

University of Chicago Police Department

GENERAL ORDER

<i>Effective Date:</i> January 19, 2021		<i>Number:</i> GO 505
<i>Subject:</i> Towing Procedures		
<i>References:</i> CALEA Standard 61.4.3		
<i>Reevaluation Date:</i> Annually		<i>No. Pages:</i> 6
<i>Amends:</i> 05 DEC 2019 Version		<i>Rescinds:</i> O.D.P. 23 NOV 2011
<i>Approved By:</i> Kenton W. Rainey, Chief of Police		<i>Signature:</i> Original signed document on file in Accreditation Office

505.1 PURPOSE

The purpose of this order is to provide procedures for removal and/or towing of vehicles.

505.2 PROCEDURES

A. Removal of Arrestee Vehicles Not Subject to Impoundment or Seizure

When an officer has control of a vehicle that is not subject to impoundment or seizure because of an arrest, the following procedures shall be utilized:

1. At the discretion of the officer and at the permission of the owner of the vehicle, the vehicle may remain legally parked at the location of the arrest so long as the vehicle can remain legally, securely, and continuously parked at the scene; or
2. At the discretion of the officer and at the request of the owner of the vehicle, the vehicle may be driven from the scene by a licensed passenger; or
3. If the vehicle is in an unsafe area or improperly parked, or the owner/driver refuses or is unable to make appropriate arrangements, the officer will have the vehicle towed at the owner/driver's expense by the appropriate tow company. Employees will NOT move the vehicle to safe or legal parking as an alternative to towing.
4. All information related to the action taken by the officer will be entered in the UCPD Incident Report or Supplementary Report as needed.

B. Removal of Arrestee Vehicles Subject to Impoundment or Seizure

When an officer has control of a vehicle that is subject to impoundment or seizure because of an arrest, has evidentiary value, and/or has been reported as stolen, the following procedures shall be utilized:

1. In the event the driver or owner of a vehicle is arrested for a violation, which involves seizing or impounding the vehicle for evidence, the vehicle will be secured and property and/or contraband found will be handled according to search, seizure and evidence procedures.
2. If the vehicle has no evidentiary value and has not been reported stolen, the officer will have the vehicle towed at the owner/driver's expense by the appropriate tow company.
3. If the vehicle has evidentiary value and the vehicle cannot be processed at the scene by an evidence technician, the officer will have the vehicle impounded to the secure UCPD sally port area. The vehicle will be released to the owner upon the completion of processing. This includes vehicles reported stolen directly to UCPD.
4. If the vehicle has been reported stolen through any other agency, the officer shall notify that agency and secure the vehicle. If the vehicle is to be held on request by other authorities and they can respond immediately, the vehicle may be released to the agency. If the agency cannot respond immediately, the officer will have the vehicle impounded to the secure UCPD sally port area.
5. All information related to the action taken by the officer will be entered in the UCPD Incident Report or Supplementary Report as needed.

C. Operation of Uninsured Motor Vehicle

In compliance with 625 ILCS 5/4-203, whenever an officer issues a citation for Operation of Uninsured Motor Vehicle 625 ILCS 5/3-707 **and the driver has a conviction for the same offense within the last 12 months**, the officer shall have the vehicle towed at the owner/driver's expense by the appropriate tow company.

D. Removal of Abandoned Vehicles

When responding to citizen's complaints (e.g. on view, assigned by dispatch, etc.) of abandoned autos, employees will first establish if the abandoned auto is stolen.

1. If the vehicle has been reported stolen, the officer will follow the procedures listed in Section 505.2.B.

2. If the abandoned vehicle is not stolen and the vehicle is located on public property or private property not owned by the University, the officer will contact Chicago OEMC and request the assistance of CPD.
3. If the abandoned vehicle is not stolen and the vehicle is located on University property, the officer will first attempt to contact the owner when a license plate or VIN are available. If contact with the owner is unsuccessful or not applicable, the officer will have the vehicle towed at the owner's expense by the appropriate tow company.

E. Removal of Vehicles from Public and Private Property

When responding to citizen's complaints (e.g. on view, assigned by dispatch, etc.) of vehicles illegally parked and/or blocking roadways, driveways, or alleys on public and private property, the following procedures will be followed:

1. When responding to incidents on private property, the removal of the vehicle(s) will be the responsibility of the owner, manager, and/or leaser of the property in question.
2. When responding to incidents on public property, officers will contact Chicago OEMC and request the assistance of CPD.

