Use of Informants in Criminal Drug Investigations

8:30 a.m. – 4:30 p.m.
April 27-28, 2009

LETAC Training Center
3171 Greenhead Drive, Suite B, Springfield, IL 62711

Instructor: David Lussier is a retired Detective Sergeant with 20 years of experience as a police officer with the Providence Police Department, Providence RI. Since the early 1990’s David has developed surveillance techniques that have been the basis of probable cause for hundreds of search and arrest warrants. He has supervised the department’s narcotics unit and gun task force and has been a deputized agent of numerous Federal agencies including the FBI, DEA and ATF - targeting and dismantling both organized crime operations and gangs such as the Latin Kings. He has logged hundreds of hours of surveillance while investigating large scale narcotics operations, bank robberies, organized crime operations, home invasions, and violent street crimes. He has developed key surveillance techniques designed to provide protection to undercover officers and to maximize pre-raid preparation. He has drafted and managed both court ordered wire intercepts and pen registers. During all of these assignments, David tested many forms of surveillance ultimately improving upon current techniques and developing his own unique methods. He has learned how to successfully take small pieces of information and translate them into large organizational models which can be easily explained to a jury. David demonstrates how these proven tactics can help ensure that your undercover operation is successful and that your surveillance remains uncompromised.

Categorizing Your Informants, Understanding Their Motivation and Making a Determination as to Their Usefulness: Investigators develop informants through a wide variety of circumstances. Most often informants come by way of arrest. Occasionally some may walk right through the front door, while others may reach out to an officer from prison. This session focuses on techniques used to determine credibility of a potential Informant. Important issues to consider are reviewed – What is their past criminal record? Is he/she a substance abuser? If he/she is in prison, do they pose a greater danger to the public than their information is worth? Fear, revenge, jealousy, monetary gain, and elimination of competition are just a few things that motivate informants. An investigator needs to learn everything that he can about a potential informant before they are signed on.

Cultivating Informants / Developing Skills Necessary to Obtain Valuable Information From Multiple Sources: This session focuses on obtaining valuable information from every gangster you deal with. An Investigator’s manner of speech, the way in which questions are asked, and his/her overall attitude can open the mouth of many an unsuspecting street veteran. Gangsters love to talk - they enjoy the bravado and the bragging. Learning several proven techniques can provide you with ways to obtain valuable real time data. Asking about an old shooting may provide you with the latest street term for handguns i.e.: are they biscuits, short dogs, a gizzy, tool, piece, thumper, or a trey eight? Was the victim strapped or was he holding aces? Tactics learned in this session will help you determine who you can obtain information from and the best way to do so, even if that individual has no intention of ever becoming a police informant.

Evaluating the Risk of Turning a High Priority Target Into a Confidential Informant: This session will focus on difficult situations that can arise as a result of a successful investigation. For example, after a three month investigation a search warrant is executed on your target’s home. A few hours later while sitting in the office with ten Kilo’s on the table, your target puts out an offer. Your target is a Dominican male who claims to move 50 Kilos a month across the Canadian Border for a Mexican gang, Los Vatos Locos centered around the Jackson Heights Area, Queens New York. He’s willing to give you the entire operation, if he walks. What should you do? Participants will not only focus on the tools necessary to assist them in making good decisions, but will also focus on the repercussions of making poor ones. Case studies such as Frank Lucas, the man glorified in the film “American Gangster” and the Salvatore Gravano case will be examined.
Ground Rules for Acceptable Informant Behavior: This session focuses on the compulsory conversations a “handler” must have with his informant prior to putting him into play. There is a great necessity for informants to completely understand that in agreeing to cooperate with the police, they will be held strictly accountable. In this session participants will discuss realistic goals and timelines which informants are expected to adhere to. Methods to help investigators determine if an informant’s excuse is a valid one, or is such a concocted fable that Disney himself would be proud, will be demonstrated. Investigators will learn the importance of being able to contact their informants at all times of the day and night as well as learn how to address unanswered cell phone calls.

Informant Documentation / Necessity for Confidential Records: This session will focus on thoroughly documenting an informant’s activities in order to protect the officer, the integrity of the officer’s unit, and the informant. Records ranging from informant payments to documentation of successful operations will be discussed. Guidelines established for Federal agencies by the United States Attorney General will be provided and discussed.

Acquiring and Managing High Level Informants / Shot Callers / Gang Leaders: This session will focus on high level informants. These gangsters are well established and have leadership roles in both gangs and criminal organizations. High level informants also include those with strong, well established street credibility - these “Independent Contractors” often have no strong affiliation to any specific faction, but their reputation on the street is unquestioned. Participants will be given real life examples of how a level one gangster can be turned and flipped into a top informant. Successful techniques in managing top level informants will be discussed at length, as will the potential consequences of mishandling an informant. While one or two properly managed informants can make for an entire career, a single failure can put your Department and Unit on the front page for weeks. Badly handled informants can derail months, and even years of intense investigative work. In a worst case scenario, the death of an undercover officer by an informant who compromised an investigation is an all too real possibility. Real life examples and case law relevant to these issues will be discussed.

Liability Issues if Your Informant is Murdered, Commits Murder During the Course of the Investigation, and/or Engages in Unauthorized Criminal Activity: This session will acknowledge that the vast majority of police informants are criminals, and, more often than not, violent criminals. It will focus on methods and controls that can put into place to lower the probability of a Department head being placed in compromising positions such as attempting to explain why a documented informant either committed murder or was the victim of murder, or explaining why a high priority case is being closed because the informant was arrested with three kilograms of cocaine base and a handgun. These are very real scenarios that make headlines every day. In dealing with mid to high level informants, participants will be shown successful techniques in speak with and dealing with these alpha type personalities. They will also be shown how to preserve an investigation if the event that they are not capable of handling the informant successfully. Specific case law of instances when informants are involved in murder will be discussed, as will criminal or civil liability to which an officer or department handling the informant may be exposed. The process of deactivating and the documentation of deactivating and informant will also be discussed. It is acceptable for an informant to violate certain pre-designated laws under controlled circumstances. If an informant is not capable of understanding this concept, or if he/she underestimates an investigator’s knowledge of the situation at hand, the process of deactivation may be the best course of action. Covert operations are planned and designed to bring felons, not case agents or investigators, to the defense counsel’s table.

Using Informants for the Introduction of Undercover Offices into an Ongoing Investigations/Managing the Undercover - Informant Relationship/Benefits and Inherent Dangers.

The focus of this session will be the many factors which must come into play prior to introducing and undercover officer into any scenario. Every session previously covered, from the importance of knowing the current street terms for handguns and narcotics, to gauging an investigator’s ability to control their informant, will be reinforced. One of, if not the, most dangerous aspects of police work is asking an officer to trust a criminal to walk them into a potentially violent situation without a gun and without a badge. We will focus on the unprecedented success having undercover officers on the inside of an operation can bring. Successful methods used in removing an informant from the scenario altogether will be discussed. On the downside participants will also be shown the end results of what happens when things go bad - how to recognize a deteriorating situation and knowing when to pull your people out.

Keeping Confidential Informants Confidential: This Session will focus on some obvious and some not so obvious ways your informant can “get made”. Keeping and informant’s name and activities confidential should be every bit as important to the investigator as it is to the informant. If it becomes common knowledge on the street that the recently released from intensive care “Billy Doe” worked for you as an informant, your ability to cultivate trust in a new informant will no longer exist. An informant’s true identity must be protected from all, including other police officers.

REGISTRATION: You may register by emailing Sandy at sandy@letac.org, calling the office at 217-726-7014, or using our online registration form on our website: www.letac.org.