



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: MARCH 28, 2022	CHAPTER: 6 - Property	PAGE: 1 of 7	NUMBER: 6.03.02
SUBJECT: VEHICLE PROCESSING			
CHIEF: <i>Dornat A. Drummond, Chief</i>			

Substantive changes are italicized

PURPOSE: To establish guidelines for officers requesting process tows.

POLICY: **It is the policy of the Cleveland Division of Police** to process tow vehicles that officers have probable cause to believe are connected with a crime and contain evidence, were used as a criminal tool, require special examination to find the confidential vehicle identification number (VIN), or were involved in a police use of deadly force incident.

PROCEDURES:

I. General Guidelines

- A. All vehicle processing requests require the approval of a supervisor *before towing*.
- B. Commercial vehicles shall be towed for processing to a lot contracted for commercial vehicles and all other vehicles towed for processing shall be towed to Lot 2.
 - 1. A vehicle towed for evidence cannot be held longer than 72 hours, unless a detective files a petition with the court and the court issues an order granting an extension by the court’s next business day.
 - 2. A vehicle may be held as a criminal tool when the vehicle was used to facilitate the commission of a crime (i.e., transporting stolen property) or the vehicle was used to sell or distribute contraband (i.e., narcotics).
 - 3. If a vehicle is located within City limits and is involved in a Cleveland crime **and** a foreign crime, the investigating officer shall:
 - a. Tow the vehicle for processing.
 - b. Have the Communications Control Section (CCS) notify the foreign agency of the impound lot where the vehicle may be processed by their department.
 - 4. If the vehicle is located within City limits and is involved **only** in a foreign crime, the investigating officer shall:
 - a. Have CCS contact the foreign agency to see if their department wants to send an officer to tow the vehicle.

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- b. Shall remain with the vehicle until the foreign agency arrives and takes custody of the vehicle.
 - c. *If the agency does not want to or is unable to respond, tow the vehicle according to General Police Order 6.03.01 Vehicle Tow or Release.*
- C. If a towed vehicle is subject to *felony* forfeiture, it may be held for 30 days pending a forfeiture request by the investigating detective in accordance with established Division procedures; if charges are not filed within 30 days the vehicle *should* be released (*refer to GPO 6.03.02 Forfeiture of Contraband*).

II. Member Responsibilities

A. Towing officers shall:

1. Complete the Vehicle/Tow Supplement form *as per GPO 6.03.01 Vehicle Tow or Release*.
2. Complete the top portion of the Vehicle Processing Request form (Attachment) to the dotted line.
 - a. Circle the type of processing requested.
 - b. If a vehicle is being towed in connection with a use of deadly force (UDF) incident, indicate UDF on the “Other” line.
3. Order the tow through the CCS Tow Channel and write the Vehicle Impound Unit (VIU) *number on both the Vehicle/Tow Supplement and the Vehicle Processing Request forms*.
4. If a vehicle will be processed for evidence, follow the towed vehicle to Lot 2 to maintain the chain of evidence.
 - a. *Maintain all copies of the Vehicle Processing Request form until arriving at Lot 2.*
 - b. *Personally hand the Vehicle Processing Request form to the Vehicle Custodial Unit (VCU) officer who shall review it before accepting the vehicle.*
 - c. *Make corrections to the Vehicle Processing Request form as directed by the VCU officer.*
5. *If a vehicle is being towed to Lot 2 for a reason other than processing for evidence (e.g. safekeeping, VIN, criminal too, etc.), officers do not have to follow the tow.*
 - a. *Officers shall give the tow truck driver the Vehicle Processing Request form and have the driver sign the Vehicle/Tow Supplement form.*

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- b. *Officers who are unsure if they should follow a tow should contact their supervisor.*
 - 6. Complete an incident report as required.
- B. Supervisors shall:
 - 1. After determining processing is necessary, approve the request with their name and badge number.
 - 2. *Advise the towing officer if following the vehicle to Lot 2 to maintain chain of custody will be required.*
 - 3. *Review incident reports as required.*
- C. VCU officers shall:
 - 1. Review the Vehicle/Tow Supplement and the Vehicle Processing Request forms for completeness and accuracy with particular attention given to the “Narrative” section of the processing form.
 - 2. Check the physical condition of the vehicle and inventory the contents of the vehicle comparing with both forms for discrepancies.
 - 3. Have the tow truck driver sign the Vehicle Processing Request form.
 - 4. Once the vehicle is accepted be responsible for the proper safeguarding of the vehicle and its contents until processing.
 - 5. Complete the VCU officer portion of the Vehicle Processing Request form and maintain files for the processing forms.
 - 6. Notify the appropriate unit for vehicle processing.
 - a. Indicate on the form what units were notified, include the date and time, and sign their name and badge number.
 - b. Admit the detectives or evidence technicians upon arrival to the VCU.
 - 7. Contact the detective unit responsible for completing the investigation.
 - a. Upon completion of vehicle processing.
 - b. If the vehicle was towed as a criminal tool with no processing required, notify the detective unit that will investigate the criminal tool charge.
 - 8. After vehicle processing is complete:
 - a. Continue to maintain safe custody of the vehicle pending release.

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- b. Contact the Officer-in-Charge (OIC) of the VCU if the vehicle belongs to a **victim**; notify the victim and release the vehicle unless the investigating detective notifies the OIC that they have petitioned the court for an extension.

