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BUREAU SOURCES OF INFORMATION

- A. This section contains procedures to be followed in the establishment, use, and handling of sources of information by the North Carolina State Bureau of Investigation. The title "Bureau Source of Information" covers the following:
1. Bureau Source of Information - a person who provides information or investigative assistance and:
 - (a) Wishes to remain confidential (will not be named in an SBI report), and/or;
 - (b) Who will be paid SBI Special Funds under paragraph four of the SBI Form 40; and/or
 - (c) Who, regardless of confidentiality, expects to receive any special consideration or action by the Bureau. This includes sources of information established by other law enforcement agencies. This does not include reduction of charges or reduction of sentences, which must be approved in all instances by the district attorney or US Attorney with jurisdiction.
 2. **Restricted-Use Source of Information-** any source of information who meets any of the following criteria shall be considered a "restricted-use source of information," subject to use as authorized below:
 - (a) Persons less than 18 years of age; only with written consent of parent or legal guardian. Persons 16 years of age or less will not be used to make introductions for the purpose of undercover activities without the written approval of the Director or his designee.
 - (b) Persons on probation or parole (State or Federal); it shall be prohibited to use persons as sources of information who are currently under a court-ordered condition of probation or parole, except when authorized by an appropriate official of the Division of Adult Probation and Parole, the appropriate prosecutor or a court of competent jurisdiction. It shall be the responsibility of the requesting Special Agent to document the authorization of such use. The use of such sources of information will be those situations when probationers or parolees are directed to or expected to

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associate with persons committing criminal acts, to frequent places where criminal activity takes place, or any other activity which would violate their condition of parole or probation.

- B. The title "citizen source of information" covers the following; a person or organization, not under the direction of a specific Agent, who provides information without becoming a party to the investigation itself e.g., a business firm furnishing information from its records; an employee of an organization who, through the routine course of activities, obtains information of value; or a concerned citizen who witnesses an event of interest to the Bureau and without expectation of reduction of charges, reduced sentences, or any other special consideration or action by the Bureau.

CRITERIA TO ESTABLISH A SOURCE OF INFORMATION

- A. There are three criteria that must be met to establish a person as a **Bureau source of information or restricted-use source of information**.
1. The person is in a position to assist the Bureau measurably in a present or future investigation.
 2. To the extent possible a prudent judgment can be made, the person will not compromise Bureau interests and activities.
 3. The person will accept the measure of direction necessary to utilize his/her services effectively.

ESTABLISHMENT OF A SOURCE OF INFORMATION

- A. All persons who will be utilized as **Bureau sources of information or restricted-use sources of information** must be established.
- B. Initial approval to establish and use a **Bureau source of information or restricted-use source of information** must be given by a Assistant Special Agent in Charge or Special Agent in Charge.
- C. Final approval to establish and use a **Bureau source of information or restricted-use source of information** will be given by the Assistant Director for Field Operations.

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- D. If the person is a **restricted-use source of information** and is on probation or parole, authorization must be given by one or more of the following:
1. The appropriate official of the state or federal probation/parole.
 2. The appropriate state or federal prosecutor.
 3. A court of competent jurisdiction.
- E. To establish a **Bureau source of information or restricted-use source of information**, the establishing Agent is required to assign a code number to the source of information. The code number is derived as follows:
1. Agent's number establishing source of information;
 2. District number of Agent establishing source of information;
 3. The last two digits of the calendar year of establishment; and
 4. A sequential number assigned to that source of information.
 5. The calendar year digits and the number assigned to that source will be sequential as the Agent establishes different sources of information and assigns code numbers.
- Example: First source registered would be 99-01-88-0001, second source would be 99-01-88-0002, third source would be 99-01-89-0003, etc.
6. Once assigned, this code number will remain with the source of information throughout his/her use.
 7. Sources of information under the control of another agency will not usually be assigned Bureau code numbers. This will be necessary, however, if the source of information is to be paid by the Bureau.

SOURCE OF INFORMATION ESTABLISHMENT REPORT (SBI-110)

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- A. A Source of Information Establishment Report will be completed by the establishing Agent. This report will contain the following information if applicable:
1. Code Number
 2. Name: First, Middle, Last
 3. Alias
 4. Social Security Number
 5. Race
 6. Sex
 7. DOB
 8. POB
 9. Height
 10. Weight
 11. Eyes
 12. Hair
 13. Scars (marks) Tattoos
 14. Last Known Address
 15. Last Known Telephone Number
 16. Other Agent(s) or Law Enforcement Officer(s) utilizing Source
 17. Probation/Parole Status
 18. Date of Establishment
 19. Date of Termination
 20. Establishing Agent
 21. Name of Assistant Special Agent in Charge or Special Agent In Charge authorizing initial establishment of the Bureau source of information or restricted-use source of information.
 22. Approving authority if the person is restricted-use source of information.
- B. Agents establishing sources of information or restricted-use sources of information are required to conduct a criminal history records search prior to establishment. The original computerized criminal history record or the negative response should be attached to the District Source of Information Establishment Report (Form SBI-110) and a copy attached to the Assistant Director of Field Operations' Source of Information Establishment Report. Special Agents in Charge will conduct an annual review of the sources of information and restricted-use sources of information established by his/her District or Unit to determine if the source of information should remain in an active status. A criminal history records search should be conducted at the time of the review if the source is to remain in an active status.

