

“Keep Orlando a safe city by reducing crime and maintaining livable neighborhoods.”

ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE

1406.8, USE OF CONFIDENTIAL INFORMANTS AND INVESTIGATIVE FUNDS

EFFECTIVE:	8/06/15
RESCINDS:	1406.7
DISTRIBUTION:	ALL EMPLOYEES
REVIEW RESPONSIBILITY:	SPECIAL ENFORCEMENT DIVISION COMMANDER
ACCREDITATION CHAPTERS:	5, 15
CHIEF OF POLICE:	ORLANDO ROLON

CONTENTS:

1. DEFINITIONS
2. CONFIDENTIAL INFORMANTS
3. OPERATIONAL GUIDELINES FOR UTILIZING CONFIDENTIAL INFORMANTS
4. INVESTIGATIVE FUND ORGANIZATION AND LOCATION
5. USE OF INVESTIGATIVE FUNDS
6. INVESTIGATIVE FUND MANAGEMENT
7. INVESTIGATIVE FUNDS AUDIT AND ACCOUNTABILITY
8. TRAINING

POLICY:

The use of Confidential Informants is often essential to assist with properly-authorized criminal investigations or intelligence-gathering activities. At the same time, use of a Confidential Informant (CI) carries with it special challenges and risks that warrant prudent and responsible efforts. Priority will be given to preserving the safety of persons involved, to include the Confidential Informant, agency personnel, offender(s) and the public. It is the policy of this Department to take necessary precautions in order to ensure that such use occurs in a fair and reasonably safe manner that reduces adverse risk by practicing sound Confidential Informant control procedures.

Members are not permitted to provide inducements such as promises of a grant of immunity, dropped, reduced or waived criminal charges or reduced sentences or placement on probation in exchange for a Confidential Informant's activities without first receiving approval from an Assistant State Attorney.

It is the policy of the Orlando Police Department to maintain an accurate accounting of investigative fund allotments, disbursements and expenditures.

Members assigned to the Metropolitan Bureau of Investigation (MBI) will be guided by MBI Policy and Procedure manuals.

PROCEDURES:

1. DEFINITIONS

Account holder: A member authorized by the Chief of Police to hold, disburse and maintain investigative funds.

Confidential Informant (CI): Any person who cooperates with a law enforcement agency whose identification and activities are kept confidential in order to protect the person or the agency's intelligence-gathering or investigative effort and seeks to avoid arrest or prosecution for a crime, or mitigate punishment for a crime for which a sentence will be or has been imposed; or chooses to cooperate with police for compensation and/or personal reasons; and is able, by reason of his or her familiarity or close association with suspected criminals, to:

- i. Make a controlled buy or controlled sale of contraband, controlled substances, or other items that are material to a criminal investigation;
- ii. Supply regular or constant information about suspected or actual criminal activities to a law enforcement agency; or
- iii. Otherwise provide information important to ongoing criminal intelligence-gathering or criminal investigative efforts.

Confidential Informant (CI) Operation: A pre-planned event, wherein inherent risk to the CI is attached, during which the CI, acting under specific direction and supervision of a sworn officer, is sent into a specific area/location in furtherance of an investigation to identify criminals or criminal activity.

Confidential Source of Information (CSOI): Any person registered as a Confidential Informant who, on more than one occasion/basis, provides nothing more than background intelligence, recent information or probable cause for a warrant based on existing facts.

Disbursement: A process in which an account holder gives investigative funds to a member of the agency authorized to use them.

Expenditure: A process in which a member of the agency who is authorized to use investigative funds exchanges those funds for information, goods or services.

Investigative Funds: Money utilized to aid in efforts to solving criminal cases or collect criminal intelligence.

Investigative Funds Receipt: The receipt used to document agency disbursement of investigative funds.

Investigative Funds Report: The report used to document agency expenditures of investigative funds.

Replenishment: The process of requesting funds to replace expenditures.

Source: Any person who provides information on a one-time basis. Sources are confidential but not registered as Confidential Informants.

2. CONFIDENTIAL INFORMANTS

This section is to establish a system for documenting all Confidential Informants used by members; to afford all Department members the use of a centralized file listing code numbers of all Confidential Informants; and to set forth a procedure for making Confidential Informants available to all members while maintaining the required confidentiality.

2.1 FACTORS TO CONSIDER PRIOR TO UTILIZING A CONFIDENTIAL INFORMANT

- a. The Confidential Informant's age and maturity.
- b. The risk the Confidential Informant poses to adversely affect a present or potential investigation or prosecution.
- c. The effect to the agency if the Confidential Informant's cooperation becomes public knowledge.
- d. Whether the person is a substance abuser, has a history of substance abuse, or is known by the lead investigator or officer to be involved in a court-supervised drug treatment program or drug-related pretrial intervention program.
- e. The risk of physical harm that may occur to the person, his or her immediate family or close associates as a result of providing information or assistance, or upon the person's assistance becoming public knowledge.
- f. Whether the person has shown any indication of emotional instability, unreliability, or furnishing false information.
- g. The person's criminal history and/or prior criminal record.
- h. Whether the nature of the investigation is such that the use of the Confidential Informant is important to, or vital to, the success of the investigation.

