

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

POLICE EVIDENCE FUND
SUBJECT

DATE: March 10, 2009

NO: G-5

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: **Undercover Buy Funds/Expenses**
Informant Fees/Sign ups
Evidence Fund

I. POLICY

- A. An evidence buy fund will be maintained by the Special Investigations Section for use in furthering investigations into criminal activity.
- B. It will be the responsibility of the Special Investigations Section Commander to assure funds are properly spent, accounted for, and maintained securely.
- C. Evidence funds will be used for the following purposes:
 1. Purchase of illegal goods in an effort to discover criminal activity.
 2. To pay informants for information concerning criminal activity.
 3. To pay informants for services rendered during the investigation of criminal activity.
 4. To pay for expenses involved in securing the services of an informant.
 5. To pay expenses incurred by an undercover officer involved in investigating criminal activity.
- D. Any deviation from those allowed expenditures of the evidence fund shall be cleared by the Investigations Bureau's Deputy Chief and have the approval of the Chief of Police.
- E. Any other division needing the use of evidence funds shall obtain the funds from the Special Investigations Division Commander.

II. PROCEDURE

- A. Budget
 1. An appropriation for the evidence fund will be budgeted annually (fiscal year) in the Special Investigations Section budget account (2432).
- B. Obtaining Funds
 1. To obtain funds, a City of Stockton Authorization for Payment form will be initiated by the Special Investigations Division Commander or the commander's designee. The authorization form must be signed by the Chief of Police, an Assistant Chief, or a Deputy Chief of Police before submitting the form to the Finance Department for a bank check.
 2. A representative from the Special Investigations Section will take the check to a bank and receive the money. At least two Police Officers will accompany the money from the bank to the Special Investigations Section where the funds are maintained.

C. Record Keeping Procedures for the Evidence Fund

1. The Special Investigations Section Commander is responsible for assuring all funds received and expended are recorded in a general ledger. Subsidiary ledgers will be maintained by unit supervisors who are allocated funds.
2. The fiscal year general ledger records for the Evidence Fund will be kept for a minimum of four years in the Special Investigations Section.

D. Disbursements to Supervisors

1. Investigations Division supervisors requiring funds will be allocated sufficient amounts to disburse to investigators for those uses specified in section I.C. The supervisor's individual account will normally not exceed \$500.00. Supervisors of the Narcotics Unit will have individual accounts normally not exceeding \$3,000.00.
2. The Special Investigations Section Commander or his/her designee, will authorize the disbursement of funds to supervisors or officers. This will be done by use of the disbursement receipt form. The issuing person and receiver of funds will sign the receipt form acknowledging the transfer.
3. The supervisors will disburse funds to their subordinates utilizing the same disbursement receipt. Both the supervisor and subordinate will sign the receipt acknowledging the transfer of funds.
4. The supervisor will make sure evidence fund disbursement forms are properly filled out by officers before turning them over for accounting purposes. The supervisor shall initial the disbursement form to acknowledge their review.

E. Disbursing Officer Responsibility

1. Anyone disbursing evidence funds shall completely fill out the evidence fund disbursement form . An explanation for the disbursement, and the amount disbursed shall be carried on the officer's daily report, if one is done. The daily report will then be attached to the evidence fund disbursement form to explain the disbursement. If a daily report is not done, the explanation for disbursement must be written on the form.
2. If funds are disbursed to an informant, the informant's number will be placed on the form. Officers are not to list the informant's name anywhere on the form.
3. When an undercover officer spends money during an investigation, at least one other officer shall witness the expense and sign the disbursement form.
4. If a disbursement is made to an informant, the disbursement shall be witnessed by at least one other officer in addition to the disbursing officer.
5. It shall be the responsibility of the officer disbursing funds to an informant to make sure the informant has a current (within 3 years) informant Control Form and an Informant Management Agreement Form on file. A current photo must be attached to the form and the informant's signature along with a witnessing officer's signature must be on the form.
6. A check through the Western States Intelligence Network(W.S.I.N.) will be conducted for each new informant signed up prior to the informant being allowed to work.

F. Auditing of the Evidence Fund

1. The Investigations Bureau Deputy Chief will order an internal audit of the evidence fund on the first and third quarters of the fiscal year. This audit is to ensure all outstanding accounts and cash on hand balance with the general ledger figures. A memorandum detailing the findings of this audit will be sent to the Fiscal Affairs Unit and the Internal Affairs Commander.
2. At the end of each fiscal year, an audit of the entire evidence fund shall be conducted by the Fiscal Affairs Unit. A memorandum detailing the findings of this audit shall be prepared by the Fiscal

Affairs Unit and forwarded to the Chief of Police.

3. It will be the responsibility of the Internal Affairs Section to investigate any discrepancies discovered during the audit procedure.