

BILL NO.: 4566

ORDINANCE NO.: _____

Introduced by: Council Present

AN ORDINANCE FOR THE BERKELEY POLICE DEPARTMENT GENERAL ORDER #47 "INFORMANTS" POLICY

WHEREAS, The City of Berkeley hereby finds and declares this ordinance is necessary, appropriate, and in the best interest of the City of Berkeley, Missouri, in accordance to the CALEA standards.

Now, Therefore, Be it ordained by the City Council of the City of Berkeley, Missouri, as follows:

Section 1 The City of Berkeley, Missouri, Council hereby adopts the attached Informants Policy in compliance the CALEA standards.

Section 2 The attached agreement is hereby incorporated herein and made a part of this ordinance, as if fully set out herein.

Section 3 This Ordinance shall be in full force and effect from and after its passage.

1st Reading this _____ day of _____ 2017

2nd Reading this _____ day of _____ 2017

3rd Reading, PASSED and APPROVED, this day of 2017

Theodore Hoskins, Mayor


ATTEST:

Deanna L. Jones, City Clerk

Approved As To Form:
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Kirkland	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mathison	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman-at-Large McDaniel	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mitchell	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___

	BERKELEY POLICE DEPARTMENT GENERAL ORDER	GENERAL ORDERS: 47
INFORMANTS		
ISSUE DATE: 7/20/17	EFFECTIVE DATE: 9/18/2017	DISTRIBUTION: ALL PERSONNEL
		RESCINDS: ALL PREVIOUS VERSIONS
ACCREDITATION STANDARDS: CALEA 42.2.6		NUMBER OF PAGES: 9

PURPOSE: The purpose of this directive is to establish policies and guidelines for the use of confidential informants and confidential sources. The policies, rules and procedures contained herein apply to all sworn personnel.

POLICY: It shall be the policy of the Berkeley Police Department to use confidential informants and sources to aid in the investigative process. It is the highest priority of the Berkeley Police Department, in operational decisions and actions, to preserve the safety of confidential informants, law enforcement personnel, target offenders, and the public.

DEFINITIONS:

Confidential Informant - a person who cooperates with a law enforcement agency, confidentially, in order to protect the person or protect or contribute to the agency's intelligence gathering or investigative efforts, and:

1. Seeks to avoid arrest or prosecution for a crime, or mitigate punishment for a crime in which a sentence will be or has been imposed; and
2. Is able, by reason of his or her familiarity or close association with suspected criminals to;
 - a. Make a controlled buy or controlled sale of contraband, controlled substances, or other items that are material to a criminal investigation;
 - b. Supply regular or constant information about suspected or actual criminal activities to a law enforcement agency; or
 - c. Otherwise provide information important to ongoing criminal intelligence gathering or criminal investigative efforts.

Confidential Source – a person, other than a “confidential informant,” as defined herein, who, while endeavoring to remain anonymous, provides information or services to the Berkeley Police Department concerning criminals and/or criminal activity for the purpose of aiding Berkeley Police Department gather useful criminal intelligence information and/or conduct criminal investigations.

Controlled buy - means the purchase of contraband, controlled substances, or other items that are material to a criminal investigation from a target offender which is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.

Controlled sale - means the sale of contraband, controlled substances, or other items that are material to a criminal investigation to a target offender which is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.

Target offender - means the person suspected by law enforcement personnel to be implicated in criminal acts by the activities of a confidential informant.

PROCEDURES:

RECRUITMENT AND USE CONSIDERATIONS: [CALEA 42.2.7 f]

- A. All confidential informants (CI) will be handled by Detective Bureau or specialized unit members only.
- B. Uniformed members will not work with confidential informants or attempt to use them without the assigned Detective Bureau or specialized unit member actively involved to ensure proper accountability.
- C. If a uniformed member has the potential to develop a CI based on an investigation, the member will forward this information to the Officer in Charge of the Detective Bureau for development and potential assignment.
- D. Uniformed members are not permitted to have confidential fund accounts.
- E. If a Detective Bureau or specialized unit member transfers from the bureau, the member's CI(s) will be transferred to another Detective.
- F. When determining whether a person is suitable to serve as a confidential informant, Detective Bureau members must, at a minimum, consider the following factors:
 1. The person's age and maturity;
 2. The risk the person poses to adversely affect a present or potential investigation or prosecution;
 3. The effect upon agency efforts that the disclosure of the person's cooperation in the community may have;
 4. Whether the person is a substance abuser or has a history of substance abuse or is in a court-supervised drug treatment program;
 5. The risk of physical harm to the person, his or her immediate family, or close associates as a result of providing information or assistance, or upon the disclosure of the person's assistance to the community;
 6. Whether the person has shown any indication of emotional instability, unreliability, or of furnishing false information;
 7. The person's criminal history or prior criminal record; and

