



KANSAS CITY MISSOURI POLICE DEPARTMENT  
**PROCEDURAL INSTRUCTION**

10/25/2017

10/25/2017

17-13

SUBJECT

Towing/Protective Custody of Vehicles and Contents

AMENDS

REFERENCE

RSMo Sections 304.001(1), 304.155-158  
P.I.- Department of Revenue Suspension and Revocation Actions; Patrol Procedures; Prisoner's Personal Property Procedure; Recovered Property Procedure

RESCINDS

PI 09-9  
DM 12-15

## I. INTRODUCTION

This written directive establishes guidelines and procedures pertaining to the towing/protective custody of vehicles and their contents.

## II. TERMINOLOGY

- \*A. **Abandoned Property/Vehicle** – Any unattended motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel removed or subject to removal from public or private property whether or not operational (RSMo 304.001{1}).
- \*B. **Aries System** – Dispatching and vehicle inventory database for all vehicles towed to and stored at the Kansas City Missouri Impound Facility. It is also the online hold/release system utilized by investigative elements and hold notification/tow desk personnel.
- \*C. **City Tow** - A tow service ordered and authorized by a member.
- \*D. **Content Inventory** – A detailed inventory and listing of items located inside of a vehicle being towed, which may include its trunk and engine compartments. When permitted in policy, the content inventory allows the opening of locked compartments and containers to determine content. A content inventory will occur only after members have made a determination to tow the property.
- \*E. **GPS Tow Dispatch System** – System designed to improve tow service response times, regulate tow fees incurred by citizens, and enforce violations of the wreck chasing ordinance. The system will dispatch the tow service using a pre-approved list of authorized tow companies. The closest tow truck to the members location will be dispatched and the arriving tow truck must have an authorized sticker displayed indicating they are an approved tow service.
- F. **Investigative Hold** - A hold authorized by an investigative element on a vehicle which was used in a crime.

- G. **Negligible Value Property** - Property that, in the members best judgment, has apparent minimal value and will not be destroyed or have its value diminished if left in the vehicle (e.g., clothing, cosmetics, etc.).
- \*H. **Non-Preference Tow** - A tow service ordered by a department member at the request of a citizen when the citizen has no tow service company preference.
- \*I. **Preference Tow** – A tow service ordered by a member at the request of a citizen, when the citizen requests a specific tow service company.
- \*J. **Timely Removal** – Reasonable amount of time a member has to allow the arrestee or person responsible for the vehicle to arrange for the removal of the vehicle. Members must use discretion under the circumstances (e.g., whether the arrestee is cooperating with the members, the members have waited more than thirty (30) minutes, call volume, etc.).
- K. **Valuable Property** - Property which, in a members best judgment, is regarded as having significant value which could be lost, destroyed, or have its value diminished if left in the vehicle (e.g., wallet, cell phone, firearm, monies, fine jewelry, etc.). Good judgment must prevail in determining the value of items.

### III. TABLE OF ANNEXES

This written directive has been arranged in annexes to address situations, which may arise when towing a vehicle.

Annex A - Towing Requirements and Procedures

Annex B – Content Inventory and Recovered Property Procedures

Annex C - Investigative Holds

Annex D - Processing Vehicles In Police Custody

Richard C. Smith  
Chief of Police

Adopted by the Board of Police Commissioners this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

Leland Shurin  
Board President

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## TOWING REQUIREMENTS AND PROCEDURES

### A. General Tow Information

1. All procedural provisions shall be considered when circumstances indicate a vehicle may be towed or must be towed for protection of:
  - a. The vehicle owner's property.
  - b. The protection of the police from potential false claims of lost property.
  - c. The police from potential danger.
  - d. The preservation of evidence.
2. The decision to tow a vehicle will never be made to penalize the owner/operator.
3. Vehicles will be towed when the vehicle:
  - a. Is known or believed to have been used in the commission of a crime.
  - b. Has evidentiary value, unless it is processed at the scene and can be released to the owner/operator.
- \*4. Vehicles may be towed as authorized by city ordinance or state law. The appropriate report or citation will be completed.
5. When a felony has occurred within the jurisdiction of Kansas City, Missouri, members will first contact the appropriate investigative element for directions on processing the vehicle.
  - a. The investigative element will determine if an investigative hold will be placed on the vehicle.
  - b. Members will refer to Annex C for further information regarding "Investigative Holds."
- \*6. If the vehicle falls within the parameters requiring a department tow or inventory, members **will not** delegate the authority to tow or inventory the vehicle to a third party (i.e.; private tow company or another agency).
- \*7. Members may order a tow through the automated dispatch towing system via their Mobile Data Computer (MDC) or the Communications Unit.
- \*8. Tow cancellations will be made through the Communications Unit.

