

**\*Please note: This is a working draft of Directive 630.60. This is proposed language and the Bureau has not implemented any changes to the current policy at this time.**

## **630.60, Vehicle Disposition and Impoundment**

### **Refer:**

- ORS 133.033 Peace Officer Community Caretaking Functions
- ORS 133.535 Permissible Objects of Search and Seizure
- ORS 192.000, Records; Public Reports and Meetings
- Portland City Code 14A.50 Conduct Prohibited on Public Property
- Portland City Code 14C.10 Police Duties to Inventory Property
- Portland City Code 16.30 Towing and Disposition of Vehicles
- Portland City Code 29.60.060 Nuisance Abatement
- Portland City Code 3.98 Towing Board of Review
- Directive 630.61, Stolen Vehicles
- Directive 640.02, Photography and Digital Imaging.
- Directive 650.00, Search, Seizures and Inventories
- Directive 900.00, Report Writing
- Abandoned Auto Officer Intake Form
- Notice of Tow (Records)

### **Definitions:**

- **Abandoned Vehicle:** A vehicle left on public property for more than 24 hours that appears to be neglected or deserted by the owner and for which one or more of the following conditions exist:
  - The vehicle does not have a lawfully affixed, unexpired registration plate, or fails to display current registration.
  - The vehicle appears to be inoperative or disabled.
  - The vehicle appears to be wrecked, partially dismantled, or junked.
- **Administrative Fee:** A payment required by the Bureau to release a vehicle from impound.
- **Administrative Release:** An electronic document issued by the Records Division to the person legally entitled or authorized to obtain the vehicle from impound.
- **Courtesy Tow:** The removal of a legally parked vehicle, at no charge to the vehicle owner, for the purpose of clearing an area for special events, film or video projects, construction, or other reasons.
- **Formal Hold:** An order by an authorized law enforcement officer prohibiting access, with the exception of authorized personnel, to both the towed vehicle and its contents for an indefinite period.
- **Penalty Tow:** The removal of a vehicle for a parking violation where no release is required. These include tows from tow away zones and most other parking violation tows.
- **Private Tow:** The removal of a vehicle in which the owner/owner's agent can elect between Non-Preference (City contracted) or Preference (specific tow company) towing.

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- **Temporary Hold:** A provisional/short-term order by a member prohibiting access, with the exception of authorized personnel, to both the towed vehicle and its contents. Temporary holds expire after 72 business hours, unless previously lifted by the initiating member or an investigative unit.
- **Vehicle:** For the purposes of this directive, a vehicle means any device in, upon or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means. This includes recreational vehicles (RVs), which consists of motor homes and accessory RVs.
  - **Motor Home:** A motor vehicle designed for human occupancy or a camper that is on the back of a truck.
  - **Accessory RV:** A non-motor vehicle designed for human occupancy such as vacation trailers, fifth-wheel trailers, and campers that are not on the back of a truck. Accessory RVs include vehicles designed for off-road use (4-wheeler, dune buggy, boat).

**Policy:**

1. Portland Police Bureau members shall enforce Portland City Code, ordinances, and parking regulations by towing when authorized and appropriate but remain mindful of potential hardship to vulnerable populations.

**Procedures:**

1. Warrants.
  - 1.1. Members may seize a vehicle when a warrant to seize the vehicle exists.
2. Community Caretaking Guidelines.
  - 2.1. Members may impound a vehicle under Community Caretaking when primarily motivated by the community caretaking issue presented by the vehicle, rather than any punitive or investigative motivation.
  - 2.2. Members shall not impound a vehicle under this section based solely on the arrest and/or issuance of a citation to the driver, owner or occupants; however, such circumstances may be relevant for other reasons such as the resulting inability of persons to lawfully operate or move the vehicle from its present location. Lack of insurance alone does not support a community caretaking impoundment.
  - 2.3. Members shall not impound a vehicle under this section if the owner or person in control of the vehicle consents to have a lawful driver, who is present at the scene, safely move the vehicle to a location that no longer presents a community caretaking issue. Members may wait for such a person to arrive, but are not required to if such person is not present at the time the member requests tow service.
  - 2.4. When circumstances allow for a vehicle to be left in place, members shall make reasonable efforts to secure the vehicle and document any action taken in an appropriate primary police report. If the vehicle cannot be reasonably secured, the member shall request the vehicle be towed for safekeeping in accordance with section 2.5.2.3. of this directive.

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- 2.5. Members may impound a vehicle when the vehicle presents one or more of the following community caretaking issues:
  - 2.5.1. **Community Caretaking for Recreational Vehicles (CCRV).** Members who respond to a call in which a recreational vehicle (RV) is determined by the member to be derelict, abandoned, or an unsafe habitation structure due to potential leaking waste water system, leaking fuel system, or hazardous materials shall complete a primary report with a Seized/Towed Vehicle Detail page and a CCRV form. The member shall request that the vehicle be towed to Guild's Lake impound lot. The RV will be eligible for release for up to 90 days.
    - 2.5.1.1. Administrative release required.
    - 2.5.1.2. No administrative fee.
  - 2.5.2. **Impound violations in the public's interest.** Tows of this nature do not initially have any police holds (temporary or formal).
    - 2.5.2.1. *Public Safety.* The vehicle is an immediate danger to public safety. This includes, but is not limited to, a vehicle that a member reasonably believes, based on the nature, condition and location of the vehicle, presents an immediate danger to any person. This includes a vehicle the member reasonably believes contains explosives, toxic or dangerous chemicals, or substances that present an immediate danger to any person.
      - 2.5.2.1.1. Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot. A parking citation is not required.
      - 2.5.2.1.2. Administrative release required.
      - 2.5.2.1.3. Administrative fee required.
    - 2.5.2.2. *Hazard.* The vehicle is impeding, or likely to impede, the normal flow of vehicular or pedestrian traffic. This includes, but is not limited to, a vehicle blocking a traffic or bicycle lane, private or public driveway, and a vehicle impeding the normal flow of vehicular or pedestrian traffic on streets, parking lots or other premises open to the public.
      - 2.5.2.2.1. Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot. Members may issue a parking citation if required.
        - 2.5.2.2.1.1. Administrative release required.
        - 2.5.2.2.1.2. Administrative fee required.
    - 2.5.2.3. *Safekeeping.* The member has taken the driver of the vehicle into custody or caused a driver to stop driving the vehicle and believes it is reasonable under the circumstances to remove the vehicle from a public or exposed location for safekeeping to protect it, or its contents, from theft or damage, or to protect the City of Portland from liability related to the vehicle and its contents. This includes, but is not limited to, a high-value vehicle or vehicle with high value contents; a vehicle that cannot be secured due to the circumstances, location, design or condition of the vehicle; a vehicle in a location that has an increased likelihood of theft or damage; a vehicle in a location that increases the likelihood of damaging other property; and a vehicle in a location that the member believes a person in control of a vehicle would not customarily leave the vehicle unattended for extended periods of time.

