



# Seattle Police Department Policy Manual



## 6.120 – Impounding Vehicles

Effective Date: 04/01/2022

### 6.120-POL

This policy applies to all sworn employees when impounding vehicles pursuant to investigations, arrests, recoveries, and parking violations. The [Case Assignment Matrix](#) is used to determine which detective unit will follow-up on an impounded vehicle.

#### 1. Sworn Employees Consider Alternatives to Impound

Sworn employees may leave a vehicle at the scene of the incident if not needed for police purposes. The vehicle may be:

- Legally parked and secured at the scene, with the owner's permission, or
- Released to the owner, or
- Privately towed at the owner's expense.

Sworn employees do not have to exhaust all possible alternatives to impound and do not have to wait an unreasonable amount of time for alternatives to be carried out.

(See manual section 6.120-POL-7 for DUI arrests)

#### 2. Vehicles are Impounded Using the Appropriate Form

Department personnel may use:

- The Uniform Washington State Tow/Impound and Inventory Record
- SECTOR trained officers may use the Electronic Tow/Impound Record (see manual section [15.380 - SECTOR](#)).
  - When using SECTOR, officers will print the required number of copies as required by the corresponding TSK listed below.
- The Vessel, Watercraft, or Obstruction Theft and Impound Report (Form 5.42) to impound boats.

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Department personnel will record the reason for the impound on the tow/impound records.

## **3. Sworn Employees Impound Vehicles When Arresting Drivers for Certain Crimes**

Sworn employees impound the vehicle if the driver is arrested for: (see [RCW 9A.88.140](#))

- Commercial Sexual Abuse of a Minor
- Promoting Commercial Sexual Abuse of a Minor
- Promoting Travel for Commercial Sexual Abuse of a Minor

(See 6.120-TSK-5 Impounding Vehicles for Sexual Abuse of a Minor)

## **4. Sworn Employees May Impound Vehicles With Prior Notice**

Officers may impound a vehicle after giving 24 hours' notice (See [SMC 11.30.060](#)) when the vehicle is:

- In violation of any law, or
- Abandoned, or
- Mechanically unsafe

If none of the conditions in [SMC 11.30.060](#) are met, a vehicle may be impounded after 72 hours' notice has been given under [SMC 11.72.440](#) – "Parking Enforcement".

(See 6.120-TSK-3-Impounding with a Vehicle Notice (Form 8.5))

## **5. Sworn Employees May Impound Vehicles Without Prior Notice**

See [SMC 11.30.040](#) for when a vehicle may be impounded without prior notice.

## **6. Sworn Employees Perform an Inventory Search Pursuant to Impoundment of the Vehicle**

Sworn employees inspect and inventory items of value within the vehicle using the Uniform Washington State Tow/Impound and Inventory Record(see manual section [6.180 - Searches-General](#))

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**Exception:** Sworn employees will not complete the inspection and inventory if the vehicle is impounded on an investigatory hold.

## **7. Sworn Employees Exhaust Reasonable Alternatives Prior to Impounding Vehicles Operated by Drivers in Certain Situations**

These situations include:

- DUI or DUI Physical Control arrests
  - Sworn employees may impound in DUI or Physical Control cases only after their individualized consideration of the circumstances, and if the sworn employee determines that there is no reasonable alternative to impound.
  - Reasonable alternatives must be considered and exhausted before the vehicle may be impounded.
  - Sworn employees will document their reasoning for both impounding or not impounding. Considerations for impounding should include the risk of the impaired driver returning to their vehicle and driving while impaired.

(See 6.120-TSK-2 Impounding a Vehicle for DUI Arrests)

- Drivers operating a vehicle without a valid driver's license
- Drivers operating a vehicle with a suspended (DWLS) or revoked driver's license

Sworn employees will consider reasonable alternatives to impoundment (e.g., allowing a licensed passenger to take possession of the vehicle or calling a family member to retrieve the vehicle).

Sworn employees will not impound vehicles for DWLS 3rd violations.

Sworn employees may impound vehicles for other crimes committed that warrant impoundment.

(See 6.120-TSK-4 Impounding Vehicles for DWLS)

## **8. Sworn Employees May Impound Vehicles to the Vehicle Processing Room (VPR) for Specific Reasons**

A sergeant/supervisor will screen any incident where the sworn employee believes there is a reason to impound the vehicle to the VPR.

A sworn employee will escort the impounded vehicle to the VPR.

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(See 6.120-TSK-6 Placing Vehicles into the Vehicle Processing Room (VPR))

Sworn employees may impound a vehicle to the VPR when:

- The vehicle contains evidence and is pending a warrant, or
- A specific analysis of the vehicle must be performed (DNA, fingerprinting, damage analysis, etc.), or
- The vehicle is an integral part of the investigation (agent/tool of the crime), or
- The vehicle is held pending a seizure, or
- Acting on the direction of the case detective.

Sworn employees will not impound vehicles to the VPR when:

- A vehicle is impounded for a crime that occurred outside of Seattle, or
- The vehicle is oversized, unless authorized by a follow-up unit sergeant, or CSI, or
- The vehicle is leaking gasoline or hazardous materials, unless screened by CSI, or
- The vehicle is damaged in an arson fire, unless screened by CSI.

## **9. Detectives Assigned to an Impounded Vehicle Case Retain Vehicles as Long as Necessary to Complete Investigation or Prosecution**

Detectives may request a vehicle be transferred from the Vehicle Processing Room (VPR) to the long-term storage lot by completing a Long-Term Vehicle Hold Request Form (Form 5.55).

- Form 5.55 will be forwarded up the chain of command to the investigative Unit Commander.
- The prosecutor should be consulted prior to submitting the request, if one has been assigned to the incident.

(See 6.120-PRO-1 Requesting Vehicle Transfer to Long-Term Vehicle Storage)

(See 6.120-TSK-7 Detective Requesting Vehicle Transfer to Long-Term Vehicle Storage)

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If the primary detective decides not to obtain a search warrant for the vehicle, they will inventory the contents of the vehicle as soon as practical.

**Exception:** Contents of the trunk and locked containers are not opened for inventories.

Only the assigned investigative unit (detective, detective-sergeant, officer assigned to the assigned detective unit, etc.) that the vehicle is being held for, may release the vehicle.

**Exception:** CSI can release held vehicles for other detective units.

Investigative unit sergeants/supervisors report dispositions on impounded vehicles to Record Files Unit - Auto Records Team upon request.

## 10. Detectives May Store Vehicles for Long-Term

List of city processing facilities:

- SPD vehicle processing room (VPR)
- SPD long term storage
- SPD narcotics facility
- SPD seizure garage
- Charles Street maintenance facility
- TCIS storage garage

## 11. Detectives Assigned to Impounded Vehicle Cases Determine When Vehicles are Improperly Impounded

[SMC 11.30.180](#) outlines when the owner of a vehicle will be assessed impoundment, towing, and storage charges.

## 12. Detectives Assigned to Impound Vehicle Cases May Release the Vehicle to Other Investigative Units

(See 6.120-TSK-8 Detective Releasing a Vehicle to Other Investigative Units)

## 13. Sworn Employees Will Not Drive Impounded Vehicles Including Those in the Vehicle Processing Room

## 14. Vehicles Will Only be Released to Owners from the Department Contracted Tow Lot

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Sworn employees will arrange transport for vehicles in the Vehicle Processing Room to the tow lot prior to notifying the owner of the release. Vehicles will not be released from the VPR, Narcotic Seizure Garage, or other City processing facilities.

## 6.120-PRO-1 Requesting Vehicle Transfer to Long-Term Vehicle Storage

### Detective

1. **Completes** all the requested information on the Long-Term Vehicle Hold Request Form (Form 5.55).
2. **Sends** the form to their immediate supervisor.

### Sergeant

3. **Approves** or **rejects** the Long-Term Vehicle Hold Request Form (Form 5.55).
4. If approved, **sends** the form to their immediate supervisor.

### Lieutenant

5. **Approves** or **rejects** the Long-Term Vehicle Hold Request Form (Form 5.55).
6. If approved, **sends** the form to the Section Commander

### Section Commander

7. **Approves** or **rejects** the Long-Term Vehicle Hold Request Form (Form 5.55).
  - When approving a request, the Section Commander should consider the suitability of alternate methods of evidence collection and documentation (scanning, photography, DNA collection, etc.).
8. **Sends** the approved form to the Forensic Services Lieutenant.

## 6.120-TSK-1 Impounding a Vehicle for Parking Violations

When impounding vehicles under a violation outlined in [SMC 11.30.040](#), or when a vehicle may be impounded without prior notice, **the sworn employee:**

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1. **Issues** the vehicle a Parking Ticket.
2. **Completes** a Uniform Washington State Tow/Impound and Inventory Record and leaves the driver and tow company copies with the vehicle.
3. **Forwards** the completed supervisor copy to Data Center.

