

Informant Agreement

Instructions: The ATF special agent (*SA*) or task force officer (*TFO*) serving as the confidential informant (*CI*) handler must verbally and clearly convey the content and meaning of each provision, below. Another witnessing law enforcement officer must be present. If the CI handler is a TFO, the witness must be an ATF SA. The CI must acknowledge his/her receipt and understanding of the Informant Agreement in writing by initialing and signing the form. The CI handler and witness must also sign and date.

Confidential Informant Handler

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| Title (<i>Special Agent or Task Force Officer</i>): | Last Name: | First Name: |
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Confidential Informant Full Legal Name

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|------------|-------------|--------------|---------|
| Last Name: | First Name: | Middle Name: | Suffix: |
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**This confirms the agreement entered into between the
 Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the above-named CI.**

**CI
 Initials:**

- | | |
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| 1. ATF has requested my assistance with official law enforcement activities. In furtherance of ATF's mission, I voluntarily agree to perform this service. | |
| 2. ATF has assigned the above-named SA or TFO to serve as the CI handler. It is imperative that I maintain contact with the CI handler and advise him/her of my activities, abide by his/her instructions, and keep him/her informed of changes to my telephone number and residential address. | |
| 3. I will not participate in any unlawful activities except insofar as ATF determines that such participation is necessary to establish and/or support an investigation and ATF expressly authorizes such acts in advance. I understand that any violation of the law not expressly authorized by ATF may result in my prosecution. Further, I will not initiate any plans to commit criminal acts. I understand that I will not induce any individual to commit a crime that he or she is not predisposed to commit. | |
| 4. Under no circumstances will I participate, or be permitted to participate, in acts of violence. If I am asked to participate in any act of violence, or learn of such plans, I will attempt to discourage those plans or acts and will promptly notify ATF. | |
| 5. I will not attempt to be present during conversations between individuals under criminal indictment and their attorney. If I am inadvertently present and learn of defense plans or strategy, I am not permitted to report such conversations without prior approval from the United States Attorney's Office. | |
| 6. While I will be working closely with ATF for purposes of establishing and/or supporting an investigation, I understand that I am not a law enforcement officer, or an ATF employee, or an ATF special agent and that I will not hold myself out to be such. | |
| 7. I understand that information that I provide to ATF may be used in a criminal proceeding. All legal means available will be used to maintain the confidentiality of my identity, but this cannot be guaranteed, and I may be required to testify before a grand jury and at any subsequent hearing and trial. I understand that I am obligated to provide truthful information and testimony, and that any deliberate false statement will subject me to criminal prosecution. | |
| 8. If, as a result of being a cooperating informant/witness, ATF determines that my life or that of any member of my immediate family may be in danger, ATF will, with my permission, apply to the Department of Justice to admit me to the Witness Security Program. I understand that the final decision is made solely by, and at the discretion of the Department of Justice and not ATF. | |
| 9. I will in no way reveal the confidential and sensitive nature of law enforcement activities. Further, I will not undertake any publication or dissemination of any information or material that results from law enforcement activities without the prior express authorization of ATF. | |
| 10. ATF will reimburse me for expenses incurred that are deemed by ATF to be reasonable and in furtherance of law enforcement activities. Further, I understand that any monetary or other type of award given to me by ATF, either for services rendered or information provided, must be declared as other income on any income tax return I may be required to file. | |
| 11. I understand that any monetary or other type of award given to me by ATF will not be contingent upon the prosecution, conviction, or punishment of individuals. Further, I understand that any monetary or other type of award given to me by ATF will not be contingent upon my testimony in court or administrative hearings. | |
| 12. I understand that ATF cannot guarantee me any awards, payments, other compensation, or the outcome of any judicial actions. | |

| <p style="text-align: center;">This confirms the agreement entered into between the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the above-named CI.</p> | <p style="text-align: center;">CI Initials:</p> |
|---|--|
| 13. I hereby abandon all right, title, and interest to any property that I obtain as part of my service as a CI-other than informant payments, reimbursements of expenses, or awards authorized by ATF. | |
| 14. I understand that my person, property, and vehicle is subject to search prior to and after any authorized unlawful activity is performed by me on behalf of ATF. I consent to the search of my person, property, and vehicle. | |
| 15. I will not engage in witness tampering, witness intimidation, entrapment, or the fabrication, alteration, or destruction of evidence. | |
| 16. I understand that if I am cooperating with ATF in exchange for consideration on my pending case, upon my request, ATF will advise the prosecuting office(s) of the nature and extent of my cooperation. ATF cannot promise or agree to any immunity from prosecution or specific consideration as that benefit lies solely with the United States Attorney's Office, state prosecutor's office, and/or the court. | |
| 17. I understand that I may not enter into any contracts or incur any obligations on behalf of the U.S. Government, except as specifically instructed and approved by ATF. | |
| 18. No promises or representations have been given to me regarding my alien status and/or my right to enter or remain in the United States. | |
| 19. I will not disclose the nature of my relationship with ATF to anyone other than a law enforcement officer or during courtroom testimony-and only with the CI handler's approval before any such disclosure. | |
| 20. I understand that I am to provide information based on targets' criminal activity. I am not to provide information to ATF about potential targets based solely on their race, gender, ethnicity, national origin, religion, sexual orientation, or other protected status. | |
| 21. I will immediately advise ATF of any contact that I have with law enforcement resulting in my arrest or receipt of a citation (<i>other than minor traffic offenses</i>). I will advise ATF of any unauthorized and/or unlawful conduct on my part that could have a negative impact on ATF's law enforcement mission or my ability to serve as a CI. | |

Certification: By signing my name below, I certify that I have read, understand, and agree with the above provisions. I understand that failure to comply with any part of this agreement could result in my deactivation or removal for cause as an ATF CI. I also certify that I have read the below Privacy Notice. Any questions concerning these provisions and/or the Privacy Notice have been fully discussed with the CI handler.

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| Confidential Informant Signature: | Date Signed: | Confidential Informant Handler Signature: | Date Signed: |
| Witness Title (<i>Special Agent, Task Force Officer, etc.</i>): | | Witness Printed Name: | |
| Witness Signature: | | | Date Signed: |

Privacy Notice

1. **Authority:** ATF derives its authority to collect this information from 28 USC § 599A, Bureau of Alcohol, Tobacco, Firearms, and Explosives, and 28 CFR § 0.130, General functions.
2. **Purpose:** ATF will use this information to ensure the individual acknowledges all required provisions to become or remain a confidential informant.
3. **Routine Uses:** The information will be used by ATF personnel for the purposes stated above. The information becomes a part of the confidential informant record and is included in Criminal Investigation Report System-Justice/ATF-003 (68 FR 3553-5) and is subject to paragraphs A., C., E., F., and M. of the published routine uses of that system of records. ATF may disclose the information with other law enforcement or other government agencies, as necessary for criminal investigation and/or litigation purposes.
4. **Disclosure:** Furnishing this information is voluntary; however, failure to furnish the requested information will prevent the formation or retention of a confidential informant relationship with the ATF.