

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.