



## CITY OF PORTLAND, OREGON



### Bureau of Police

Ted Wheeler, Mayor

Charles Lovell, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000

Integrity • Compassion • Accountability • Respect • Excellence • Service

## Executive Summary Directive 0630.60, Vehicle Disposition and Impoundment

### Introduction

The Portland Police Bureau began its review of Directive 0630.60, Vehicle Disposition and Impoundment (formerly, “Vehicle Disposition”), in August 2019. The Bureau posted the directive for Second Universal Review and Public Comment twice – once in February 2020, and again in October 2021, in light of the Bureau making additional revisions during a somewhat lengthy overall review process that spanned much of the Covid-19 pandemic.

The Bureau significantly revised Directive 0630.60, as it had not been updated since 2013. The main changes include: (1) adding new terms to the definitions section, (2) recognizing hardship when towing vehicles used as homes, (3) allowing towing for certain offenses such as unlicensed or suspended drivers, lack of insurance, and street takeovers, (4) clarifying procedure for recovering stolen vehicles at tow lots, (5) updating guidance on abandoned vehicles to reflect current practice, and (6) giving more detailed guidance on tows and temporary holds for vehicle identification number (VIN) inspections.

### Public Comments

The Bureau received comments during the universal review and public comment periods for the directive. Of note, several commenters indicated support for authorizing towing for certain offenses such as lack of insurance, suspended or unlicensed drivers, and street takeovers. The revised directive brings Bureau policy more in line with state law authorizations for towing as well as common practices of other local law enforcement agencies.

The Bureau also received several comments indicating concern for what happens when police tow the car of a person living in their car. The revised directive addresses vehicles used as homes as an example of a circumstance potentially creating increased hardship for the occupants, and encourages members to exercise discretion accordingly.

Some commenters expressed concern about how the contents of vehicles, particularly vehicles used as homes, may become unavailable to the vehicle owner or occupants after towing and what may happen to a person’s valuables in a vehicle. Directive 0630.60 refers readers to both Portland City Code 14.C.10 and PPB Directive 0650.00, Search, Seizures, and Inventories, regarding vehicle inventories, and directs members to follow all requirements set forth therein.

## **The Bureau's Revised Policy**

The previous version of Directive 0630.60, Vehicle Disposition and Impoundment, had no directive specific definitions. Revised Directive 0630.60 introduces several terms that offer better, more detailed guidance to members and the community, and make the policy more informative. For example, the terms “administrative fee” and “administrative release” offer transparency regarding the Bureau’s practices regarding releasing vehicles from impound; “abandoned vehicle” offers specific criteria for identifying abandoned vehicles for PBOT parking enforcement referrals; and “temporary hold” explains a short-term restriction placed on an impounded vehicle for both community and member reference.

The most significant change to revised Directive 0630.60 is the newly authorized towing for certain offenses such as driving uninsured, suspended, without a license, or in a street takeover pursuant to a new Portland City Code provision, 14A.30.080. As mentioned above, this change brings the Bureau in line with both neighboring law enforcement agency common practice and state law authorization for towing. Additionally, the change was supported in public comments and among internal subject matter experts and stakeholders within the Bureau, and will serve as an additional tool for the Bureau to increase traffic safety.

Finally, revised Directive 0630.60 provides new guidance on responding to stolen vehicles reported at tow lots, temporary holds for VIN inspections, and abandoned vehicle procedures. The new guidance establishes clear expectations for members and the community, leaving it less open to question and interpretation.

The Bureau welcomes further feedback on this policy during its next review.

This directive goes into effect on April 30, 2022. Published on March 31, 2022.