2.2 REGISTRATION OF CONFIDENTIAL INFORMANTS

Any time a person who is recruited as a Confidential Informant requests to consult with legal counsel prior to agreeing to perform any activities as a Confidential Informant, he or she will be afforded an opportunity, at his or her expense, prior to being utilized as a CI.

If the person being recruited is facing criminal charges, agency members must clearly indicate to the Confidential Informant that our agency cannot make promises or inducements such as a grant of immunity, dropped or reduced charges, or reduced sentences or being placed on probation, and that the value (if any) of the Confidential Informant's assistance and any effect that assistance may have on pending criminal matters can only be determined by the State Attorney's Office.

It is mandatory that all Confidential Informants be properly registered. To properly register a Confidential Informant, all Confidential Informant registration forms shall be filed with the Intelligence Unit supervisor. These forms are: CI Source Agreement (Attachment A); CI Activity File Checklist (Attachment B); CI Information Source Statement (Attachment C); and CI Interview Report (Attachment D). A current photograph with the name and date of birth of the Confidential Informant, his or her background information and a printed copy of any criminal history will accompany the form.

2.3 IDENTITY FILE

The true identity of Confidential Informants will be maintained in separate, secure files, which are locked and designated confidential. These files will consist of Confidential Informant registration forms and will contain the code number for easy cross-reference. Only one alias is authorized for each Confidential Informant and it must be documented on the CI Interview Report form. All Confidential Informant files will be maintained and kept current by the Intelligence Unit Supervisor.

Confidential Informant files will be secured within the Intelligence Unit and access limited to those within the agency having a need to know or review those records or to those whose access has been required by court process or order. The Intelligence Unit Section Commander or designee shall maintain a log of all persons who access Confidential Informant records (including date, time and file accessed). A member will not contact or utilize a Confidential Informant registered to another member without the registering member's approval. In the event the registering member cannot be located, approval for contact and utilization of the CI will be obtained by the registering member's division commander.

2.4 CROSS-REFERENCE CARD FILE

A cross-reference electronic file will be organized by crime categories. The file will contain the Confidential Informant's code number and the name of each officer having a Confidential Informant who could be useful in a specific crime category.

2.5 INACTIVE FILE

When continued use of a Confidential Informant would prove to be detrimental to the goals of the Department or the Confidential Informant is no longer considered usable by the initiating member, the member's supervisor will send a memorandum via the section commander to the Intelligence Unit supervisor stating the reasons for discontinuing use of the Confidential Informant. The Intelligence Unit supervisor will remove the Confidential Informant from the active file and maintain a separate inactive file.

Anyone desiring to use a Confidential Informant who has been inactivated must first obtain permission from the section commander who approved the termination of the Confidential Informant.

Confidential Informant files must be retained for five (5) fiscal years pursuant to the State of Florida General Records Retention Schedule GS-2 for Law Enforcement, Correctional Facilities and District Medical Examiners, Item #199: Confidential Informant Files. The retention shall begin on the date the Confidential Informant has been deactivated or five (5) years after the last contact.

2.6 PRECAUTIONS WHEN WORKING WITH A CONFIDENTIAL INFORMANT

Officers will keep the relationship between themselves and the Confidential Informant on an ethical and professional level. The following precautions will be taken when dealing with Confidential Informants:

1. Confidential Informants should not meet or associate with members who do not have an investigative need to have contact with them.
2. Members will not knowingly permit any illegal act to be perpetrated by a Confidential Informant, except when under direct supervision of a sworn officer in furtherance of an investigation.

3. Members shall avoid any personal contact with Confidential Informants outside the on-duty professional relationship established for investigative purposes. Incidental off-duty contact with Confidential Informants will be reported to the member's immediate supervisor as soon as practical and the circumstances will be documented and placed in the CI's file.
4. Acceptance of a gift or gratuity from a Confidential Informant is strictly prohibited.
5. All information obtained from the Confidential Informant will be carefully screened, documented and corroborated.
6. When contacting a Confidential Informant in person, members will attempt to have another member present.
7. When meeting with a Confidential Informant of the opposite sex in person, it is mandatory that two members be present or surveillance is being conducted at the time of the contact.
8. Members shall not provide a Confidential Informant with a member's home address or home telephone number. Providing a business cell number or pager number is permissible.
9. Contact with a Confidential Informant should be arranged at an inconspicuous, private location that will not attract unnecessary attention.
10. Every Confidential Informant will be advised that any deviation from the member's instructions may result in the cancellation of any agreements and/or contracts.
11. Members will not proactively work with a Confidential Informant who is on probation or parole without the authorization of the assigned Probation/Parole Officer or approval from the authorized court of jurisdiction. Approval of the section commander is required before seeking court approval.
12. Members will assess the risk the Confidential Informant may pose to adversely affecting a present or potential investigation or prosecution.
13. If it is determined that the Confidential Informant is currently assisting another agency, that agency will be contacted to determine that no duplication or conflict of efforts will occur, as well as to establish the reliability of the Confidential Informant.
14. The on-call Special Enforcement Division sergeant will be notified immediately any time a source or Confidential Informant indicates that he or she has been threatened as a result of acting as a source or Confidential Informant.