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- C. These reports shall be maintained in a locked file cabinet with individually keyed lock under the exclusive control of the office head or a designated employee. The reports will remain locked at all times when unattended. Access to these files will be limited to those employees who have a legitimate need.
- D. Establishment Reports should remain secured except for review by the Director, an Assistant Director, Special Agent in Charge, a Assistant Special Agent in Charge or the handling Agent, and will be returned prior to the close of business hours. Sign-out logs will be kept indicating the date, code number, time in and out, and the signature of the person reviewing the file.

**GENERAL PROCEDURES CONCERNING UTILIZATION OF SOURCES
OF INFORMATION**

- A. The following general procedures concerning the utilization of sources of information shall be observed.
 - 1. Sources of information are assets of the Bureau, not of a specific Agent. At its discretion, Bureau management may reassign a source of information to the control of another Agent.
 - 2. Contacts with sources of information will be of a strictly professional nature. Extrinsic social or business contacts are expressly prohibited.
 - 3. Contacts with sources of information will be structured to limit their knowledge of Bureau facilities, operations, activities, and personnel.
 - 4. At least two Agents must be capable of contacting a source of information. When practical, two Agents (or an Agent and an officer of another law enforcement agency) will be present at all contacts with the source of information. When sources of the opposite sex are contacted, two Agents (or an Agent and an officer of another law enforcement agency) will be present.
 - 5. Sources of Information shall be advised initially that:

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- (a) They shall not violate criminal law in furtherance of gathering information or providing services to the Bureau, and that any evidence of such violation will be reported to the appropriate law enforcement agency;
 - (b) They have no official status, implicit or otherwise, as Agents or employees of the Bureau; and
 - (c) The information they provide may be used in a criminal proceeding and that, although the Bureau will use all lawful means to protect their confidentiality, this cannot be guaranteed.
- 6. The prosecutor will be advised of any assurances and/or compensation provided a source of information who is a witness prior to any judicial proceeding. The prosecutor shall be consulted before any assurances are given a source of information.
 - 7. No source of information may be enrolled in any alcohol or drug abuse treatment program for the purpose of furnishing information identifying clients of the program.
 - 8. No Agent may recruit or question a source of information pertaining to identification of clients of an alcohol or drug abuse treatment program. For further information or guidelines contact the Special Agent in Charge of the Diversion and Environmental Crimes Unit.

SOURCES OF INFORMATION UNDER THE CONTROL OF ANOTHER AGENCY

Sources of Information under the control of another agency are not subject to the requirements of this section. Frequently, situations occur where control of a source of information is shared between the Bureau and another law enforcement agency, or the control by the other agency is nominal, or the Bureau provides direction to the source of information through the other agency. When the control of the source of information shifts and/or anytime the source of information is paid with Bureau funds, then the source of information must be documented.

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TERMINATION OR INACTIVE STATUS

- A. When a source of information is suspected or known to be undesirable or unreliable, his/her services will be discontinued immediately. The Special Agent making the determination will immediately notify the Special Agent in Charge, who will document the reasons for the undesirable-unreliable determination by means of a memorandum to the appropriate Assistant Director who will review the information and, if he concurs, will place the source of information in a terminated status. An Agent desiring to reestablish a source of information who has been terminated shall obtain written approval from the appropriate Assistant Director before beginning establishment procedures.
- B. When an Agent determines that a source of information is deceased, the Agent should notify the Special Agent in Charge who will notify the appropriate Assistant Director by memorandum.
- C. Sources of Information in good standing can be placed in an inactive status when not being used or it is anticipated that the source will not be used. The Special Agent proposing to place a source in an inactive status will advise the Special Agent in Charge with a written explanation. The Special Agent in Charge will notify the appropriate Assistant Director by memorandum. Updated criminal history record searches are not required for sources of information in an inactive status.

In the event reactivation of the source is desired, the original establishment number for the source will be used. The Source of Information Establishment Report (SBI-110) will be reviewed and updated, including a current criminal history records search. The SBI-110 will be submitted to the appropriate Assistant Director.

If the source remains in an inactive status for a period of three years, the source of information establishment report may be purged at the discretion of the Special Agent in Charge. The Special Agent in Charge will notify the appropriate Assistant Director of any source of information that has been purged.