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- 2.5.2.3.1. Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot. A parking citation is not required.
  - 2.5.2.3.1.1. Administrative release required.
  - 2.5.2.3.1.2. Administrative fee required.
- 2.5.2.4. *Alarm Disturbance.* The vehicle is equipped with a vehicle alarm that is not designed to, or does not in fact, cease emitting an intermittent or constant sound after an aggregate time of three minutes within a 15 minute period on any public right-of-way; or in a public park and the alarm system disturbs or is likely to disturb, injure or endanger the peace, quiet, comfort, health or safety of the public or any person.
  - 2.5.2.4.1. Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot. A parking citation is not required.
    - 2.5.2.4.1.1. Administrative release required.
    - 2.5.2.4.1.2. Administrative fee required.
- 2.5.2.5. *Possible Stolen.* A member may impound a vehicle when the member reasonably believes the vehicle is an unreported stolen. Members shall make a reasonable effort to contact the registered owner to determine if the vehicle is in fact stolen prior to ordering a tow. Members shall obtain supervisor approval to impound a vehicle as a Possible Stolen as authorized by city code.
  - 2.5.2.5.1. Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot. There are no holds placed on a Possible Stolen impound and a parking citation is not required.
    - 2.5.2.5.1.1. Administrative release required.
    - 2.5.2.5.1.2. No administrative fee.
- 2.5.2.6. *Vehicle Identification Number (VIN) Inspection Hold.* Members may place a temporary hold on any vehicle towed within the City of Portland in order to conduct a VIN inspection in which the VIN has been removed, defaced or altered.
  - 2.5.2.6.1. Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot.
  - 2.5.2.6.2. Members who are trained as VIN Inspectors (e.g., ranking officers and Public Safety Support Specialists [PS3s]) may request the vehicle be towed to Rivergate Vehicle Storage (RVS) for processing purposes. A parking citation is not required.
  - 2.5.2.6.3. Administrative release required.
  - 2.5.2.6.4. No administrative fee.
- 2.5.2.7. *Other Parking Violations.* Impoundment of vehicles for other parking violations may be ordered as lawful under city code.
  - 2.5.2.7.1. Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot. A citation is not required.
    - 2.5.2.7.1.1. No administrative release required.
    - 2.5.2.7.1.2. No administrative fee required.

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3. Stolen Vehicle Recovery.

3.1. Members shall refer to Directive 630.61, Stolen Vehicles, for guidance on stolen vehicle recovery procedures.

3.2. Recovery of stolen vehicles already towed to a tow lot.

3.2.1. Members shall not proceed with stolen vehicle recovery procedures unless approved by a supervisor when the stolen vehicle is discovered at a tow lot.

3.2.1.1. Supervisors may grant exceptions when circumstances exist to merit a member recovering the vehicle (e.g., evidentiary need, known suspect information).

3.2.2. Unless overridden by supervisor approval as described in section 3.2.1.1., members who are dispatched to a tow lot to recover a stolen vehicle (e.g., A Private Property Impound from Gresham) shall immediately request the call be cleared with a disposition of "I-Referred/Other Agency Handled." Members shall notify Auto Records of the call to ensure the vehicle is cleared from LEADS/NCIC and owners, or outside agencies, are notified of the recovery.

4. Tow Request Procedures.

4.1. When ordering a tow or requesting through the Portland Bureau of Transportation (PBOT) Parking Enforcement Division to move an abandoned vehicle, members are required to electronically submit photos of the VIN (visible or obscured) and the license plate (front and back, affixed or not) in the tow record of the City's contracted towing company's website or smartphone app. If a member has reason to omit these required photos, they shall document the reason in the narrative of the primary report.

4.1.1. Members are encouraged to take and upload additional photos to the tow record, as this will assist towing companies to respond with the proper/specialized equipment. However, photos that are, or could be, evidentiary in nature shall also be submitted to the Digital Image Management System (DIMS) in accordance with Directive 640.02, Photography and Digital Imaging.

4.2. Abandoned Vehicles.

4.2.1. Members shall not impound a vehicle solely because the vehicle is abandoned. Members may report an abandoned vehicle in one of the following two ways:

4.2.1.1. Routine Towing: For abandoned vehicles that do not constitute a public health or safety hazard, members shall notify PBOT's Parking Enforcement Division by either telephoning the 24-hour Abandoned Vehicle Hotline or completing an electronic submission request through the City's contracted towing company's website or smartphone app.

4.2.1.2. For 24-Hour Towing: For abandoned vehicles that are a public health or safety hazard, members shall complete the electronic submission request through the City's contracted towing company's website or smartphone app. Members shall:

4.2.1.2.1. Include "24-Hour Tow" and "Not Warned" in the request,

4.2.1.2.2. List the specific hazardous conditions, and

4.2.1.2.3. Not place a warning tag on the vehicle or issue a citation.

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4.2.1.2.4. Vehicles may be removed by the Parking Enforcement Division if the inspector determines that the vehicle is hazardous.

#### 4.3. Penalty Tows.

4.3.1. Members may request tow service by submitting an electronic request through the City's contracted towing company's website/smartphone app unless exigency requires the request be made via the radio. This includes private request or police vehicle tows/service.

4.3.1.1. Members shall provide the following information, if available:

4.3.1.1.1. The tow violation code (i.e., Hazard, Blocking, Private, Recovered Stolen) and the vehicle location, including any special directions or approach needed (e.g., freeway exit ramp closed, access from wrong way). Also include any special equipment needed if known.

4.3.1.1.2. Complete license plate number and license State, complete VIN number, year, make, model, style, and color, if known.

4.3.1.1.3. Hold information (Must be a valid type of hold for an investigative detail). Holds for Detectives must specify the responsible unit (e.g., sex crimes unit [SCU], assault detail, robbery detail).

4.3.1.2. Members shall wait at the scene for the tow operator to arrive, with the exception of parking violations and private tows. For all other tows, the following apply:

4.3.1.2.1. Members required to wait for a towing operator shall ensure the operator that arrives is from the company dispatched. Exceptions to this rule are when immediate action is required to protect life or property.

4.3.1.2.2. Members may write "TOW" on the face of the parking tag, if applicable.

4.3.1.2.3. Members should be aware that tow operators are not required to complete the tow if a member is not present.

4.3.1.2.4. Tow companies must appear at the scene within 20 minutes on routine requests for a passenger vehicle tow, which does not require special equipment. In peak traffic responses (0700-0900 and 1500-1900), tow operators are allowed 25 minutes. Additional response time is allowed for the towing of vehicles larger than passenger cars and tows that require special equipment.

4.3.1.2.5. To file a complaint for late arrival or other reasons, members may complete a primary report documenting the facts and forward the narrative section of the report to the Bureau's Tow Board representative in the Records Division.

#### 4.4. Special Circumstance Tows.

##### 4.4.1. Police Bureau Vehicles.

4.4.1.1. If a Police Bureau vehicle requires towing services, the member shall make the request through the City's contracted towing company's 24-hour service number or smartphone app.