B. Abandoned Vehicles/Property on Public Property

1. Members may immediately tow a vehicle from public property within the city limits of Kansas City when:
  - a. The vehicle or personal property is directly interfering with the maintenance of, care of, or the emergency use of the streets by any proper department of the city.
  - b. Removal is necessary in the interest of public safety due to fire, flood, storm, snow removal or other emergency reason.
  - c. The vehicle or personal property is parked illegally or placed in such a manner to constitute a hazard or obstruction to traffic and a traffic citation has been affixed to the vehicle or presented to the owner/operator.
  - d. The vehicle is unattended for any amount of time and it obstructs the normal movement of traffic, there is no reasonable indication that the person in control of the property is arranging for its immediate removal, and it is located on the right-of-way of an interstate/highway or bridge.
2. Members who encounter abandoned vehicles or illegally parked vehicles causing a problem/hazard will:
  - a. Conduct a computer check of vehicle/property to obtain registration information.
  - b. Visually check the interior of the vehicle.
  - c. Make every reasonable effort to contact the owner (Sworn members only).
    - (1) If an owner cannot be contacted and the vehicle is locked and secured, the members towing the vehicle will:
      - (a) Order a city tow through the automated dispatch towing system and complete the Crime Inquiry and Inspection Report/Authorization To Tow, Form 36 P.D. (Form 36 P.D.)
      - (b) Not force open any locked compartment or container.
      - (c) Document on the Form 36 that the listed items were observed in plain view and that the vehicle was locked and secured upon first observation.

- (2) If an owner cannot be contacted and the vehicle is **not** locked or secured, the members towing the vehicle will:
  - (a) Order a city tow through the automated dispatch towing system and complete the Form 36 P.D.
  - (b) Inventory the entire vehicle and document all items on the Form 36 P.D.
  - (c) Not force open any locked compartment or container.
  - (d) Document on the Form 36 P.D. that “the inventorying members secured the vehicle at the scene,” noting any compartment or container that was locked and unable to be inventoried.
3. Members who encounter abandoned vehicles on public property **not** causing a problem/hazard will:
  - a. Conduct a computer check of the vehicle/property to obtain registration information.
  - b. Visually check the interior of the vehicle.
  - c. Make a reasonable effort to contact the owner or person responsible for the vehicle if the vehicle/property has not been previously checked (Sworn members only).
  - d. If unable to contact the owner or person responsible and there is no immediate need to tow the vehicle, the members may:
    1. Complete the Abandoned Vehicle Check, Form 172 P.D. (Form 172 P.D.), noting the date and time the vehicle was checked.
    2. Prior to towing the vehicle, the following must transpire:
      - \*(a) One hundred twenty (120) hours on a city street with a properly displayed valid license plate or placard pertaining to a physically disabled person or physically disabled veteran.
      - (b) Forty-eight (48) hours on a city street, or
      - (c) Ten (10) hours on an interstate, freeway or state highway within the city.
      - (d) Place the Form 172 P.D. on the glass or noticeable location on the roadway side of the vehicle. **Do not** place the Form 172 P.D., on a painted surface.

- (e) Respond back to the location and verify the date and time has expired as indicated on the Form 172 P.D. If the vehicle has exceeded the specified time limit, the members will:
  - (1) Issue a citation, placing a copy on the vehicle.
  - (2) Order a city tow through the automated dispatch towing system and complete the Form 36 P.D.
  - (3) Not force open any locked compartment or container.

\*C. Abandoned Vehicles/Property on Private Property

- 1. Members may tow abandoned vehicles/property from private property within the city limits of Kansas City when:
  - a. The vehicle is left on private property without the consent of the owner or person in possession of the property; and
  - b. The person in possession of the private property requests that the vehicle be towed. Members may tow only when:
    - (1) The abandoned vehicle is left unattended forty-eight (48) hours on the private property; or
    - (2) In the judgment of the member, the vehicle/property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession of the property.
- 2. Members who respond to a complaint and encounter an abandoned vehicle on private property will:
  - a. Contact the owner, lessee, or person in charge of any such property or facility to determine if the vehicle was parked or left on the private property with/without consent.
  - b. Conduct a computer check of the vehicle/property to obtain registration information.
  - c. Make every reasonable effort to contact the owner or person responsible for the vehicle (Sworn members only).
  - d. If an owner or person responsible for the vehicle cannot be contacted, the member will:
    - (1) Issue a citation and leave a copy on the vehicle.