## **0630.60, Vehicle Disposition and Impoundment**

### **Refer:**

- ORS 133.033, Peace officer community caretaking functions
- ORS 133.535, Permissible objects of search and seizure
- ORS Chapter 192.000, Records; Public Reports and Meetings
- ORS 806.010, Driving uninsured prohibited
- ORS 807.010, Operating vehicle without driving privileges or in violation of license restrictions
- ORS 809.720, Impoundment for specified offenses
- ORS 811.175, Violation driving while suspended or revoked
- ORS 811.182, Criminal driving while suspended or revoked
- ORS 813.010, Driving under the influence of intoxicants
- Portland City Code 14A.30.080, Unlawful Street Takeover and Unlawful Staging of Street Takeover Event
- Portland City Code 14A.50, Conduct Prohibited on Public Property
- Portland City Code 14C.10, Police Duties to Inventory Property
- Portland City Code Chapter 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 0630.61, Stolen Vehicles
- Directive 0640.02, Photography and Digital Imaging.
- Directive 0650.00, Search, Seizures, and Inventories
- Directive 0900.00, General Reporting Guidelines

### **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 vehicle's owner to obtain the vehicle from impound.
- **Courtesy Tow:** The removal of a legally parked vehicle for the purpose of clearing an area for special events, film or video projects, construction, or other reasons.
- **Formal Hold:** A restriction placed on a towed vehicle by a member, prohibiting the owner from accessing both the towed vehicle and its contents for an indefinite period.

- **Member:** Member generally refers to any Portland Police Bureau employee. For this directive, when discussing the authority to seize or impound a vehicle, member refers only to sworn police officers.
- **Owner:** For this directive, owner means the vehicle's registered owner, an authorized agent of the registered owner such as their attorney, the person lawfully in possession or control of the vehicle, or a person who purchased the vehicle from the owner and provides written proof of ownership.
- **Private Request Tow:** The removal of a vehicle at an owner's request.
- **Temporary Hold:** A short-term restriction placed on a towed vehicle by a member, prohibiting the owner from accessing both the towed vehicle and its contents. Temporary holds automatically expire after 72 business hours, unless lifted sooner by the initiating member or an investigative unit.
- **VIN Inspector:** A member specifically trained to conduct VIN inspections.
- **Vehicle:** For this directive, a vehicle means any device that can transport persons or property upon a public highway. 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 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. Members may seize or impound vehicles when lawful and consistent with this directive. Members shall comply with Portland City Code 14.C.10 and Directive 0650.00, Search, Seizures, and Inventories relating to inventory of persons, vehicles, and property.
2. 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; vehicles equipped for use by such persons; and vehicles used as homes.

**Procedures:**

1. Authority to Impound.
  - 1.1. Community Caretaking.
    - 1.1.1. Members may impound a vehicle when motivated primarily by a community caretaking concern presented by the vehicle, rather than any punitive or investigative reason.

- 1.1.2. Members shall not impound a vehicle for community caretaking if the owner consents to have a lawful driver, who is present, safely move the vehicle to a location that no longer presents a community caretaking concern. Members are not required to wait for such a person to arrive, but may choose to wait at their discretion.
- 1.1.3. State law or municipal ordinance may authorize police to impound vehicles for certain offenses or circumstances as part of community caretaking. However, state law or municipal ordinance cannot make an otherwise unconstitutional seizure lawful; members should be aware that impounding a vehicle is a seizure that must be found lawful under the Fourth Amendment and the Oregon Constitution.
- 1.1.4. Examples of Community Caretaking:
  - 1.1.4.1. Public Safety.
    - 1.1.4.1.1. The vehicle poses 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. For example, a vehicle the member reasonably believes contains explosives, toxic or dangerous chemicals, or substances that present an immediate danger to any person.
    - 1.1.4.1.2. Administrative release required.
    - 1.1.4.1.3. Administrative fee required.
  - 1.1.4.2. Hazard.
    - 1.1.4.2.1. 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.
    - 1.1.4.2.2. Administrative release required.
    - 1.1.4.2.3. Administrative fee required.
  - 1.1.4.3. Safekeeping.
    - 1.1.4.3.1. The vehicle was in possession of a person taken into police custody; the vehicle or vehicle's contents are exposed to theft or damage; and no other reasonable disposition of the vehicle is available.
    - 1.1.4.3.2. 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; or a vehicle in a location that has an increased likelihood of theft or damage.
    - 1.1.4.3.3. Administrative release required.
    - 1.1.4.3.4. Administrative fee required.