D. Police evidence technicians shall:

1. Complete necessary evidence processing within 72 hours of the seizure, unless the investigating detective secures a court order granting an extension.
2. Complete the Evidence Technician portion of the Vehicle Processing Request form.
3. *When processing vehicles, if additional weapons, drugs, or currency are located by the evidence technicians, it will be the investigating unit responsible for the follow-up investigation to respond and take custody of the evidence per GPO 5.10.01 Crime Scene Preservation and Processing.*
4. If the vehicle is held as evidence, or there is property in the vehicle that needs to be removed, indicate so on all copies of the Vehicle Processing Request Form.
 - a. Remove property from the vehicle requiring further examination or laboratory testing.
 - b. Enter the evidence into their Property Book *other than weapons, drugs, or currency per GPO 5.10.01.*
5. Complete a supplement report as necessary.

E. VIN processing technicians shall:

1. Complete an investigation to locate the VIN within 72 hours of the seizure, unless the investigating detective secures a court order granting an extension.
2. Determine if other evidence processing is either completed or unnecessary.
3. Record the results on the Vehicle Processing Request form and leave a copy with the VCU officer.
4. Cause computer checks to be made for stolen vehicle information.
 - a. Complete a grand theft motor vehicle (GTMV) recovery report as required.
 - b. If a determination can be made that the vehicle can be released, complete the "Authority to Release" section on the original copy of the Vehicle Processing Request Form and immediately *notify the VCU.*

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- c. If the vehicle was involved in a crime being investigated, if there is property in the vehicle that needs removing, or if a determination cannot be made to release the vehicle, indicate such information along with the information of photos taken and evidence removed on the original Vehicle Processing Request form and immediately forward it to the unit that has investigative responsibility.

III. Investigating Unit Responsibilities

A. The OIC of the investigating unit shall:

1. Be responsible for processing vehicles for crimes that occur in their district within 72 hours of the seizure, unless the investigating detective secures a court order granting an extension.
2. When notified of a vehicle towed as a criminal tool, assign the case for investigation and have the investigating detective pick up the Vehicle Processing Request form from the impound lot.
3. Accept the Vehicle Processing Request form after the technicians have completed processing.
4. If there is property in the vehicle which must be removed, assign detectives to take custody (*see section II.D.3*).
5. Assign the incident or crime for any necessary investigation, and if appropriate, the investigator shall:
 - a. Complete the “Authority to Release” section of the Vehicle Processing Request form.
 - b. Notify the owner that the vehicle is approved for release, record such information on the Vehicle Processing Request form, forward it immediately to *the VCU*, and contact them by phone at (216) 623-5342.

B. If an extension is granted by the court, the investigating detective shall:

1. Notify *the VCU* to place a “hold” on the vehicle.
 - a. Complete the “Authority to Hold” section of the Vehicle Processing Request form.
 - b. Forward the form to *the VCU* with a copy of the court order.
2. Once a hold has been placed on the vehicle in the above manner and a release of the vehicle becomes authorized, the investigating detective shall:

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- a. Notify the owner that the vehicle can be released to them, and notify *the VCU* to remove the hold from the Tow Release Form indicating their name, badge number, and district or unit of the authorizing officer.
- b. Complete the “Authority to Release” section of the Vehicle Processing Request Form and forward it to *the VCU*.

IV. VCU Responsibilities

- A. When receiving a Vehicle Processing Request form, *the OIC of the VCU shall ensure:*
 1. The *VCU officer* reviews the “Authority to Release” and the “Authority to Hold” portions.
 - a. For forms where the “Authority to Release” is completed:
 - i. Determine if the owner has been notified; if the owner has **not** been notified, contact the investigating unit.
 - ii. File the Vehicle Processing Request form in the proper file.
 - b. For forms where the “Authority to Hold” is completed:
 - i. Check to see that “HOLD” has been written on the Tow Release Form in red ink.
 - ii. File the Vehicle Processing Request form in the proper file.
- B. *When receiving phone calls from investigators regarding a hold on a vehicle, the OIC of the VCU shall ensure the VCU officer completes the following:*
 1. Writes “HOLD” on the Tow Release Form in red ink indicating the investigator’s name, badge number, district or unit, and phone number.
 2. Reviews the hold within 72 hours to determine if the investigating detective has obtained a court order.
 3. Removes the hold from the Tow Release Form, indicating the investigator’s name, badge number, district or unit, and phone number, authorizing the release only after a return phone call to the investigating unit to verify the release and owner notification.
 4. Upon receiving an authorization to release, the issuance of the Release Slip.
 5. Directs the complainant to the *VIU/Lot 6* to obtain the vehicle, but only after *verifying the following:*
 - a. Proof of ownership presented by the complaint.

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b. Any outstanding tickets, towing and storage fees have been paid.

V. Tow Truck Operator Responsibilities

- A. Tow, **do not drive**, vehicles to the proper impound lot.
- B. *Remove vehicle debris left on the roadway when towing from accident scenes.*
 - 1. *Crash debris may be placed in the towed vehicle.*
 - 2. *No vehicle debris shall be placed in the **front seat** of vehicles being processed towed.*
- C. Sign their name in the designated area on the *Vehicle/Tow Supplement and Vehicle Processing Request* forms.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.

DAD/ad/lms
Property Section
Policy Unit
Attachment