



Charleston County Sheriff's Office Policy and Procedures Manual

Sheriff Carl Ritchie

13-10 TOWING OF VEHICLES

- ☐ NEW
- ☐ REVISED
- ☒ REVIEWED

ACA Standards Reference:
CALEA Standards Reference: 61.4.3
NCCHC Standards Reference:
SCLEA Standards Reference:
SC Minimum Standards:

This policy dated 1/29/2025 replaces prior policies cited above and supersedes all previously issued directives.

I. Purpose:

To establish guidelines for vehicle towing and impounding.

II. Policy:

It is the policy of the Charleston County Sheriff's Office to tow vehicles only when legally necessary and to take reasonable precautions to safeguard property when it directs vehicles to be towed.

III. Definitions:

A. For purposes of this procedure, the word "deputy" applies to all agency employees with a certification classification of Class I, Class II, Class III, or Reserve Deputy, as defined by the South Carolina Criminal Justice Academy.

The following terms are used interchangeably; however, they carry guidance to specific employees based on usage of the term:

1. Deputy, deputy sheriff, detention deputy, sworn employee, uniformed sworn employee, sworn administrative employee, and
2. civilian, non-sworn employee.

B. *Employee:* When used without further clarification, the term employee is inclusive of all agency members (sworn and non-sworn).

IV. Procedure:

A. Abandoned Vehicles:

1. Deputy sheriffs have the authority and responsibility to ensure the safe and efficient flow of vehicular traffic on the roads and highways of Charleston County. This sometimes requires that vehicles be removed or towed to a place of safety. A deputy sheriff who finds a vehicle left attended or unattended on a road or highway in violation of any of the provisions regulating stopping, standing, or parking, and which constitutes a definite hazard or obstruction to the normal movement of traffic, is authorized to move the vehicle or require the driver or person in charge of the vehicle to move it to a position off the roadway or otherwise legally park the vehicle. (*Ref: §56-5-5850 of the South Carolina Code of Laws, 1976, as amended*).

2. Deputy sheriffs shall make all reasonable attempts to contact the vehicle owner before the vehicle is towed. All attempts to contact the registered owner will be documented within the *Incident Report*. (see also paragraphs D(1-4) *infra*).
3. Deputy sheriffs observing vehicles abandoned or unattended that are out of the flow of traffic and not presenting a danger to the public will place an *Unattended Vehicle Notice (CCSO form-126)* on the vehicle documenting the date and time on the notice. After forty-eight (48) hours the vehicle should be towed to a safe location. Deputy sheriffs will request the Charleston County Consolidated 9-1-1 Center (hereafter referred to as 911 Center) to notify the next wrecker on rotation to tow the vehicle. The deputy sheriff will complete a *Towed Vehicle Protective Custody form (CCSO form-107)* and *Incident Report* within RMS.
4. Abandoned vehicles that are towed must be entered into the NCIC Insurance File to include the OCA for the abandoned vehicle incident report.
(Ref: CALEA 61.4.3 item a)

B. Illegally Parked Vehicles (Private Property):

1. A deputy sheriff who discovers or is advised of a vehicle parked illegally on private property shall make all reasonable attempts to contact the vehicle owner to remove such vehicle. If the owner cannot be located, the property owner will be notified and advised that they have the right to have the vehicle towed from their property. The property owner can contact the tow company of their choosing, and they will tow the vehicle off the property.
2. Deputy sheriffs may place an *Unattended Vehicle Notice (CCSO form-126)* on the vehicle documenting the date and time on the tag. After seven (7) days the vehicle must be towed to a safe location. Deputy sheriffs will request the 911 Center notify the next wrecker on rotation to tow the vehicle. The deputy will complete a *Towed Vehicle Protective Custody form (CCSO form-107)* and *Incident Report* within RMS, and will notify the registered owner of the vehicle as to the location where the vehicle was towed. All attempts to contact the registered owner will be documented within the incident report. (see also paragraph D(1-4) *infra*).
3. Any vehicle that is towed, without the owner's knowledge, must be entered into the NCIC Insurance File to include the OCA for the abandoned vehicle incident report.
(Ref: CALEA 61.4.3 item b)