8. Whether the use of the person is important to or vital to the success of an investigation.

CONFIDENTIAL INFORMANT AND SOURCE RECORDS [CALEA 42.2.6]

- A. All such records will be maintained in a master file system within the Special Investigations Section. The Officer in Charge of Special Investigations Section (OIC/SIS) is responsible for maintaining these records.
[CALEA 42.2.6 a]
- B. All such records are subject to inspection by the Chief of Police, Assistant Chief of Police, the Investigations Bureau Supervisor, and Commanding Officer. Other members must request utilization through the OIC/SIS. During any Staff Inspection or Internal Affairs investigation, the files will be made available to the assigned investigators. These records should not be made available to any other person. [CALEA 42.2.6 c]
- C. The contents of each confidential informant and/or source's file will include, at a minimum: [CALEA 42.2.6 b]
 1. Name, race, date of birth, social security number, residential address, telephone number, place of employment,
 2. Biographical information and fingerprint card,
 3. Criminal history, if any, bond and court-imposed restrictions and statuses
 4. Code name or number
 5. Compensation paid by BPD
 6. Information that would establish their reliability
 7. Whether they are currently assisting another law enforcement agency, the identity of same, as well as law enforcement officers of other agencies with whom they may have provided information and/or assistance
 8. If criminal charges are pending against them; whether the State Attorney's Office having jurisdiction over those charges have provided permission to BPD for use of them as a confidential informant or source,
 9. The identities of law enforcement officers with whom they have provided criminal intelligence and investigative information, and
 10. Copies of all related, executed forms and authorizing documentation.
- D. The OIC is responsible for maintaining confidential source files. "Maintenance" includes periodic review of source activity, the filing of (confidential informant and) source activity forms within the specific informant's and source's file, and the security of such records. Informant and source files are to be kept in a secure manner within the SIS office. [CALEA 42.2.6 c]

- E. Special Investigations Section shall maintain a log documenting the name, date and time each Berkeley Police Department employee accesses such records.
- F. Confidential informants and sources referred to in official department reports should never be referred to by name. The use of control numbers should be used in lieu of referencing an informant or source by name. However, officers should avoid referring to a specific informant or source wherever possible. [CALEA 42.2.6 d]
- G. Records concerning confidential informant or sources may be lawfully destroyed only after the expiration of a period of five fiscal years after the last police contact with them. The OIC/SIS must ensure that such records remain confidential and secure throughout the time period in which they are removed from SIS files and are processed through until their ultimate destruction. The SIS log utilized for maintaining a record of the date, time, fact of, and identity of persons accessing confidential informant and source records must reflect the final accessing of those records was for the purpose of removal for destruction.

GENERAL POLICIES FOR BOTH CONFIDENTIAL INFORMANTS AND SOURCES

- A. When considering whether to utilize, and in actually utilizing confidential informants and sources, members should not: [CALEA 42.2.6 f]
 - 1. Use a source if they can obtain the same results by other means.
 - 2. Divulge any more information to a source than is necessary.
 - 3. Place entire confidence in information provided by a source.
 - 4. Make any promises or "deals" with a source that cannot be fulfilled.
 - 5. Meet a confidential source at a location where the source will be exposed.
 - 6. Fail to consider the motive and interest of a source when estimating reliability.
 - 7. Permit a source to break the law.
 - 8. Make payment to a confidential source until the information provided has proven to be valuable. Members will make sure that the source understands the arrangement regarding payment; be exact in all financial transactions; and obtain a receipt for each payment.
 - 9. Fail to verify all information provided
 - 10. Permit a source to take charge of any phase of the investigation.
 - 11. Fail to warn a source that they should never disclose the fact they are working for the Police Department.

