



2-69 **INFORMANTS**

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s): ~~None~~

A. Related SOP(s)

2-8 Use of On-Body Recording Devices

B. Form(s)

PD 1201 Informant Profile Sheet
~~Confidential Informant Packet~~ PD 1202 Signature Card
PD 1204 Voucher Expense Report
~~Confidential Informant Packet~~

C. Other Resource(s)

~~(Placeholder)~~ None

D. Rescinded Special Order(s)

~~(Placeholder)~~ None

2-69-1 **Purpose**

The purpose of this policy is to provide ~~guidelines~~ requirements for the Albuquerque Police Department (Department) for the management of records, funds, and operations relating to the use of all types of informants.

2-69-2 **Policy**

It is the policy of the Department ~~to~~ in criminal investigations to use information gathered from a variety of sources, including informants. ~~use informants to assist in criminal investigations.~~ The Department uses information supplied from a variety of sources, including informants. Information ~~supplied~~ gathered by informants ~~will~~ shall be utilized only if the information relates to allegations of a criminal act ~~and in accordance with rules of criminal procedures and constitutional guarantees.~~ Guidelines are hereby set forth for the management of records, funds, operations at the ~~D~~ department level, and maintenance of the files ~~which~~ that are kept at the section or unit ~~or section~~ in which they originated.

~~Note: This policy in no way attempts to affect the Crimestoppers program policies or procedures as established by the Crimestoppers Citizens' Board of Directors.~~

2-69-3 **Definitions**

A. Anonymous Informant



~~Anyone~~ An individual calling the police dDepartment with information who wishes to remain ~~anonymous~~ unknown.

B. Concerned Citizen/Witness

An individual who is providing information about actual or alleged criminal activity without expectation of reward or consideration on pending criminal charges.

~~B. Confidential Informant (C.I.)~~

~~An individual paid or unpaid individual who is who provides information to the police dDepartment, who and requests whose that their identity shall be kept confidential for reasons of personal safety or other valid considerations, requests that his/her identity be kept confidential.~~

C. Confidential Expense Reports

Internal administrative documents (PD form 1204) used to provide an audit trail, which includes the completion of Form Voucher Expense Report. Expense reports ~~shall~~ should not contain any information concerning the actual information received ~~or,~~ nor do they report the activity of the officer in matters concerning the case. Expense reports ~~shall~~ are not be used to circumvent normal intelligence or criminal case files.

D. Informant

~~Anyone~~ An individual who provides information on a suspected criminal activity, including one or more of the following specific categories:

1. Confidential Informant (CI)

A source providing information to the Department about actual or alleged criminal activity whose identity shall be kept confidential for the source's safety and other valid considerations.

2. Juvenile Informant

Any informant under the age of eighteen (18) who is either a paid or unpaid informant.

3. Paid Informant

An individual who provides information about actual or alleged criminal activities with the expectation of financial compensation or other considerations. The compensation may include money or consideration on pending criminal charges.

4. Unpaid Informant



Anyone providing information about actual or alleged criminal activity who ~~and~~ does so with no expectation of compensation but does expect anonymity.

5. Unwitting Informant

An individual involved in criminal activity who acts as an intermediary to negotiate illegal transactions, purchase contraband, or who otherwise unwittingly acts as an informant. An unwitting informant is not to be documented as an informant.

E. Informant File

~~These files containing the true identity of confidential informants used by the employees of the Albuquerque Police Department personnel. Informant files are kept at the appropriate activity level with all the necessary documentation to identify the informant. All informant files are~~ shall be kept at the Investigative Services Division (SID-ISD) under the control of the ISD Narcotics Section Lieutenant. Under no circumstances will ~~any other Department unit or division, section, or unit keep or maintain an informant file.~~

~~F. Juvenile Informant~~

~~Any informant under the age of eighteen who is either a paid or unpaid informant.~~

F. Payment

The actual exchange of information for money, goods, and services between an informant and the Department, or the draft of agreements through the prosecuting attorney's office to provide reduction of charges or plea agreements with informants.

G. Receipts

Normal business ~~receipts~~ documents or, in emergencies, handwritten ~~receipts~~ documents used to provide additional audit methods to ensure the proper use of Department funds. Receipts are attached to expense reports where applicable to provide a unified expense file on each operation involving informants.

6

~~H. Unwitting Informant~~

~~An individual involved in criminal activity who acts as an intermediary to negotiate illegal transactions, purchase contraband, or who otherwise unwittingly acts as an informant. An unwitting informant are not to be documented as an informant.~~

~~I. Paid Informant~~



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-69

OPA Draft 02/24/2021

~~Anyone who provides information about actual or alleged criminal activities with the expectation of financial compensation or other considerations. The compensation can may include money, goods, services, or consideration on pending criminal charges.~~

~~J. Unpaid Informant~~

~~Anyone providing information about actual or alleged criminal activity and does so with no expectation of compensation but does expect anonymity.~~

~~K.A. Concerned Citizen/Witness~~

~~An individual who is providing information about actual or alleged criminal activity without expectation of reward or consideration on pending criminal charges~~

~~L.A. Payment~~

~~The actual exchange of information for money, goods, and services, or the draft of agreements through the prosecuting attorney's office to provide reduction of charges or plea agreements with informants~~

2-69-4 Rules Procedures

A. Use of Informants

~~1. All sworn personnel to include uniformed patrol officers will shall follow these procedures outlined in this Standard Operating Procedure (SOP) when gathering information.~~

~~2. Informants shall will not be used to circumvent any constitutional rights or guarantees of citizens community members, nor will they be utilized used to entrap offenders.~~

1. All sworn personnel shall follow the procedures outlined in this Standard Operating Procedure (SOP) when gathering information.