1.1.4.4. Alarm Disturbance.

- 1.1.4.4.1. The vehicle is not equipped with a vehicle alarm that is designed to, and does in fact, cease emitting an intermittent or constant sound after an aggregate time of 3 minutes within a 15 minute period on any public right-of-way or in a public park; and
- 1.1.4.4.2. The alarm system disturbs, injures, or endangers, or is likely to disturb, injure, or endanger the peace, quiet, comfort, repose, health, or safety of the public or any person.
- 1.1.4.4.3. Administrative release required.
- 1.1.4.4.4. Administrative fee required.

1.1.4.5. Possible Stolen Vehicle.

- 1.1.4.5.1. The member reasonably believes the vehicle is an unreported stolen vehicle. 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 Vehicle and document that approval in their investigative report.
- 1.1.4.5.2. Administrative release required.
- 1.1.4.5.3. No administrative fee.

1.1.4.6. Parking Violations.

- 1.1.4.6.1. Members may impound vehicles for other parking violations when impoundment is authorized by city code.
- 1.1.4.6.2. A parking citation is required.
- 1.1.4.6.3. No administrative release required.
- 1.1.4.6.4. No administrative fee required.

1.1.4.7. Impoundment for Certain Offenses.

- 1.1.4.7.1. Members may impound vehicles when they have probable cause to believe the driver has committed any of the following offenses:
  - 1.1.4.7.1.1. Driving while suspended or revoked in violation of ORS 811.175 or ORS 811.182;
  - 1.1.4.7.1.2. Driving while under the influence of intoxicants in violation of ORS 813.010;
  - 1.1.4.7.1.3. Operating without driving privileges or in violation of license restrictions in violation of ORS 807.010; or
  - 1.1.4.7.1.4. Driving uninsured in violation of ORS 806.010.

1.2. Street Takeover.

- 1.2.1. Members may, without prior notice, order a motor vehicle towed as evidence of a crime, for community caretaking, or for any other lawful purpose, without respect to the person's ownership of the motor vehicle, when the peace officer has probable cause to believe the person operating or in possession or control of the motor vehicle has committed the offense of Unlawful Street Takeover or Unlawful Staging of a Street Takeover Event. The owner of a motor vehicle that

has been towed under this section may seek the return of the motor vehicle as provided by law.

### 1.3. Criminal Evidence.

- 1.3.1. Members may seize a vehicle when a warrant to seize the vehicle exists.
- 1.3.2. Members may seize a vehicle when the vehicle is on a premises open to the public, or in 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.
- 1.3.3. 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 removal, tampering, or destruction.
- 1.3.4. If no exigent circumstances exist, the member can arrange for another member(s) to standby with the vehicle until they can obtain a warrant. If exigent circumstances arise while obtaining the warrant, including, but not limited to, persons attempting to access the vehicle, members can deny access or seize the vehicle as evidence in accordance with Directive 0650.00, Search, Seizure, and Inventories.
- 1.3.5. Members shall consult with a Sergeant before impounding a vehicle that is part of a felony crime scene or known or suspected to contain evidence of a felony.
- 1.3.6. Members impounding vehicles as evidence of a felony crime or traffic crime involving serious physical injury shall request the vehicle be towed to Rivergate Vehicle Storage (RVS) and shall place a formal hold on the vehicle. Members shall immediately notify the appropriate supervisor of the hold.

### 1.4. Stolen Vehicle Recovery.

- 1.4.1. Members shall refer to Directive 0630.61, Stolen Vehicles, for guidance on stolen vehicle recovery procedures.
- 1.4.2. Recovery of stolen vehicles discovered at a tow lot.
  - 1.4.2.1. Members shall not proceed with stolen vehicle recovery procedures for stolen vehicles discovered at tow lots, unless a supervisor grants an exception.
  - 1.4.2.2. Supervisors may grant exceptions when circumstances merit a member recovering the vehicle (e.g., evidentiary need, known suspect information).
  - 1.4.2.3. Unless a supervisor grants an exception, members dispatched to a tow lot to recover a stolen vehicle shall clear the call with a disposition of "I- Referred/Other Agency Handled."
    - 1.4.2.3.1. Members shall notify Auto Records of the call to ensure Records clears the vehicle from LEDS/NCIC.
    - 1.4.2.3.2. Auto Records shall be responsible for notifying owners and reporting agencies of the vehicle's recovery.
    - 1.4.2.3.3. Members shall document, in the CAD call, the DPSST number of the member they contacted at Auto Records, when possible.

