

 <p>KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective Date
Authority/References KRS 196.035, 439.430, 439.470, 439.480(8), 439.510 CPP 9.18 P&P ACA 1A-02, 3B-09, 3D-34	Subject COOPERATION WITH LAW ENFORCEMENT AGENCIES	

I. DEFINITIONS

“Informant” means an offender that gathers or supplies special information regarding ongoing criminal activity to authorities. Such information may or may not be in exchange for compensation, leniency, or other special considerations.

“Law enforcement agency” means any city, county, state or federal law enforcement agency.

II. POLICY and PROCEDURES

A. Law Enforcement Cooperation

An officer may assist law enforcement agencies in an effort to apprehend any offender known to be or suspected to be involved in criminal activity. The officer shall establish and maintain effective communications with law enforcement agencies for the exchange of information relative to the offender's activities. When law enforcement agencies are attempting to detect and apprehend an offender suspected of involvement in a new crime, the officer shall furnish photographs, descriptions, addresses and other information requested. Any information the officer has that may help to prove or disprove the offender's suspected involvement shall be shared with the law enforcement agency. The officer shall maintain custody of the case folder, verbally providing the information requested. The officer shall give a photograph to the enforcement agent, upon request (1A-02, 3B-09, 3D-34).

B. Access to Records

1. An individual outside of Corrections with clearance to physically read or examine investigative case material on a convicted offender shall be:
 - a. Secretary's Office - Justice Cabinet

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- b. Kentucky State Police
- c. Governor's Office
- d. Attorney General's Office
- e. Circuit Judge or designee
- f. Federal Law Enforcement Agencies
- g. Federal Probation Officers
- h. Staff of Social Service Agencies working with a Corrections institution.

2. Local law enforcement and governmental agencies shall not be allowed to read or examine investigative case material. Specific information may be shared with them. The requesting agency shall provide a legitimate reason for requesting information and the information requested shall be of a factual, non-sensitive nature before information may be shared.

C. Use of Informants

1. An offender on supervision shall generally be discouraged from acting as an informant for law enforcement agencies. An offender may be used as an informant if it has been approved by the appropriate authority.
 - a. The sentencing judge may authorize use of a probationer as an informant. Once approved by the court, law enforcement shall notify the probation officer of their intent to use the offender as an informant. The probation officer shall then verify approval from the court and contact the District Supervisor or designee to advise them of the situation.
 - b. A law enforcement agency requesting the use of a parolee as a confidential informant shall make the written request to the District Supervisor or designee. The request shall be sent to the Director's Office for review and to the Commissioner for approval. The request shall include the specific conditions under which the offender may be used and the time period for which he may be used. The law enforcement agency shall be informed that the normal approval process may be completed within ten (10) working days. However, on occasion, when time is of the essence,

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the Commissioner or Deputy Commissioner may verbally grant approval for the use of the informant.

- c. At the direction of the Commissioner or designee, the Director's Office shall respond in writing within ten (10) working days after the decision has been made.
2. The Department of Corrections shall not recognize informal agreements between an offender and law enforcement agencies when the above procedures are not followed in their entirety.
3. If the officer obtains knowledge that an offender has been, is, or may be acting as an informant for law enforcement officials without prior approval through Probation and Parole, a confidential memorandum shall immediately be submitted advising the releasing authority of the information received.