


LEESBURG POLICE DEPARTMENT REGULATIONS AND GENERAL ORDERS MANUAL		
General Order Number: 212	Section: OPERATIONS	Effective Date: SEPTEMBER 2022
Title: ABANDONED TOWED VEHICLES		
Accreditation Standards: OPR.07.12		
Review Date: OCTOBER 2023	Total Pages: 3	Chief of Police: 

I. ABANDONED VEHICLES, TOW POLICY, TOWING RECORDS

A. Abandoned Vehicles.

1. An officer locating or receiving a complaint of an abandoned vehicle should attempt to have the matter corrected before towing the vehicle. The officer shall determine that there is no wanted or stolen status on the vehicle, identify the owner if possible, and attempt to have the vehicle removed by the owner.
2. If the officer is unable to have the abandoned vehicle removed by the owner, the following procedure should be followed:
 - a. Public Property: If the vehicle is parked on public property and lacks a valid license, valid inspection, valid Town decal or is in violation of any code or ordinance it will be tagged. If the vehicle remains unattended, the officer shall tow it in accordance with this General Order and the Town Code. When towing a vehicle pursuant to it being tagged, a Property Form and an LPD Case Report must be completed which details the facts of the investigation.
 - b. Private Property: If the vehicle is parked on private property without the permission of the property owner, the officer shall determine that there is no wanted or stolen status on the vehicle. The officer will advise the property owner that it is the responsibility of the property owner to have the vehicle towed. The license information cannot be given to the property owner but may be given to the wrecker driver.
3. The team supervisor should be notified by the officer prior to a tow request for an abandoned vehicle.
4. Abandoned vehicles should only be towed after all other efforts to have them removed have been exhausted.

B. Towing Vehicles.

1. When a vehicle is towed at the direction of a police officer, the officer shall verify the identification and assess the physical condition of the operator of the vehicle (if applicable). Additionally, the officer shall check the vehicle license and vehicle identification number and be alert for contraband, weapons, or irregularities that may be in plain view. The officer shall request a wrecker through the communications center; the communications technician shall contact the next available wrecker company on the automated rotation list of wrecker facilities who have a current agreement with the Town of Leesburg. The officer will remain at the scene to ensure the tow company called is the one that takes the vehicle. Only the vehicle keys should be given to the tow truck driver. The keys to all vehicles that are in LPD custody, regardless of reason, should have the keys turned in to the evidence custodian. The keys will be held in a separate key cabinet in the evidence room.
2. Officers may direct that a vehicle be towed for one of the following reasons:
 - a. Safekeeping.
 - b. Impounding.
 - c. Seizing.

3. Safekeeping - Vehicles towed for safekeeping may include recovered stolen vehicles. Upon the recovery of a stolen vehicle the originating agency will be contacted immediately. Recovered stolen vehicles should be processed at the scene or other location as needed in order to conduct a proper investigation. The vehicle may be turned over to the owner or towed by a wrecker service selected by the owner. If the owner cannot be contacted, the vehicle will be towed, and financial responsibility will be the owners. The officer assigned to the case will have the responsibility of notifying the owner of the location of the vehicle and the procedure for claiming it.
4. Impoundments - An impoundment is defined as the towing of a vehicle under circumstances where the vehicle may be released to the owner upon payment of towing and storage fees. Those circumstances are as follows:
 - a. Arrest of operator and no other person present can lawfully assume custody of the vehicle with the owner's consent.
 - b. Vehicle has evidentiary value in and of itself in a criminal investigation and will be released after the case has been brought to a conclusion.
 - c. Vehicle is abandoned as described in subsection A., of this General Order.
 - d. Vehicle is disabled by an accident or mechanical breakdown, or stopped in the vicinity of a fire, accident or emergency scene and is a hazard or interference to fire or police personnel.
 - e. Vehicle obstructs movement on any premises without the owner's permission.
 - f. Vehicle is parked in violation of law.
 - g. Vehicle is unsafe to operate due to mechanical deficiencies such as brakes, steering or tires.
 - h. In accordance with Virginia Code 46.2-301.1 in which case a Notice of Vehicle Impoundment/Immobilization Form will also be completed.
5. Impounded vehicles should be processed for evidence prior to a towing request if processing is necessary. If a vehicle needs to be brought to police headquarters for processing, approval from the team supervisor is necessary. After processing, the vehicle should be released to the owner. All impounded vehicles should be stored by the tow service at their lot, except when the vehicle is held for evidentiary purposes. For evidentiary purposes, impounded vehicles will be stored at the Leesburg Police lot.
6. Seizures - A seizure is defined as the towing of a vehicle that is subject to forfeiture to the Commonwealth. All seized vehicles will be in accordance with General Order 304 Asset Forfeiture.
7. Inventorying Towed Vehicles.
 - a. The officer towing a vehicle should be responsible for conducting an inventory.
 - b. The officer should inventory the vehicle prior to leaving the scene unless the vehicle is being towed to a police facility for processing or storage. Any vehicle towed at an owner's request should not be inventoried.
 - c. The scope of the inventory should include the interior of the vehicle and areas that can be entered without the use of force. The glove compartment, console, or trunk is within the scope of the inventory if unlocked or entry can be made with the keys to the vehicle. The inventory shall be conducted in a manner to avoid damage to the vehicle or its contents. All locked containers within the vehicle will only be opened by authority of a search warrant. The inventory is conducted for the following reasons:
 - (1) Protection of the owner's property in the vehicle.
 - (2) Protection of the officer so that unjustified claims of theft can be prevented.
 - d. The towing company is responsible for the vehicle and its contents until released to the owner or disposed of by law. Items discovered during the course of the inventory will normally remain with the vehicle. Contraband or items with evidentiary value in a criminal investigation shall be removed and processed in accordance with current evidence procedures. The officer may remove any item that, in the officer's opinion, will not be properly protected while at the storage facility. These items will be stored in accordance with current procedures for the safekeeping of property.

II. NOTIFICATION/RECORDS MANAGEMENT

- A. If it is not possible for the towing officer to notify the vehicle owner of the location of the tow/storage facility and conditions for release of the vehicle at the time of the tow, the below procedure will be followed:
1. The names and addresses of all owners and persons with a security interest will be compiled by the towing officer and forwarded to the wrecker driver and included in the report. This information can be obtained through DMV. (In accordance with The Towing Facilities Guidelines and Regulations Agreement the towing facility will notify our department when the vehicle is released.)
 2. When a vehicle is towed, the officer shall complete an LPD Case Report and an Impound/Immobilization Form.
 3. The officer shall ensure that the towed vehicle is entered into VCIN by the ECC.
 - 4.. The officer's supervisor will ensure the LPD Case Report is forwarded to the Records Section prior to the end of the tour of duty containing all necessary information. All reports/files of all vehicles removed, stored, or towed at the discretion of a Leesburg Police Officer shall be maintained in the Records Section.
 5. It is the towing officer's responsibility to attempt to make notification to the registered owner of the towed vehicle. These attempts shall be documented in the case report.
- B. The media may be notified when the registered owner cannot be determined. The public information officer may request publication when the registered owner of a towed vehicle cannot be determined.

III. RELEASE OF TOWED VEHICLES

- A. Prior to the release of any vehicle, the following conditions must be met:
1. Proof of ownership.
 2. Payment of towing and storage fees.
 3. Approval by the appropriate police personnel, if applicable.
 4. Approval of court personnel, if applicable.