F. Removal of Hazardous Vehicles and/or Vehicles Involved in Traffic Crashes

When responding to calls regarding hazardous vehicles and/or traffic crashes involving disabled vehicles that cannot be driven from the scene, the following procedures will be utilized:

1. In most cases, it shall be the responsibility of the driver and/or owner of the vehicle(s) involved to arrange and remove the vehicle from the location or scene of the accident.
2. In situations where the vehicle presents a hazard and the driver and/or owner of the vehicle(s) are incapacitated or are no longer on the scene, officers will have ECC contact OEMC and request the assistance of CPD. **When the hazardous vehicle is on campus or contiguous, or UCPD is handling the crash report, officers will have the vehicle towed at the owner/driver's expense by the appropriate tow company.**

G. Removal of Disabled Vehicles

In compliance with 625 ILCS 5/4-203.5(f), if the owner or operator of a disabled vehicle is present at the scene of the disabled vehicle, is not under arrest, and does not abandon their vehicle, and in the law enforcement officer's opinion the disabled vehicle is not impeding or obstructing traffic, illegally parked, or posing a security or safety risk, the law enforcement officer shall allow the owner of the vehicle to specify a towing service to relocate the disabled vehicle. If the owner chooses not to specify a towing service, the law enforcement agency shall summon the appropriate Department towing service for the vehicle.

H. NON-UCPD or Owner Summoned Tows

In compliance with 625 ILCS 5/4-203.5(g), if a tow operator is present or arrives where a tow is needed and it has not been requested by the officer, Department, or the owner or operator, the officer, shall advise the tow operator to leave the scene.

505.3 VEHICLE INVENTORY PROCEDURES

- A. Whenever a vehicle is towed at the direction of an officer, a UCPD Vehicle Tow Inventory Report (UCPD 22.125) will be completed. The UCPD Emergency Communications Center (ECC) will be notified of the description, the location, and the reason for tow. The Dispatcher will check to see if the vehicle is wanted or stolen and s/he will determine the registered owner and notify the officer. The Dispatcher will contact the designated tow/wrecker company at the request of the officer.
- B. A vehicle inventory is necessary for the following purposes:
1. To determine whether there is any personal property in the vehicle that needs to be protected from loss or damage while the car is stored or impounded;
 2. To protect the officer and the Department from claims that the officer failed to protect any property in the vehicle;
 3. To protect the officer and the Department against false claims that the officer failed to protect property that was not in the vehicle; and
 4. To protect the officers and the public against injury or damage due to toxic, explosive, or flammable substances that may be contained in the vehicle.
- C. Officers, when having jurisdiction and authorization over the towing or impounding of a vehicle, shall perform a vehicle inventory to include the inventory of contents contained in the trunk pursuant to the following guidelines.

1. All vehicles being towed and impounded by Department authorization shall be inventoried for personal property.
 - a. Vehicles will not be “lock-jocked” or otherwise forcibly entered to conduct an inventory.
 - b. For most impoundments, where the vehicle is locked, a visual inventory of visible items shall be made.
 - c. If the registered owner/driver is accompanying the vehicle or if the vehicle is being removed after being involved in a motor vehicle accident, a locked vehicle may be opened with a key, to facilitate inventory and tow.
2. The officer conducting vehicle inventories shall be required to inventory the contents of closed containers when the containers can be opened without causing damage.
 - a. If the container is locked or cannot be opened without causing damage, unless the driver/owner possesses the key or can open the container, the container should be documented as such on the Tow Inventory Form.
 - b. Containers containing contents that are readily identifiable to the officer, need not be opened (e.g. paint cans, food products, etc.).
 - c. Under such emergencies where the opening of the container may be hazardous, such as a possible bomb, officers shall be required to notify the appropriate personnel to handle any potential hazard.
 - d. Whenever in doubt, all contents should be inventoried.
3. The items observed during the vehicle inventory shall be documented on the Vehicle Tow Inventory Report.
 - a. If contraband is discovered during the inventory, the contraband should be documented as being recovered and processed per Department directives.
4. Any and all damage to the vehicle prior to the tow shall be documented on the Tow Inventory Report.
5. The officer conducting the inventory shall sign the form and include the name of the tow company and driver as well as the information of the vehicle owner.

6. A copy of the Vehicle Tow Inventory Report shall be given to the wrecker driver after being signed by both the officer and the wrecker driver.
7. Vehicle Tow Inventory Reports shall, after supervisory review, be forwarded to the Records Division with the corresponding UCPD Incident and/or Supplementary Report.