

State of Vermont Department of Corrections Confidential Informant Form



Work Site:

(To be completed by the Hearing Officer before the findings of fact and outcome)

In considering statements of confidential informants I will:

- A. Only consider Confidential Information when it is accompanied by a report by a staff member of the statements made by the Confidential Informant (CI).
- B. Examine the statement(s) of each Confidential Informant before reaching a decision on the charge.
- C. Never disclose to the accused the identity of a Confidential Informant or the contents of his/her statement. I will only provide this form to the accused if it will not disclose the identity of the CI.
- D. Fill out one form for each Confidential Informant statement. If more than one exists, each will be labeled CI1, CI2, CI3, etc.
- E. Attach the completed *Hearing Report Form*.

Why is the testimony of the witness confidential?	<input type="checkbox"/> to protect the witness from harm <input type="checkbox"/> to protect facility security
If neither, then disclose the statement to the accused. Identify the name of the Interviewing Officer (IO) who took the CI's statement.	

1. Does the CI have first-hand knowledge of the alleged charge?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the answer to #1 is " No ", do not use the CI. If the answer is " Yes ", describe the facts as related by the informant that deal with the alleged charge. Omit if disclosure will reveal the identity of the CI.	

2. Does the CI have a motive to lie?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If the answer to #2 is " Yes ", do not use the CI.	

3. Does the Interviewing Officer's report indicate the CI is reliable?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "No," do not use the CI. If " Yes ", the IO established reliability by indicating that:	

A) CI has provided accurate information in the past?	<input type="checkbox"/> Yes <input type="checkbox"/> No
B) There is corroborating evidence?	<input type="checkbox"/> Yes <input type="checkbox"/> No

C) Other. Explain:

Yes

No

4. Did the Interviewing Officer:

A) Swear or affirm in writing that the CI's statement is accurately reported and that s/he believes the CI is reliable?

Yes

No

If the answer to #4(A) is "**No**", do not use the CI.

B) Testify at the hearing as to the reliability of the CI?

Yes

If "**No**", explain:

No

C) If "**Yes**," did you find the Interviewing Officer credible?

Yes

No

If the answer to 4(A), 4(B) and 4(C) are "**Yes**" then the CI is reliable. Proceed to #6.

If the answer to 4(A) and 4(C) are "**Yes**" and 4(B) is "**No**", then continue with #5.

5. I established the CI is reliable because:

A) I interviewed the CI.

Yes

No

If "**No**," go to 5(B)

B) If "**Yes**," was the CI found reliable?

Yes

If "**Yes**", then explain. If "**No**" do not use the CI and go to #6.

No

C) I have personal knowledge that the CI has provided truthful and accurate information in the past?

Yes

No

D) There is corroborating evidence supporting the CI?

Yes

If "**Yes**", identify the corroborating evidence.

No

If either 5(A) (both parts), 5(C) OR 5(D) is "**Yes**", then the CI is reliable.

If the answer to 5(A), 5(C) AND 5(D) are "**No**", then the CI is not reliable and may not be used. Go to #6.

6. I did did not find the statements of the Confidential Informant reliable.

I did did not use the statements of Confidential Informants as evidence in the hearing.

Hearing Officer's Signature: