

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT

DIRECTIVE

No.: 1392
Issued: 01/11/16
Post Until: 02/11/16

**SUBJECT: POLICY ON THE USE OF CONFIDENTIAL INFORMANTS AND
INTELLIGENCE GATHERING**
(This Directive Supersedes Directive 1003, Issued 10/05/04)

OVERVIEW

It is the policy of the Probation Department that employees shall not allow adults/juveniles, under Probation jurisdiction, to work as confidential informants in the absence of a court order for a specified period of time. Furthermore, it is *prohibited* for Probation Department employees to solicit probationers or any other individual for the purpose of being used as confidential informants. If a DPO receives a request from a Law Enforcement Agency to utilize a probationer as a confidential informant, the DPO shall direct the requesting agency to seek authorization from the appropriate court.

DESCRIPTION

A confidential Informant is any person who provides confidential information about another person or organization to a law enforcement agency when one or more of the following are met:

- The probationer or other individual is directed by a law enforcement officer, to obtain information related to criminal activity or probation violations.
- The probationer or other individual is provided something in exchange for information (e.g. money, not being arrested on technical violations, lesser recommendation such as HOP in lieu of Camp, etc.). A DPO *shall not* promise or provide any type of quid pro quo exchange arrangement to gain cooperation from the probationer.

Once the requesting Law Enforcement Agency provides proper authorization from the court, the DPO shall inform their SDPO that such authorization has been granted by the court and the documents indicating such order have been received and retained in the probationer's supervision file.

Proper authorization shall include:

- A court record indicating that permission has been granted by the court for the probationer or individual to be used as a confidential informant by the requesting Law Enforcement Agency for a specified period of time.

**PROBATION DIRECTIVE
ADULT FIELD SERVICES CONFIDENTIAL INFORMANTS AND INTELLIGENCE GATHERING
PAGE 2 OF 2**

DPOs may be involved in intelligence gathering within the course and scope of their duties when their interaction with a probationer meets the following criteria:

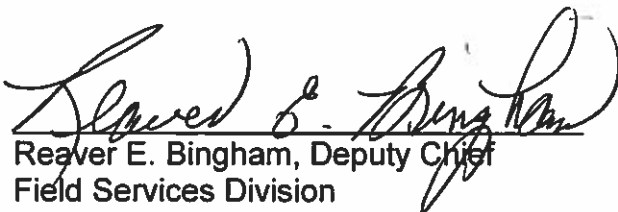
- Any probationer or other individual that provides intelligence information to a DPO that does not meet the confidential informant criteria.
- The probationer or other individual provide unsolicited information to the DPO.

DPOs assigned to law enforcement task forces may be placed in a unique position of communicating with individuals already being used by law enforcement as confidential informants. In these situations, the DPO shall not get involved in the process of identifying and establishing individuals as confidential informants, and may communicate with the confidential informants *only* in conjunction with the law enforcement agency which established the individual's informant status. Additionally, contact with these confidential informants as it relates to informant information must be made in the presence of the authorizing agency.

The Probation Department recognizes that probationers and other citizens often choose to talk with DPOs providing information on gang, drug and other activities in the community. DPOs are permitted to talk with these individuals as it relates to intelligence gathering situations and shall document and provide the information as necessary to law enforcement. All information received shall be recorded in the Defendant Chrono Information Data (DCID) section of the Adult Probation System (APS), pursuant to Adult Services Manual section 1223-*Recording Case History*. Criminal Offender Record Information (CORI) is restricted to persons and public agencies as authorized by the provisions of the law under Penal Code 13102.

If a DPO obtains information which poses a potential threat to Probation Officers, other law enforcement personnel, probationers, or the community, the information shall be immediately transmitted to law enforcement and chain of command (i.e. SDPO, Director).

Questions or concerns regarding this Directive shall be directed to the Adult Consultant, at (562) 940-2525.


Reaver E. Bingham, Deputy Chief
Field Services Division