2.7 SPECIAL PRECAUTIONS TAKEN WITH JUVENILE CONFIDENTIAL INFORMANTS

A juvenile Confidential Informant may be utilized if all of the following conditions are met:

- a. Approval of the member's section commander.
- b. Knowledge and permission of parents/legal guardian.
- c. Knowledge and written permission of probation officer, if juvenile is on probation.
- d. When a firm understanding of the Confidential Informant's role is established by the officer.
- e. No other satisfactory avenue of pursuit in the investigation is apparent.

3. OPERATIONAL GUIDELINES FOR UTILIZING CONFIDENTIAL INFORMANTS

3.1 USAGE

The Department recognizes the role Confidential Informants may play in furthering criminal investigations and uncovering criminal activities. The use of and information provided by Confidential Informants can be valuable assets to the Department given the advancement of Intelligence Led Policing (ILP) for the identification of crimes, patterns, and prolific criminals. Members are encouraged to properly cultivate and/or develop Confidential Informants, pursuant to this policy, as a means of gathering intelligence otherwise not known to the Department.

The use of Confidential Informants as an operational decision and action must keep the safety of involved persons a top priority. Members should exercise the utmost care and judgment in order to minimize the risk of harm to all persons involved. A detailed Operations Plan (Attachment E) will be completed and approved by the member's direct supervisor and section commander prior to any CI/CSOI operation being executed.

3.2 RESTRICTED USAGE

Due to the increased inherent risk when utilizing a CI/CSOI to gather information or to conduct controlled purchases of illegal contraband (e.g., drugs, weapons, property, etc.) from inside or the curtilage of a structure, or inside or from a vehicle, in furtherance of an investigation, only the listed units shall be permitted to conduct these types of operations:

- a. Special Enforcement Division
- b. Fugitive Investigative Unit

*Department members assigned to designated task forces and/or the Metropolitan Bureau of Investigations (MBI) shall adhere to that particular agency's/administration's current policy and procedures or standard operating procedures (SOP) manuals.

It is not the intention of the Department to prevent members not assigned to these designated units to be involved in such operations, but rather to protect the interests and safety of all involved. Furthermore, these listed units have additional training, tactics, equipment and manpower more suitable for performing emergency contingencies, should the need arise. Members wishing to conduct CI/CSOI operations from one of the aforementioned locations shall seek assistance from one of the listed designated units. Members utilizing a CI/CSOI to purchase illegal contraband, EXCLUDING ANY WEAPON, in an open public space where visual contact of the CI/CSOI can be maintained at all times without jeopardizing the safety of those involved are permitted upon approval of a section commander.

4. INVESTIGATIVE FUND ORGANIZATION AND LOCATION

4.1 ORGANIZATION

The Orlando Police Department Fiscal Management Section will request Investigative Funds from the City Comptroller. With approval from the Chief of Police, the Fiscal Management Section will issue checks to designated members to cash and maintain funds to be used for investigative purposes. Investigative funds will be distributed to the Metropolitan Bureau of Investigation, the Special Enforcement Division, the Criminal Investigations Division, and the Intelligence Unit.

4.2 LOCATION OF FUNDS

All investigative funds (other than those disbursed to members for investigative purposes), receipts and reports will be secured in a Department-issued safe kept in the account holder's work location.

5. USE OF INVESTIGATIVE FUNDS

5.1 APPROVED USES

Investigative funds may only be used for the purchase of information, the rental of equipment or facilities and the purchase of items/services in furtherance of a criminal investigation in the following areas:

- a. Identification of criminal activity.
- b. Identification of criminals.
- c. Recovery of stolen property.

When funds are spent, members will document specific reasons for the expenditure (i.e., purchase of information, goods, or evidence) and the expected results of the expenditure on the Investigative Funds Report (Attachment F). Case numbers will be recorded on the Investigative Funds Report. Whenever available, the original cash receipt or invoice will be attached to the Investigative Funds Report.

Investigative funds will not be used to purchase any item, article, or service not in the furtherance of an official investigation. Those expenses normally incurred by a member during any tour of duty will not be supplemented by investigative funds (e.g., meals).

5.2 ACCOUNT HOLDER RESPONSIBILITIES

Account holders are members authorized by the Chief of Police to hold, disburse, expend and manage investigative funds and their associated records. The amount of funds controlled by each account holder or variations of that amount will be approved by the Chief of Police. Each account holder will sign a memorandum indicating the amount they are responsible for and his or her Investigative Funds Receipt (Attachment G). Each account holder will be provided a safe to which they are the only person with the combination. All funds, Investigative Receipts, Investigative Reports and ledgers/spreadsheets will be kept in the safe unless they are needed for immediate use. Account holders will maintain a ledger/spreadsheet in a format approved by his or her bureau commander. Ledgers/spreadsheets will be kept up-to-date.

