

Vehicle Towing and Release

510.1 POLICY

The Vancouver Police Department authorizes officers to take custody of vehicles for evidence, forfeiture or impound and to conduct searches of the vehicles as allowed under applicable laws.

510.2 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Vancouver Police Department.

510.3 AUTHORIZATION TO TAKE CUSTODY OF A VEHICLE EMPLOYEE RESPONSIBILITIES

A police officer may take custody of a vehicle, at his or her discretion, and provide for its prompt removal to a place of safety under any of the circumstances outlined in RCW 46.55.113 and 12-hour hold for DUI arrest as outlined in RCW 46.55.360.

510.4 EMPLOYEE RESPONSIBILITIES

The responsibilities of those Vancouver Police Department employees impounding, towing or moving a vehicle are as follows.

510.4.1 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer should have the driver select a towing company, if possible, and relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the VPD rotational list of towing companies in Dispatch.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer will request the dispatcher to call a towing company from the VPD rotational towing list. The officer will then impound the vehicle using SECTOR or the Washington Uniform Inventory Impound form.

510.4.2 DRIVING A NON-CITY VEHICLE TO AVOID A TOW

Vehicles should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard or prevent the obstruction of a fire hydrant in the event of a fire emergency.

510.4.3 RECORDS NOTIFICATION

Whenever a vehicle is towed under the authority of an officer, he/she shall notify the VPD Records Division as soon as practicable before the end of their current work shift.

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510.4.4 RECORDS RESPONSIBILITIES

Whenever a recovered stolen vehicle is impounded by the Vancouver Police Department, VPD Records Division personnel will promptly attempt to notify the legal owner of the recovery (RCW 7.69.030(7)). All notification attempts will be documented.

510.5 TOWING SERVICES FOR FORFEITURE AND EVIDENCE IMPOUND

The City of Vancouver periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

- (a) When a vehicle is seized for forfeiture.
- (b) When a vehicle is being held as evidence in connection with an investigation and service of a search warrant.

510.5.1 ASSET FORFEITURE IMPOUND

If the case officer has reason to seize the vehicle per RCW for an asset/civil forfeiture, the officer will serve a notice to the owner of the property or any person having a known right or interest therein, including any community property interest. The notice will be served within 15 days of the seizure and follow the process outlined in Policy 606 - Asset Forfeiture.

The vehicle will be taken to the VPD Evidence Facility and placed in the secured parking lot if there is room available. If there is not room, or the facility is not accessible, a supervisor will determine where the vehicle will be placed. All documents will be forwarded to the Logistics Unit Supervisor.

Every contact, attempted contact and event regarding this process will be documented in a police report. It is vital to include all dates, times, and names for documentation purposes.

510.5.2 EVIDENCE / SEARCH WARRANT IMPOUND

Vehicles having vital evidence inside shall be placed in a secured area (such as the fenced parking lots of the precincts) while applying for a search warrant. The seized vehicle should be marked by the orange markers in evidence, unless marking the vehicle will interfere with the investigation or may destroy or damage evidence. The vehicle should be marked after the warrant has been served if there is no further risk of destruction of evidence or additional need to maintain the vehicle in the same condition it was in when it was seized. The vehicles should have the date and case number placed on the windshield. The vehicle will be processed as soon as possible. If the vehicle cannot be processed within the current work week, the case officer will notify their supervisor and advise of the reasons for the delay.

Once the vehicle is processed, the case officer will make a reasonable attempt to notify the owner and/or responsible party to have the vehicle released back to them. If the officer does not contact the owner and/or responsible party, the vehicle will be towed using the next available tow from the tow company rotational list. All interest by VPD will be released.

Every contact, attempted contact and event regarding this process will be documented in the related police reports to include all dates, times, and names.

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The vehicle will be listed on the Temporary Evidence board, listing the case number, date and officer.

510.6 STORAGE AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this Department to provide reasonable safekeeping for the arrestee's vehicle.

No impound should occur if other reasonable alternatives are available that would ensure the vehicle's protection. Factors that should be considered by officers in determining whether to impound a vehicle pursuant to this policy include:

- (a) Whether someone is available at the scene of the arrest to whom the vehicle could be released.
- (b) Whether the vehicle can be secured.
- (c) Whether the detention of the arrestee will likely be of such duration as to require protection of the vehicle.
- (d) Whether there is some reasonable connection between the crime/arrest and the vehicle, or the vehicle is related to the commission of another crime (i.e., the vehicle itself has evidentiary value).
- (e) Whether the owner/operator requests that the vehicle be stored.
- (f) Whether the vehicle would be in jeopardy of theft or damage if left at the scene in a high-crime area.

510.7 VEHICLE SEARCHES

Vehicles may be searched when one or more of the following conditions are met:

- With the written or verbal consent of the operator when the operator is present for the search and has received the necessary warnings.
- When necessary to examine the vehicle identification number or to determine the ownership of the vehicle.
- Under emergency circumstances not otherwise enumerated above.
- Pursuant to a valid search warrant.
- If the search is of a vehicle under the control of a juvenile, the provisions of youth access to counsel under RCW 13.40.740 must be followed.

510.8 VEHICLE INVENTORY SEARCH

Any property located or identified as having an obvious high value should be removed from the vehicle and left with the owner, if possible. If the property cannot be left with the owner, it should be submitted into the evidence system for safekeeping.

The scope of the inventory search should be limited to plain view and open/unlocked areas within the interior of the vehicle. A locked vehicle trunk shall not be opened, even if it may be opened without a key from an accessible area of the passenger compartment.

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Property within the vehicle that has no evidentiary or minimal monetary value may be left in the vehicle and listed on the vehicle impound form.

510.9 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g. cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband.