

Vehicle Towing and Release

502.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Grafton Police Department.

502.2 IMPOUNDS

When circumstances permit, for example when towing a vehicle for parking or registration violations, the handling officer should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone or by leaving a notice attached to the vehicle at least 48 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately (Wis. Stat. § 349.13(3)).

The responsibilities of those employees storing or impounding a vehicle are as follows.

502.2.1 VEHICLE REPORT

Officers requesting towing, seizure or impound of a vehicle shall complete a Vehicle Impound Form. The Vehicle Impound Form will serve as a standalone report and will contain pertinent information about the vehicle, including a detailed inventory of property within the vehicle. A copy shall be given to the tow truck operator, the owner/operator of the vehicle towed, and the original submitted to the Records Bureau prior to the end of the officers tour of duty. [See attachment: Impound Form.pdf](#)

502.2.2 REMOVAL FROM A TRAFFIC CRASH SCENE

When a vehicle has been involved in a traffic crash and must be removed from the scene, the officer shall have the driver select a towing company, if reasonably possible, and shall relay the request for the specified towing company to the Dispatch Center. When there is no preferred company requested, or the requested tow company has an extended response time (any time longer than 15 minutes), the nearest available tow company will be notified to respond.

If the owner is incapacitated or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a crash, the officer shall request the dispatcher to call the nearest available tow company. The officer will then conduct an inventory and store the vehicle using the Vehicle Impound Form

502.2.3 STORAGE AT AN ARREST SCENE

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by towing the arrestee's vehicle subject to the exceptions described below. The vehicle, however, shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be towed (e.g., traffic hazard, high-crime area).

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Situations where consideration should be given to leaving a vehicle at the scene in lieu of towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition, include:

- A traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed owner of the vehicle is present, willing and able to take control of any vehicle not involved in criminal activity.
- Whenever the vehicle otherwise does not need to be towed and the owner requests that it be left at the scene. In such cases the owner shall be informed that the Department will not be responsible for theft or damages.

502.2.4 DRIVING A NON-CITY VEHICLE

Vehicles that have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with parking regulations.

502.2.5 RECORDS BUREAU RESPONSIBILITY

Approved vehicle impound/storage forms shall be promptly filed so that they are immediately available for release or review should inquiries be made.

Records Bureau personnel shall promptly enter pertinent data from the completed Vehicle Impound Form into the Wisconsin Department of Justice Transaction Information for the Management of Enforcement (TIME) system.

It shall be the responsibility of the Records Bureau to notify the towing service of the name and last-known address of the vehicle's registered owner and lien holders of record.

Records Bureau personnel shall determine the names and addresses of any individuals having an interest in the vehicle through WisDOT or TIME computers. Notice shall be sent to all such individuals by certified mail. The notice shall include:

- (a) The name, address, and telephone number of this department.
- (b) The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.
- (c) The authority and purpose for the removal of the vehicle.

502.3 TOWING SERVICES

The Village of Grafton Police Department periodically selects one or more firms to act as official tow services. Those firms will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.

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- (b) When a vehicle is being held as evidence in connection with an investigation.
- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal of vehicles obstructing traffic in violation of state or local regulations.

502.4 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the Vehicle Impound Form. This includes the trunk and any compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in police custody, to provide for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property.

If the apparent potential for damage to a locked container reasonably appears to outweigh the protection of the items inside, other options to consider regarding locked containers include, but are not limited to, obtaining access to the locked container from the owner, placing the locked container into safekeeping or obtaining a written waiver of responsibility for the contents of the locked container.

502.5 PRESERVATION OF EVIDENCE

An officer removing a vehicle, who has probable cause to believe that the vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or tends to show that a particular person has committed a criminal offense, should ensure that all legally required and reasonably necessary efforts to preserve the evidence, including but not limited to, safe storage, are taken until the evidence is released to the owner or otherwise disposed of according to law. Vehicles with an evidentiary hold cannot be released until District Attorney's Office has given approval.

502.6 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, an officer should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property.

Any personal property shall be returned to the owner of the vehicle during regular office hours upon presentation of proper identification (Wis. Stat. § 349.13(5)(b)(2)).

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502.7 RELEASE OF IMPOUNDED VEHICLES

Release of impounded vehicles will occur once proof of payment of towing services has been made to the tow company. The owner of the vehicle shall pay the fees directly to the towing service.