- 1.5. Abandoned Vehicles.
  - 1.5.1. Members shall not impound a vehicle solely because the vehicle is abandoned. Members may report abandoned vehicles to PBOT's Parking Enforcement Division.
  - 1.5.2. Members may impound abandoned vehicles that present additional community caretaking concerns or criminal evidence pursuant to this Directive.
2. Tow Request and Reporting Procedures.
  - 2.1. Requesting a Tow.
    - 2.1.1. Members may request tow service via the MDC, radio service net, or by any Bureau approved tow request procedure.
    - 2.1.2. When requesting a tow, members shall provide the following information, if available:
      - 2.1.2.1. Criminal charge and/or parking violation, if applicable.
      - 2.1.2.2. Reason for the tow.
        - 2.1.2.2.1. Members should be aware that a hazard reason code imposes an administrative fee for the owner.
      - 2.1.2.3. Vehicle location and specific directions for access, if applicable.
      - 2.1.2.4. Vehicle's license plate number, VIN, year, make, model, and color.
      - 2.1.2.5. Hold information, if applicable, and investigatory unit responsible for the hold.
    - 2.1.3. Members shall wait at the scene for the tow operator to arrive, other than for parking violations and private request tows. For all other tows, the following apply:
      - 2.1.3.1. Members shall confirm that the tow operator that arrives is from the company dispatched.
      - 2.1.3.2. Tow operators are not required to complete the tow if a member is not present.
      - 2.1.3.3. Tow companies must appear at the scene within 20 minutes on routine requests, or within 25 minutes in peak traffic (0700-0900 and 1500-1900 hours). Tows involving special equipment or large vehicles may require additional time.
      - 2.1.3.4. To file a complaint for late arrival or other reasons, members may complete a primary report documenting the circumstances, and forward the narrative section of the report to the Bureau's Tow Board representative in the Records Division.
    - 2.1.4. When circumstances allow a vehicle to stay in place, members shall make reasonable efforts to secure the vehicle and document their efforts in a police report. If a member cannot reasonably secure a vehicle, the member shall request a tow for the vehicle for safekeeping pursuant to this Directive.
  - 2.2. Reporting Requirements.
    - 2.2.1. Members shall write a primary police report whenever they seize or impound a vehicle.



- 2.2.2. Members shall document the reason they seized or impounded the vehicle, and include the name, address, and date of birth of the driver and other parties claiming an interest in the vehicle.
      - 2.2.3. Members shall document the following vehicle information in their report:
        - 2.2.3.1. License plate number and state, VIN, year, make, model, style and body color; and
        - 2.2.3.2. Unique features such as visible damages or markings on the vehicle.
  3. Special Circumstance Tows.
    - 3.1. Police Bureau Vehicles.
      - 3.1.1. If a Police Bureau vehicle requires towing services, the member shall request a tow and provide the vehicle's shop number and reason for the tow in their request.
      - 3.1.2. Members shall obtain a copy of the tow company's receipt, if provided a printed copy, and submit it to the precinct administrator.
    - 3.2. Police, Fire, and Medical Operations.
      - 3.2.1. Members may order towing to facilitate the operations by fire, police, ambulance, or other emergency personnel or vehicles.
    - 3.3. Courtesy Tows.
      - 3.3.1. City permit holders who reserve specific areas for activities such as film production, special events, parades, or similar events may request towing of vehicles parked in the reserved area.
      - 3.3.2. Members may order a courtesy tow on behalf of the permit holder for a vehicle parked in a public right-of-way:
        - 3.3.2.1. To provide safe clearance for special events such as parades, marches, or motorcades; or
        - 3.3.2.2. To provide clear access for areas specifically reserved by City permit.
      - 3.3.3. The supervisor in charge may direct the vehicle be towed to another legal parking space on the public right-of-way, to any storage facility designated by the City.
      - 3.3.4. Towing companies are required to notify Auto Records of the exact location of each towed vehicle upon completion of each tow to prevent vehicles from being mistakenly reported or recorded as stolen.
      - 3.3.5. The costs of towing and storing the vehicle for a period not to exceed 72 hours will be paid by:
        - 3.3.5.1. The City in the case of a tow requested by a City officer or employee, or
        - 3.3.5.2. The permittee in the case of a tow requested by a permittee.
        - 3.3.5.3. The owner of the vehicle may be charged a reasonable storage fee for the storage of the vehicle if the vehicle is towed and stored at a private storage facility and the owner fails to remove the vehicle from the private storage facility within 72 hours after the vehicle was towed.
    - 3.4. Private Request Tows.
      - 3.4.1. Members may order a Private Request Tow on behalf of the owner of a vehicle.