When funds are transferred from one account holder to another, such as when a personnel transfer occurs, the Investigative Funds Account Transfer Receipt (Attachment H) will be completed.

In special circumstances, account holders may permit officers to hold investigative funds for extended periods. In no case shall that period exceed three months nor shall the amount of funds held exceed \$500. All disbursements where extended possession of funds is approved will be noted on the Investigative Funds Receipt and the ledger/spreadsheet.

5.3 DISBURSEMENT

With supervisory approval, any sworn officer may obtain investigative funds from an account holder assigned to the Criminal Investigations Division, Special Enforcement Division, or the Intelligence Unit. The top portion of an Investigative Funds Receipt will be completed by the account holder and the officer receiving the funds. The receipt number will be a combination of the calendar year, the employee number of the person disbursing the money and a sequential number chosen by the disbursing member (YEAR,EMP#,0001), which shall be recorded in the ledger/spreadsheet. The account holder will retain the original Investigative Funds Receipt and a copy will be provided to the member receiving funds.

Officers receiving disbursement will be responsible for the safekeeping of the funds. Monies associated with Investigative Funds shall not be comingled with the officer's personal monies, e.g., in the same wallet, in the same drawer, etc.

5.4 PAYMENT TO CONFIDENTIAL INFORMANTS AND SOURCES

All payments to Confidential Informants and sources from investigative funds will be made in the presence of at least two members who must immediately sign and date the Investigative Funds Report as witnesses to the Confidential Informant's payment. The report is to be completed in its entirety prior to the end of the disbursing member's tour of duty. The Confidential Informant's code number and signature or registered alias will be shown on all reports where money is paid to registered Confidential Informant.

In instances where a source is utilized, they also must sign the Investigative Funds Report. In the event an officer's sole basis for probable cause is established by the use of a source, the source must sign his or her true name and provide his or her date of birth on the Investigative Funds Report. The officer completing the Investigative Funds Report will make a statement indicating that the name and date of birth provided by the source is true to the best of officer's knowledge.

Confidential Informants will not be paid contingency fees (i.e., pay is not dependent on amounts of property recovered or whether defendants are convicted in court).

5.5 EXPENDITURES FOR GOODS OR SERVICES

When funds are used for the purchase of goods or services, members will document specific reasons for the expenditure. All receipts or invoices associated with the purchase of goods or services will be attached to the Investigative Funds Report. If possible, a provider of goods or services will sign the report.

5.6 COMPLETION OF REPORT AND RETURN OF RECEIPT OR FUNDS

The Investigative Funds Report and accompanying documentation will be given to the account holder who dispersed the funds. The account holder and member who received funds shall sign and date the lower portion of the original Investigative Funds Receipt, noting the amount of money returned and/or the amount of funds expended and documented on the Investigative Funds Report(s). The account holder shall attach the Investigative Funds Report(s) to the Investigative Funds Receipt.

Once all funds corresponding to a particular Investigative Funds Receipt are expended, the member receiving funds will submit the Investigative Funds Reports to the applicable account holder no later than the next business day.

Unless special circumstances exist and are approved by the disbursing account holder, Investigative Funds not expended within seven calendar days of disbursement will be returned with associated Investigative Funds Reports to the applicable account holder. Investigative Funds Receipts documenting these exchanges will be maintained by the account holder and documented in the ledger/spreadsheet and held for three years.

5.7 SUBMISSION AND RETENTION OF INVESTIGATIVE FUNDS RECEIPTS AND REPORTS

Account holders will prepare and retain completed Investigative Funds Receipts for each disbursement in a Department-issued safe. Members who receive investigative funds will utilize those funds within seven (7) calendar days, at which time the member will return unused funds and/or Investigative Funds Reports to the account holder. The account holder will review and retain Investigative Funds Receipts and Reports until such time he or she determines the need to have his or her allotted funds replenished. Once a need has been determined, the account holder will complete a Replenishment Memo and forward it, along with original copies of the investigative receipts, reports and ledger, via the chain of command, to his or her bureau commander. Bureau commanders will review and initial each investigative report, sign the memorandum authorizing the replenishment, then forward the memo and investigative receipts to the Fiscal Management Section and return the investigative reports to the applicable Account Holder for retention for three years. Fiscal Management will review the receipts and check for mathematical accuracy. Fiscal Management will sign the funds replenishment memorandum and forward it with the Investigative Funds receipts to the City Comptroller. The account holder should maintain a copy of all documents sent to request replenishment.

Account holders are permitted to exchange receipts and reports for investigative funds held by other account holders within the same bureau. These exchanges will be documented in each account holder's ledger/spreadsheet.

NOTE: The fact that investigative funds were expended, or the amount of the expenditure, will not be reflected in an incident report or affidavit. Information relative to fund expenditure will be listed only on the Investigative Funds Report.

