



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Handling of Informants

Eff. Date 02/17/2020

Purpose

The purpose of this Standard Operating Procedure (SOP) is to establish a procedure for proper documentation, utilization and compensation of: "Confidential Informants" (CI's), "Citizen Sources of Information" (CSOI), and "Anonymous Sources of Information (ASOI)."

The preference in any criminal investigation is that the investigating officer documents information received from citizen/witnesses and their identity is recorded in a police report. This document provides guidance to officers in those limited situations where a citizen/witness is only willing to cooperate if their identity is protected.

This SOP applies to all commissioned members of the Madison Police Department (MPD).

Definitions

- A. Confidential Informant (CI):** Any person who provides information to law enforcement or acts under the direction and control of law enforcement for a law enforcement purpose, and, in return for providing such information or assistance, has an expectation of receiving a benefit, including financial remuneration, charging consideration or sentencing consideration. This person will first be vetted and assigned a Confidential Informant number (CI#) by a supervisor of the Dane County Narcotics Task Force.
- B. Citizen Source of Information (CSOI):** Any person who provides information useful for investigative purposes, does not want their identity revealed, and is not acting under the direction or control of a law enforcement officer. CSOI control numbers will be maintained/managed by the Madison Police Department Criminal Intelligence Section (CIS).
- C. Anonymous Source of Information (ASOI):** An Anonymous Source of Information (ASOI) is any person that reports information to a law enforcement officer, when that person does not want to be identified and the law enforcement officer does not know the person's identity.

Confidential Informants (CI)

Prior to considering an individual as a confidential informant, the officer/detective will evaluate the individual's credibility, truthfulness and appropriateness for use as a confidential informant. This evaluation should include review/consideration of:

- Individual's criminal history
- History of law enforcement/MPD contacts
- Motivation for providing information/assistance
- Relationship with criminal targets
- Public safety risk posed by individual
- Substance abuse concerns
- Any known prior work as a confidential informant

If the individual is deemed as appropriate for use as a confidential informant, the following process must be followed:

- Contact a DCNTF supervisor
- Complete DCNTF CI documentation

- CI Identification and background document
 - DCNTF statement of Understanding
 - Informant Activity log
- All CI related documentation will be housed with DCNTF

If approved, a DCNTF supervisor will then assign a control number (CI#) for use in all official documentation. Supervisory approval is required prior to utilizing an individual as a confidential informant.

Individuals who are incarcerated or are on probation, parole or extended supervision will not be utilized as confidential informants without approval from the Department of Corrections. Juveniles will not be used as confidential informants except in cases of compelling need, with the approval of the Chief.

Confidential Informant Management

Every in-person meeting with a confidential informant requires the presence of two (2) law enforcement personnel. This requirement may be satisfied by any qualified persons from local, state, or federal agencies.

Confidential informants must be closely monitored by the officer and unit associated with the informant for circumstances which could warrant a deactivation or termination of the informant's service. These circumstances include, but are not limited to:

- Committing an act which could endanger the life or safety of a law enforcement officer.
- Compromising an official investigation, to include revealing the identity of a law enforcement officer.
- Providing false or misleading information to law enforcement.
- Stealing evidence (controlled substances), department equipment, or "buy" funds (U.S. currency).
- Using the department to further criminal goals.
- Engaging in conduct that brings discredit or embarrassment to the department.
- New criminal charges brought against a confidential informant will not automatically preclude an informant from continuing to work with the department. Any new criminal charges must be documented in the CI activity log and will be reviewed on a case-by-case basis. Continued use of a CI will require the approval of the commanding officer of the Dane County Narcotics Task Force, or his/her designee.

Credible information provided by a CI may be used in an affidavit in support of a search warrant or arrest warrant.

Any deviation from this process for exigent reasons requires approval from the Dane County Narcotics Task Force Commander.

Citizen Source of Information (CSOI)

Management of citizen sources of information will be as follows:

- CSOI control numbers will be maintained/managed by the Madison Police Department Criminal Intelligence Section (CIS).
 - CSOI's shall be assigned a control number (CSOI#), but do not require the same detailed background investigation that is required of a CI.
 - Credible information provided by a CSOI may be used in an affidavit in support of a search warrant or arrest warrant.

- When utilizing a CSOI, it is imperative that the investigating officer make it known to the CSOI that:
 - The information provided to the investigating officer will be documented in an official police report.
 - The source of the information will initially appear as a number (i.e., CSOI# 23) in police reports and other documents.
 - If the investigation results in legal proceedings, the identity of the CSOI may have to be disclosed to the judge, the defendant, and the defendant's attorney.

The process for obtaining a CSOI number is as follows:

- Complete the CSOI Identification Form – located on the MPD Intranet (A to Z Forms).
- Email the CSOI Identification Form to “*PD CSOI Forms*”.
- CIS will document the form and assign a control number (CSOI #) for use in all official documentation.

How to document information provided by a citizen source of information (CSOI) in a police report:

Information provided by a citizen source of information (CSOI) shall be documented in all police reports through an assigned CSOI number provided by CIS:

- Investigating officers should consider whether or not the report needs to be completed prior to receiving a CSOI number from CIS, or if the report can wait until the next business day.
- In situations where the investigating officer cannot wait to receive a CSOI number from CIS, they shall complete a supplemental report documenting the assigned CSOI number once it is assigned.
 - If more than one CSOI is used in the same investigation, they must have separate CSOI numbers assigned for purposes of clarification in the police report.
- If an investigating officer receives information from a known person that wishes to remain anonymous, the investigating officer shall document the information received and report as follows:
 - “On (date), I learned from a Citizen Source of Information that”... or,
 - “On (date), I learned from CSOI #23 that”...
 - The investigating officer shall also document that the Citizen Source of Information is known to the law enforcement officer by name, but for the purposes of this investigation the Citizen Source of Information wishes to remain anonymous.

CIS will maintain the Citizen Source of Information (CSOI) database, and will track the usage of CSOI's in MPD investigations. Each CSOI will retain his or her unique CSOI number in all subsequent investigations.

Anonymous Source of Information (ASOI)

- This type of information is typically provided/received on a one-time basis.
- This information shall be documented as an “Anonymous Source of Information” and does not require any type of registration.
- Anonymous Sources of Information shall be documented in a manner that does not identify the gender of the anonymous source, if the law enforcement officer should happen to know the gender of the anonymous source.
- The “Anonymous Source” provision is not intended to be utilized as a means to circumvent the procedures governing CI's, or CSOI's established in this SOP.

- All anonymous information received from “Crime Stoppers” shall be referred to as an “Anonymous Source of Information” in the police report without reference to Crime Stoppers as the entity that gathered the information.

Original SOP: 04/01/2015

(Reviewed Only: 01/22/2016, 01/11/2021, 02/04/2022)

(Revised: 01/11/2017, 01/20/2017)

(Replaces Handling of Confidential Informants SOP: 02/17/2020)