B. Members initiating the services of a confidential informant or source will create a confidential informant or source folder, and obtain approval and a source control number from the OIC/SIS. Every effort should be made to debrief and document the confidential informant and/or source prior to actual use as follows:

1. The Recruiting Detective, along with the Alternate Detective and a Supervisor, will meet with the confidential informant and/or source and complete the Confidential Source Packet. The following forms must be completed and included in the confidential informant and/or source file:
 - a. Source Profile/Information Form
 - b. Confidential Informant Agreement
 - c. Statement of Confidential Source
 - d. Statement of Recruiting Investigator
 - e. Statement of Supervisor
2. A current photograph and inked fingerprint card with appropriate signatures must also be included in the source file.
3. Prior to submitting the complete packet to the OIC/SIS for review and approval, a check will be made to determine whether the confidential informant and/or source is wanted for any criminal offense, has a pending criminal charge, is on parole or probation, or is a past or present informant or source for the Department or any other agency.
 - a. If the confidential informant or source is on bond, the arresting officer should be contacted for additional information and to determine whether the confidential informant or source's assistance is possible.
 - b. Members will not utilize a confidential informant or source if it is known that they are wanted for a criminal offense. Arrangements should be made to surrender the confidential informant or source. They may then be utilized after bond requirements have been met.
 - c. If the confidential informant or source is on probation, permission should be obtained from Probation and Parole, the Court having jurisdiction over the subject's probation, and the State Attorney.
 - d. If it is determined that the confidential informant or source is currently assisting another agency or section of this department, that agency or component should be contacted to determine whether duplication of effort or compromise of another investigation will occur. If the confidential informant or source has previously assisted another agency or section of the Department, a contact with the concerned agency/section will help determine the advisability of using the confidential informant or source. The OIC/SIS should make every effort to avoid duplication of effort.
 - e. Permission from the State Attorney's Office will be required if the source has a pending criminal charge or is on probation or parole.

- C. Contact with a confidential informant and/or source will be made by at least two members, or by one member with a covering member close at hand. In a situation when only one member is available, the member will notify his supervisor, for assistance, prior to making the contact. If the supervisor is not available, then the member will notify the concerned OIC or the Commanding Officer, for assistance. Under no circumstances will a member meet alone with a source. [CALEA 42.2.7 f]
- D. When a confidential informant or confidential source is provided by another law enforcement agency, a new file will not be created. The Department will use the confidential informant or source control number of the agency involved. If a number is not available, then complete documentation will be required as though the confidential informant or source relationship with the Berkeley Police Department arose from Berkeley Police Department recruitment.
- E. Except when assisting another agency/section and utilizing their confidential informant and/or source, a debriefing will be conducted after each operation. When debriefing a source, any information received relating to violations of law which would be of interest to other agencies or other sections within the Department should be passed along to the appropriate agency/section.
- F. Juvenile informants will not be utilized under any circumstances. [CALEA 42.2.7 g, h]

GENERAL POLICIES LIMITED TO "CONFIDENTIAL INFORMANTS" [CALEA 42.2.7 f]

- A. Inform each person who is requested to serve as a confidential informant the Berkeley Police Department cannot promise inducements such as a grant of immunity, dropped or reduced charges, or reduced sentences or placement on probation in exchange for serving as a confidential informant.
- B. Inform each person who is requested to serve as a confidential informant that the value of his or her assistance as a confidential informant and any effect that assistance may have on pending criminal matters can be determined only by the appropriate legal authority.
- C. Provide a person who is requested to serve as a confidential informant with an opportunity to consult with legal counsel upon request before the person agrees to perform any activities as a confidential informant.
- D. When recruiting, controlling and using confidential informants, department members must inform confidential informants, or those recruited for such a role, that the Berkeley Police Department may record and, if recorded, shall maintain the following information, if available, concerning their:
 - 1. Name, race, date of birth, social security number, residential address, telephone number, place of employment,
 - 2. Biographical information and fingerprint card,
 - 3. Criminal history, if any, bond and court-imposed restrictions and statuses