C. Other Instances When Vehicles May Be Towed:

1. Deputy sheriffs may cause a vehicle to be towed under any of the following circumstances:
 - a. Any vehicle so damaged at an accident scene that towing is required and whose owner/operator is unable to make disposition of the damaged vehicle.
 - b. Any vehicle left unattended upon any street, bridge or causeway and is illegally parked so as to constitute a hazard or obstruction to the normal movement of traffic.
 - c. Any vehicle from which a deputy sheriff makes an arrest and there is no responsible party to whom the arrestee can turn over the possession of the vehicle.
 - d. Upon recovery of any stolen vehicle (or vehicle operated without the owner's consent) where the owner cannot appear in a reasonable time to claim the vehicle.
 - e. Any vehicle containing illegal liquor, illegal weapons, a sufficient quantity of illegal drugs, or otherwise operated in a manner which would qualify for seizure of the vehicle.
 - f. Any vehicle to be held for processing of evidence in the course of an investigation. A Deputy sheriff may only place a hold on a towed vehicle with a supervisor's approval.
 - g. Any vehicle upon execution of a lawful court order so specifying the seizure of such vehicle.
(Ref: CALEA 61.4.3 item b)
2. When it becomes necessary to have a vehicle towed, the deputy sheriff will contact the 911 Center and request the next wrecker on rotation. Deputy sheriffs will provide the make, model, license plate and type of damage, if any, when requesting the next wrecker on rotation. Included in the request for the next wrecker on rotation, the deputy sheriff will notify the 911 center if any special equipment is required by the towing company or if there are extenuating circumstances; i.e., flatbed, overturned, more than 50' off the roadway, in the marsh or mud, etc. If the owner/operator requests a specific tow service, every effort should be made to contact that service. The deputy sheriff will

make every effort to avoid cancellations of rotational tow wreckers by confirming that a special request has not already been made prior to notifying the 911 center.

3. If the vehicle to be towed is a commercial vehicle the deputy sheriff will make sure that the 911 Center is made aware that it requires a medium/heavy duty tow and the type of load, if any, the vehicle is carrying.
4. The deputy sheriff will also make sure the 911 Center is given any hazardous material placard information found on any vehicle at the scene.
5. Any vehicle to be processed by Forensic Services, is not to be tampered with by deputies or civilians, until it is processed and released by an investigator or Forensic Services. The tow truck transporting that vehicle must be followed by a deputy sheriff to Forensic Services to maintain chain of custody. (Ref: CALEA 61.4.3 item b)

D. Tow Records:

1. When a vehicle is removed or towed at the direction of a deputy sheriff, for any reason, the following information will be relayed to the 911 Center for entry into the Rotation Service Request Log (Tow Log):
 - a. vehicle license number including year and state of issuance;
 - b. vehicle identification number (VIN) if it does not match the registration;
 - c. vehicle make, model and color; and
 - d. arrival and departure time of the towing service.
2. The deputy sheriff will complete a *Towed Vehicle Protective Custody form (CCSO form-107)*. The deputy sheriff will use the electronic version of the *Towed Vehicle Protective Custody form*, print a copy for the tow truck driver as well as the vehicle owner, if needed. If the electronic version of *Towed Vehicle Protective Custody form* is not accessible, the deputy sheriff may utilize the paper version. The tow truck drivers are not required to sign the tow sheet, but they must be provided a copy of the *Towed Vehicle Protective Custody form*.

3. The deputy sheriff must attach the *Towed Vehicle Protective Custody form* electronic file (scan the handwritten tow sheet) to the report in ReportBeam or RMS. If the vehicle is being towed due to an accident, the deputy sheriff will attach *The Towed Vehicle Protective Custody form* to the accident report in ReportBeam. If the vehicle is being towed for any other reason than an accident, the deputy sheriff will attach *The Towed Vehicle Protective Custody form* to the *Incident Report* in RMS.
4. The deputy sheriff responsible for the towing of a vehicle will attempt to contact the owner/operator of the vehicle and notify that the vehicle is being towed. These attempts will be recorded as part of the *Incident Report* in RMS. [see also paragraph B(3) supra]. If unable to make contact, the deputy sheriff will send a copy of the *Incident Report*, *Supplemental Report(s)*, and *The Towed Vehicle Protective Custody form* to Records personnel via email (recordsi@charlestoncounty.org). Records personnel will attempt to contact the owner via certified letter, return receipt requested, to the last known address of the owner; and if different, the current address listed in DMV, informing the owner where the vehicle may be claimed. (Ref: CALEA 61.4.3 item c)

E. Release of Towed Vehicles:

1. Vehicles which have been towed, and the Sheriff's Office has not placed a hold on the vehicle, will be released to the owner by the tow service once all charges have been paid by the vehicle owner.
2. Vehicles seized and impounded for asset forfeiture purposes, as referenced in paragraph C(1e) supra, can only be released upon order of the courts to the registered owner of the vehicle or a person who has proper documentation to take possession of the vehicle.

F. Tow Company Complaints:

Deputy sheriffs will report any problems or issues with a tow service on the tow rotation by completing the *Tow Company Complaint Form (CCSO form-355)*. The deputy sheriff will submit the completed form to the Traffic Services Unit for follow-up.