4.4.1.1.1. Members shall provide the shop number and reason in the request.

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- 4.4.1.2. Members shall complete a primary report when their police vehicle is towed or receives services for which the Bureau is billed (flat repairs, jump start, etc.). The narrative must include a brief explanation as to the reason for the tow or service.
  - 4.4.1.3. Members shall obtain a copy of the tow company's receipt, if provided a printed copy, and submit it the precinct administrator.
- 4.5. Courtesy Tows.
- 4.5.1. Holders of City permits who reserve specific areas for activities such as film production, special events, parades or similar events are allowed to request vehicles that are parked in the reserve area to be towed according to the following guidelines:
    - 4.5.1.1. Members may order a courtesy tow on behalf of the permit holder for a vehicle parked in a public right-of-way.
    - 4.5.1.2. The supervisor may direct the vehicle be moved to another legal parking space on the public right-of-way, to any storage facility designated by the City, or to private property with the permission of the property owner.
      - 4.5.1.2.1. Towing companies are required to document available vehicle information (e.g., License plate information, VIN, other identifiers) as well as the precise location (e.g. GPS address, parking lot facility, mid-blocks) of each towed vehicle upon completion of each tow in the City's contracted towing company's website. This is for the owner's information to prevent a vehicle from being reported/recorded as stolen.
    - 4.5.1.3. Members requesting multiple courtesy tows due to large scale events (e.g., fires, protests, filming) shall document vehicle information and the location from where they were towed in the City's contracted towing company's website. If exigent circumstances exist, members shall obtain basic identifiers such as license plate, make, color, and location towed from. Unless vehicles are an integral part of a related report, members are not required to submit a report or issue a citation for the courtesy tow.
- 4.6. Private Request Tows.
- 4.6.1. Members may order Private Non-Preference or Private Preference tows on behalf of the owner or other person responsible for a vehicle if the individual is present but unable to request towing due to injuries or other circumstances. Members may not request a violation tow unless other circumstances exist (e.g., a hold for an investigative unit) even though the vehicle may be a hazard. Members may request towing via the City's contracted towing company's website or smartphone app, through precinct desk personnel, or through Service Net.
  - 4.6.2. If a primary report is being written for other reasons (such as a traffic crash report), members shall include this information in their primary or supplemental report; otherwise, members may not need to complete a police report or issue a parking citation.
  - 4.6.3. If possible, the member ordering the tow may notify the responsible party of the vehicle disposition, or provide the City's contracted towing company's website information and/or the name of the towing company.

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## 5. Holds.

### 5.1. Temporary Holds.

5.1.1. Temporary holds generally apply to VIN Inspection tows. The following guidelines apply to temporary holds:

- 5.1.1.1. Temporary holds will expire 72 hours following placement, excluding weekends (from 1600 Friday to 0800 Monday) and holidays.
- 5.1.1.2. Members shall request vehicles that require a VIN inspection be towed to a private lot, unless given authorization to tow to RVS by a member who is a VIN Inspector.
- 5.1.1.3. Ranking officers or PS3s who are trained VIN Inspectors may request a vehicle be towed to RVS.
- 5.1.1.4. If a vehicle is sent to RVS for a VIN Inspection, the member shall annotate in the tow request that they are either a VIN Inspector or they received authorization from a VIN Inspector so that Auto Records can accurately track and document the vehicle's location.
- 5.1.1.5. The member ordering the tow shall notify the proper investigative unit and towing company of the temporary hold.
- 5.1.1.6. The initiating member can only lift a temporary hold within their current shift if the hold is no longer necessary. The investigative unit for whom the hold was placed can lift a temporary hold at any time.
- 5.1.1.7. If a formal hold has not been placed on a vehicle before the temporary hold expires, Auto Records shall notify the owner of the expiration and that the vehicle may be released. A second temporary hold cannot be placed once the original hold expires.

### 5.2. Formal Holds.

- 5.2.1. Members may, if warranted, place a formal hold on an impounded vehicle. Members trained to conduct VIN inspections are authorized to place and/or remove formal or temporary holds on towed vehicles they are inspecting.
- 5.2.2. A formal hold may be placed immediately upon a vehicle being towed, prior to the expiration of a temporary hold, or at any time, as long as the vehicle is still in the possession of the tow company.
- 5.2.3. Members may have vehicles already towed to a private lot or other facility re-located to RVS any hour of the day, by any shift.
- 5.2.4. Members placing a formal hold on a vehicle shall notify the appropriate detective or sergeant by the end of the member's shift. If the hold is traffic related, the member shall notify and forward all related reports to the Traffic Investigative Unit (TIU) sergeant by the end of the member's shift.
- 5.2.5. Auto Records shall facilitate the transfer of a vehicle to RVS if a temporary hold is being changed to a formal hold.
- 5.2.6. Members shall provide the name and rank of the investigator and any details on a hold in the City's contracted towing company's website. The member writing the primary report shall include the reason and purpose of the hold. Holds for detectives must specify which unit is responsible (i.e., detectives/SCU, detectives/robbery detail).

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5.3. Asset Forfeiture.

- 5.3.1. Vehicles that have been impounded for civil forfeiture will be towed to RVS with a formal hold for the Drugs and Vice Division supervisor.
- 5.3.2. Vehicles shall not be towed for civil forfeiture without prior approval from the on call Drugs and Vice Division supervisor.
- 5.3.3. A civil forfeiture notice shall be issued to all parties associated with the vehicle.

5.4. Evidence of a crime.

- 5.4.1. Members may seize a vehicle when the vehicle is on a premises open to the public, or an area that the member has lawfully entered and it is immediately apparent to the member that the vehicle itself may be evidence. Members may seize a vehicle when the member has probable cause to believe that the vehicle contains evidence and exigent circumstances exist, which make it reasonably necessary to seize the vehicle for a specific investigative unit to preserve the evidence or protect it from being moved, tampered with, or destroyed.
- 5.4.2. If no exigent circumstances exist, the member may request to have one or more members standby with the vehicle until a warrant to seize the vehicle can be obtained. If exigent circumstances arise while the warrant is being obtained, including, but not limited to, persons attempting to access the vehicle, members may deny access or seize the vehicle as evidence in accordance with Directive 650.00, Search, Seizure, and Inventories. Members seizing the vehicle shall request the vehicle be towed to RVS and place a formal hold on the vehicle. The members shall immediately notify the appropriate detective or sergeant of the hold.

5.5. Formal hold to examine vehicles for fingerprints.

- 5.5.1. Forensic Evidence Division (FED) may be notified to have a vehicle examined for fingerprints when:
  - 5.5.1.1. A stolen and recovered vehicle is used in another crime.
  - 5.5.1.2. There is a known suspect in a stolen vehicle, and the fingerprints are needed to place the suspect in the car.
  - 5.5.1.3. A larceny from a vehicle case has a known suspect possessing property from a vehicle and the fingerprints are needed to place the suspect in the vehicle.
  - 5.5.1.4. The vehicle is involved in a crime such as rape, robbery, burglary and the fingerprints are needed to help identify the suspect.
  - 5.5.1.5. Any exceptions to this section must be approved by a supervisor. Members seizing a vehicle for examination by FED shall place a formal evidence hold on the vehicle, notify FED, and notify the appropriate detective or sergeant as soon as practical. The member shall also request the vehicle be towed to RVS and advise the tow operator to avoid unnecessary touching of the surfaces and to place the vehicle out of the weather.
- 5.5.2. Vehicles are generally not examined for fingerprints when:
  - 5.5.2.1. The vehicle is a recovered stolen and no other crimes are involved.
  - 5.5.2.2. A victim's vehicle is the subject of a larceny and there is no suspect.

5.6. Removing formal holds.

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- 5.6.1. The investigative unit responsible for the formal hold is also responsible for removing the hold. The removal can be made by contacting Auto Records.
- 5.6.2. Investigators shall provide Auto Records with instructions on who the vehicle should be released to (e.g., registered owner) when releasing a hold.
- 5.7. Holds for outside agencies.
  - 5.7.1. On occasion, a PPB investigative unit may place a formal hold for an outside agency. The investigative unit will be responsible for the hold.
  - 5.7.2. If the hold is for fingerprinting of a vehicle, members shall inform the outside agency that PPB's FED does not examine fingerprints for external agencies unless authorized by an investigative unit's sergeant.
- 6. Reporting requirements.
  - 6.1. Members shall complete a primary report(s) and include a Seized/Towed Vehicle Detail page whenever a vehicle is seized or impounded as identified in Section 2.5.
    - 6.1.1. Members shall document the reason the vehicle was impounded or seized under this policy, and include the name, address, date of birth of the driver, and other parties claiming an interest in the vehicle.
    - 6.1.2. Members shall not submit a supplemental report in lieu of a primary report (Supplemental reports cannot be submitted alone in the current Records Management System [RMS]).
      - 6.1.2.1. If a member is writing or has already completed a primary report, other members may submit a supplemental report regarding the impoundment.
    - 6.1.3. Members shall document the following vehicle information in their report or in the appropriate vehicle fields in the RMS:
      - 6.1.3.1. License plate number, license State, VIN, year, make, model, style and body color, and
      - 6.1.3.2. Unique features such as visible damages or markings on the vehicle.
      - 6.1.3.3. Members shall not use photographs in lieu of writing a detailed description in the report.
- 7. Administrative Release Procedures.
  - 7.1. The Records Division determines which police tows require an administrative release as identified in section 2. A tow company cannot release vehicles without an administrative release from the Records Division.

Provide feedback [here](#).

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## **630.60-VEHICLE DISPOSITION, Vehicle Disposition and Impoundment**

**2<sup>nd</sup> Universal Review: 1/31/20- 3/1/20 (redline markup view)**

### **Refer:**

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### **1. STATEMENT OF PURPOSE**

#### **Definitions:**

- Abandoned Vehicle: A vehicle left on public property for more than 24 hours that appears to be neglected or deserted by the owner and for which one or more of the following conditions exist:
  - The vehicle does not have a lawfully affixed, unexpired registration plate, or fails to display current registration.
  - The vehicle appears to be inoperative or disabled.
  - The vehicle appears to be wrecked, partially dismantled, or junked.
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  - Motor Home: A motor vehicle designed for human occupancy or a camper that is on the back of a truck.
  - Accessory RV: A non-motor vehicle designed for human occupancy such as vacation trailers, fifth-wheel trailers, and campers that are not on the back of a truck. Accessory RVs include vehicles designed for off-road use (4-wheeler, dune buggy, boat).

### **Policy:**

0.1. Portland Police Bureau members- shall enforce Portland City Code, ordinances, and parking regulations by towing when authorized and appropriate but remain mindful of potential hardship to vulnerable populations.

### ~~2. DIRECTIVE SPECIFIC DEFINITIONS~~

~~2.1. No definitions~~

### ~~3. POLICY~~

~~3.1. Members may seize or impound vehicles when doing so is lawful and consistent with the provisions of this directive. Members will comply with the procedures mandated by Portland City Code 14.C.10 and DIR. 650.00 Search, Seizures, and Inventories relating to inventory of persons, vehicles and property. Members should exercise discretion in impounding vehicles under circumstances that may create undue hardship or risk to the occupants. Such circumstances may include, but are not limited to, the presence of young children, elderly or disabled persons, or a vehicle equipped for use by such persons.~~

### ~~4. AUTHORITY~~

~~4.1. Warrant~~

### **Procedures:**

#### 1. Warrants.

0.0.1.1. Members may seize a vehicle when a warrant to seize the vehicle exists.

#### 0.2. Community Caretaking Guidelines.

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~~0.0.2.1.~~ Members may impound a vehicle under ~~this section only~~ Community Caretaking when primarily motivated by the community caretaking issue presented by the vehicle, rather than any punitive or investigative motivation.

~~0.0.2.2.~~ Members ~~should~~shall not impound a vehicle under this section based solely on the arrest and/or issuance of a citation to the driver, owner or occupants; however, such circumstances may be relevant for other reasons such as the resulting inability of persons to lawfully operate or move the vehicle from its present location. Lack of insurance alone does not support a community caretaking impoundment.

~~0.0.2.3.~~ Members ~~should~~shall not impound a vehicle under this section if the owner or person in control of the vehicle consents to have a lawful driver, who is present at the scene, safely move the vehicle to a location that no longer presents a community caretaking issue. Members may wait for such a person to arrive, but are not required to if such person is not present at the time the ~~officer~~member requests tow service.

2.4. When circumstances allow for a vehicle to be left in place, members shall make reasonable efforts to secure the vehicle and document any action taken in an appropriate primary police report. If the vehicle cannot be reasonably secured, the member shall request the vehicle be towed for safekeeping in accordance with section 2.5.2.3. of this directive.

~~0.0.2.5.~~ Members may impound a vehicle when the vehicle presents one or more of the following community caretaking issues:

2.5.1. PUBLIC SAFETY: ~~Community Caretaking for Recreational Vehicles (CCRV).~~ Members who respond to a call in which a recreational vehicle (RV) is determined by the member to be derelict, abandoned, or an unsafe habitation structure due to potential leaking waste water system, leaking fuel system, or hazardous materials shall complete a primary report with a Seized/Towed Vehicle Detail page and a CCRV form. The member shall request that the vehicle be towed to Guild's Lake impound lot. The RV will be eligible for release for up to 90 days.

2.5.1.1. Administrative release required.

2.5.1.2. No administrative fee.

2.5.2. Impound violations in the public's interest. Tows of this nature do not initially have any police holds (temporary or formal).

~~0.0.0.0.2.5.2.1.~~ Public Safety. The vehicle is an immediate danger to public safety. This includes, but is not limited to, ~~vehicles the officer~~ a vehicle that a member reasonably believes, based on the nature, condition and location of the vehicle, ~~present~~presents an immediate danger to any person, ~~including vehicles.~~ This includes a vehicle the ~~officer~~member reasonably believes contains explosives, toxic or dangerous chemicals, or substances that present an immediate danger to any person.

~~0.0.0.0.2.5.2.1.1.~~ Procedure: Members ~~will~~who issue a notice of ~~impound~~ and complete impoundment shall write a ~~tow~~police report ~~then~~and

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request the vehicle be towed to a private ~~tow~~ lot. ~~An investigation report or A~~ parking citation is not required.

