents the informant's change in motivation. The ICF shall be signed by the investigating officer and the investigating officer's chain of command and submitted to the Commanding Officer, GND, for final approval. DCIC staff shall update the informant package and the CITSD.

If the informant is working with a federal court, a Letter of Accomplishment may not be required. The investigating officer shall complete an ICF indicating this information.

630. PAYMENTS TO INFORMANTS

The Department only pays an informant for services rendered. Generally, the Department does not reimburse informants for their expenses except in very unusual circumstances, e.g., transportation costs to an in-camera hearing, and only with prior approval from the investigating officer's Commanding Officer. When considering the appropriate amount of payment to an informant, the informant's involvement in the investigation, the magnitude of the investigation, and likelihood of concluding the investigation without the informant's information should be

taken into consideration by the investigating officer, concerned supervisor and investigating officer's commanding officer. Supervisors and commanding officers are responsible for evaluating informant payments and determining the appropriate amount.

Note: If an informant working for monetary compensation is not paid for their services, the investigating officer shall provide an explanation on the ICF that indicates why the monetary compensation was withheld.

If circumstances justify paying an informant additional money for their assistance, the investigating officer shall document those reasons on the appropriate Expenditure Form. A fact sheet may be used in addition to the Expenditure Form, if the investigating officer is unable to document the information in the narrative portion of the Expenditure Form.

640. SECRET SERVICE FUNDS

The Department Manual outlines the policies and procedures governing the use of Secret Service funds for criminal investigations and allows the use of Secret Service funds to pay an informant, when necessary to further a criminal investigation.

An investigating officer shall not use personal funds to compensate an informant. Any payment of Department funds to an informant, either as reimbursement or a reward, shall conform to established City and Department policies and procedures governing the use of these funds.

650. FORMS REQUIRED FOR INFORMANT PAYMENTS

The following forms are always required when making payments to an informant:

- The concerned Expenditure Form; and,
- The ICF used to document the circumstances of the payment.

The original ICF and a copy of the concerned Expenditure Form shall be submitted to the DCIC.

Non-Narcotic Investigation Payment

When the informant is paid with the Secret Service funds, the Expenditure of Secret Service Funds, Form 15.37.1, shall be completed.

Narcotic Investigation Payment

If Secret Service funds are paid to an informant in a narcotics investigation, the Narcotic Expenditure of Secret Service Funds, Form 15.37.2, shall be completed.

660. SUPPLEMENTAL POLICE ACCOUNT FUNDS

Supplemental Police Account (SPA) funds are maintained and distributed by GND personnel. Generally, in GND investigations, a Sergeant/Detective supervisor shall witness payments of \$500.00 or less. A Detective III or above shall witness the payments above \$500.00.

670. SUPERVISOR PRE-APPROVAL AND SECRET SERVICE FUNDS

When an informant is paid using Secret Service funds, pre-approval from a supervisor shall be obtained. The supervisory level of approval for required for payments is follows:

- \$100.00 or less by a Sergeant or Detective II;
- \$100.01 - \$500.00 by a Lieutenant or Detective III; and,
- \$500.01 or more by the concerned investigating officer's commanding officer or acting commanding officer.

If an informant is also working for another law enforcement agency, the investigating officer shall determine if the informant is receiving payments for information supplied to the other agency and document this information on the ICF.

Note: Under no circumstances shall an investigating officer act as an agent or liaison by negotiating with another law enforcement agency for an informant's compensation.

Note: This procedure does not apply to money being sought from the District Attorney's Office for witness or informant relocation.

For additional information and verification refer to Office of the Chief of Police Notice titled "Expenditure of Secret Service Funds, Form 15.37.01 — Revised; Monthly Report of Secret Service Money, Form 15.37.00 — Revised" dated March 7, 2012.