## 6.120-TSK-2 Impounding a Vehicle for DUI Arrests

When Impounding Vehicles under a DUI arrest, **the sworn employee:**

1. **Considers** individualized reasonable alternatives to impounding the vehicle.
2. If, in the judgement of the officer, no reasonable alternatives to impound exist, **requests** a tow through Communications.
3. **Completes** a Uniform Washington State Tow/Impound and Inventory Record.
4. **Checks** the "DUI/PC IMPOUND" box in the top left corner of the form.
5. **Writes** "Hailey's Law" and the crime driver was arrested for in the Narrative or Diagram portion of the form.
6. **Obtains** the tow company's truck number and driver name and writes in the appropriate box on the tow record.
7. **Provides** the arrestee and tow company with their respective copies of the tow record.
8. **Advices** the arrested driver that only another registered owner or legal owner of the vehicle may redeem the vehicle within twelve hours.
9. **Forwards** the completed supervisor copy of the tow record to Data Center.

## 6.120-TSK-3 Impounding with a Parking Warning (Form 8.5)

When Impounding Vehicles with prior notice **the sworn employee:**

1. **Determines** if the vehicle is in violation of a law, abandoned, or mechanically unsafe.
2. **Attaches** a completed Parking Warning form (Form 8.5) to the driver's side window or windshield of the vehicle.

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3. **Returns** to the vehicle after the notice has lapsed and orders a tow.
4. **Writes** "Notice attached on (date)" in the narrative portion of the tow record.
- 5a. **Completes** a Uniform Washington State Tow/Impound and Inventory Record and **leaves** the "driver" and "tow company" copies with the vehicle, or
- 5b. **Completes** the Electronic Tow/Impound Record in SECTOR and **prints** two copies and leaves them with the vehicle. (See manual section [15.380 – SECTOR](#))

## 6.120-TSK-4 Impounding a Vehicle for DWLS

When impounding vehicles under a DWLS violation, **the sworn employee:**

1. **Requests** a tow through Communications.
2. **Completes** a Uniform Washington State Tow/Impound and Inventory Record.
3. **Checks** the "DWLS IMPOUND" box in the top left corner and leaves the "DAY HOLD" portion blank.
4. **Completes** and **provides** the driver with the informational page and driver copy of the tow record packet.
5. **Obtains** the tow company's truck number and driver name and writes in the appropriate box on the tow record.
6. **Provides** the tow company with their copy of the tow record.
7. **Forwards** the completed supervisor copy to Data Center.

## 6.120-TSK-5 Impounding a Vehicle for Sexual Abuse of a Minor

When impounding vehicles under crimes outlined in RCW 9A.88.140, **the sworn employee:**

1. **Completes** a Uniform Washington State Tow/Impound and Inventory Record.
2. **Checks** the "EVIDENCE" box in the top left corner of the form.



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3. **Writes** "VICE/Prostitution hold" and the appropriate reason for hold in the Narrative or Diagram portion of the form based on the specific probable cause for arrest:
  - "This vehicle is impounded pursuant to RCW 9.68A.100— Commercial Sexual Abuse of a Minor and is further being held for evidentiary purposes," or
  - "This vehicle is impounded pursuant to RCW 9.68A.101— Promoting Commercial Sexual Abuse of a Minor and is further being held for evidentiary purposes," or
  - "This vehicle is impounded pursuant to RCW 9.68A.102— Promoting Travel for Commercial Sexual Abuse of a Minor and is further being held for evidentiary purposes."
4. **Provides** a copy of the tow record and a Commercial Sexual Exploitation of a Minor Instruction Sheet (Form 20.2) to the arrested person.
5. **Forwards** the supervisor copy of the tow record to Data Center.

## 6.120-TSK-6 Impounding Vehicles into the Vehicle Processing Room (VPR)

When Impounding Vehicles into the VPR, **the sworn employee:**

1. **Screens** the impound with the sergeant of the appropriate follow up unit. See: Case Assignment Matrix.
2. **Requests** a tow through Communications.
3. **Completes** a Uniform Washington State Tow/Impound and Inventory Record.
4. **Writes** a detailed reason for the investigatory hold and the unit responsible for follow-up investigation in the Narrative or Diagram field on the tow record. See: Case Assignment Matrix.
  - Do not simply write "See Narrative".
5. **Obtains** the tow company's truck number and driver name and writes in the appropriate box on the tow record.
6. **Follows** the vehicle to the VPR and keeps observation over it during transport.

