

Peoria Police Department Policy and Procedure Manual

Policy 4.22 Confidential Funds/Informants



**“Our Community...
Our Commitment”**

I. POLICY

It is the policy of this Department to provide confidential funds to be used for the purpose of conducting investigations, the use of informants, and for the recovery of properties or contraband. The use of confidential funds will be the delegated responsibility of the Street Crimes Unit (SCU) Sergeant. (17.4.2.e)

II. PROCUREMENT AND RECORDING OF FUNDS PROCEDURE

A. All budgeted confidential funds allocated to the Department shall be processed through the Criminal Investigations Bureau (CIB) Lieutenant with the approval of the Chief of Police. (17.4.2.c) (43.1.3)

B. Sufficient funds, not to exceed \$5,000, shall be kept on hand for authorized uses; the exception to this would be during the closing out of one fiscal year to the next, when additional funds may be requested to close out a fiscal year. In addition, \$5,000 in “flash” money can also be on hand and available. The SCU Sergeant shall request adequate funds by submittal of a check requisition and a memorandum to the appropriate CIB Lieutenant. Any expenditure over \$200.00 must be approved by the CIB Lieutenant.

C. Once a check is received, the check stub shall be filed in the Confidential Informant Fund (CIF) ledger or a photocopy shall be made and entered into the CIF files. The check shall then be cashed and the money put into the secure CIF location with the appropriate confidential entry into the CIF ledger.

D. All transactions involving CIF will be fully documented on approved forms. It is the responsibility of the officer to properly complete the necessary forms and the responsibility of the SCU Sergeant to ensure the documents are correct prior to entry into the CIF file or ledger. Examples of these forms are:

1. CIF ledger, consisting of the: (17.4.2.a)
 - a. Date of transaction.
 - b. Name and ID# of the officer.
 - c. Request # and amount.
 - d. Information or material purchased.
 - e. Returned amount and expense amount.
 - f. Balance on hand.
 - g. Case number.
2. Confidential Informant Identification.
3. CIF Investigation Expense.
4. Confidential Informant Use Record.

5. A photocopy of monies advanced for the purpose of contraband or evidence entered into the Case File.

6. Confidential Informant Receipt.

E. Disbursements (17.4.2.a and e) (43.1.5): The SCU Sergeant shall disburse funds as needed.

1. Requests for funds must be made to the SCU Sergeant.

2. Funds advanced to an officer shall be recorded on the CIF ledger which is kept by the SCU Sergeant. The officer, along with the SCU Sergeant, will sign the CIF ledger receipt book, indicating this disbursement transaction. In the event the SCU Sergeant is advanced funds, a second department supervisor will sign the CIF ledger receipt book indicating the disbursement transaction.

3. The full name and badge number of the officer receiving the funds shall be printed on the CIF receipt.

4. All officers provided with confidential informant funds will maintain an Expenditure Log. This Log will be completed on a monthly basis and turned into the SCU Sergeant for verification and balancing of the fund. All expenditures will list the date, amount of funds spent, what the funds were spent for, and an Incident Report number, if applicable. Each officer will continually keep their Expenditure Log up to date as an unexpected audit of the confidential informant funds can be completed at any time.

5. Advances shall be entered into the CIF ledger by the SCU Sergeant when the advance is made.

6. When using funds for reliability buys or undercover expenditures where a receipt can not be obtained, a receipt should be completed in the CIF receipt book indicating the names and signatures of the issuing supervisor, case agent, and the CI receiving the funds. The IR number shall also be included on the receipt.

F. Returns (17.4.2.d)

1. All returned funds utilized for evidence purchases by confidential informants, should match photo copies that were made prior to disbursement unless it was necessary to break a bill for change, etc.

2. The amounts used for investigative purposes shall be supported by the appropriate documentation. These may include:

- a. CIF Investigative Expense Form.
- b. Confidential Informant Receipt.
- c. Receipts for expenses incurred.

d. Any other support deemed necessary by the SCU Sergeant.

3. The SCU Sergeant shall review all documentation prior to entry into the CIF file and ledger.

4. The amount advanced shall equal the amount used in the investigation plus any amount returned. If different, the officer shall prepare a detailed report explaining the difference and submit it to the SCU Sergeant. The SCU Sergeant shall forward a copy to the chief, retaining the original for the CIF file.