- 3.4.2. A private request tow is either Non-Preference (the City-contracted tow company tows the vehicle to their tow lot) or Private Preference (the vehicle owner selects the tow company and vehicle destination).
  - 3.4.3. If the vehicle owner is present, but unable to request towing due to injuries or other circumstances, members may request private towing if they reasonably believe the owner would request towing if able.
4. Holds.
- 4.1. Temporary Holds.
    - 4.1.1. Temporary holds generally apply to VIN Inspection tows. The following guidelines apply to temporary holds:
      - 4.1.1.1. Temporary holds expire 72 hours following placement, excluding weekends and holidays.
      - 4.1.1.2. Members shall request vehicles that require a VIN inspection be towed to a private lot, unless given authorization to tow to RVS by a VIN Inspector.
      - 4.1.1.3. VIN Inspectors may request a vehicle be towed to RVS.
      - 4.1.1.4. 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.
      - 4.1.1.5. The member ordering the tow shall notify the proper investigative unit and towing company of the temporary hold.
      - 4.1.1.6. 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.
  - 4.2. Formal Holds.
    - 4.2.1. Members may, if warranted, place a formal hold on an impounded vehicle. VIN inspectors are authorized to place and/or remove formal or temporary holds on towed vehicles they are inspecting.
    - 4.2.2. A formal hold may be placed 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.
    - 4.2.3. Members may have vehicles already towed to a private lot or other facility relocated to RVS any hour of the day, by any shift.
    - 4.2.4. 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.
    - 4.2.5. Auto Records shall facilitate the transfer of a vehicle to RVS if a temporary hold is being changed to a formal hold.
    - 4.2.6. 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).

4.3. Asset Forfeiture.

4.3.1. Vehicles impounded for civil forfeiture shall be towed to RVS with a formal hold for the Narcotics and Organized Crime (NOC) supervisor.

4.3.2. Vehicles shall not be towed for civil forfeiture without prior approval from the on-call NOC supervisor.

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

4.4. Formal hold to examine vehicles for fingerprints.

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

4.4.1.1. A recovered stolen vehicle was used in another crime.

4.4.1.2. There is a known suspect in a stolen vehicle case, and the fingerprints are needed to link the suspect with the vehicle.

4.4.1.3. There is a known suspect in a theft from a vehicle case and the fingerprints are needed to link the suspect with the vehicle.

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

4.4.1.5. Any exceptions to this section must be approved by a supervisor.

4.4.1.6. Members seizing a vehicle for examination by FED shall place a formal evidence hold on the vehicle, contact FED to request processing, and notify the appropriate detective or sergeant as soon as practicable. The member shall also request the vehicle be towed to RVS, and tell the tow operator to place the vehicle out of the weather and to avoid unnecessarily touching the vehicle.

4.4.2. Vehicles are generally not examined for fingerprints when:

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

4.4.2.2. A victim's vehicle is the subject of a theft and there is no suspect.

4.5. Vehicle Identification Number (VIN) Inspection Hold.

4.5.1. Members may place a temporary hold on any vehicle towed within the City of Portland in which the VIN has been removed, defaced, or altered, in order to conduct a VIN inspection.

4.5.2. VIN Inspectors may request the vehicle be towed to RVS for processing purposes.

4.6. Removing formal holds.

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

4.6.2. Investigators shall provide Auto Records with instructions on who the vehicle should be released to (e.g., registered owner) when releasing a hold.