5.8 FLASH ROLLS

The Chief Financial Officer is authorized to make loans to the Orlando Police Department in amounts not exceeding two hundred fifty thousand dollars (\$250,000.00) at any one time in accordance with the following procedure:

1. A requisition, signed by the Chief of Police or Deputy Chief of Police, will specify the amount requested and will specify the named payee. The named payee will, at all times, be a sworn officer of the Orlando Police Department.
2. If the requisition is for an amount of not more than fifty thousand dollars (\$50,000.00), said requisition must be approved and countersigned by the Director of Finance or designee. If the requisition is for an amount in excess of fifty thousand dollars (\$50,000.00), up to and not exceeding one hundred thousand dollars (\$100,000.00), said requisition must be approved and countersigned by the Mayor or Chief Administrative Officer, or designees.

If the requisition is for an amount in excess of one hundred thousand dollars (\$100,000.00), up to and not exceeding two hundred fifty thousand (\$250,000.00), said requisition must be approved and countersigned by the Mayor or the Mayor Pro Tem.

3. At all times, the monies loaned to the Orlando Police Department in accordance with this policy shall be kept in the custody of a sworn officer of the Orlando Police Department unless said monies are turned over to another law enforcement agency as directed by the Chief of Police or Deputy Chief of Police. Whenever custody of the money changes, the officer receiving control of the flash roll shall sign a receipt.
4. Said monies loaned to the Orlando Police Department shall be returned to the City through its Chief Financial Officer within seventy-two (72) hours following the loan.

6. MANAGEMENT OF INVESTIGATIVE FUNDS

6.1 OVERSIGHT

The Investigative Services Bureau commander and Patrol Services Bureau commander are responsible for their assigned investigative fund systems. He or she shall sign for receipt of all investigative funds from the City Comptroller. The Chief of Police shall receive a signed and dated disbursement receipt from members to whom allotments are disbursed.

Account holders will document fund allocations, disbursements and expenditures in a ledger/spreadsheet that includes dates, receipt numbers and the name of members using funds. The format of the ledger/spreadsheet will be approved by the account holder's bureau commander. A separate ledger/spreadsheet will be maintained as a record for each fiscal year. The Fiscal Management Section will audit ledgers at the end of each fiscal year and retain them for three years after the date of the final entry. Audited ledgers will be stored with the Fiscal Management Section.

Account holders are responsible for retaining their Investigative Funds Receipts, Investigative Funds Reports, Investigative Funds Ledger/Spreadsheet and monies not going to be used during their current tour of duty in a locked safe.

6.2 FUNDS REPLENISHMENT

Account holders are responsible for requesting replenishment funds. Once a need has been determined, the account holder will complete a Funds Replenishment Memo and forward it, along with original copies of the investigative receipts, reports and ledger, via the chain of command, to his or her bureau commander. Bureau commanders will review and initial each investigative report, sign the memorandum authorizing the replenishment, then forward the memo and investigative receipts to the Fiscal Management Section and return the investigative reports to the applicable account holder for retention. Fiscal Management will review the receipts and check for mathematical accuracy. Fiscal Management will sign the Funds Replenishment Memorandum and forward it with the Investigative Funds Receipts to the City Comptroller. The account holder should maintain a copy of all documents sent to request replenishment.

6.3 SIGNATURE AUTHORIZATION

Authorization of investigative funds expenditures is as follows:

Deputy Chief	>= \$1,500
Captain	<= \$1,499
Lieutenant	<= \$ 999
Sergeant	<= \$ 250
Investigator	<= \$ 75

6.4 LOSS/MISHANDLING OF FUNDS

If an employee is made aware of the loss or mishandling of investigative funds, the employee shall immediately contact the Internal Affairs Manager.

7. INVESTIGATIVE FUNDS AUDIT AND ACCOUNTABILITY

7.1 FISCAL MANAGEMENT SECTION AUDITING OF INVESTIGATIVE FUNDS

The Fiscal Manager is responsible for:

- a. Auditing the investigative funds of the Intelligence Unit, Special Enforcement Division, Criminal Investigations Division, and the Metropolitan Bureau of Investigation on a quarterly basis.
- b. Processing fund replenishment packages as they are submitted from Intelligence, SED, and MBI. The Fiscal Management Section will review replenishment packages for mathematical accuracy and proper approval. The Fiscal Management Section will forward the approved replenishment package to City Hall Accounting for payment.
- c. Maintaining all Investigative Funds Receipts related to investigative fund expenditures. Investigative Funds Receipts shall be maintained for a minimum period of three years, then scanned and retained for a total period of ten years. Investigative Funds Receipts shall be considered confidential. Receipts, copies of receipts and scans of receipts saved to external storage devices (e.g., thumb drives) shall be kept locked in a secure location and made available to Department members only at the direction of the Chief of Police or bureau commanders.
- d. Keeping accurate records pertaining to the status of the investigative fund, i.e., amount available, amount spent by each division, as documented by receipts submitted by the division.

