



CITY OF AKRON, OHIO
POLICE DIVISION
KENNETH R. BALL II, CHIEF OF POLICE

NUMBER P-2019-059	EFFECTIVE DATE December 4, 2019	RESCINDS P-2011-059 Issued 10/31/11
SUBJECT Vehicle Impoundment and Inventory Procedure		ISSUING AUTHORITY Chief Kenneth R. Ball II

I. POLICY

To satisfy the requirements of the 4th Amendment to the United States Constitution, an inventory search of a lawfully impounded vehicle must be conducted in good faith and in accordance with reasonable standardized procedures. Correct and complete information on a tow report is necessary to aid in the protection of citizen's property while it is in police custody and for the protection of the police department against claims or disputes over property. The department will conform to the guidelines established by the Ohio Supreme Court to ensure this process occurs. Having the authority to tow does not mean having the need to tow.

II. DEFINITION

Inventory search – An administrative caretaking process, intended to protect public property that is in police custody, to ensure against claims involving theft or vandalized property.

III. PROCEDURE

A. OFFICER'S RESPONSIBILITIES

1. It is the practice of the department to adhere to the City of Akron Traffic Code regarding impounding of vehicles with emphasis on determining the necessity to use this authority.
2. Unless extraordinary circumstances apply, the below guidelines will be used to determine when to tow:
 - a. No plates or expired validation stickers over one month.
 - b. Expired or altered 30 day tags.
 - c. Three or more verified unpaid parking citations.
 - d. Constitutes a hazard.

3. Driver's license violations.
 - a. The owner may allow a properly licensed driver to drive or secure their vehicle in a legal parking spot.
 - b. The officer should tow if the operator has:
 - 1) Suspended license, properly verified by the officer. The following suspensions require a pre-trial seizure or a tow:
 - a) OVI – Operating a vehicle under the influence
 - b) ALS – Administrative License Suspension
 - c) FRA – Financial Responsibility Act
 - 2) No driver's license or license expired six months or more.
 - 3) Temporary permit but no licensed driver.
 - c. The operator should be allowed to drive if:
 - 1) Driver's license has been expired less than six months.
 - 2) Valid driver's license not on person.
4. Abandoned junk motor vehicle complaints shall be referred to the City of Akron Customer Service Division (3-1-1).
5. Private parking complaints.
 - a. An officer shall allow the party in lawful control of the premises to sign a private parking affidavit and the officer shall issue a parking ticket for the violation.
 - b. During business hours the vehicle should be towed. On weekends, holidays, or during late hours the officer will not tow immediately unless he determines it is necessary. He shall forward the completed affidavit to the Traffic Bureau.
6. The officer shall take any reasonable actions necessary to ensure the safety of any occupant(s) stranded due to a vehicle's impoundment. This may include providing a ride to a safe location such as Police Headquarters, their home or standing by until a taxi cab or a friend of the occupant arrives. A refusal for assistance will satisfy department expectations.

B. INVENTORY AND INFORMATION

1. Officers shall inventory the vehicle and complete a Tow Report for all vehicles that are impounded.

2. A driver requesting a tow after an accident or for a disabled vehicle is a private tow, and no report is required.
3. When a parking ticket is issued, the ticket number, violation code, and description shall be written on the Tow Report.
4. An inventory shall be conducted in the following manner:
 - a. Inventory all interior and exterior areas of an impounded vehicle utilizing the checklist on the report. If possible, locked vehicle doors should be opened and the inside of the vehicle inventoried. If the trunk or glove compartment is locked, do not open it unless the key is readily available.
 - b. Packages, suitcases, or other unlocked containers within the vehicle will be opened and inventoried. If the key is readily available for any locked container, or the locked container can be opened by other means without causing damage to the container, it will be opened and inventoried.
 - c. Intrusion into locked containers or secured areas that cannot be opened without causing damage shall be made only after receiving permission from the owner or obtaining a search warrant.
 - d. Any items removed for safekeeping or confiscated as evidence will be noted on the Tow Report in the remarks section.
 - e. Vehicle operators may be permitted to remove unsecured valuables of a non-evidentiary nature from the vehicle prior to its impoundment when officers are confident that the driver was operating with the permission of the owner. Any removed valuables shall be noted on the Tow Report in the remarks section.
 - f. Officers are to visually verify the Vehicle Identification Number (VIN) on the dashboard and the federal sticker on the door jam.
 - g. When recording a Vehicle Identification Number (VIN) on the report, officers will make a distinction between letters and numbers by making the letters larger.
 - h. Enter only information in each section of the report that pertains to the towed vehicle. Incidental information should go in the remarks section; i.e., if a vehicle has no license plates, leave that section blank. License plate numbers which should be on the vehicle will be noted in the remarks section. Do not mark the vehicle as stolen if it has not already been reported. List this information in the remarks section.
 - i. An individual wishing to obtain a release on a towed vehicle will be referred to the Information Desk.