4. Control number; control numbers are issued in sequential order on a yearly basis and shall have two parts, i.e., the year first documented and the assigned, sequential number, e.g., "97-09" (indicating the year first documented and the ninth source to begin work in 1997)
 6. Compensation paid by BPD
 7. Information that would establish their reliability
 8. Whether they are currently assisting another law enforcement agency, the identity of same, as well as law enforcement officers of other agencies with whom they may have provided information and/or assistance
 9. If criminal charges are pending against them; whether the State Attorney's Office having jurisdiction over those charges have provided permission to BPD for use of them as a confidential informant or source,
 10. The identities of law enforcement officers with whom they have provided criminal intelligence or investigative information, and
 11. Copies of all related, executed forms and authorizing documentation.
- E. Unless actively recruiting, members of the Berkeley Police Department must not knowingly associate with or actively engage in social relationships with confidential informants.

CRITERIA FOR PAYMENTS TO SOURCES [CALEA 42.2.7 e]

- A. Investigative Services Bureau members are authorized to pay documented confidential informants and sources for information or services they provide in relation to a criminal investigation. The criteria to be used in determining whether payment should be made include the quality of the information or service, in terms of usefulness to the investigation; whether an arrest can be made; and whether a search warrant can be obtained. There are no prescribed payment schedules established by the Department; each payment must be based upon the quality of the information or service provided.
- B. Procedures for paying documented confidential informants and sources and accounting for the payment of confidential fund monies are delineated in G.O. 49.

FORMS TO BE USED CONCERNING CONFIDENTIAL INFORMANTS AND SOURCES [CALEA 42.2.7 b, f]

- A. The following forms will be included in the original Confidential Informant and/or Source File submitted to the OIC/SIS for approval:
 1. (Confidential Informant or) Source Profile/Information Form. This form will be completed upon initial development of a confidential informant and/or confidential source.

2. Confidential Informant Agreement. This form will be read to the confidential informant and/or confidential source. The member will have the confidential informant and/or confidential source sign and initial the form, once they completely understand its contents.
 3. Statement of Confidential Informant or Source. This form will be used to debrief the source. Supplemental sheets may be used to fully debrief the source.
 4. Statement of the Recruiting Investigator. The Recruiting Investigator will use this form to corroborate the confidential informant and/or confidential source's information, if possible.
 5. Statement of Supervisor. The supervisor who accompanied the Recruiting Investigator during the debriefing will provide a statement concerning the information received and the credibility of the confidential informant and/or confidential source.
- B. The following forms will be used to document payments to confidential informants and/or confidential sources and expenses incurred by them during the course of an investigation.
1. The "(Informant or) Source Activity Form" accounts for payments made to confidential informant and/or confidential sources and expenses incurred during the course of the investigation. Investigators/Officers will submit this form each time the confidential informant and/or confidential source is utilized.

Information recorded on the "(Informant or) Source Activity Form" will include the confidential informant or source number, the corresponding case number, the amount paid or spent, the receipt number, and the location of the event, if possible.

2. Money Receipts are to be used whenever a confidential informant and/or confidential source receives money. Confidential Informants and Sources will sign their code name on the receipt. Receipts must indicate the date, case number, informant or source control number, the amount paid or spent, event location (if possible), and the investigator's signature, as well as a witnessing officers' signature. [CALEA 42.2.7 e]

A confidential informant and/or confidential source's refusal to sign a required form will be documented by the investigating officer on the form. In such a case, a witness will sign, verifying the refusal.

3. The Berkeley Police Department Officer's Activity Log will be submitted monthly by members using confidential funds. All payments using confidential funds will be recorded on this form. All corresponding (Informant or) Source Activity Forms and money receipts will accompany this form when turned in.

DEACTIVATION AND TERMINATION OF CONFIDENTIAL INFORMANTS AND SOURCES

- A. Deactivation - A confidential informant and/or Confidential Source may be deactivated for lack of activity or other reasons. A CI or CS will be deactivated if they remain

inactive for 2 years. If deactivated, a memo will be submitted by the Investigating Member or a Supervisor to the OIC/SIS, detailing the reason for the deactivation. Upon approval, the Deactivated Source File will be separated from the active files.