- (2) When applicable, enter the complainant (owner, lessee or person in charge of property or facility) in the “witness” tab of the Mobile Ticketing system.
  - (a) The complainant will not receive a subpoena at that time.
  - (b) Provide the victim/witness a Municipal Court issued Witness Information sheet.
  - (c) The Municipal Court will notify the complainant of the court date if the citation is contested.
- (3) Visually check the interior of the vehicle.
- (4) Order a city tow through the automated dispatch towing system and complete the Form 36 P.D.

\*D. Nuisance Vehicles

1. Vehicles located on the owner’s private property (residence), which are deemed a nuisance, will not be towed by KCPD.
2. The following are declared to constitute a nuisance:
  - a. Any wrecked, damaged, demolished, disassembled or disabled vehicle left or permitted to remain upon any portion of the premises other than within a private garage.
  - b. Any motor vehicle without a state license plate that is current, which is parked, stored, or otherwise located on any premises within a residentially zoned district or lots otherwise used for residential purposes, other than within a private garage, unless the vehicle is not required to have current license plates under state law. Any motor vehicle with a license plate that has been expired less than one month shall be excluded.
3. Members encountering a nuisance vehicle on private property may refer the individual to contact the Action Center (311) online or by phone.

\*E. Custodial Arrest of Driver of Vehicle

1. When a vehicle is stopped on private or public property and the operator (arrestee) is placed under custodial arrest, the members will allow the operator (arrestee) time to arrange for the vehicle’s timely removal unless:
  - a. The arrestee’s physical condition, active resistance, or disorderly conduct prevents such an arrangement; or
  - b. The person operating the vehicle eludes arrest for an alleged offense for which the member would have taken the operator into custody (RSMo 304.155); or

- c. The vehicle will be placed on an “Investigative Hold.” Refer to Annex C of this written directive for further information regarding “investigative holds.”
2. When a vehicle is stopped and an arrest is made, members also may:
- a. Have the operator (arrestee) sign, initial, and date an Authorization Not to Tow Vehicle, Form 455 P.D. (Form 455 P.D.), allowing the members to leave the vehicle legally parked and secured at the scene.
    - (1) A copy of the Form 455 P.D. will be given to the operator (arrestee) and will indicate the location of the vehicle.
    - (2) The original of the Form 455 P.D. will be forwarded to the member’s Patrol Division.
    - (3) Members will acknowledge that the operator (arrestee) fully understands that by signing the Form 455 P.D., they are accepting full responsibility of the vehicle and its contents while it is parked at the designated location.
    - (4) Good judgment will be used before a vehicle is allowed to remain parked at an arrest scene. Consideration will be given to no parking zones, time limit zones, the safety of any released occupants, and area crime rate.
  - b. With the operator’s (arrestee’s) permission, release the vehicle to any passenger or other person who has a valid driver’s license and is not intoxicated.
    - (1) Members will enter the name, address and phone number of the person the vehicle was released to on the Form 455 P.D.
    - (2) The person, whom the vehicle was released to, will sign their name on the Form 455 P.D.
    - (3) The operator (arrestee) will be required to sign and initial the Form 455 P.D.
    - (4) A copy of the Form 455 P.D. will be given to the operator (arrestee) and will indicate the location of the vehicle.
    - (5) The original of the Form 455 P.D. will be forwarded to the member’s Patrol Division.
3. If the operator (arrestee) decides not to relinquish the vehicle to a qualified driver or sign the Form 455 P.D., the members will:
- a. Order a city tow through the automated dispatch towing system and complete the Form 36 P.D.

- b. Conduct a content inventory of the vehicle when the operator (arrestee) is taken into custody. For further information, refer to Annex B of this written directive.