~~2.5.2.1.2. HAZARD: Administrative release required.~~

~~2.5.2.1.3. Administrative fee required.~~

~~0.0.0.0.2.5.2.2. Hazard.~~ The vehicle is impeding, or likely to impede, the normal flow of vehicular or pedestrian traffic. This includes, but is not limited to, ~~vehieles~~ a vehicle blocking a traffic or bicycle lane, private or public driveway, and ~~vehieles~~ a vehicle impeding the normal flow of vehicular or pedestrian traffic on streets, parking lots or other premises open to the public.

~~0.0.0.0.0.2.5.2.2.1. Procedure:~~ Members ~~will~~ who issue a notice of ~~impound and complete impoundment shall write a tow~~ police report ~~then~~ and request the vehicle be towed to a private ~~tow~~ lot. Members ~~will~~ may issue a parking citation if required.

~~2.5.2.2.1.1. SAFEKEEPING: Administrative release required.~~

~~2.5.2.2.1.2. Administrative fee required.~~

~~4.3.3. Safekeeping.~~ The member has taken the driver of the vehicle into custody or caused a driver to stop driving the vehicle and believes it is reasonable under the circumstances to remove the vehicle from a public or exposed location for safekeeping to protect it, or its contents, from theft or damage, or to protect the City of Portland from liability related to the vehicle and its contents.

~~0.0.0.0.2.5.2.3.~~ This includes, but is not limited to, a high-value ~~vehieles~~ vehicle or ~~vehieles~~ vehicle with high value contents; ~~vehieles~~ a vehicle that cannot be secured due to the circumstances, location, design or condition of the vehicle; ~~vehieles~~ a vehicle in ~~loeations~~ a location that have has an increased likelihood of theft or damage; ~~vehieles~~ a vehicle in ~~loeations~~ a location that increase increases the likelihood of damaging other property; and ~~vehieles~~ a vehicle in ~~loeations~~ a location that the member believes a person in control of a vehicle would not customarily leave the vehicle unattended for extended periods of time.

~~0.0.0.0.0.2.5.2.3.1. Procedure:~~ Members ~~will~~ who issue a notice of ~~impound and complete impoundment shall write a tow~~ police report ~~then~~ and request the vehicle be towed to a private lot. ~~An investigation report or A~~ parking citation is not required.

~~4.3.4. ILLEGALLY PARKED: The vehicle is illegally parked in a posted restricted space, zone, or traffic lane at any time and place where the vehicle is interfering or reasonably likely to interfere with the intended use of such a space, zone, or traffic lane; or the vehicle is illegally parked within 10 feet of a fire hydrant.~~

~~4.3.4.1. Procedure: Members will complete an investigation report and parking citation and request the vehicle be towed to a private tow lot. A notice of impound is not required.~~

~~2.5.2.3.1.1. ALARM DISTURBANCE: Administrative release required.~~

~~2.5.2.3.1.2. Administrative fee required.~~

~~0.0.0.0.2.5.2.4. Alarm Disturbance.~~ The vehicle is equipped with a vehicle alarm that is not designed to, or does not in fact, cease emitting an intermittent or constant sound after an aggregate time of 3three minutes within a 15 minute

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period on any public right-of-way; or in a public park and the alarm system disturbs or is likely to disturb, injure or endanger the peace, quiet, comfort, health or safety of the public or any person.

~~0.0.0.0.0.2.5.2.4.1.~~ Procedure: Members ~~will~~who issue a notice of ~~impound~~impoundment shall write a police report and request the vehicle be towed to a private ~~tow~~lot. ~~An investigation report or A~~ parking citation is not required.

#### ~~4.4.—Evidence of a Crime~~

~~4.4.1. Members may seize a vehicle when the vehicle is on a premises open to the public, or an area that the officer has lawfully entered and it is immediately apparent to the member that the vehicle itself may be evidence as defined in ORS.133.535.~~

~~4.4.2. Members may seize a vehicle when the member has probable cause to believe that the vehicle contains evidence as defined in ORS. 133.535, and exigent circumstances exist which make it reasonably necessary to seize the vehicle to preserve the evidence or protect it from being moved, tampered with or destroyed.~~

~~4.4.2.1. Procedure: If no exigent circumstances exist, the member should request to have one or more members standby with the vehicle until a warrant to seize the vehicle can be obtained. If exigent circumstances arise while the warrant is being obtained, including but not limited to persons attempting to access the vehicle, members may deny access or seize the vehicle as evidence. Members seizing the vehicle will request the vehicle be towed to Rivergate Storage and place a formal hold on the vehicle. The members will immediately notify the appropriate detective or sergeant of the hold.~~

#### ~~4.5.—Stolen Vehicles (in accordance with DIR 630.61)~~

~~2.5.2.4.1.1. Administrative release required.~~

~~2.5.2.4.1.2. Administrative fee required.~~

~~0.0.0.0.2.5.2.5.~~ Possible Stolen. A member may impound a vehicle when the member reasonably believes the vehicle is ~~stolen~~an unreported stolen. Members shall make a reasonable effort to contact the registered owner to determine if the vehicle is in fact stolen prior to ordering a tow. Members shall obtain supervisor approval to impound a vehicle as a Possible Stolen as authorized by city code.

~~2.5.2.5.1. Procedure: Members will call Auto Records to~~ Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot. There are no holds placed on a Possible Stolen impound and a parking citation is not required.

~~2.5.2.5.1.1. Administrative release required.~~

~~2.5.2.5.1.2. No administrative fee.~~

~~4.5.1.1.—Vehicle Identification Number (VIN) Inspection Hold. Members may place a temporary hold on the vehicle for precinct detectives and record the DPPST number of the records clerk notified. Members will also notify his/her precinct detective sergeant of the hold and request the vehicle is any vehicle towed to a private tow lot.~~

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~~0.0.0.0.2.5.2.6. A member may impound a vehicle when within the City of Portland in order to conduct a VIN inspection in which the VIN has been verified to indicate the vehicle is in stolen status, removed, defaced or altered.~~

~~2.5.2.6.1. Procedure: If the owner is available, members may wait a reasonable period of time for the owner to arrive on scene. If the owner is on scene and provides the member with contact information, proof of ownership and signature, the member should~~Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot.

~~2.5.2.6.2. Members who are trained as VIN Inspectors (e.g., ranking officers and Public Safety Support Specialists [PS3s]) may request the vehicle be towed to Rivergate Vehicle Storage (RVS) for processing purposes. A parking citation is not required.~~

~~2.5.2.6.3. Administrative release the vehicle to the owner. Otherwise, the member will~~required.

~~2.5.2.6.4. No administrative fee.~~

~~2.5.2.7. Other Parking Violations. Impoundment of vehicles for other parking violations may be ordered as lawful under city code.~~

~~2.5.2.7.1. Members who issue a notice of impoundment shall write a police report and request the vehicle be towed to a private lot. A citation is not required.~~

~~2.5.2.7.1.1. No administrative release required.~~

~~2.5.2.7.1.2. No administrative fee required.~~

### 3. Stolen Vehicle Recovery.

3.1. Members shall refer to Directive 630.61, Stolen Vehicles, for guidance on stolen vehicle recovery procedures.

3.2. Recovery of stolen vehicles already towed to a tow lot. Members will

3.2.1. Members shall not proceed with stolen vehicle recovery procedures unless approved by a supervisor when the stolen vehicle is discovered at a tow lot.