1. A deactivated Informant or Source may be considered for future use. If considered for reactivation, the complete source packet will have to be updated as prescribed herein. If the updated confidential informant and/or confidential source packet is approved by the OIC/SIS, the confidential informant and/or confidential source will be reassigned the original control number.
 2. Whenever a Confidential Informant or Source is deactivated, the appropriate documentation should be made on an Informant or Source Deactivation Form and submitted to the OIC/SIS.
- B. Termination - If continued use of a confidential informant and/or confidential source would be detrimental to the goals of the Department and/or safety of its officers, or when a confidential informant and/or confidential source is found to be unreliable and, in the opinion of the officer or a supervisor, the confidential informant and/or confidential source should not be used further, their continued use will be terminated.
1. This will be accomplished by the officer or supervisor submitting a Termination of (Informant or) Source Form to the OIC/SIS detailing the reasons for the Termination. Upon approval, the confidential informant and/or confidential source's control number will be circled in red and the file, with the Termination Form attached, will be separated from the active confidential informant and/or confidential source files.
 2. A terminated informant or source is not eligible for future consideration.
 3. Whenever a Confidential Informant and/or Confidential Source is terminated, the appropriate documentation will be made on a (Confidential Informant or) Source Termination Form and submitted to the OIC/SIS.
- C. All concerned sections and/or agencies will be notified by memorandum of the Deactivation or Termination.
- D. The files of Deactivated and Terminated informants and sources will be maintained by the OIC/SIS under the same security measures as active informant and source files.

DRAFTED BY: Eye-Liza Conner	DATE: 6/30/17
BY ORDER OF: ART JACKSON INTERIM CHIEF OF POLICE	DATE: 7/17/17
APPROVED BY: Public Safety Committee	DATE: 7/20/17
APPROVED BY: Berkeley City Council	DATE: 9/18/17



**BERKELEY POLICE DEPARTMENT
INFORMANT/SOURCE ACTIVITY FORM**

Case # _____

FUNDS EXPENDED:

Transaction # _____

EVIDENCE:

Type and quantity _____

Date _____

Amount spent \$ _____

UNDERCOVER MOTOR VEHICLE:

Gasoline and Oil

Date _____

Amount spent \$ _____

Station/store _____

Date _____

Amount spent \$ _____

Station/store _____

Date _____

Amount spent \$ _____

Station/store _____

INFORMANT EXPENSES:

Code name _____

CI # _____

Date _____

Receipt: Yes [] No []

Amount
\$ _____

MISCELLANEOUS:

Explanation _____ Date: _____ Amount \$ _____

Explanation _____ Date: _____ Amount \$ _____

I certify that the above expenditures are true and correct.

Officer's signature

Date

Original: Filed with Fund Custodian
Copy: Retained by Officer



**BERKELEY POLICE DEPARTMENT
RECEIPT FOR PAYMENT TO INFORMANT**

Case or reference # _____ Date _____

I hereby acknowledge receipt of \$ _____ (_____)
numbers *words*

paid to me by: _____ for consideration of:

[] Information and/or [] services

Described as follows: _____

Section B is to be filled out when funds are advanced to informant for future purchase(s).

It is understood and agreed that this money is to be expended by me only for the purchase, as evidence, of controlled substances. If no such purchase is made, or if such purchase is made for less than the total sum furnished to me, before _____, I
date/time

will forthwith refund the sum furnished or the balance thereof to the above-named officer of the Berkeley Police Department. In any event, upon demand by the above-named officer at

any time, I will forthwith refund to him/her the total amount of any sum thus furnished to me that has not yet been expended by me for the purchase, as evidence, of controlled substance(s).

Furthermore, it is understood that this money is the property of the City of Berkeley.

and that misuse or conversion of the money to my personal use will render me liable to prosecution.

Payee code name or number

Date

Officer's Signature

Date/Time

Witness's Signature

Date

Original: filed with Fund Custodian
Copy: retained by Officer



BERKELEY POLICE DEPARTMENT OFFICER'S ACTIVITY LOG FOR CONFIDENTIAL FUNDS

Page ____ of ____

_____ MONTH

Agent's Name _____

DSN _____

Unit _____

Receipt #	Date	Case #	Purpose	Received (+)	Paid Out (-)	Balance
Total						

I do solemnly swear (or affirm) that the amounts reported above are just and true in all respects.

