

TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Effective Date</i> February 1, 2008		<i>Amended Date</i>		<i>Directive</i> 7.11.1	
<i>Subject</i> Informants					
<i>Reference</i>					
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition Program Reference</i> 7.11.1 Informants		<i>Review Date</i> October 16, 2023	
				<i>Pages</i> 3	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to establish procedures which will develop a controlled system of the use of informants.

SECTION 2 POLICY

It is the policy of the Department that officers will use informants in accordance with this policy to avoid situations which would adversely affect police operations.

SECTION 3 PROCEDURES

- A. The Texas Code of Criminal Procedure specifies when informant information may be used in the issuance of search warrants and when information from an informant may be used as probable cause in a criminal investigation. The officer must be able to show that the information is credible and reliable or must have reliability based on the previous use of the informant from whom the information came.
- B. Informants who are used on a continual basis and are working under contract shall have a confidential informant file. In order to show credibility and reliability, officers using informants must maintain an informant file on confidential informants and to cause the file to be updated each time the informant is used. This file will be kept secured at all times. A typical informant file should contain:
 - 1. Background information.
 - 2. Past contacts.
 - 3. Method of contacting the informant.
 - 4. Criminal history.
 - 5. Payments made to the informant.
 - 6. Information supplied by the informant.

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7. Informant's involvement in any operations.
 8. Code name or number, if any, and
 9. Prior cases (reports, search warrant affidavits, etc).
- C. Persons with current criminal charges pending against them, wishing to work as a confidential informant, must enter into a contract. The person wishing to enter into a contract must retain representation. The contract will include:
1. The parties agreeing to the contract.
 2. A time frame the contract must be completed.
 3. What duties the person must perform to honor the contract.
 4. Rules the person must follow.
 5. Any other restrictions or guidelines the person wishing to enter into the contract must adhere to not stated in this policy.
- D. The Department will not cultivate juveniles as informants. Information may be accepted from juveniles, but they will not be regarded as informants.
- E. In dealing with an informant of the opposite sex, officer/agents are required to have another officer/agent present at all times.
- F. Conversations may be recorded, if appropriate.
- G. The confidentiality of informants shall be maintained and information shall not be released without a court order. All related files will be maintained in a secure area with limited access.
- H. All informants' information must be thoroughly documented on an Intelligence Report.
- I. Care and caution should be used in releasing confidential informants.
- J. Informants who are not being utilized on a regular basis, but who provide information to help the Department solve a crime may be paid for the information. Interactions with "one-time" informants should be properly documented as follows:
1. Even a "one-time" informant must be properly identified by name, DOB, DL or state ID number, SS number, a photograph, and fingerprints and the information must be maintained in a secure file.
 2. The payment must be documented, and the informant must sign a receipt which will be maintained by the fund manager and submitted with the monthly reconciliation report.
 3. All of the informants' information must be thoroughly documented on an Intelligence Report.
- K. RESPONSIBILITY
1. All members of the Department shall know and comply with all aspects of this directive.

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2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.