F. Stolen Auto within Kansas City

1. When a vehicle is stolen and recovered within Kansas City, Missouri the sworn members will:
  - a. Contact the appropriate investigative element.
  - b. Process the vehicle, if instructed by the respective investigative element. For further information refer to the current written directive entitled, "Patrol Procedures."
  - c. Make a reasonable effort to contact the owner.
  - d. Notify the Stolen Auto Desk.
2. If an owner cannot be contacted, the sworn members will:
  - a. Order a city tow through the automated dispatch towing system and complete the Form 36 P.D.
  - b. Request a field supervisor to respond before a locked compartment is forced open.
  - c. Document any damage which may have occurred on any locked compartments on the Form 36 P.D.
  - d. Recover any valuable property. Refer to Annex B of this written directive for content inventory and recovered property procedures.
  - e. Notify the Stolen Auto Desk.

G. Outside Stolen/Local Recovery

1. Members **will not** process outside stolen vehicles unless:
  - a. The vehicle was used in the commission of a felony within the jurisdiction of Kansas City, Missouri.
  - b. Other special circumstances exist.
2. When a vehicle had been used in a felony and recovered within the jurisdiction of Kansas City, Missouri, members will:
  - a. Contact the appropriate investigative element. The investigative element will determine if an investigative "hold" will be placed on the vehicle for their element.
  - b. Process the vehicle, as instructed by the respective investigative element, advising them of any locked compartments.
3. Members will notify the Stolen Auto Desk of the recovery.

4. The Stolen Auto Desk will contact the Real Time Section.
5. The Real Time Section will notify the agency, which reported the vehicle stolen.
6. If the vehicle is driveable, it may be released to the owner at the recovery location unless:
  - a. The agency, which reported the vehicle stolen, requests a “hold” when notified of the recovery, or
  - b. A “hold” is noted in the computer entry for the outside agency.
  - c. The vehicle owner cannot respond to the recovery location for timely removal.
7. Members will order a city tow through the automated dispatch towing system and complete the Form 36 P.D.
8. The outside agency will be notified as needed.

#### H. Tow-In Zone Violations

1. Vehicles towed from tow-in zones during prohibited hours will be towed to the City Tow Lot.
2. Members will complete the Form 36 P.D.
3. The report will include a content inventory of all visible property of value in the vehicle and all damage to the vehicle.
4. The property will remain in the vehicle.

#### \*I. Vehicular Accident Tows

1. In the member’s discretion, any vehicle may be towed, when the member has reasonable grounds to believe the vehicle has been involved in an accident and the operator or person in charge of the vehicle failed to:
  - a. Comply with the provisions of the city ordinance relating to the reporting of accidents, or
  - b. Exchange information at the accident scene.
2. Vehicle owners/operators may request a **Preference Tow**; however, the street must be cleared of the obstruction for a timely removal.
  - a. If the vehicle owner/operator’s requested tow is unable to respond for timely removal, members will request a **Non-Preference Tow** through the automated dispatch towing system.
  - b. If the vehicle operator is injured, unable, or unwilling to request a specific tow company, members will request a **City Tow** through the automated dispatch towing system and complete the Form 36 P.D.

J. Miscellaneous Violations

1. A vehicle may be towed when parked on the street or any public place with a license plate(s) or renewal decal reported stolen, altered/counterfeited, or affixed to a vehicle other than to which it was issued.
2. If a member determines that a large unattended vehicle, which is beyond the capability of a conventional tow truck must be towed, an attempt will be made to contact the owner to secure a tow service. If a tow cannot be secured, the member will request a tow through the Communications Unit, informing the Communications Unit of the special requirements needed.

\*K. Member's Authority to Release a **Non-Preference/City Tow**

1. Once the safety of the member and the public has been established members:
  - a. Will not allow operators of private tow companies to approach the owner/operator of a vehicle to arrange towing vehicles.
  - b. Will not recommend or direct an owner/operator to contact a private tow company, which may have arrived at or near the location.
  - c. Will not prevent the owner/operator of a vehicle from approaching a private tow operator that has arrived at or near the location.
  - d. Will not cancel a Non-Preference Tow/City Tow unless the owner/operator specifically requests the member to cancel the tow in lieu of a Preference Tow.
2. Members are responsible for ensuring the compliance of the city and state regulations prohibiting a tow vehicle from stopping at or proceeding to the scene involving a motor vehicle (i.e., wreck chasing) unless the tow vehicle was requested to stop by the owner/operator of the vehicle.
3. The city tow truck driver has responsibility over the vehicle once moved (i.e., lifted, hooked up, etc.) from its original position.

