



USE OF CONFIDENTIAL INFORMANTS GENERAL ORDER #21.00

Adopted: 08/04/2006
Replaces: NEW ORDER

POLICY

Information from a confidential source may provide valuable assistance to law enforcement. In some cases, confidential sources may be motivated by considerations other than good citizenship. These sources, known as confidential informants, are a judicially recognized source of information. An informant's motivation should be carefully evaluated in determining the extent upon which the information will be relied.

PROCEDURE

- A. Confidential informants are individuals who are willing to provide information to law enforcement based on considerations other than good citizenship. In many cases, the motivation of a confidential informant is a desire either to receive assistance in resolving a pending criminal matter or to receive a monetary payment.
- B. In determining whether or not to utilize information from a confidential informant, a deputy should consider:
 - 1. The potential reliability of the information. The deputy should consider the previous criminal history of the potential informant, whether the potential informant is in a position to know the information, and the ability of the deputy to corroborate the information to be provided.
 - 2. The *Stanford University Department of Public Safety's* overall responsibility to the community. As a general rule, persons charged with, convicted for, or suspected of violent felonies or crimes requiring registration as a sexual offender should not be considered as potential informants.

- C. Deputies are encouraged to gather and use information from informants. Deputies are not, however, authorized to supervise an informant during an investigation or to provide or promise rewards to an informant without prior authorization from their division captain or lieutenant. *Informants willing to engage in covert activity, such as narcotics buys, should be directed to the investigative unit.* All use of informants shall conform to policies and procedures established by the District Attorney's Office.
- D. When an informant has agreed to supply only information and not act in a covert capacity assistance, the deputy receiving the information will ensure that it is delivered verbally or in writing to the appropriate investigator in a timely manner. When practical, a second deputy should be present when interviewing an informant. All meetings where informants are of the opposite sex of the deputy should be witnessed by a second deputy.
- E. Deputies seeking the release of a confidential informant who has been arrested shall obtain permission from their division *captain or lieutenant* prior to taking action to obtain the informant's release.
- F. Confidential informants will sometimes offer to exchange information for immunity or for their release. Such immunity may properly be granted by a judge in a judicial proceeding; however, neither the *Stanford University Department of Public Safety* nor any of its members may grant any person immunity from prosecution nor promise a reduction of charges or sentence. Deputies shall not provide any monetary reward to a confidential informant without prior approval of their division commander or assistant division commander. The District Attorney's Office has procedures regarding cases involving evidence resulting from the use of confidential informants who are provided rewards involving pending criminal matters or monetary payment.
- G. Deputies shall keep their supervisor informed of their relations and activities involving informants. The supervisor shall notify in writing the division captain and/or lieutenant regarding the use of a confidential informant.
- H. Deputies shall not utilize juveniles who are confidential informants in covert activity without prior approval of their division captain and/or lieutenant. Deputies also shall obtain written consent of the parent or guardian of the juvenile prior to authorization of any participation in covert activity. Deputies shall comply with all provisions of California law pertaining to the use of juveniles as confidential informants.



LAURA WILSON
DIRECTOR