**History:**

- Originating Directive Date: 1976
- Last Revision Signed: 03/31/22
- Effective Date: 04/30/22
- Next Review Date:04/30/24

DRAFT

## 0630.60-VEHICLE DISPOSITION, Vehicle Disposition and Impoundment

-

### **Refer:**

- ORS 133.033, Peace officer community caretaking functions
- ORS 133.535, Permissible Objectsobjects of Searchsearch and Seizureseizure
- ORS Chapter 192.000, Records; Public Reports and Meetings
- ORS 806.010, Driving uninsured prohibited
- ORS 807.010, Operating vehicle without driving privileges or in violation of license restrictions
- ORS 809.720, Impoundment for specified offenses
- ORS 811.175, Violation driving while suspended or revoked
- ORS 811.182, Criminal driving while suspended or revoked
- ORS 813.010, Driving under the influence of intoxicants
- Portland City Code 14A.30.080, Unlawful Street Takeover and Unlawful Staging of Street Takeover Event
- Portland City Code 14A.50, Conduct Prohibited on Public Property
- Portland City Code 14C.10, Police Duties to Inventory Property
- Portland City Code Chapter 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 6300630.61, Stolen Vehicles
- Directive 6500640.02, Photography and Digital Imaging.
- Directive 0650.00, Search, Seizures, and Inventories
  - ~~Abandoned Auto Officer Intake Form (Records)~~
  - ~~Notice of Tow (Records)~~

-

### 1. STATEMENT OF PURPOSE

- 1.1. ~~The purpose of this policy is to establish the rules and procedures for seizing or impounding vehicles by Bureau members.~~

### 2. DIRECTIVE SPECIFIC DEFINITIONS

- 2.1. ~~No definitions~~

### 3. POLICY

- Directive 0900.00, General Reporting Guidelines

### 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 vehicle's owner to obtain the vehicle from impound.
- Courtesy Tow: The removal of a legally parked vehicle for the purpose of clearing an area for special events, film or video projects, construction, or other reasons.
- Formal Hold: A restriction placed on a towed vehicle by a member, prohibiting the owner from accessing both the towed vehicle and its contents for an indefinite period.
- Member: Member generally refers to any Portland Police Bureau employee. For this directive, when discussing the authority to seize or impound a vehicle, member refers only to sworn police officers.
- Owner: For this directive, owner means the vehicle's registered owner, an authorized agent of the registered owner such as their attorney, the person lawfully in possession or control of the vehicle, or a person who purchased the vehicle from the owner and provides written proof of ownership.
- Private Request Tow: The removal of a vehicle at an owner's request.
- Temporary Hold: A short-term restriction placed on a towed vehicle by a member, prohibiting the owner from accessing both the towed vehicle and its contents. Temporary holds automatically expire after 72 business hours, unless lifted sooner by the initiating member or an investigative unit.
- VIN Inspector: A member specifically trained to conduct VIN inspections.
- Vehicle: For this directive, a vehicle means any device that can transport persons or property upon a public highway. 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 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. Members may seize or impound vehicles when ~~doing so is~~ lawful and consistent with ~~the provisions of~~ this directive. Members ~~will~~shall comply with ~~the procedures mandated by~~ Portland City Code 14.C.10 and ~~DIR-650~~Directive 0650.00, Search, Seizures, and Inventories relating to inventory of persons, vehicles, and property.

4.2. 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;~~ vehicles equipped for use by such persons; and vehicles used as homes.