Attachments

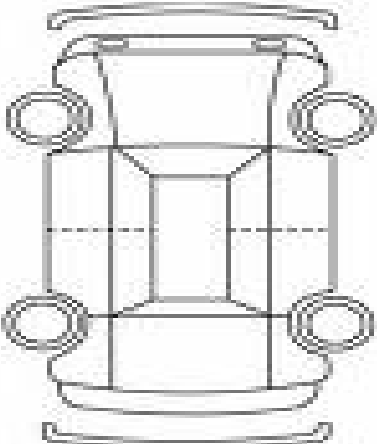
Impound Form.pdf

GRAFTON POLICE DEPARTMENT VEHICLE IMPOUND REPORT

INCIDENT/CFS NUMBER: _____

YEAR	MAKE	MODEL	COLOR	VEHICLE IDENTIFICATION NUMBER 					
LICENSE NUMBER		YEAR	STATE	MILEAGE	VEHICLE TYPE <input type="checkbox"/> PASSENGER CAR <input type="checkbox"/> TRUCK <input type="checkbox"/> TRACTOR <input type="checkbox"/> BUS <input type="checkbox"/> RV <input type="checkbox"/> MOTORCYCLE <input type="checkbox"/> TRAILER <input type="checkbox"/> SEMI-TRAILER <input type="checkbox"/> EMERGENCY VEHICLE				
BODY STYLE <input type="checkbox"/> 2- DOOR <input type="checkbox"/> 4- DOOR <input type="checkbox"/> PICKUP <input type="checkbox"/> SUV <input type="checkbox"/> VAN <input type="checkbox"/> BOX TRUCK <input type="checkbox"/> CONVERTIBLE <input type="checkbox"/> STATION WAGON <input type="checkbox"/> OTHER _____					REASON FOR IMPOUND <input type="checkbox"/> ACCIDENT <input type="checkbox"/> ARREST <input type="checkbox"/> ABANDONED <input type="checkbox"/> STOLEN <input type="checkbox"/> PARKING <input type="checkbox"/> NO INSURANCE <input type="checkbox"/> NO DL <input type="checkbox"/> OTHER _____				

OPERATOR'S NAME (LAST, FIRST, MI)	OPERATOR'S ADDRESS (STREET, CITY, STATE, ZIP)	PHONE <input type="checkbox"/> HOME <input type="checkbox"/> CELL
OWNER'S NAME (LAST, FIRST, MI) <input type="checkbox"/> SAME AS OPER.	OWNER'S ADDRESS (STREET, CITY, STATE, ZIP)	PHONE <input type="checkbox"/> HOME <input type="checkbox"/> CELL

<p>INDICATE DAMAGE WITH AN "X" ON APPROPRIATE AREA</p>  <p><input type="checkbox"/> DAMAGE DUE TO ACCIDENT</p>	<p>CONDITION:</p> <p><u>EXTERIOR</u></p> <p><input type="checkbox"/> EXCELLENT</p> <p><input type="checkbox"/> GOOD</p> <p><input type="checkbox"/> FAIR</p> <p><input type="checkbox"/> POOR</p> <p><u>INTERIOR</u></p> <p><input type="checkbox"/> EXCELLENT</p> <p><input type="checkbox"/> GOOD</p> <p><input type="checkbox"/> FAIR</p> <p><input type="checkbox"/> POOR</p>	<p>VEHICLE EQUIPMENT: (Any missing/damaged items should be identified in the inventory section)</p> <p><input type="checkbox"/> WHEELS/TIRES <input type="checkbox"/> FRONT <input type="checkbox"/> REAR</p> <p><input type="checkbox"/> SPARE TIRE</p> <p><input type="checkbox"/> JACK</p> <p><input type="checkbox"/> ENGINE</p> <p><input type="checkbox"/> RADIO</p> <p><input type="checkbox"/> WIPERS <input type="checkbox"/> FRONT <input type="checkbox"/> REAR</p> <p><input type="checkbox"/> ADD ON LIGHTING</p> <p><input type="checkbox"/> OTHER _____</p>	<p>DOORS AND TRUNK:</p> <p><input type="checkbox"/> LOCKED</p> <p><input type="checkbox"/> UNLOCKED</p> <p><input type="checkbox"/> DAMAGED</p> <p><input type="checkbox"/> KEYS LEFT IN CAR</p> <p><input type="checkbox"/> KEYS IN PROPERTY</p>
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INVENTORY: (DESCRIBE ANY PROPERTY LEFT IN VEHICLE)

LOCATION TOWED FROM:	POLICE HOLD: <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, REASON <input type="checkbox"/> EVIDENCE <input type="checkbox"/> STOLEN <input type="checkbox"/> OTHER _____		
TOW COMPANY: <input type="checkbox"/> GRAFTON MOBIL 1117 Washington Street Grafton, WI 53024 262-375-3080	<input type="checkbox"/> EDDIE'S SERVICE 125 N Riverside Drive Saukville, WI 53080 262-284-0250	<input type="checkbox"/> LANSER TOWING 825 CTH-D Belgium, WI 53004 262-285-3022	<input type="checkbox"/> GIERACH'S SERVICE 6933 W. Mequon Road Mequon, WI 53092 262-242-1470
<input type="checkbox"/> OTHER: _____			

THE ABOVE VEHICLE HAS BEEN RELEASED TO ME AND I FOUND ITS CONDITION TO BE AS INDICATED ABOVE.	SIGNATURE OF TOW DRIVER	DATE / TIME
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OFFICER SIGNATURE	DATE / TIME	SUPERVISOR SIGNATURE	DATE
NCIC NO. (IF APPLICABLE) _____		DATE / TIME ENTERED	DATE / TIME REMOVED