7.2 INVESTIGATIVE FUND ACCOUNTABILITY

Members shall immediately surrender receipts, reports and/or cash in an amount equal to the amount of investigative funds received upon request by the disbursing account holder, the member's supervisor or higher authority. Investigative Funds Reports and funds may be recalled immediately and without notice. Investigative funds and personal monies shall not be comingled. Fiscal Management may conduct an audit without notice.

Supervisors of account holders and those holding investigative funds shall conduct "spot audits" on a quarterly basis to ensure compliance. Record of the "spot audits" will be documented on the Account Holder's ledger/spreadsheet.

Upon reassignment, commanders will have investigative funds held by Account Holders in their division audited by the Fiscal Management Section. A report will then be submitted to the Chief of Police.

7.3 ANNUAL REVIEW OF AGENCY PRACTICES

The Special Enforcement Division Commander will conduct an annual review of agency practices to ensure conformity with agency policies, procedures and Florida Statute. A memorandum documenting the annual administrative review will be forwarded to the Chief of Police. A copy will be sent to the Training/Accreditation and Inspections Section commander for filing in the departmental accreditation files.

8. TRAINING

The Special Enforcement Division commander will ensure all personnel involved in the use and/or recruitment of Confidential Informants receive training in agency policy and procedures whenever the procedures are updated or changed. Only members who have successfully completed an approved training course in the management of Confidential Informants are authorized to manage the involvement of documented Confidential Informants during investigations and/or operations.

The approved training must include, at a minimum, the guidelines to manage Confidential Informants, role of the Confidential Informant and investigator, use and documentation of Confidential Informants, legal constraints and ramifications, safety and training issues, payment issues, policy implications and the use and documentation of Investigative Funds. The training will be documented on a Training Instruction and Attendance Form and submitted to the Training Coordinator.

1406.8 P&P 8/06/15

ATTACHMENT A

ORLANDO POLICE DEPARTMENT
CONFIDENTIAL INFORMANT
SOURCE AGREEMENT

In agreeing to work with the Orlando Police Department, I understand that no police officer may make any explicit or implicit promises or predictions regarding the likely disposition of any criminal proceedings that are pending against me, but that Department officers will make their best efforts to arrange a meeting with prosecutorial authorities, at which time such matters can be discussed. I also understand I have the right to consult with legal counsel prior to agreeing to perform any activities as a Confidential Informant.

Signed: _____

Date: _____

Time: _____

Location: _____

CI#: _____

IF A JUVENILE, PARENT OR GUARDIAN'S APPROVAL:

Signed: _____

Date: _____

WITNESSES:

Date: _____

Date: _____

Date: _____

NOTE: CI and at least one witness must sign.

ATTACHMENT B

ORLANDO POLICE DEPARTMENT
CONFIDENTIAL INFORMANT
ACTIVITY FILE CHECKLIST

Date Completed

- 1. Information Source Statement _____
- 2. Interview Report _____
- 3. Source Agreement _____
- 4. FBI Identification Record (Rap Sheet) _____
- 5. Photograph of Source _____
- 6. Source Debriefing Summary _____
- 7. Closing of Source Activity File _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____

Approved by: Sergeant _____
 Section Commander _____

ATTACHMENT C

ORLANDO POLICE DEPARTMENT
CONFIDENTIAL INFORMANT
INFORMATION SOURCE STATEMENT

I, _____, the undersigned, understand that while I am cooperating with and assisting the Orlando Police Department, I will be subject to the following stipulations:

INITIALS

- _____ A. I will never sell, deliver, or possess any controlled substance, dangerous drug, or any substance purported to be the same, except when under the direct supervision of the police officer to whom I am assigned.
- _____ B. I am not authorized to carry any weapon or firearm.
- _____ C. I may never use my sex, sexuality, or sexual activity to induce or persuade any individual to sell or deliver a controlled substance or dangerous drug, or any other substance purported to be the same, to any member of the Department.
- _____ D. I further understand that I am not authorized to search any suspect, person, house, papers, or personal effects.
- _____ E. I may never become involved in any activities that would constitute entrapment.
- _____ F. I further understand that I may not engage in any illegal or improper conduct as long as I am working with the Orlando Police Department.
- _____ G. I further understand that any violations arising from my actions in violation of the above circumstances will result in an investigation of matters and if the charges are substantiated, appropriate action (including the possibility of criminal prosecution) will be taken.
- _____ H. I understand that all payments I receive are to be considered personal income.
- _____ I. I understand that I am not to identify or represent myself as an Orlando Police employee to anyone.
- _____ J. I am agreeing to cooperate with the Orlando Police Department of my own free will and not as a result of any promises, intimidation, or threats.
- _____ K. I further understand and agree that I will not discuss, disclose, communicate and/or transmit any information to anyone or any agency regarding any investigation without the prior expressed written authorization from the Orlando Police Department.
- _____ L. I understand I have the right to consult with legal counsel prior to agreeing to perform any activities as a Confidential Informant.

SIGNATURE: _____
Name Date

IF JUVENILE, PARENT/GUARDIAN'S APPROVAL:

SIGNATURE: _____
Date Date

NOTE: Make sure Source has initialed each statement in the space provided.