\*L. Record of Towed Vehicles/Notification of Owner

1. Members conducting a City Tow will:
  - a. Complete the Form 36 P.D.
  - b. Retain the original and place the Form 36 P.D. in the "To be scanned" box prior to the end of their tour of duty.
  - c. The copy of the Form 36 P.D. will be given to the tow truck driver at the scene.
2. Station designee(s) will scan the Form 36 P.D. into the designated Records Management System.

3. A tow lot designee will send a written notice (Vehicle Owner and Lienholder Notification, DOR Form - 4577) to the registered owner and lien holder of the abandoned vehicle/property within five (5) days, if the abandoned vehicle/property has not been released.
  - a. The notice must include the fact that the vehicle/property was towed, the grounds for removal and the place where the vehicle/property is being held (Tow Lot).
  - b. The DOR Form - 4577 will be forwarded to the Department of Revenue after ten (10) working days of any unclaimed abandoned vehicle/property.
4. Police Tow records on vehicles/property removed or towed at the direction of a member will be maintained in the Criminal Records Section.

**\*CONTENT INVENTORY AND RECOVERED PROPERTY PROCEDURES**

A. Custodial Arrest Content Inventory

1. If the vehicle is not towed from the scene and the owner/operator (arrestee) signs the Form 455 P.D. then:
  - a. The member **will not** conduct a content inventory.
  - b. The member will ensure the vehicle is secured and legally parked.
2. If the vehicle is towed from the scene pursuant to a custodial arrest a complete content inventory of the interior, engine compartment, and trunk will be completed to prevent any article of valuable property from being overlooked.
  - a. A content inventory permits locked and/or closed compartments (e.g., trunk, engine or glove compartment) and containers to be opened either by key or by force to determine the content.
    - (1) If the member is unable to obtain entry into a locked compartment or container, the member will attempt to obtain a key from the owner/operator.
    - (2) If the owner/operator refuses to allow the member to gain entry into a locked compartment or container, the member will advise the owner/operator he/she will have to force open the locked compartment or container to inventory the vehicle.
    - (3) If the owner/operator still refuses to allow the member to gain entry, the member will request a field supervisor to respond to the scene.
    - (4) After all efforts have been made to obtain a key; the locked compartment or container will be forced open. However this should be done in a manner which will incur the least amount of damage to the vehicle being inventoried.
    - (5) Any locked compartment or container forced open and any damage will be noted on the Form 36 P.D.
  - b. Members may only inventory a typically non assessable section of the vehicle when it is obvious to the reasonable person that the area has been manipulated (i.e., carpeting or trim is overlapping or ill-fitting) and may be utilized as a “hidden compartment.”

- c. Any contraband, portable locked compartment or container that is not opened, or property of evidentiary value will be recovered and forwarded to the Property and Evidence Section.
- d. The initiating member will complete a Form 36 P.D. and request a member to standby for the tow.

B. Recovered Property - Valuable Property

1. **Valuable property, other than firearms**, which is attached to or part of the vehicle, (e.g., radio/cd player, wire wheels, cellular telephone, etc.), will be listed on the Form 36 P.D. in the appropriate section. The member will indicate on the Form 36 P.D. the disposition of all other property contained in the vehicle.
2. **Valuable property in small quantities** should be inventoried and recovered in accordance with the current written directive entitled, "Recovered Property Procedure."
  - a. Property other than evidence and contraband may be released at the scene by the member to a responsible person.
  - b. The accompanying report will contain a narrative of the incident and will include the disposition of the property.
  - c. A summary of the action taken will be placed on the Form 36 P.D., in the space reserved for the member's comments. This summary will include the type of report taken and the case report number.
3. **Valuable property in large quantities** (e.g., in a panel truck or station wagon used to store and carry tools and supplies, or used for transferring large quantities of material).
  - a. The member should first attempt to locate a responsible person who is authorized to take custody of the vehicle.
  - b. In the event the member cannot locate such a person, the contents of the vehicle will be inventoried and listed on the Form 36 P.D.
  - c. A Continuation Report, Form 183 P.D., will be used should more space be needed for listing vehicle contents.
  - d. The contents will remain in the vehicle, which will be towed to the City Tow Lot.
  - e. The member completing the Form 36 P.D. will contact the City Tow Lot by phone to ensure that the supervisor is aware of the nature and contents of the vehicle being towed.
  - f. The vehicle will then be released into the City Tow Lot supervisor's custody.