3.2.1.1. Supervisors may grant exceptions when circumstances exist to merit a member recovering the vehicle (e.g., evidentiary need, known suspect information).

3.2.2. Unless overridden by supervisor approval as described in section 3.2.1.1., members who are dispatched to a tow lot to recover a stolen vehicle (e.g., A Private Property Impound from Gresham) shall immediately request the call be cleared with a disposition of "I-Referred/Other Agency Handled." Members shall notify Auto Records that the vehicle is no longer in stolen status, and transmit notification via the MDC that of the call to ensure the vehicle is no longer in stolen status, cleared from LEDS/NCIC and is possession owners, or outside agencies, are notified of the owner, so that other recovery.

### 4. Tow Request Procedures.

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~~0.0.4.1.~~ When ordering a tow or requesting through the Portland Bureau of Transportation (PBOT) Parking Enforcement Division to move an abandoned vehicle, members are required to electronically submit photos of the VIN (visible or obscured) and the license plate (front and back, affixed or not) in the tow record of the recoveryCity's contracted towing company's website or smartphone app. If a member has reason to omit these required photos, they shall document the reason in the narrative of the primary report.

~~4.1.1.~~ Members are encouraged to take and upload additional photos to the tow record, as this will assist towing companies to respond with the proper/specialized equipment. However, photos that are, or could be, evidentiary in nature shall also be submitted to the Digital Image Management System (DIMS) in accordance with Directive 640.02, Photography and Digital Imaging.

~~0.0.4.2.~~ Abandoned Vehicles.

~~0.0.0.4.2.1.~~ Members ~~are~~shall not ~~authorized to~~ impound a vehicle solely because the vehicle is abandoned. Members may report an abandoned vehicle in one of the following two ways:

~~0.0.0.0.4.2.1.1.~~ Routine Towing: For abandoned vehicles that do not constitute a public health or safety hazard ~~a member will,~~ members shall notify thePBOT's Parking Enforcement Division by either telephoning the 24-hour Abandoned Vehicle Hotline or ~~faxing a completed Abandoned Auto Intake form to the Abandoned Auto Coordinator,~~ completing an electronic submission request through the City's contracted towing company's website or smartphone app.

~~0.0.0.0.4.2.1.2.~~ For 24-Hour Towing: For abandoned vehicles that are a public health or safety hazard ~~a member will,~~ members shall complete the electronic submission request through the City's contracted towing company's website or smartphone app. Members shall:

~~4.6.1.2.1.~~ Complete the Abandoned Auto Intake form:

~~0.0.0.0.0.4.2.1.2.1.~~ WriteInclude "24-Hour Tow" ~~at the bottom~~ and "Not Warned" ~~on~~in the ~~date line request,~~

~~0.0.0.0.0.4.2.1.2.2.~~ List the specific hazardous conditions ~~the vehicle is being towed for in the comments section,~~ and

~~4.6.1.2.4.~~ Fax the completed form to the Parking Patrol Division within 24 hours.

~~0.0.0.0.0.4.2.1.2.3.~~ Do notNot place a warning tag on the vehicle or issue a citation ~~on the vehicle.~~

~~0.0.0.0.0.4.2.1.2.4.~~ Vehicles ~~can~~may be removed ~~within 2-3 days~~ by the Parking Enforcement Division if the inspector determines that the vehicle is hazardous.

## ~~5. REQUEST AND REPORTING PROCEDURES~~

~~5.1.~~ Members will complete the vehicle and person sections of the Investigative, Custody, Traffic Violation Tow Report or other applicable report whenever a vehicle is impounded or seized. All reports will contain all relevant information regarding the reason the vehicle was impounded or seized under this policy, including the name,

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~~address, and date of birth of the driver and other parties claiming an interest in the vehicle.~~

#### 4.3. Members should Penalty Tows.

~~0.0.0.4.3.1.~~ Members may request tow service via the MDC by submitting an electronic request through the City's contracted towing company's website/smartphone app unless exigency requires the request be made via the radio. If the member does not have an MDC, or for This includes private request or police vehicle tows, the member may use the service net to request tow service by providing the following information:/service.

4.3.1.1. Specific charges Members shall provide the following information, if available:

4.3.1.1.1. The tow violation code (i.e., Hazard, Blocking, Private, Recovered Stolen) and the vehicle location, including any special directions or approach needed (e.g., freeway exit ramp closed, access from wrong way). Also include any special equipment needed if known.

~~5.2.1. Complete license plate number and all reasons for the tow:~~

~~0.0.0.0.4.3.1.1.2.~~ License or license State, complete VIN number, year, make, model, style, and location of the vehicle. color, if known.

~~0.0.0.0.4.3.1.1.3.~~ Hold information (Must be a valid type of hold, for an investigative detail, etc. when applicable). Holds for Detectives must specify the responsible unit (e.g., sex crimes unit [SCU], assault detail, robbery detail).

~~0.0.0.4.3.1.2.~~ Members willshall wait at the scene for the tow operator to arrive except for, with the exception of parking violations and private tows. For all other tows, the following appliesapply:

4.3.1.2.1. Members required to wait for a towing operator shall ensure the operator that arrives is from the company dispatched. Exceptions to this rule are when immediate action is required to protect life or property.

4.3.1.2.2. TowMembers may write "TOW" on the face of the parking tag, if applicable.

~~0.0.0.0.4.3.1.2.3.~~ Members should be aware that tow operators are not required to complete the tow if a member is not present.

~~0.0.0.0.4.3.1.2.4.~~ Tow companies must appear at the scene within 3020 minutes of on routine requests for a passenger vehicle tow, which does not require special equipment. In peak traffic responses (0700-0900 and 1500-1900), tow operators are allowed 25 minutes. Additional response time is allowed for the order towing of vehicles larger than passenger cars and tows that require special equipment.

~~5.3.3. To file a complaint for late arrival or other reasonreasons, members shouldmay complete a Special Reportprimary report documenting the facts-~~

~~5.3.4. Members will write "TOW" on and forward the face of the parking tag, if applicable.~~



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~~should~~must include a brief explanation as to the reason for the tow or service.

~~0.0.0.0.4.4.1.3.~~ Members ~~will also~~shall obtain a copy of the tow company's receipt, if provided a printed copy, and submit it the precinct administrator.

#### ~~0.0.4.5.~~ Courtesy Tow Tows.

~~0.0.0.4.5.1.~~ Holders of City permits ~~which~~who reserve specific areas for activities such as film production, special events, parades or similar events are allowed to ~~tow~~request vehicles that are parked in the reserve area to be towed according to the following guidelines:

~~0.0.0.0.4.5.1.1.~~ Courtesy towing Members may order a courtesy tow on behalf of the permit holder for a vehicle ~~from~~ parked in a public right-of-way ~~must be ordered by a member, an authorized City official or the Parking Patrol Division.~~

~~0.0.0.0.4.5.1.2.~~ The supervisor ~~in charge~~ may direct the vehicle be moved to another legal parking space on the public right-of-way, to any storage facility designated by the City, or to private property with the permission of the property owner.