ATTACHMENT D

**ORLANDO POLICE DEPARTMENT
CONFIDENTIAL INFORMANT INTERVIEW REPORT**

Crime Category _____ Date of Report _____

Testifying Informant? Yes No

Name _____ Home Phone _____
(Last) (First) (Middle)

Address _____ Other Phone _____

CI# _____ Alias _____ Citizenship _____

DOB _____ POB _____ Ethnicity _____

Race _____ Sex _____ Height _____ Weight _____ Eyes _____ Hair _____

Scars/Marks/Tattoos _____

SSN _____ Occupation _____ Employer _____

Business Address _____ Phone _____

Length of Employment _____ Military Branch _____ Dates of Service _____

DL# _____ DL State _____ Exp. Date _____

Vehicle Info _____
(Color) (Year) (Make) (Model) (Tag #) (Tag State)

10-29 Check Date _____ On Probation Yes No

If yes, name of probation officer contacted _____

If a juvenile on probation, did probation officer give permission for CI to work? Yes No

Date contacted _____

If a juvenile, did parents or guardian give permission for CI to work? Yes No

Date contacted _____

Criminal Associates and Files Mentioned In _____

Prior CI Experience Yes No If yes, what agency _____

Places Frequented _____

Motivation _____

Spouse _____ Address _____

Father _____ Address _____

Mother _____ Address _____

Informant's Signature _____ Date _____

Pseudo Signature _____ Date _____

Investigators Name & Signature _____ Date _____

Caution Statements/Notes _____

ATTACHMENT E

Orlando Police Department

Ops. Plan # _____
Copy # _____ of _____

OPERATIONS PLAN

Case Detective/Officer	Case Number	Date			
TYPE OF OPERATION					
<input type="checkbox"/> U/C – OPS <input type="checkbox"/> Search Warrant <input type="checkbox"/> Other: _____					
1. SUSPECTS					
NAME	DESCRIPTION	CHARGES			
1.					
2.					
3.					
2. SUSPECT LOCATION					
ADDRESS	DESCRIPTION				
1.					
2.					
3.					
3. SUSPECT VEHICLES					
YEAR	MAKE	MODEL	COLOR	LICENSE	OTHER
1.					
2.					
4. SPECIAL PROBLEMS (WEAPONS, VIOLENCE, COUNTER-SURVEILLANCE)					
5. CASE INSTRUCTIONS					
6. BACKGROUND (CRIMINAL HISTORY, PREVIOUS BUYS, RELATED CASES, ETC.)					
7. UNDERCOVER PERSONNEL					
NAME	VEHICLE				
1.					
2.					


THIS DOCUMENT IS CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE. IT IS THE OPINION OF THE POLICE LEGAL ADVISOR THAT THE CONTENTS OF THIS DOCUMENT, OR PARTS THEREOF, MAY NOT BE SUBJECT TO DISCOVERY ABSENT A COURT HEARING AND ORDER DIRECTING SAME.

ATTACHMENT E (Continued)

8. PERSONNEL ASSISTING AND THEIR ASSIGNMENT			
NAME	VEHICLE	UNIT NUMBER	ASSIGNMENT
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
9. BUST SIGNALS			
PRIMARY	SECONDARY	RIP-OFF	
10. SPECIAL EQUIPMENT			
DEVICE(S)	VAN	ENTRY TOOLS	OTHER
11. RADIO CHANNEL		12. HOSPITAL	
13. REMARKS/NOTES			
Plans prepared by Detective/Officer: _____		Date: _____	
Approved by Sergeant: _____		Date: _____	
Lieutenant: _____		Date: _____	
RETURN TO CASE DETECTIVE/OFFICER WITH NOTES UPON COMPLETION OF ASSIGNMENT			

THIS DOCUMENT IS CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE. IT IS THE OPINION OF THE POLICE LEGAL ADVISOR THAT THE CONTENTS OF THIS DOCUMENT, OR PARTS THEREOF, MAY NOT BE SUBJECT TO DISCOVERY ABSENT A COURT HEARING AND ORDER DIRECTING SAME.

ATTACHMENT E (Continued)

Ops. Plan # _____	Orlando Police Department
FIELD DIAGRAM	
LOCATION: _____	
<p style="text-align: center; font-size: 48px; opacity: 0.3;">Sample</p> 	
<small>THIS DOCUMENT IS CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE. IT IS THE OPINION OF THE POLICE LEGAL ADVISOR THAT THE CONTENTS OF THIS DOCUMENT, OR PARTS THEREOF, MAY NOT BE SUBJECT TO DISCOVERY ABSENT A COURT HEARING AND ORDER DIRECTING SAME.</small>	

ATTACHMENT E (Continued)

Orlando Police Department
OPERATIONAL CONTACT CHECKLIST

Ops. Plan # _____ Copies _____

PERSON CONTACTED

1. Case Explorer	Event # _____	_____
2. Communications Supervisor		_____
3. O.P.D. Watch Commander		_____
4. O.P.D. Sector Supervisor		_____
5. M.B.I.		_____
6. Orange County Drug Unit		_____
7. O.C.S.O. Watch Commander		_____
8. C.I.D. Supervisor		_____
9. S.W.A.T. Commander		_____
10. D.E.A.		_____
11. Other: _____		_____

THIS DOCUMENT IS CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE. IT IS THE OPINION OF THE POLICE LEGAL ADVISOR THAT THE CONTENTS OF THIS DOCUMENT, OR PARTS THEREOF, MAY NOT BE SUBJECT TO DISCOVERY ABSENT A COURT HEARING AND ORDER DIRECTING SAME.