Submitted by _____
Officer's signature

Approved by _____
Supervisor's signature

Original: Filed with Fund Custodian
Copy: Retained by Officer



**BERKELEY POLICE DEPARTMENT
TRANSACTION RECORD OF EACH
ADVANCE OR RETURN OF CONFIDENTIAL FUNDS**

Advance

Transaction Number _____

Officer's Name _____ ID Number _____

Unit _____

Amount of advance \$ _____ Case or reference # _____

Intended Purpose: Investigative Advance

Use as a flash roll *

Advance approved by _____
Signature of chief law enforcement official or designee Date

Advance received by _____
Officer's Signature Date

Check # _____ Date _____

*Flash rolls shall be returned within 72 hours unless extended for an additional 48-hour period.

Return

Transaction Number _____

Officer's Name _____ DSN _____

Unit _____

Amount returned \$ _____ Case or reference # _____

Advance returned by _____
Officer's Signature Date

Advance returned to _____
Signature of chief law enforcement official or designee Date

Receipt # _____ Date _____

Original: filed with Fund
Custodian Copy: retained by Officer



**BERKELEY POLICE DEPARTMENT
REPORT OF CONFIDENTIAL FUNDS
REQUESTED OR RETURNED**

To: _____
Finance Director

I am requesting funds in the amount of \$ _____ for use in the drug enforcement program.

I am returning funds of \$ _____ that have accumulated in the drug control (confidential funds) account.

LAW ENFORCEMENT AGENCY'S CERTIFICATION

Submitted by _____
Chief law enforcement official or designee

Title _____

Date _____

FINANCE DIRECTOR CERTIFICATION OF RECEIPT OR PAYMENT

Amount Received \$ _____ Receipt # _____

Amount Paid \$ _____ Warrant or Check # _____

By _____

Title _____

Date _____



BERKELEY POLICE DEPARTMENT

**CONFIDENTIAL FUND MONTHLY
RECONCILIATION REPORT**

A. RECONCILIATION

Bank balance per statement \$ _____

Date of statement _____

Add: Deposits in transit (from section B)
[Deposits recorded on Activity Log (A-1),
but not appearing on the bank statement.] \$ _____

Subtract: Outstanding checks (from section C)
[Checks written and recorded on Activity
Log (A-1) but not appearing on the bank statement.] \$ _____

Balance per Activity Log \$ _____

Date _____

B. DEPOSITS IN TRANSIT

Date	Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL	\$ _____

C. OUTSTANDING CHECKS

Check #	Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL	\$ _____

D. CONFIDENTIAL FUNDS WITH AGENTS

Name	Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL	\$ _____

* Parts A, B, and C are completed only if confidential funds are maintained in a separate bank account.

E. SUBMISSION AND APPROVAL

Prepared by _____

Approved by _____



BERKELEY POLICE DEPARTMENT
QUARTERLY REPORT OF CONFIDENTIAL FUNDS

For the quarter ending _____, 20____

TO: _____

Finance Director

The following represents a true and accurate accounting of confidential funds held by the office of _____ for the quarter listed above.

Police Chief or designee

Balance of confidential funds, first of quarter	\$ _____
Add: Funds received from Finance Director	\$ _____
Less: Expenditures from confidential funds	\$(_____)
Less: Funds returned to Finance Director	\$(_____)
 Balance of confidential funds, end of quarter	 \$ _____

Submitted by _____

Chief law enforcement official or designee

Title _____

Date _____

This report must be filed with the Finance Director within 30 days of the end of the months of September, December, March and June each year.

Original: Filed with Finance Director

Copy: Retained by the law enforcement agency



**BERKELEY POLICE DEPARTMENT
CUSTODIAN'S ACTIVITY LOG FOR CONFIDENTIAL FUNDS**

Date	Transaction Type*/Number		For		Received	Paid	Balance
			Receipts: Source, Check #	Payouts: Payee, Check #			

- *TRANSACTION TYPES:**
1. **Initial:** Initial advance from treasury;
 2. **Advance:** Advance to officer (agent);
 3. **Advance/Repayment:** Repayment of advance in part or in full;
 4. **Reimbursement:** Reimbursement payments to officer upon submission of voucher documenting expenses;
 5. **Receipt:** Replenishment funds received from treasury or special revenue account
 6. **Miscellaneous:** Miscellaneous amounts: plus (+) or minus (-);
 7. **Audit notation** by internal or external auditor



BERKELEY POLICE DEPARTMENT
SUMMARY INFORMANT PAYMENT LOG

Informant code name or number _____

Payment Date	Case # or Reference #	Amount Paid
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

This form should be filed with the applicable informant file and should reflect all payments made to the informant.

