



LONDONDERRY POLICE DEPARTMENT POLICIES AND PROCEDURES

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SUBJECT: INFORMANTS			PAGE: 1 of 5
BY AUTHORITY OF: William R. Hart Chief of Police	CALEA #	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> AMENDS <input type="checkbox"/> RESCINDS	POLICY #: O-403 Dated: 12/01/97

I. PURPOSE

- A. The purpose of this Standard Operating Procedure is to establish policies and procedures to follow when dealing with informants. Police experience indicates that the shortest way to the solution of a crime, or to the location of a wanted person, is often through an informant. Every practical police investigator relies to a considerable extent on informants to provide information that might otherwise never be uncovered or might not be obtained without a lengthy and time-consuming search. Many cases would never be solved without the assistance of informants. Because crime by its nature is secretive, the use of informants in the solution and prevention of crime is a necessary and practical police policy.
- B. In the performance of his/her duties a good investigator must associate with and cultivate the acquaintance of people at all levels of society, particularly those who, because of their occupations, can provide valuable information. This would include cab drivers, door-to-door delivery men, storekeepers, bartenders, waiters and waitresses, newsstand operators, hotel and motel clerks, apartment house janitors, night watchmen, etc. This list of possible sources of information is dependent upon the resourcefulness of the investigator and his/her ability to utilize bits of information from a variety of people to develop tangible leads towards the solution of crime.

II. DISCUSSION

- A. In general, an informant is any person who provides information to the police. This information may be given openly, with a subsequent appearance as a witness in court, or it may be provided surreptitiously with a request that the informant remain anonymous. The confidential informant may be a person who is or has been implicated in criminal activity. Such persons can often reveal the details of a crime under investigation or furnish information about crimes being planned, because of their direct connections with the criminal involved.
- B. Quite generally, the public fails to recognize the value of this kind of information and some people believe that contacts between the police and criminal informants are somehow immoral or unfair. Despite this public attitude, all police officers

should understand that this is a standard investigative technique in law enforcement and is legal if the investigation carefully remains within the boundaries of professional ethics in this pursuit of information.

III. POLICY

- A. The policy of the Londonderry Police Department shall be the active cultivation and utilization of informants as authorized provided the following procedure is adhered to.

IV. PROCEDURES

- A. To cultivate an informant you must:
- i. Be a good listener;
 - ii. Be fair, truthful and tactful;
 - iii. Establish a foundation of confidence and trust;
 - iv. Avoid being overly aggressive;
 - v. Always maintain control of the interview but don't interrupt unnecessarily;
 - vi. Take notes unobtrusively;
 - vii. First obtain generalities then press for details of information provided;
 - viii. Maintain regular contact, daily if possible, for new information or fresh developments.
- B. Officers who cultivate an informant are responsible for evaluating the informant and the truth and accuracy of his/her information. To do this effectively, an officer should attempt to determine the informant's motive for aiding the police. Examples of motives are:
- i. Fear - Fear of the law or fear of his criminal associates;
 - ii. Remuneration - Providing information strictly for financial gain;
 - iii. Avoidance Of Punishment - Seeking to avoid prosecution for a minor offense by providing information concerning a major crime;
 - iv. Revenge - Retaliation because of a real or imagined injury (this information can be exaggerated or erroneous);
 - v. Gratitude - A desire to repay a police officer's previous consideration or concern for the informant or his/her family;
 - vi. Gain - A prisoner who may provide information in return for some special privilege;
 - vii. Competition - Furnishing information to eliminate a criminal rival (this information can sometimes be false or misleading);
 - viii. Repentance - A person involved in a crime who becomes conscience-stricken;
 - ix. Eccentric Persons - People who can often be an annoyance but whose information should be accepted and evaluated for what it is worth;