680. TACTICAL CONSIDERATIONS

Searching Informants

Under no circumstances shall an informant who refuses to cooperate with a search be allowed to participate in a field investigation. At the minimum, an informant should be given a pat down search for weapons and contraband prior to the informant's participation during any portion of a field investigation. This includes the informant's vehicle or a room, if applicable. The type of search conducted, and the results shall be documented in the appropriate section of the ICF. Deviations should also be documented on the ICF.

A visual search of the informant shall include the following:

- Emptying the informant's pockets;
- Searching any bag or purse belonging to the informant, if applicable; and,
- Removing and searching the informant's shoes and socks, if applicable.

When investigating narcotics cases, periodic and random searches should be conducted during the investigation. Periodic and random searching serves to maintain the integrity of the informant and ensure greater reliability in future narcotics operations.

Informants shall also receive a post-operational search when circumstances indicate the desirability of such a search.

The type of post-operational search is left to the discretion of the investigating officer or supervisor, though an informant shall be searched following any field investigation in which the informant purchased or handled narcotics.

During the pre-operational and post-operational searches, the supervisor should ensure that an officer of the informant's same sex is present to perform any informant search.

Exception: During a spontaneous field investigation where exigent circumstances exist that require the immediate search of an informant, the supervisor may allow an officer of the opposite sex to conduct a visual search. This visual search is limited to having the informant empty their pockets, remove and search of the informant's shoes/socks and a search of the informant's bag or purse, if applicable.

Citizen informants are not subject to searches. Generally, citizen informants are limited to providing or gathering information. A citizen informant's participation in a narcotics investigation or related activities would be minimal and would usually not include the handling of contraband or currency. An example of a field activity that a citizen informant could be involved in would be the introduction of an officer into an organization or to an individual involved in criminal activity.

Note: It is not a good practice to allow an informant to overhear officers discuss any tactical preparations because it may allow the informant to gather valuable police tactical intelligence.

690. USE OF MINOR AND JUVENILE INFORMANTS

California Penal Code Section 701.5, Use of Minor Informants, prohibits the use of anyone who is under 13 years of age. A Court Order is required to use any person under 18 years of age as a juvenile informant. Department personnel shall not use a juvenile informant without first obtaining parental consent. The use of minors and juvenile informants is outlined in the Department's Juvenile Manual, Section 1650.

GLOSSARY OF ACRONYMS

CI	Confidential Informant
CITSD	Confidential Informant Tracking System Database
DB	Detective Bureau
DCIC	Department Confidential Informant Coordinator
EHR	Exceptional Handling Report
GND	Gang and Narcotics Division
ICF	Informant Contact Sheet
IIF	Informant Information Form
ISD	Investigative Support Detail
LOA	Letter of Accomplishment
SPA	Supplemental Police Account
UIF	Undesirable Informant File

FOR LAPD INTERNAL PURPOSE—NOT A PUBLIC RECORD

POLICIES AND PROCEDURES DIVISION
Special Projects Section

Special Research Unit

Research Checklist for Discoveries

The Special Research Unit (SRU) researcher checked the following references for Discovery/CPRA Requests from Legal Affairs Division:

References

- Automated Directive Tracking System (ADTS)
 - o PPD Physical Library
- Los Angeles Police Department Manual: Year _____ Quarter _____
- Local Area Network System (LANS) Search
- Organization and Functions of the LAPD/Organization Chart
- Functional Manuals:
 - o Detective Operation Manual
 - o Manual of Juvenile Procedures
 - o Traffic Manual
 - o Vice Manual
 - o Other _____
- Guides:
 - o Social Media Guide
 - o Search Warrant Service Procedures Guide
 - o Property Booking Guide
 - o Other _____
- Use of Force Tactics Directives
- Training Bulletins
- Bureau/Division on LANS
 - o Notices
 - o Directives
 - o Orders
 - o Bulletins
- E-Forms/LAPD Forms
- Memorandum of Agreement (MOA) Database (only when applicable)
- PPD/PRD Database (only when applicable)
- Other:

Note: References to be searched should be specific to the topic of the discovery request.