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|  | Abilene Police Department Operating Procedures | | |
| | Subject: <i>Prisoner Vehicle and Animal Handling</i> | Issued: 10/19/2011 | TBP: |

Prisoner Vehicle Disposition

Vehicles of arrested persons may be dealt with in one of two ways:

- A. Released to a responsible adult with a valid driver's license on scene at the time of arrest at the request of a sober operator.
- B. Impounded and inventoried. Vehicles should not be impounded if they are legally parked at the residence of the arrested party unless they are evidentiary. Generally, a vehicle is not to be considered evidence of felony evading.

Release of Prisoner Vehicles

Releasing a prisoner's vehicle to a responsible adult at the time of arrest or shortly afterward may be a reasonable alternative to impoundment depending on the time, place and circumstances. When an officer determines that it is reasonable to release the vehicle, the following procedure will apply:


- A. Confirm the person's willingness to accept responsibility for the vehicle and the prisoner's desire to release it to that individual.
- B. Note the name, date of birth, current address, phone number and relationship to the arrested party on the arrest report. The identification of the person taking control of the vehicle should include verification of a driver's license.
- C. If the person taken into custody is a juvenile, the vehicle will be released only to the owner.
- D. If after a wrecker has been called to tow a suspect or prisoner vehicle and the officer develops reasonable grounds requiring the vehicle be released without charge to a suitable person, the officer may release the vehicle (DWI released for low BAC or suspect becomes an informant). The officer will notify the impound facility coordinator.

Impounding Vehicles

Impoundment of a motor vehicle means taking a vehicle from a street, alley, highway, sidewalk or public thoroughfare (or in some instances, from a public place) into actual or constructive police custody. It is the removal of a vehicle from where it is initially located and may also include continued retention of the vehicle at a garage, storage lot or other place for safekeeping.

Impoundment Policy

A police officer may initiate impoundment of a motor vehicle only if such impoundment is actually necessary to facilitate or expedite a particular law enforcement or investigative action. After the decision has been made to impound a vehicle, the officer should notify his/her supervisor.

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Officers are authorized to cause a motor vehicle to be impounded only when:

- A. It is an abandoned motor vehicle that has been properly inspected, tagged by the Traffic Division and the time period has expired;
- B. By reason of any catastrophe, emergency or unusual circumstances, the safety of the vehicle is imperiled; when the vehicle constitutes an immediate and substantial hazard to persons or property because of the vehicle's location and/or condition and it cannot be moved to a nearby place of safety;
- C. The vehicle is parked, stopped or left standing upon any alley, highway, street, sidewalk or other thoroughfare within the city in apparent violation of State law or City Ordinance but only if the vehicle is obstructing the safe and orderly flow of vehicular and/or pedestrian traffic and it is impractical to move the vehicle to a nearby location;
- D. The vehicle is parked in an officially designated tow-away zone or fire lane (the issuance of a parking citation is preferred) or
- E. The vehicle is in the possession of an arrested person.

Vehicles may not be impounded:

- A. For the convenience of persons engaged in construction, street repair, etc.; however, such vehicles may, at the discretion of a supervisor, be moved to a nearby place of safety or
- B. Because it is parked on private property and the property owner wishes to have it removed. In such cases, the property owner will be responsible for having the vehicle removed.


Vehicle Inventory

The purpose of a vehicle inventory is to protect the property of the owner/defendant, to protect the police officer and the police department against false claims of loss or theft and to protect the police and public from potential danger.

Vehicles impounded as a result of an arrest will be inventoried. The examination of an impounded vehicle for the purposes of inventorying possible contents should be limited to places where a person ordinarily would store or leave items of personal property such as:

- A. The passenger compartment of the vehicle,
- B. Trunk (if the officer has the key to open it) and
- C. Containers (whether open or closed).

The Vehicle Inventory Form will be completed for each inventory. Only items of obvious value will be listed on the inventory form. These items will normally remain in the vehicle. However, if an officer realized the need to further secure property, they may book it in with the prisoner's

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property or into the evidence vault for safekeeping (e.g. firearms). If there are no valuable items inside the vehicle, complete the heading of the form and indicate no items of obvious value were discovered.

Vehicles on Campus

Vehicles abandoned on university property will be the responsibility of university police officers.

Animal Processing

The following procedure will dictate the processing of animals handled by the Department:

- A. An officer should first attempt to find a responsible party to take charge of the animal.
- B. The Animal Services Division of the City of Abilene will be notified when the need arises for an animal to be picked up.
- C. When the Animal Services officer takes control of the animal in question, the officer must give the Animal Services officer the appropriate copy of the completed Animal Processing Form.
- D. The owner should be advised arrangements must be made as soon as possible to have the animal picked up from the Animal Services Facility in order to avoid accruing charges for the animal's care.