~~0.0.0.0.0.4.5.1.2.1.~~ The Tow Contractor shall notify Auto Records of Towing companies are required to document available vehicle information (e.g., License plate information, VIN, other identifiers) as well as the exact precise location (e.g. GPS address, parking lot facility, mid-blocks) of each towed vehicle upon completion of each tow: in the City's contracted towing company's website. This is for the owner's information to prevent a vehicle from being reported/recorded as stolen.

~~4.5.1.3.~~ Members requesting multiple courtesy tows due to large scale events (e.g., fires, protests, filming) shall document vehicle information and the location from where they were towed in the City's contracted towing company's website. If exigent circumstances exist, members shall obtain basic identifiers such as license plate, make, color, and location towed from. Unless vehicles are an integral part of a related report, members are not required to submit a report or issue a citation for the courtesy tow.

#### ~~0.0.4.6.~~ Private Request Tow Tows.

~~7.3.1.~~ Members may order ~~private request towing~~ Private Non-Preference or Private Preference tows on behalf of the owner or other person ~~In charge of~~responsible for a vehicle.

~~7.3.2.~~ Members will make if the request through the service net (not the MDC).

~~7.3.3.~~ Members do not need to complete an investigation report or parking citation.

~~0.0.0.4.6.1.~~ If the vehicle owner individual is present but unable to request towing due to injuries or other circumstances, the member will request private towing when it is reasonable to believe that the person in charge of the vehicle would request towing if they were able. Members may not request a violation tow unless other circumstances exist (e.g., a hold for an investigative unit) even though the vehicle may be a hazard. Members may request towing via the City's contracted towing

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company's website or smartphone app, through precinct desk personnel, or through Service Net.

4.6.2. If a primary report is being written for other reasons (such as a traffic crash report), members shall include this information in their primary or supplemental report; otherwise, members may not need to complete a police report or issue a parking citation.

~~0.0.0.4.6.3.~~ If possible, the member ordering the tow ~~should~~may notify the responsible party of the vehicle disposition (i.e. the location of the tow lot), or provide the City's contracted towing company's website information and/or the name of the towing company.

## 5. HOLDS Holds.

### ~~8.1. Asset Forfeiture~~

~~8.1.1. Vehicles that have been impounded for civil forfeiture will be towed to Rivergate Storage with a hold for the Drugs and Vice Division supervisor.~~

~~8.1.2. Vehicles will not be towed for civil forfeiture without prior approval from the on call Drugs and Vice Division supervisor.~~

~~8.1.3. A civil forfeiture notice will be issued to all parties associated with the vehicle.~~

### ~~0.0.5.1. Temporary Hold~~Holds.

~~0.0.0.5.1.1.~~ Temporary holds ~~should only be used for the purposes of~~generally apply to VIN Inspection and when a member is seizing a suspected stolen vehicle that is not yet in stolen status-tows. The following guidelines apply to temporary holds:

~~0.0.0.0.5.1.1.1.~~ Temporary holds will expire 72 hours following placement, excluding weekends (from 1600 Friday to 0800-Monday) and holidays.

~~5.1.1.2.~~ Members shall request vehicles that require a VIN inspection be towed to a private lot, unless given authorization to tow to RVS by a member who is a VIN Inspector.

~~5.1.1.3.~~ Ranking officers or PS3s who are trained VIN Inspectors may request a vehicle be towed to RVS.

~~5.1.1.4.~~ If a vehicle is sent to RVS for a VIN Inspection, the responsibility of member shall annotate in the tow request that they are either a VIN Inspector or they received authorization from a VIN Inspector so that Auto Records can accurately track and document the vehicle's location.

~~0.0.0.0.5.1.1.5.~~ The member ordering the tow ~~to~~shall notify the proper investigative unit and ~~Auto Records towing company~~ of the temporary hold.

~~0.0.0.0.5.1.1.6.~~ The initiating member can only lift a temporary hold within ~~the~~their current shift if the hold is no longer necessary. The investigative unit for whom the hold was placed can lift a temporary hold at any time.

~~0.0.0.0.5.1.1.7.~~ If a formal hold has not been placed on a vehicle before the temporary hold expires, Auto Records ~~will~~shall notify the owner of the expiration and that the vehicle may be released. A second temporary hold cannot be placed once the original hold expires.

### ~~0.0.5.2.~~ Formal ~~Hold~~Holds.

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~~0.0.0.5.2.1.~~ Members ~~can~~ may, if warranted, place a formal hold on an impounded vehicle. Members trained to conduct VIN inspections are authorized to place and/or remove formal, ~~or~~ temporary, ~~or administrative hold holds~~ on towed vehicles they are inspecting.

~~0.0.0.5.2.2.~~ A formal hold may be placed immediately upon a vehicle being towed, prior to the expiration of a temporary hold, or at any time, as long as the vehicle is still in the possession of the tow company.

5.2.3. Members may have vehicles already towed to a private lot or other facility re-located to RVS any hour of the day, by any shift.

~~0.0.0.5.2.4.~~ Members placing a formal hold on a vehicle ~~will~~shall notify the appropriate detective or sergeant by the end of the member's shift. If the hold is traffic related, the member ~~will~~shall notify and forward all related reports to the Traffic Investigative Unit (TIU) sergeant by the end of the member's shift.

~~0.0.0.5.2.5.~~ Auto Records ~~will~~shall facilitate the transfer of a vehicle to ~~Rivergate Storage~~RVS if a temporary hold is being changed to a formal hold.

5.2.6. Members shall provide the name and rank of the investigator and any details on a hold in the City's contracted towing company's website. The member writing the primary report shall include the reason and purpose of the hold. Holds for detectives must specify which unit is responsible (i.e., detectives/SCU, detectives/robbery detail).

~~8.3.5. Asset Forfeiture~~After a formal hold is placed on a vehicle, the hold must be verified by sending a completed Formal Hold form to Auto Records.

5.3. The.

5.3.1. Vehicles that have been impounded for civil forfeiture will be towed to RVS with a formal hold for the Drugs and Vice Division supervisor.

5.3.2. Vehicles shall not be towed for civil forfeiture without prior approval from the on call Drugs and Vice Division supervisor.

5.3.3. A civil forfeiture notice shall be issued to all parties associated with the vehicle.

5.4. Evidence of a crime.

5.4.1. Members may seize a vehicle when the vehicle is on a premises open to the public, or an area that the member has lawfully entered and it is immediately apparent to the member that the vehicle itself may be evidence. Members may seize a vehicle when the member has probable cause to believe that the vehicle contains evidence and exigent circumstances exist, which make it reasonably necessary to seize the vehicle for a specific investigative unit ~~plac~~ing to preserve the evidence or protect it from being moved, tampered with, or destroyed.

5.4.2. If no exigent circumstances exist, the member may request to have one or more members standby with the vehicle until a warrant to seize the vehicle can be obtained. If exigent circumstances arise while the warrant is being obtained, including, but not limited to, persons attempting to access the vehicle, members may deny access or seize the vehicle as evidence in accordance with Directive 650.00, Search, Seizure, and Inventories. Members seizing the vehicle shall request the vehicle be towed to RVS and place a formal hold on ~~at~~the vehicle. The

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members shall immediately notify the appropriate detective or sergeant of the hold.