G. Security of Confidential Funds and Records (43.1.3)

1. The funds and records shall be kept in a safe under lock and key and under the control of the SCU Sergeant.

2. The information contained in the CIF file is sensitive and shall not be disclosed to any unauthorized person.

3. Reports to be entered into the CIF file shall contain the informant's name and assigned CI number. Normal police reports shall not include a CI number or name. They should merely indicate the fact that a confidential informant was used.

H. Use of Confidential Funds (43.1.3)

1. Monies received from confidential funds may be used only for the following:

a. Payment for information from informants for use in making probable cause arrests, or arrests of felony warrant violators.

b. Purchasing contraband, stolen properties, conducting gambling investigations, sting operations, or liquor law violations.

c. Expenses developed as the result of an investigation where reimbursement of money from normal channels cannot be readily obtained and receipts have been turned in to the SCU Sergeant for approval.

d. A supervisor will be present whenever a confidential informant is paid.

2. These funds are not available for disbursement to officers from outside agencies involved in cases that officers of this Department are not directly involved with.

I. Auditing of Confidential Funds (17.4.3): The confidential funds shall be maintained by the SCU Sergeant and all records shall be available for unannounced annual

audits by personnel from the Management Services Department, the Chief of Police, or his designee.

1. A report of expenditures shall be submitted to the CIB Lieutenant on a monthly basis by the SCU Sergeant. (17.4.2.f)

a. On a monthly basis, all SCU detectives shall turn any unspent money back to the SCU sergeant and their accounts shall be balanced out to "0." The Bureau Commander shall then audit the monthly expenditures with the SCU sergeant. After this, money needed will be re-issued. The detectives shall end every month with a "0" balance to facilitate monthly audits.

b. The CIB Lieutenant will physically audit all funds as well as the CIF and all other ledger books.

2. Confidential funds will be audited, when the SCU Sergeant, or CIB Lieutenant position has rotated, by personnel from the Management Services Department, the Chief of Police, or his designee.

J. Transactions Involving Informants

1. Prior to the use of, or payment to an informant, a confidential master file and 'moniker' file on all informants must be established, maintained, and secured. The 'moniker' file will be kept in the SCU Supervisor's office in a locked filing cabinet. Access to that file shall be controlled by the SCU Sergeant, or their designee. The master file will be kept by the Bureau Commander. (42.2.9.a, c & d)

a. All forms shall be maintained and kept in separately numbered files which correspond to the CI number/'moniker' assigned. (42.2.9.c)

b. The following information about each informant shall be kept on file in SCU:

(1) Informant's 'moniker' name, 'moniker' signature and CI work history.

(2) Precautions to be taken with the informant, if any. (42.2.9.g)

(3) Special precautions to be taken with juvenile informants. (42.2.9.h)

(4) Confidential funds received by the informant.

(5) Information received from the informant.

(6) Upon completion of the contract or when the informant is deemed unreliable, a notation will be placed in the file closing the file.

c. The following information about each informant shall be kept in the master file in the Bureau Commander's Office:

(1) Informant's criminal history record, if any. (42.2.9.b)

(2) Biographical and background information on the informant, including name, current address and phone number, physical description (including scars and tattoos), driver license and social security number, and any aliases used. (42.2.9.b)

(3) 'Moniker' name and CI number given to each informant. (42.2.9.b)

(4) Precautions to be taken with the informant, if any. (42.2.9.g)

(5) Special precautions to be taken with juvenile informants. (42.2.9.h)

(6) Other methods to protect the informant's identity. (42.2.9.e)

(7) CI's legal Signature used by the informant.

(8) Other information deemed pertinent by the SCU Sergeant.

(9) A photograph.

(10) Upon completion of the contract or when the informant is deemed unreliable, a notation will be placed in the file closing the file.

d. All officers are reminded of the need to protect the identity of the informants, not only to protect the physical safety of the person, but to ensure the continued cooperation of the informant. In order to further protect the identity of informants, the SCU Sergeant will maintain all 'moniker' informant files in a locking file cabinet in SCU. Any release of informant information must be authorized by the SCU Sergeant prior to its release. (42.2.9.d and e)

e. The Bureau commander and SCU supervisor will review all active Criminal Informant files on a semi-annual basis.