4. **Valuable property in the form of livestock or perishable goods** (e.g., a large produce truck, truckload of chickens or cattle, family vehicle with groceries, etc).
  - a. The member should first attempt to locate a responsible person who can be authorized to take custody of the vehicle and its contents.
  - b. If such a person cannot be located, the member will contact a supervisor for instructions.
  - c. Examples of perishable items that will not be recovered and placed in the Property Room are refrigerator or freezer items, which when left out will spoil. Those items should be itemized and then thrown away, with the disposition noted on the Form 36 P.D.
5. **Firearms** will be recovered as outlined in the current written directive entitled, "Recovered Property Procedures" when:
  - a. The firearm has evidentiary value.
  - b. The firearm is seized for not being lawfully possessed.
  - c. The firearm is recovered for safekeeping (i.e., recovered from an abandoned vehicle being towed, etc.).
6. **Firearms** legally possessed in the vehicle may be:
  - \*a. Recovered as outlined in the current written directive entitled, "Recovered Property Procedures." **A firearm will never be placed in with the arrestee's (detainee's) personal property.**
    - (1) Detainee's will be directed to contact the Property and Evidence Section to retrieve their firearm. **A firearm will never be released from a division station.**
    - (2) Members will direct any questions to the Crime Gun Intelligence Group (CGIC).
  - b. Secured in the vehicle as long as:
    - (1) The arrestee initials in the designated area and signs the Form 455 P.D.
    - (2) The arrestee is accepting full responsibility for the firearm and the vehicle.
7. **Firearms** confiscated from a towed vehicle will be separated from other contents of the vehicle and handled as outlined in the current written directive entitled, "Recovered Property Procedures."

8. **Property of negligible value** will be inventoried and listed on the Form 36 P.D. When possible, all negligible property will be placed in the trunk of the car, the trunk lid locked, and the keys to the trunk returned to the owner/operator of the vehicle.
- C. When a "demand order" is discovered on a license plate or driver's license, the license plate or driver's license will be confiscated and handled in accordance with the current written directive entitled, "Missouri Department of Revenue Suspension/ Revocation Actions."
  - D. Reported lost or stolen license plate(s) not registered to the vehicle will be recovered from the vehicle.
    1. A description of the recovered license plate(s) will be included in the comments/inventory section of the Form 36 P.D.
    2. Members will complete the Physical Evidence/Property Inventory Report, Form 236 P.D., and all applicable reports.
  - E. Altered or Counterfeit Vehicle Plates/Temporary Permits
    1. Any member encountering a motor vehicle with altered or counterfeit vehicle plate(s)/temporary permit has the option of towing the vehicle.
      - a. The appropriate Property Crimes Section will be notified in these instances.
      - b. If an investigation hold is approved, members will refer to Annex C of this written directive for further information.
    2. The altered or counterfeit plate(s)/temporary permit will be recovered and forwarded to the Property and Evidence Section, to be held as evidence.
    3. Members will issue the appropriate citation.
  - F. Missing, Altered or Illegible Vehicle Identification Numbers (VIN)
    1. Any member encountering a motor vehicle with missing, altered, or illegible VIN has the option of towing the vehicle.
      - a. The appropriate Property Crimes Section will be notified in these instances.
      - b. If an investigation hold is approved, members will refer to Annex C of this written directive for further information.
    - \*2. Any member encountering a motor vehicle illegally parked or abandoned, on public or private property, and unable to obtain the VIN due to objects obscuring its view, has the option of towing the vehicle.
      - a. The appropriate Property Crimes Division or VIN Specialist will be notified in these instances.

- b. The hold for the vehicle will be for “VIN check.” Members will place “VIN check” in the “hold” box of the Form 36 P.D.
- c. If an investigation hold is approved, members will refer to Annex C of this written directive for further information.

G. Search Warrant Guidelines

- 1. When a search of the entire vehicle under authority of a search warrant is dictated or desired, no immediate content inventory will be conducted by the towing member.
- 2. The member will contact the appropriate investigative element to determine if a warrant will be obtained. If so, the member will have the vehicle towed to the police facility designated by that investigative element. The investigative element will:
  - a. Obtain the search warrant, conduct the search, and complete the Physical Evidence/Property Inventory Report, Form 236 P.D.
  - b. Have the vehicle towed to the City Tow Lot upon completion of the above.

