



Custody Informant Program

Integrity without compromise, Service above self, Professionalism in the performance of duty, Vigilance in safeguarding our community.





Assertions

- Eliciting statements from charged and represented defendants violating *Massiah*
- Brady violations
- Unchecked custodial informant program
- Lack of documentation and or record keeping
- Discovery Request responses hindering due process



Past Practice

Note: information was not provided by those who testified during the hearing

- Arranged inmate/informant movement to garner information to bolster cases for various agencies
- Handled informants internally by gathering notes and sharing w/DA without creating a file
- Minimal documentation of informant work product (notes only)
- Minimal records or notations related to informant activity

Past Practice continued



Note: information was not provided by those who testified during the hearing

- In specific cases (noted in DeKraai hearing) it appears DA was aware of informant activity and supported operations. Deputies handling informants lacked training and understanding of case law
- Records which are kept are not well organized
 - Ad Seg and PC inmates some of whom have been sources of information



Moving Forward

- Department policy
- CCOM policy
- Spec Ops created an outside agency agreement
- Documentation procedures developed and include
- Training to all classification staff included
 - Confidential Informants and 6th amendment
- Course also developed for all personnel
- Improved coordination with subpoena desk and DA
 - Discovery protocol developed



Moving Forward

- All informant activities will be documented including work product, movement, notes, and items to DA
- Record keeping will be electronic with a file created for all ongoing activity for specific sources of information (in collaboration with investigations).
- Continuous training of assigned personnel.

Questions

