

## RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Michael Poehlman /s/		
Approving Deputy Chief:		
General Order No: P-410-05	Issued: January 4, 2006	Supersedes: 3/244.000
	Reissued:	Revised: June 10, 2010
General Order Title: <b>VEHICLE IMPOUNDS</b>		

### I. POLICY

This policy has been established in order to ensure that procedural guidelines and legal requirements are met regarding vehicle impounds.

### II. PROCEDURES

#### GENERAL

Vehicles that are impounded for evidence or possible forfeiture should be towed to the appropriate storage facility by one of the on-call licensed towing services. Officers will generally not operate a citizen's vehicle unless there is a need to immediately move the vehicle for safety reason. This shall not apply to assisting a citizen in legally parking their vehicle at the citizen's request.

#### ROUTINE TOWING/IMPOUND PROCEDURES

1. A supervisor will be notified of any vehicle tow that will be impounded and held for evidence. A supervisor need not be notified on a routine traffic accident vehicle tow or any other tow that will be classified as "Released to Owner." The supervisor will then be responsible for placing the tow information on the daily watch log. A supervisor or traffic detective will determine if a MAIT-involved vehicle will be impounded and stored as evidence.
2. After a traffic accident, a vehicle may be towed without completing a tow report, under the following conditions:
  - The vehicle is incapacitated and causing an obstruction/hazard.
  - At the request of the responsible party.
  - If the driver/responsible party is injured to the extent that he/she cannot provide for the vehicle's care.

3. If a vehicle, for any reason, is an obstruction or traffic hazard and the vehicle's responsible party is unable or unwilling to remove it within a reasonable time, the vehicle may be towed. A towed vehicle report and a citation will be completed.
4. Vehicles abandoned on private property are the responsibility of the property owner and will not be towed by the Department. If the vehicle is a nuisance or hazard, employees may refer complaints about the vehicle(s) to the City's Code Compliance Division.
5. Vehicles abandoned on public property will be handled by a Parking Violations Assistant (PVA) as assigned by the Traffic Division. A supervisor need not be notified on a routine abandoned vehicle on public property tow.

### **STOLEN VEHICLE TOWING/IMPOUND PROCEDURES**

1. Whenever possible, stolen vehicles recovered in Reno will be processed by a Crime Scene Investigator (CSI). If not, details as to the reason will be documented in a subsequent report.
2. Vehicles reported stolen in Reno and recovered in Reno should be released to the owner at the recovery scene once the vehicle has been processed, provided there is no need for an evidentiary hold. All attempts will be made to contact the vehicle's registered owner, and these attempts will be documented in a subsequent report.
3. Completion of a Vehicle Report Form is required, regardless of whether the vehicle is released on scene or towed. The owner will sign the release on the Vehicle Report Form when taking custody of the vehicle.
4. Immediately following a vehicle impound, the officer will have the Vehicle Report Form approved, and turn it into the Records Section.
5. If the vehicle has been reported stolen to the Department, and a corresponding report is already on file, a supplemental report will be completed.
6. If the vehicle has been reported as stolen with another law enforcement agency, an original report will be prepared with information related to the vehicle recovery.

### **TOWING/IMPOUND PROCEDURES FOR VEHICLE FOLLOWING ARREST**

1. When a vehicle's operator is arrested, and it is determined that their vehicle is to be impounded, information related to the impound will be recorded in the offense report, and a Vehicle Report Form will be prepared. Disposition of the vehicle will also be noted on the booking form.
2. When practicable, the officer may abide by the wishes of the arrestee regarding disposition of his/her vehicle, and the vehicle may be released to a responsible party designated by the arrestee. This option may not be considered if ownership/rightful possession of the vehicle

by the arrestee is in doubt. The officer will include the disposition of the vehicle in the arrest report, and if the vehicle has been released to a third party, will include on the arrest report the name, phone number, address, and relationship of the person taking custody of the vehicle to the arrestee.

3. If the arrestee is the owner of the vehicle, with his/her approval, the vehicle may be legally parked as an alternative to towing. The vehicle may not be parked on private property without permission of the property owner or authorized designee. The name of the person giving such permission will be noted in the officer's report, as well as their authority to give such permission, i.e., owner, manager, clerk, etc. The officer leaving an arrestee's vehicle at the scene of the arrest must be sure that the vehicle is locked, and that the keys are given to the arrestee. The location of the vehicle will be documented on the booking form and in the arrest report.
4. If the arrestee is not the registered owner of the vehicle, the officer will notify Communications that the arrestee requested that the vehicle be left on scene. The officer will further request that the registered owner of the vehicle be contacted and informed of the disposition of the vehicle. It will also be explained to the registered owner that the vehicle may be left for a period of time not to exceed 48 hours. When the vehicle's registered owner is contacted, the officer should be guided by the owner's decision as to the disposition of the vehicle. If the vehicle's registered owner cannot be contacted, at the officer's discretion, the vehicle may still be left on scene. Attempts to contact the owner and disposition of the keys to the vehicle will be documented in the officer's arrest report.
5. A vehicle used in the commission of a crime will be impounded and sealed without inventory if the possibility exists that evidence may be destroyed.
6. If a vehicle is impounded for forfeiture only, it will not be sealed. The vehicle will be inventoried and towed to the RPD main station motor pool.
7. A vehicle placed in "hold" status will only be released by the unit having authority. If the vehicle needs to be held for a period exceeding three days, evidence personnel will assist in moving the vehicle from the RPD motor pool. A hold order will be placed under the following conditions:
  - For evidence processing which cannot be performed at the scene, necessitating holding the vehicle as evidence;
  - For civil proceedings. This is deemed a "Vehicle Seizure," and will be clearly marked as such on the Vehicle Report Form;
  - The vehicle identification number (VIN) is missing, altered, or changed. The report must detail why the officer believes that the VIN was altered or changed;
  - A search warrant to search the car is in the process of being obtained; or
  - The vehicle is suspected of being involved in a fatal, hit-and-run, or serious injury accident.
8. All impounded vehicles will be inventoried for liability purposes, unless the vehicle is being sealed for evidentiary purposes. If the keys are available, the inventory search of a

lawfully-impounded vehicle will extend to the glove box, trunk, and/or any locked or closed container (briefcase, suitcase, tool box, etc.) in the vehicle. This will be a reasonable inventory, using the same language as the Tiburon system, e.g., if there are three bags of items, on the inventory simply write "three bags."

9. On all tows, the officer or PVA will request an NCIC and registration check of both the VIN and the license plate number. A printout detailing the check will be attached to the Vehicle Report Form prior to submitting the form to the Records Section.
10. When an officer is having a vehicle towed for evidence, or if the vehicle's occupants have been arrested, an officer will remain on scene until the vehicle has been removed by the towing company.
11. When an officer or PVA is causing a vehicle to be towed, a Vehicle Report Form is required. When the driver/responsible party requests the tow, and the officer/PVA is simply assisting with that request, then a Vehicle Report Form is not required.
12. A vehicle involved in a hit and run accident not involving substantial bodily injury or death will not be impounded, nor will a "hold" be placed on it unless there is some evidentiary value to or on the vehicle. A vehicle involved in a hit and run without the owner on scene will be towed without a police hold. A vehicle impounded and held will be towed to the evidence warehouse or yard.
13. If the hit and run suspect vehicle is still on scene, it will be towed as an "accident tow" and not impounded, unless for evidentiary value only. The hit & run vehicle will be documented by photographs and the report.