ATTACHMENT E (Continued)

Orlando Police Department

SEARCH WARRANT BRIEFING CHECKLIST

Ops. Plan # _____

Copies _____

1. Knock or No-Knock
2. Numerical Address _____
3. Color and Trim _____
4. Location/Floor Plan Refer to attached "Field Diagram" _____
5. Photo/Video _____
6. Fence – Yes or No Desc: _____
7. Fortification – Yes or No Desc: _____
8. Location of Windows: _____
9. Door – In or Out Made of: _____
10. Screen Door – Yes or No
11. Dogs – Yes or No
12. Vehicle Description: _____
13. Weapons – Yes or No Type: _____
14. Children – Yes or No Age(s): _____
15. Associates – Friends, girlfriends, non-participants, etc.

THIS DOCUMENT IS CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE. IT IS THE OPINION OF THE POLICE LEGAL ADVISOR THAT THE CONTENTS OF THIS DOCUMENT, OR PARTS THEREOF, MAY NOT BE SUBJECT TO DISCOVERY ABSENT A COURT HEARING AND ORDER DIRECTING SAME.

ATTACHMENT F

Receipt #: _____		Case #: _____	
		Evidence #: _____	
Orlando Police Department Investigative Funds Report			
Date of Expenditure: _____		Amount of Expenditure: \$ _____	
Purpose of Expenditure: <input type="checkbox"/> Purchase of Information <input type="checkbox"/> Purchase of Goods or Services <input type="checkbox"/> Rental of Equipment or Facilities	To Further Criminal Investigation for the: <input type="checkbox"/> Identification of Criminal Activity <input type="checkbox"/> Identification of Criminals <input type="checkbox"/> Recovery of Stolen Property <input type="checkbox"/> Other: _____	Expected Results: <input type="checkbox"/> Arrest <input type="checkbox"/> Recover Property <input type="checkbox"/> Intel <input type="checkbox"/> Buy/Walk	
Please provide detailed explanation for expenditure to include information or material purchased:			
Subsequent law enforcement action, if any:			
Expenditure (Cost) Breakdown: Drug Buy: _____ Drinks: _____ CRI Service: _____ Cover Charge: _____ Tips: _____ Other: _____ Total: _____			
Endorsements			
		Amount	\$ _____
_____	_____	_____	_____
Disbursing Member Name	Disbursing Member Signature	Emp #	Date
_____	_____	_____	_____
Witnessing Member Name	Witnessing Member Signature	Emp #	Date
_____	_____	_____	_____
CI's Signature	CI #	Date	
_____	_____	_____	
Supervisor's Signature	Emp #	Date	
_____	_____	_____	
** Note: Lack of CI Signature requires written justification. **			
Receipts attached []			

ATTACHMENT G

**Orlando Police Department
Investigative Funds Receipt**

Receipt #: _____

Member Requesting Funds: _____ Emp #: _____ Bureau/Unit #: _____

Amount Requested: \$ _____

Disbursing Member (Print): _____ Emp #: _____ Bureau/Unit #: _____

Disbursing Member Signature: _____ Date: _____

Receiving Member Signature: _____ Date: _____

Return of Investigative Report/Receipts and/or Funds (check all that apply below):

Funds Returned in the Amount of: \$ _____

Report/Receipts Returned in the Amount of: \$ _____

Total Returned: \$ _____

Received from (Print): _____ Emp #: _____ Bureau/Unit #: _____

Signature: _____ Date: _____

Received by (Print): _____ Emp #: _____ Bureau/Unit #: _____

Signature: _____ Date: _____

Per Accreditation Standard 7.06ab, this receipt will be kept on file by the disbursing member's unit/section/division.
Please attach applicable Investigative Fund Report(s).

Original: Disbursing Member Yellow: Receiving Officer

ATTACHMENT H

Orlando Police Department
Investigative Funds Account Transfer Receipt

On (Date), the sum of \$(Amount) was received from (Relinquishing Member's Rank and Name), emp# _____, by (Receiving Member's Rank and Name), emp # _____, for the purpose of maintaining the (Enter name of the Fund) Investigative Fund in accordance with Policy and Procedure 1406.

Relinquishing Member: _____ Emp #: _____
(Print)

Signature: _____ Date: _____

Receiving Member: _____ Emp #: _____
(Print)

Signature: _____ Date: _____

Sample