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HOW TO DEVELOP INFORMANTS

by Dean Scoville
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HOW TO DEVELOP INFORMANTS

Building a network of criminals in the know can help you generate leads and solve cases—if you do it right

Some cops could use a hug. Others could use a Huggy Bear.

Like Starsky and Hutch's trusty tattletale, reliable informants provide us with a worm's eye view of their sordid social circles, a heads up on threats to officer safety, and the groundwork for search warrants. They hang in circles we wouldn't want to enter. There is no question that the access they have and the intelligence they acquire is often invaluable to law enforcement.

Reasons for individuals to become informants are myriad. One might be a conscientious objector, a mother who fears that her meth cooking lover is placing her kids in jeopardy, or a hype who is looking for a "get out of jail free" card. And as officers make wonderful instruments for revenge, you can count jilted lovers, shorted buyers, and business rivals among their ranks. Understanding people's individual motives can help you exploit such opportunities when they come along.

Building a Foundation

Cultivating an informant can be a tricky business. Like it or not, informants often expect some forthcoming favors from officers. A night's amnesty from jail is no small thing for the hype facing heroin withdrawal. Requesting some judicial discretion in filing a case is also greatly appreciated. However, never make promises that you can't keep. Saying things like "I can't promise you, but I'll try..." is fine. But the moment your credibility is suspect in a suspect's mind is the moment you've lost him.

You have to develop a degree of reciprocal trust based on the flimsiest of foundations, which is no small feat. And just as you will establish a credibility baseline for your informant, he will doubtlessly have some very valid concerns about your credibility. Are you truly in a position to help him? Can you retain his anonymity? How concerned are you about her safety? And you'd better be concerned.

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You need to take appropriate precautions for your informant's safety if he or she is conducting buys or participating in meets on your behalf

In establishing a special relationship with informants, you and your employing agency can be held civilly liable if you foster a situation wherein they come to harm. Because of this, you need to take appropriate precautions for your informant's safety if he or she is conducting buys or participating in meets on your behalf.

Be particularly cautious when considering the use of juvenile informants. California's Juvenile Informants Bill resulted from the 1998 torture and murder of 17-year-old Chad MacDonald, who had served as an informant for the Brea Police Department. A collateral casualty was the Brea Police Department, which paid a million-dollar settlement to the MacDonald family. The law allows for parents to sign waivers to allow juveniles ages 13–17 to be used as informants, while prohibiting the use of children 12 years and younger.

So be sure to use reasonable caution when approaching anyone to serve as an informant. If they rationalize their actions ("This is a good thing." "These sellers are scum."), it's a good sign the information they're giving you is good. But good doesn't necessarily mean current.

To ensure that the information is valid, you may need to use the informant to conduct a controlled buy. Here's where you can run into trouble. "Cold buys" are problematic because your informant may not be able to make a purchase because he's not recognized by sellers, or he can get jacked by locals who don't recognize him either.

Informants are in a no-win situation. If they are recognized as such, they can be in for a world of pain. There is no shortage of dirtbags who keep tabs on police informants. Whosarat.com is an Internet Website devoted to exposing the identities of witnesses who have cooperated with the government. The site posts their names and mug shots, along with court documents that detail what the informants have agreed to do in exchange for lenient sentences. The site claims to have identified 4,300 informers and 400 undercover agents, many of them from documents obtained from court files available on the Internet.

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Accepting gifts, making unprofessional comments, and meeting informants in inappropriate places are no-no's

Providing Protection

Once identified, reprisals can be severe for police informants. In Arizona, a woman had the word "snitch" burned into her face with a branding iron in retaliation for her help to police in a domestic violence case. The four- to six-inch brand was singed into her flesh and stretched across her left cheek from lip to earlobe.

Considering such potential repercussions, officers should refrain from using their informants' names unless circumstances mandate it. Particular caution should be used when discussing informants inside station offices, whether around other officers or clerical staff.

For the same reason, maintaining lines of communication with informants can be tricky. Have your informant contact you on your cell phone (assuming you don't routinely pick up the phone with a police radio in the background, or identity yourself when answering as a cop). You don't want your informant to get burned by curious cohorts who might redial numbers programmed into his or her phone. If this isn't viable, consider the use of a "Hello" phone at your station.

Maintaining Boundaries

Cultivating a relationship with an informant is difficult enough without complicating it further. Forming business partnerships with them, accepting gifts or loans, making unprofessional comments, and meeting informants in inappropriate places are no-no's. Some cops even keep informants on their informants. It's a smart practice if you can pull it off; the last thing you want is to find an informant playing you.

Low maintenance informants can garner repeat business with minimal bureaucratic imposition. Others, by virtue of an agency's policies and practices or due to the idiosyncratic needs of the informant, can require vast documentation. Self-initiated informant contacts afford you the luxury of dealing with informants on your own terms, as you need. Agency-delegated informants may entail scheduled meets and contacts.

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*Don't oversell
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and don't let him
oversell you*

Don't oversell your informant, and don't let him oversell you. He'll promise you the sun and the moon: "There's guns/dope/money/stolen shit up the wazoo. This is the case that'll make your career!" But when you come up with nothing more than a bb gun, 50 cents, and trace residue on a mirror, he'll say you 1) missed it because it was stashed in a place you missed, 2) arrived too early, or 3) arrived too late.

These scenarios are par for the course, and in the overall scheme of things, working informants is a lesser evil than not working them.

Reaping Rewards

Indeed, some of the most important drug arrests might never have been made without assistance from confidential informants. A Colombian confidential informant's unannounced entrance into the office of the New York Drug Enforcement Task Force led to a series of timely phone tips that resulted in the shutdown of a Queens-based Colombian drug ring, as well as multiple seizures.

On one occasion alone, investigators confiscated 44 pounds of cocaine in a huge safe, machine guns, thousands of rounds of ammunition, ballistic vests, drivers' licenses, business cards, an aircraft registration, an automobile registration, coded customer lists, and more financial records.

Informants have helped identify various theft and narcotics rings, vice operations, gang affiliates, and sex offenders. And the beautiful thing is that once successfully tested, their information is often court viable, even if they don't enjoy a particularly high batting average in payoffs. You don't have to continually re-establish your informant's credibility once he or she has passed judicial muster.

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But the same traits that render them vulnerable and willing to perform as informants can make them liabilities, too. With moral barometers as suspect as their loyalties, they are apt to sell you out as readily as anyone else. Never put yourself in a position where your informant finds he has one more "get out of jail" chip to play: you.

While "stop the snitching" campaigns have taken their toll on the informant pool, there will always be those who will work for us given sufficient provocation.