2. Records of each informant's assistance shall be documented in the CI file.

3. Receipts shall be kept on each informant that has received money.

a. Informants shall be thoroughly searched before making a buy of an item that could be easily concealed. If the informant's vehicle or residence is used in

the investigation, a thorough search shall also be conducted of those areas to which the informant had access prior to and after buy meetings.

b. The informants shall be given funds which have been photocopied, or serial numbers recorded, for easy identification.

(1) Informants shall not be allowed to purchase any contraband with use of their personal funds. To avoid error, informants shall not bring personal funds into criminal buy situations.

(2) If they are found to have personal funds with them, all such monies shall be taken from informants prior to contact with any suspects.

(3) Any personal funds or property removed from informants shall be returned to the informant immediately after the conclusion of a buy situation.

4. When possible, constant visual or audio surveillance will be maintained on the informant during buy situations until meeting with observing officer(s) after the operation.

5. All evidence and unused funds shall be retrieved from the informant. All informants must sign their moniker name on all receipts when receiving CIF money as payment as well as the CI number, the full name, to include signature and serial number of the issuing officer/supervisor. (42.2.9.f)

6. The SCU Sergeant shall authorize all payments made to informants and will determine the amount of money to be paid depending on what type of information and assistance the informant provides, the type and amount of evidence seized, as well as the reliability of the information.

a. The following are the limitations on expenditure approvals:

(1) Unit sergeant up to \$200.00.

(2) The Bureau commander may authorize payment up to \$1000.00.

(3) Commander of Special Services Division up to \$2000.00.

(4) Chief of Police in excess of \$2000.00.

b. Only a Commander or above can approve the use of "flash" money in an operation. (42.2.9.f)

K. Restrictions on Using Certain Types of informants (42.2.9.g & h): The following types of individuals will not be used as informants:

1. Anyone under eighteen years of age without written approval by the Chief of Police. (42.2.9.h)

2. Anyone who is a defendant in a felony criminal case where a criminal complaint has been filed and the defendant wants to work off the particular criminal case, without approval of the prosecuting attorney and the unit supervisor.

3. Anyone with two or more felony convictions and has an active criminal case against them, without prior approval of the prosecuting attorney of the case being investigated.

4. Anyone on probation or parole without the written permission of the Probation or Parole officer handling the case. In the event an already confidential and reliable informant on probation or parole has valid, reliable information they come forward with, detectives are not prohibited from using the information gathered on this one time basis for advancement of a search warrant.

5. Potential informants with outstanding felony or misdemeanor arrest warrants will not be used without the knowledge and verbal consent of the court having jurisdiction over the arrest warrant.

L. Patrol Officer's Use of Informants (42.2.9.i)

1. Patrol officers are encouraged to seek out informants who are able to provide reliable information to the Department regarding specific offenses and activities of suspects. Patrol officers are permitted to use informants, but shall be governed by the guidelines established for use of informants.

a. Patrol officers who encounter informants providing information more suited to follow-up by SCU and/or GIU, should turn the informant over to the appropriate operational unit.

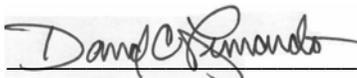
b. Patrol officers will turn potential informants over to CIB by personally contacting the SCU or GIU supervisor, or a detective in either Unit, depending on what operational unit the informant will be assisting. (42.2.9.h)

2. All Patrol officers are reminded of the need to protect the identity of informants, not only to protect the physical safety of the person, but to ensure the continued cooperation of the informant. No information will be released or discussed in regard to an informant outside of the operational requirements of the Department.

M. General precautions when utilizing informants. (42.2.9.g)

1. All informants will be met with no less than two (2) officers and/or detectives. When payment is to be made to an informant, a supervisor will be present.
2. The controlling agent of the informant will select all meeting locations and not allow the informant to dictate meeting locations.
3. It is not recommended that informants are met on a continuous basis at any police facility.
4. When using informants, officers must remember that most informants utilized are continuously involved in criminal activity, and only assist police for their personal gain or to reach personal objectives. If an informant is discovered to be involved in illicit activity, the control officer will report this activity to the SCU supervisor and the Bureau commander. Officer safety precautions should be taken at all times.
5. The SCU supervisor will meet with active criminal informants periodically and annotate this in the appropriate CI file. The purpose of this will be to closely monitor the CI/control officer relationship.

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