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7. **Leaves** the "Officer" and "Driver" copies on the windshield of the unlocked vehicle in the VPR and **delivers** the "Tow Company" copy to the tow truck operator.

- Sworn employees ensure that the VPR is locked and secure before leaving.

8. **Forwards** the "Supervisor" copy to Data Center in an Alert Packet if using the paper Uniform Washington State Tow/Impound and Inventory Record.

## 6.120-TSK-7 Detective Requesting Vehicle Transfer to Long-Term Vehicle Storage

When a vehicle needs to be retained for evidentiary purposes, the vehicle can be considered for transfer to the long-term vehicle storage area. The follow-up detective:

1. **Completes** the Long-Term Vehicle Hold Request Form (Form 5.55).
2. **Forwards** the Hold Request Form through their chain of command to their unit commander.
3. Once approved, **sends** the approved form to the Forensic Services Lieutenant.

## 6.120-TSK-8 Sworn Employee Releasing a Vehicle to Other Investigative Units

When the custody of the vehicle investigation is transferred from the original sworn employee or follow-up unit to the new follow-up unit, the **original sworn employee or follow-up unit detective**:

1. **Completes** the Vehicle Investigative Hold Tracking Form (Form 5.53) with these details:
  - Report Number
  - Date/Time
  - Vehicle information section
  - Hold transfer section
2. **Faxes** a copy of the Vehicle Investigative Hold Tracking Form (Form 5.53) to Auto Records at (206) 684-8355 and **sends** the original Form 5.53 to Auto Records via inter-departmental mail.

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## 6.120-TSK-9 Detective Releasing a Vehicle from a City Processing Facility to a City Contracted Tow Lot

When releasing a vehicle from a city processing facility to a city contracted tow lot, the **follow-up unit detective**:

1. **Completes** the Vehicle Investigative Hold Tracking Form (Form 5.53) with these details:

- Report Number
- Date/Time
- Vehicle information section
- Hold Release Information section of the Vehicle Investigative Hold Tracking Form (Form 5.53)

2. In Hold Release Information section:

- **Checks** the box indicating 'City Pays' when:
  - The registered owner, or the driver authorized by the registered owner, in the incident leading to the investigative hold, was not arrested or charged, or
  - The vehicle was improperly placed on investigatory hold, in which case; notifies their sergeant who will inform the impounding detective and notifies their precinct/section captain via email.

OR

- **Checks** the box indicating 'Owner Pays' when:
  - The registered owner, or the driver authorized by the registered owner, in the incident leading to the investigative hold, was arrested or charged.

3. **Completes** all the information in the Vehicle Movement to/from Facility section on the Vehicle Investigative Hold Tracking Form (Form 5.53).

- In the 'from' section, checks storage facility.
- In the 'to' section, checks 'Tow Co. (Specify)' and lists the current tow contractor.

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4. **Calls** the tow contractor to schedule a re-tow from the specified processing facility to the tow contractor's lot.
5. **Completes** the Appointment Scheduling section of the Vehicle Investigative Hold Tracking Form (Form 5.53).
6. **Faxes** a copy of the Hold Tracking Form to Auto Records at (206) 684-8355, **provides** a copy of the form to the tow truck driver, and sends the original Vehicle Investigative Hold Tracking Form (Form 5.53) to Auto Records via inter-departmental mail.

## 6.120-TSK-10 Sworn Employee Releasing a Vehicle from a City Contracted Tow Lot

When releasing a vehicle from a contracted tow lot to the owner/authorized person, the **sworn employee**:

1. **Completes** the Vehicle Investigative Hold Tracking Form (Form 5.53) with these details:
    - Report Number
    - Date/Time
    - Vehicle information section
    - Hold Release Information section
  2. In Hold Release Information section:
    - **Checks** the box indicating 'City Pays' when:
      - The registered owner, or the driver authorized by the registered owner, in the incident leading to the investigative hold, was not arrested or charged, or
      - The vehicle was improperly placed on investigatory hold, in which case; notifies their sergeant who will inform the impounding sworn employee and notifies their precinct/section captain via email.
- OR
- **Checks** the box indicating 'Owner Pays' when:
    - The registered owner, or the driver authorized by the registered owner, in the incident leading to the investigative hold, was arrested, or charged.

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3. **Faxes** a copy of the Vehicle Investigative Hold Tracking Form (Form 5.53) to Auto Records (206) 684-8355 and **sends** the original Form 5.53 to Auto Records via inter-departmental mail.