- x. Public Spirited Citizens - Persons who believe it is their duty to provide information to the police of suspicious persons and suspicious circumstances. Understanding what motivates an informant will aid the officer in the proper evaluation of such an individual and the reliability of the information obtained.
- C. An officer shall make a discreet inquiry concerning his/her informant as to his/her occupation, associates, personal habits, criminal record, if any, and other related matters.
- D. Information concerning the identity and reliability of informants shall be confidentially maintained in accordance with departmental procedures. This information must have total and complete security and revealed only on a strictly "need to know" basis.
- E. Monetary payments to informants for information furnished to the police shall be made only as authorized by the Chief and an accurate accounting maintained in accordance with departmental procedures and practices.
- F. If at all possible, only one officer shall deal with each informant and this should be the officer who initially developed a contact. An alternate officer should also be assigned to avoid any future loss of contact. A procedure established on this basis provides a number of benefits:
 - i. Avoidance of repetitive demands on the informant's time;
 - ii. Circumvention of personality conflicts;
 - iii. Natural development of friendship and mutual trust;
 - iv. Uniformity of control;
 - v. Knowledge of possible pitfalls and problems.
- G. An officer should constantly test his/her informant's information for consistency and truth by checking against information received from other sources.
- H. Proper treatment of the informant is essential. To this end, an officer should observe the following standards:
 - i. Avoid use of derogatory terms, despite reputation and habits of informant;
 - ii. Safeguard confidentiality of informant's identity (an informant's name should never appear in any police report);
 - iii. Do not reveal police information in order to encourage informants;
 - iv. Express appreciation for all information received, regardless of value;
 - v. Scrupulously keep all ethical promises made (conversely, do not make any promises that cannot be kept);
 - vi. Keep appointments promptly, even though the informant does not always appear;
 - vii. Do not use an informant to induce another to commit a crime which could be considered entrapment;

- viii. Recognize and consider the personal problems of the informant without becoming involved.
- I. All leads supplied by the informant should be investigated or followed up. This is especially true when the relationship is in its earliest stages and will aid in determining reliability.
 - J. Officers shall not permit the informant to take charge of any phase of an investigation. Control of the case should always remain with the police officer.
 - K. Officers shall constantly impress upon informants their individual integrity and that of the Department. Never lead the informant to believe the police can be properly influenced.
 - L. Selection of meeting places should usually be made by the officer and not the informant.
 - M. Meetings should not establish a recognizable pattern. Vary the location and times of meetings. Use the telephone to make contacts as much as possible.
 - N. Meetings should never be held at or near any police building or courthouse unless absolutely necessary.
 - O. Officers should be noncommittal about the value of the information received when in the presence of the informant. Even if information appears to be questionable, consider it valuable until proven otherwise.
 - P. Security of the informant is essential. To the greatest degree possible, maintain strict confidence as to the informant's identity and other pertinent information. However, if an informant proves undesirable, unreliable or dangerous, his identity should be made known to other officers to avoid future difficulties with the same person. If possible, this dropping of an informant should be accomplished without creating any antagonism to avoid unfavorable reaction among other informants or potential informants.
 - Q. Probable cause for arrest may be established through the use of hearsay information from informants. Basically, an officer must be able to show (2) two factors:
 - i. The underlying circumstances which establish the reliability of the informant; and
 - ii. The underlying circumstances which establish the reliability of the informant's information.
 - R. Never become careless or routine when dealing with informants. Since many informants are past or present criminals, an officer must ensure his/her own safety regardless of the desire to maintain the contact.
 - S. Female informants, because of their emotional characteristics, can often provide valuable information. In such cases, however, special precaution must be taken to protect the reputation of the informant, the officer and the Department. This information is sometimes provided because of mistreatment or is motivated by

jealousy and should, therefore, be carefully evaluated. It should be noted that in the event of a reconciliation, this source of information can dry up quickly. All officers should be particularly careful in establishing contact with, and in obtaining information from, female informants to avoid any appearance of misconduct which could result in subsequent false accusations.

- T. Special care must also be taken in dealing with juvenile informants to avoid any complaints that they were abused by the police or taken advantage of because of their age.
- U. It should be noted that in obtaining information by telephone from anonymous persons, every effort should be made to obtain and carefully record all possible information at that time as such persons rarely make a second call.
- V. In order to avoid the identification of an informant and his/her appearance in court:
 - i. Do not permit an informant, as an agent of the police, to participate in any criminal offense;
 - ii. Do not permit an informant, as an agent of the police, to be an eyewitness to any criminal transaction.
- W. Pitfalls to avoid in dealing with informants:
 - i. Don't depend on a previous informant without updating his/her information;
 - ii. Don't permit an informant to control your investigation;
 - iii. Don't reward an informant prior to the final completion of your investigation;
 - iv. Don't neglect to fully identify your informant and where he/she can be located;
 - v. Don't permit an informant to be armed;
 - vi. Don't make promises to an informant that can't be kept;
 - vii. Don't overlook or condone the commission of a crime in return for information regardless of its potential value;
 - viii. Don't make any unethical deals or arrangements with any informant which would in any way compromise your position as a police officer.
- V. These policies and procedures replace and supersede all policies, procedures, rules, regulations, and written directives regarding INFORMANTS.