#### 5.5. Formal hold to examine vehicles for fingerprints.

5.5.1. Forensic Evidence Division (FED) may be notified to have a vehicle examined for fingerprints when:

5.5.1.1. A stolen and recovered vehicle is used in another crime.

5.5.1.2. There is a known suspect in a stolen vehicle, and the fingerprints are needed to place the suspect in the car.

5.5.1.3. A larceny from a vehicle case has a known suspect possessing property from a vehicle and the fingerprints are needed to place the suspect in the vehicle.

5.5.1.4. The vehicle is involved in a crime such as rape, robbery, burglary and the fingerprints are needed to help identify the suspect.

5.5.1.5. ~~is~~Any exceptions to this section must be approved by a supervisor. Members seizing a vehicle for examination by FED shall place a formal evidence hold on the vehicle, notify FED, and notify the appropriate detective or sergeant as soon as practical. The member shall also request the vehicle be towed to RVS and advise the tow operator to avoid unnecessary touching of the surfaces and to place the vehicle out of the weather.

5.5.2. Vehicles are generally not examined for fingerprints when:

5.5.2.1. The vehicle is a recovered stolen and no other crimes are involved.

5.5.2.2. A victim's vehicle is the subject of a larceny and there is no suspect.

#### 5.6. Removing formal holds.

5.6.1. The investigative unit responsible for the formal hold is also responsible for removing the hold. The removal can be made by ~~telephoning~~contacting Auto Records.

~~0.0.0.5.6.2.~~ Investigators shall provide Auto Records and submitting a completed Formal Hold form with instructions on who the vehicle should be released to (e.g., registered owner) when releasing a hold.

### 9. ~~RELEASE PROCEDURES~~

#### 5.7. ~~Police~~Holds for outside agencies.

5.7.1. On occasion, a PPB investigative unit may place a formal hold for an outside agency. The investigative unit will be responsible for the hold.

5.7.2. If the hold is for fingerprinting of a vehicle, members shall inform the outside agency that PPB's FED does not examine fingerprints for external agencies unless authorized by an investigative unit's sergeant.

### 6. Reporting requirements.

6.1. Members shall complete a primary report(s) and include a Seized/Towed Vehicle Detail page whenever a vehicle is seized or impounded as identified in Section 2.5.

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6.1.1. Members shall document the reason the vehicle was impounded or seized under this policy, and include the name, address, date of birth of the driver, and other parties claiming an interest in the vehicle.

6.1.2. Members shall not submit a supplemental report in lieu of a primary report (Supplemental reports cannot be submitted alone in the current Records Management System [RMS]).

6.1.2.1. If a member is writing or has already completed a primary report, other members may submit a supplemental report regarding the impoundment.

6.1.3. Members shall document the following vehicle information in their report or in the appropriate vehicle fields in the RMS:

6.1.3.1. License plate number, license State, VIN, year, make, model, style and body color, and

6.1.3.2. Unique features such as visible damages or markings on the vehicle.

6.1.3.3. Members shall not use photographs in lieu of writing a detailed description in the report.

## 7. Administrative Release Procedures.

0.0.7.1. The Records Division determines which police tows must be released by the Records Division. require an administrative release as identified in section 2. A tow company cannot release the vehicles without a written administrative release form from the Records Division.

#1

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, August 01, 2019 9:35:39 PM  
**Last Modified:** Thursday, August 01, 2019 9:49:04 PM  
**Time Spent:** 00:13:25  
**IP Address:**

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Page 1

**Q1** Please provide feedback for this directive

The stolen vehicle options are cause for concern. Almost any place I find a dumped stolen vehicle, it is in a place where it would be pointless to clear it out of LEDS and then leave it there. It would be re-stolen within a few hours if not sooner, now creating the issue that it is an unreported stolen rolling around committing crimes.

As with most things, the officer should have the courtesy to call the owner to pick up the car if they can make it within a reasonable time. If they can't, I do not believe reading a few paragraphs to someone about the risks of leaving their vehicle in place educates them enough to make a good, informed decision. I understand we don't want to victimize people twice, but what if the second victimization is a second car thief and not a tow company?

This also creates hesitation for officers to recover the stolen vehicles. I believe over time we will see the amount of stolen vehicle recoveries decrease because of this policy.

We have so much discretion over so many decisions on a daily basis. Let your officers have the discretion of at least overriding the "leave in place" option if they believe it to be a bad decision to remove it from LEDS and leave it there.

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**Q2** Contact Information (optional)

Email Address

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## #2

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Saturday, August 03, 2019 2:20:39 PM  
**Last Modified:** Saturday, August 03, 2019 2:26:16 PM  
**Time Spent:** 00:05:36  
**IP Address:**

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Page 1

### Q1 Please provide feedback for this directive

The city should absolutely be allowed to tow vehicles for unlicensed drivers and for lack of insurance. This could be covered under both Community Caretaking and/or Safekeeping.

Towing a vehicle from a driver who does not have a valid license or proof of insurance ensures that when the vehicle is retrieved, a licensed driver and CURRENT proof of insurance is provided for that vehicle at the time of release.

Allowing the vehicle to simply be parked on the street or in a parking lot exposes the City to civil liability. There's nothing to prevent the same unlicensed driver, with no valid insurance, from driving away hitting and killing or severely injuring someone in a wreck. A wreck that could have been prevented, had the vehicle been physically separated from the driver, forcing them to get a valid license and insurance for everyone's safety on the road.

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Q2 Contact Information (optional)

Respondent skipped this question

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# #3

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Saturday, August 03, 2019 2:22:34 PM  
**Last Modified:** Saturday, August 03, 2019 2:26:49 PM  
**Time Spent:** 00:04:14  
**IP Address:**

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Page 1

## Q1 Please provide feedback for this directive

Section 4.3 (Community Caretaking) has confused many officers.

Officers are confusing the CCRV (Community Caretaking Recreational Vehicle) program with this wording. Tows have been ordered using Community Caretaking as a violation when it is not.

The colon at the end of the descriptive sentence is being missed leading officers to not understand that the 5 violations listed below are the choice under the community caretaking umbrella.

In addition, officers are wanting to tow the vehicle without a penalty and most of these tows carry an administrative fee of \$150.

As the current Towing Coordinator for the bureau, please consider clarifying the section for officers to easily understand their options.

Thank you.

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## Q2 Contact Information (optional)

Name

Email Address

Phone Number

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# #4

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, August 15, 2019 5:00:46 PM  
**Last Modified:** Thursday, August 15, 2019 5:01:26 PM  
**Time Spent:** 00:00:39  
**IP Address:**

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Page 1

## Q1 Please provide feedback for this directive

In March 2018 Portland Copwatch made comments based on CRC's 2007 Tow Policy report:  
[http://www.pjw.info/copwatch/CRC\\_Tow\\_Policy\\_Report0907.pdf](http://www.pjw.info/copwatch/CRC_Tow_Policy_Report0907.pdf)

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## Q2 Contact Information (optional)

Name

Email Address

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