Receipts for payments to informants should back up this file.



**BERKELEY POLICE DEPARTMENT CONFIDENTIAL INFORMANT
SOURCE PROFILE/INFORMATION FORM**

C.I. #: _____ - _____

DATE ____/____/____ TIME ____: ____ am/pm

Name: _____ DATE OF BIRTH ____/____/____

Race: _____ Social Security Number: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____

EMERGENCY CONTACT

Name: _____ Relationship: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____

PLACE OF EMPLOYMENT

Company Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____

Confidential Informant's Signature DATE ____/____/____

Investigating Officer: _____ Badge #: _____
Signature

Witness: _____ Signature: _____
Print Name



BERKELEY POLICE DEPARTMENT CONFIDENTIAL INFORMANT AGREEMENT

C.I. #: _____ - _____

DATE ____/____/____ TIME ____: ____ am/pm

I, _____, the undersigned clearly understand that while I am assisting and cooperating with the Berkeley Police Department, I am forbidden from committing any of the following acts or from engaging in any of the following activity.

Initial the following after reading:

- 1. _____ I will not sell, deliver, possess or cause to be sold or delivered, ANY property purported to be illegally obtained, to any person who would in turn sell or deliver said property to any other person, except at the direction of the controlling agent/investigator.
- 2. _____ I will not sell, deliver, possess or cause to be sold or deliver, ANY controlled, illegal or illicit drugs, or any substance purported to be same, to any person who would in turn sell or deliver the substance to any other person, except at the direction of the controlling agent/investigator.
- 3. _____ I will not use my sex, sexuality, or any sexual activity, to induce, or persuade anyone to engage in ANY criminal activity.
- 4. _____ **I understand that I am not permitted or authorized to carry a firearm or weapon for ANY reason at any time.**
- 5. _____ I agree NOT to discuss, disclose, or communicate in ANY way, to anyone, any information regarding any investigation or activity that I may be involved in or aware of.
- 6. _____ I understand that any violations of this Confidential Informant Agreement of Understanding, or any violations of the law will be fully investigated with appropriate action being taken against me, including criminal prosecution for any criminal violations.
- 7. _____ I understand that NO agent/investigator has the authority to make any promises or predictions regarding any criminal charges that I may have pending against me. This does not preclude the agent/officer from meeting with the prosecutor to discuss my assistance and cooperation and to make request for consideration.
- 8. _____ **I agree to submit to a search of my person, my possessions, any vehicle that I may have in my possession, whenever requested by my controlling agent/officer.**
- 9. _____ I agree NOT to attempt to work for any other agent/officer or any other agency without the prior approval of my controlling agent/officer.
- 10. _____ I understand that I am NOT a peace officer, and I do not have ANY police powers of ANY kind.
- 11. _____ I have had what constitutes "entrapment" explained to me, and I completely understand it, and will not engage in any such activity at ANY time.
- 12. _____ I understand that I am cooperating out of my own free will, and not as the result of any promise(s), or any intimidation, or threats.
- 13. _____ I understand that there is a possibility that I may be subject to court subpoenas and testimony in future judicial proceedings.

Confidential Informant's Signature DATE ____/____/____

Investigating Officer: _____
Signature Badge #: _____

Witness: _____
Print Name Signature: _____



**BERKELEY POLICE DEPARTMENT CONFIDENTIAL INFORMANT
SOURCE DEACTIVATION/TERMINATION FORM**

C.I. #: _____ - _____

DATE ____/____/____ TIME ____: ____ am/pm

Name: _____ DATE OF BIRTH ____/____/____

Race: _____ Social Security Number: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____

DEACTIVATION

DATE OF DEACTIVATION ____/____/____

Reason: _____

Officer in Charge Notified _____

TERMINATION

DATE OF TERMINATION ____/____/____

Reason: _____

Officer in Charge Notified _____

Investigating Officer: _____

Signature

Badge #: _____