## INVESTIGATIVE HOLDS

- A. An investigative “hold” will be placed on a vehicle only when:
1. Authorized by a specific investigative element. This includes the Traffic Investigation Section (T.I.S.).
    - a. A Patrol Bureau supervisor can issue a “hold” on a stolen auto in the event a Property Crimes Section detective cannot be contacted.
    - \*b. Either a D.U.I. Section detective/supervisor or a Traffic Investigation Section detective/supervisor will be contacted to place a “hold” on a Hit and Run vehicle between the hours of 1600 and 0800 hours. (Hit and Run vehicles are not held under normal circumstances.)
  2. The VIN plate is missing/altered or title numbers do not match. (In these instances, the appropriate Property Crimes Division will be notified.)
- B. No “hold” for the Crime Scene Investigation Section (CSIS) will be placed on a vehicle when processing is requested. The “hold” will be for the authorizing investigative element.
- C. When a “hold” is placed on a vehicle, the towing member will:
1. Notify the respective investigative element before a content inventory of the vehicle is conducted. If personnel within that element cannot be contacted, a supervisor within the Violent Crimes Division will be notified.
  2. Conduct a content inventory if instructed by the investigative element.
  3. **Not** conduct a content inventory of the vehicle when an attempt to obtain a search warrant is dictated or desired.
  4. Complete a Form 36 P.D., entering the element requesting the hold and the name of the person authorizing the hold.
  5. Notify the Hold Notification/Tow Desk in a timely manner with the “hold” information, to include the person’s name and unit who authorized the “hold.” In the appropriate section of the Form 36 P.D., document the person contacted at the Hold Notification/Tow Desk, noting the date and time.
- \*D. The investigative element authorizing the vehicle “hold” will:
1. Be ultimately responsible for ensuring a complete content inventory of the vehicle is conducted prior to the investigative process being completed.

2. Contact the Hold Notification/Tow Desk to place a hold on the vehicle if a hold was not originally placed on the vehicle.
3. Access the online vehicle hold/release system (Aries system) and place a hold on the vehicle.

\*E. Hold Notification/Tow Desk personnel will:

1. Complete the Police Hold, Form 5193 P.D. by entering vehicle/member's information.
2. Verify the license and VIN for accuracy prior to entering the information from the completed Police Hold, Form 5193 P.D. into REJIS.

\*F. Release of Vehicle

1. The investigative element will:
  - a. Access the online vehicle hold/release system (Aries system) and release the hold on the specific vehicle.
  - b. Notify the owner and/or lien holder that the hold is canceled and instruct them to respond to the City Tow Lot with proof of ownership and valid proof of identification.
  - c. Notify the Hold Notification/Tow Desk via fax or email the hold is released from the specific vehicle.
2. The Hold Notification/Tow Desk personnel will:
  - a. Verify through the notification screen of the Aries system that a hold has been released on that specific vehicle.
  - b. Receive a daily email from Aries indicating all the Hold releases.

**PROCESSING VEHICLES IN POLICE CUSTODY**

- A. Members will process vehicles if directed by an investigative element. For further information members will refer to the current written directive entitled "Patrol Procedures."
  - 1. When requested, the Communications Unit will dispatch personnel from the CSIS to process the vehicle.
  - 2. The Communications Unit will notify the member who is recovering the vehicle that personnel from the CSIS will be responding.
  
- B. The vehicle may be released to the owner or their representative at the scene (location of recovery) upon approval of the appropriate investigative element if:
  - 1. It has been processed and has no further evidentiary value.
  - 2. Towing is not warranted (i.e., no further need for an investigative hold).
  - 3. Verification of owner/representative is established.
  
- C. In all instances when authorization has been given to tow a vehicle for processing, CSIS will be notified from the scene before the vehicle is towed. The vehicle will be towed to the designated location specified by CSIS. The member will:
  - 1. Complete a Form 36 P.D.
  - 2. Give the copy of the Form 36 P.D. to the tow truck driver. The towing member will inform the tow truck driver of the location to tow the vehicle.
  
- D. If the vehicle being towed is the crime scene or possibly contains evidence and cannot be processed at the scene:
  - 1. A detective or CSIS personnel may request the towing member escort the tow truck and vehicle to a predetermined location to ensure the contents of the vehicle remain intact.
  - 2. Upon arrival, the vehicle will be secured.
  
- E. When processing is completed, the CSIS personnel who processed the vehicle will follow the towing and recovered property procedures as outlined in Annex B of this written directive.