2. Sworn personnel/detectives shall prepare confidential informant files and submit the file to the ISD Narcotics Section Lieutenant for a CI number prior to the use of a paid informant.

a. It shall be the sworn personnel's/detective's responsibility to ensure a CI number is issued prior to the informant's use. An informant shall not be paid until a file is created with an assigned CI number issued.

3. The officer's supervisor must shall meet with be present during the initial meeting a confidential paid informant prior to when the first payment is made. when a confidential informant signs confidential informant file. Supervisors shall will ensure the confidential paid informant understands all applicable requirements and limitations set for confidential informants. All subsequent meetings with informants will shall be reported to the officer's supervisor.



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-69

OPA Draft 02/24/2021

a. ~~Prior to an informant being compensated~~ paid for services, initial identification will shall be required. Identification requires completion of the Confidential Informant Packet Form Informant Profile Sheet and Form Signature Card.

5

~~3-4.~~ When meeting with informants, a minimum of two officers shall will shall be present. When necessary, the second officer can witness the meeting from a discreet distance, provided that the witness officer can observe all actions and transactions between the officer and the informant.

5

~~4-5.~~ A juvenile informant may shall only be utilized used when written permission has been granted in writing by the parent(s) or guardian(s).

~~5-6.~~ Sworn personnel shall not use informants will shall not be utilized used in an active role when they are on probation or parole, unless there is written approval from the probation or parole officer, or authorized judge.

7

~~7.~~ All operations involving the use of informants shall will shall be documented, in offense reports, intelligence reports, and/or informant profile sheets to comprehensively describe the activity or operation that occurred. This documentation should include statements, tape recordings, expense reports, and/or receipts.

~~8.~~ Efforts shall be made to substantiate or otherwise verify all information received from informants. Information disclosing imminent danger to life or property shall be reported to the unit supervisor prior to enforcement action. prior to utilization of such information unless there is imminent danger to life or property.

~~9.~~ Informants shall not be used to circumvent any constitutional rights or guarantees of community members.

~~6.~~
~~This type of exception must be approved by command level staff. Prior to an informant being paid for services, initial identification will be required. Identification requires completion of an Informant Profile Sheet (PD form 1201), the completion of an Informant Signature Card (PD form 1202), and an identifiable photo of the individ~~

B. Informant Files

~~1.~~ Informant files will shall be maintained by the ISD Narcotics Section Lieutenant in the Special Investigative Services Division, ISD, Narcotic Lieutenant.

~~a.~~ An informant will shall not be paid until a file is created with an assigned code Confidential Informant (CI) number issued.



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-69

OPA Draft 02/24/2021

~~Sworn personnel/Officers/detectives will shall prepare confidential informant files and submit the file to the SID-ISD Narcotics Section Lieutenant for a CI code number prior to utilizing the use of a confidential informant.~~

~~It will shall be the Officers/sworn personnel's/detective's responsibility to ensure a code CI number is issued prior to the informants use.~~

~~b. An informant will shall not be paid until a file is created with an assigned confidential CI number issued.~~

~~Under no circumstances will shall any other Department division, section, or unit of division keep or maintain an informant file.~~

~~2.~~

~~3. Refer to SID SOP 5-1.~~

~~4.2.~~

~~C. Informant log Book~~

~~1. Refer to SID SOP 5-1.~~

7

~~D.C. Source Evaluation~~

~~1. The evaluation informant Source Evaluation will shall be conducted-completed by the investigating officer/detective, and the evaluator will shall use the following criteria as found on-by using the Confidential Informant CI Packet. PD forms Informant Profile Sheet (PD form 1201) 1201 and 1205.~~

~~2. The Source Evaluation shall:~~

~~a. Validate informant's reliability as based on past information; and~~

~~b. Confirm all proper documentation has been completed and in the informant file.~~

~~3. Informants will shall be evaluated based on the validity of the information provided by the informant.~~

~~2.4. Re-evaluation of active informants will shall be conducted bi-annually by the ISD Narcotics Section Lieutenant or their designee.~~

~~a. The Source Evaluation shall:~~

~~a. Validate informant's reliability as based on past information; and~~

~~a. Confirm all proper documentation has been completed and in the informant file.~~

~~a. Completely Reliable~~

~~b. Fairly Reliable~~

~~c. Reliability Unknown~~

~~d. Anonymous~~

~~b. Information Evaluation~~

~~a. Confirmed By Another Source~~



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-69

OPA Draft 02/24/2021

- ~~b. Possibly True~~
- ~~c. Truth Unknown~~

~~The Informant Profile Sheet will be dated to ensure the informant is evaluated with the most current information. Upon completion of the investigation for which the informant was used, the investigating officer will re-evaluate the informant using another Informant Profile Sheet.~~

REVIEW