C. VEHICLE HOLDS

1. When a vehicle is impounded and a tow report is completed, the minimum hold to be placed on the vehicle is for ownership.
2. When an officer places a HOLD on a towed vehicle, the officer shall clearly state in the remarks section of the tow report, detailed reason(s) for the HOLD and the police department unit, detective, or outside agency to be notified. They will also provide an incident or accident report number and associated offense when available.
 - a. When a vehicle is impounded for forfeiture, place a hold for Narcotics and put a copy of the Tow Report in the Narcotics seizure packet.
 - b. If a detective or officer requests a hold for investigation, the officer towing the vehicle shall notify the detective or officer requesting the hold that the vehicle has been impounded.
 - c. If another agency requests a hold, the officer towing the vehicle shall notify that agency that the vehicle has been impounded and, if possible, obtain a point of contact from the other agency to be placed on the Tow Report.
 - d. If an officer places a hold for pretrial seizure, driving under suspension, or operating a vehicle while impaired, they must complete a BMV2255 and submit it to the Clerk of Courts.
 - e. If an officer places a hold for processing, they shall contact the DB Desk and notify the desk detective that the vehicle has been impounded and is being held for processing.
 - f. If an officer places a hold for stereo seizure, they shall describe the items seized in the remarks section listing the make, model and serial number.
 - g. Stolen vehicles do not require a hold for the Auto Theft Unit. If an officer determines a need for an Auto Theft Unit hold, detail that need in the remarks section. If the Vehicle Identification Number (VIN) is unreadable, or the federal sticker is missing on the door jam, place a hold on the vehicle for the Auto Theft Unit.
3. Information Desk personnel shall review all Tow Reports for vehicles with HOLDS. If a hold is indicated for other than registration/driver's license, Information Desk personnel shall enter the following information, when available, into the 'Add Notes' section of the tow card:
 - a. Departmental unit or outside police agency for which the vehicle is held.
 - b. Underlying offense(s) or action leading to the hold.
 - c. Incident or accident report number.

- d. The actual location of the vehicle.
4. The Information Desk supervisor shall be responsible for ensuring each held vehicle is assigned to the proper category within the Towed Vehicle Application Database. i.e. Traffic Investigation, Processing/DB Hold, Patrol/Patrol Officer, Other agency etc...
5. The following supervisors or their designee shall review their respective category within the Towed Vehicle Application Database on a daily basis:
 - a. Patrol Shift Commanders - Check and monitor vehicles held for Patrol/Patrol Officers.
 - b. Auto Theft Supervisor - Review and monitor vehicles held for JAM and Tow Reports sent to DB by the Information Desk.
 - c. Traffic Commander - Check and monitor vehicles held for traffic investigation and hit/skip.
 - d. Crime Scene Unit Commander - Review and monitor vehicles held for processing/DB hold and the DB Desk HOLD FOR PROCESSING tray on the 6th floor. Additionally, the CSU Commander will be responsible for notifying other Investigative Sub-division units of vehicles being held with the exception of Narcotics and SNUDS.
 - e. Narcotics Unit Commander - Check and monitor vehicles held for narcotics seizure. This position will be responsible for notifying the SNUD Unit Commander of vehicles being held.
 - f. Persons Unit Commander - Check and monitor vehicles held for evidence.
 - g. Information Desk Supervisor - Check and monitor vehicles held for the Other Agency and Pre-trial/DUS/OMVI.

By Order Of,



Kenneth R. Ball II
Chief of Police

Date December 4, 2019