## ~~5. AUTHORITY~~

### ~~5.1. Warrant~~

~~1.1.1. Members may seize a vehicle when a warrant to seize the vehicle exists.~~

## Procedures:

### 1. Authority to Impound.

#### ~~1.2.1.1. Community Caretaking Guidelines.~~

~~1.2.1.1.1. Members may impound a vehicle under this section only when motivated primarily motivated by thea community caretaking issueconcern presented by the vehicle, rather than any punitive or investigative motivationreason.~~

~~5.1.1. Members shouldshall 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.~~

~~1.2.2.1.1.2. Members should 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.concern. Members mayare not required to wait for such a person to arrive, but are not required to if such person is not present at the time the officer requests tow service.may choose to wait at their discretion.~~

~~5.2. Members may impound a vehicle when the vehicle presents one or more of the following community caretaking issues:~~

~~1.1.3. PUBLIC SAFETY: State law or municipal ordinance may authorize police to impound vehicles for certain offenses or circumstances as part of community caretaking. However, state law or municipal ordinance cannot make an otherwise unconstitutional seizure lawful; members should be aware that impounding a vehicle is a seizure that must be found lawful under the Fourth Amendment and the Oregon Constitution.~~

#### 1.1.4. Examples of Community Caretaking:

##### 1.1.4.1. Public Safety.

~~1.2.2.1.1.1.1.4.1.1. The vehicle isposes 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.~~ For example, a vehicle the officermember reasonably believes contains explosives, toxic or dangerous

chemicals, or substances that present an immediate danger to any person.

~~5.2.1.1. Procedure: Members will issue a notice of impound and complete a tow report then request the vehicle towed to a private tow lot. An investigation report or parking citation is not required.~~

~~1.1.4.1.2. HAZARD: Administrative release required.~~

~~1.1.4.1.3. Administrative fee required.~~

1.1.4.2. Hazard.

~~1.2.2.1.2.1.1.4.2.1.~~ 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.

~~5.2.1.2. Procedure: Members will issue a notice of impound and complete a tow report then request the vehicle towed to a private tow lot. Members will issue a parking citation if required.~~

~~5.2.2. SAFEKEEPING: The member has taken the driver of the vehicle into custody or caused a driver to stop driving the vehicle and 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 contents.~~

~~1.1.4.2.2. Administrative release required.~~

~~1.1.4.2.3. Administrative fee required.~~

1.1.4.3. Safekeeping.

1.1.4.3.1. The vehicle was in possession of a person taken into police custody; the vehicle or vehicle's contents are exposed to theft or damage; and no other reasonable disposition of the vehicle is available.

~~1.2.2.1.3.1.1.4.3.2.~~ This includes, but is not limited to, a high-value ~~vehieles~~vehicle or ~~vehieles~~vehicle with ~~high~~high value contents; ~~vehieles~~a vehicle that cannot be secured due to the circumstances, location, design, or condition of the vehicle; ~~vehieles~~or a vehicle in ~~locations~~a location that ~~have~~has an increased likelihood of theft or damage; ~~vehicles in locations that increase the likelihood of damaging other property; and vehicles in locations that the member believes a person in control of a vehicle would not customarily leave the vehicle unattended for extended periods of time.~~

~~5.2.2.1.1. Procedure: Members will issue a notice of impound and complete a tow report then request the vehicle be towed to a private lot. An investigation report or parking citation is not required.~~

~~1.1.4.3.3. ILEGALY PARKED: Administrative release required.~~

~~1.1.4.3.4. Administrative fee required.~~



1.1.4.4. Alarm Disturbance.

~~5.2.3. 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.~~

~~5.2.3.1. 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.~~

~~1.2.2.1.4.1.1.4.4.1. ALARM DISTURBANCE: The vehicle is not equipped with a vehicle alarm that is not designed to, or and does not in fact, cease emitting an intermittent or constant sound after an aggregate time of 3 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.~~

~~5.2.3.2. Procedure: Members will issue a notice of impound and request the vehicle be towed to a private tow lot. An investigation report or parking citation is not required.~~

1.1.4.4.2. The alarm system disturbs, injures, or endangers, or is likely to disturb, injure, or endanger the peace, quiet, comfort, repose, health, or safety of the public or any person.

1.1.4.4.3. Administrative release required.

1.1.4.4.4. Administrative fee required.

1.1.4.5. Possible Stolen Vehicle.

1.1.4.5.1. The member reasonably believes the vehicle is an unreported stolen vehicle. 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 Vehicle and document that approval in their investigative report.

1.1.4.5.2. Administrative release required.

1.1.4.5.3. No administrative fee.

1.1.4.6. Parking Violations.

1.1.4.6.1. Members may impound vehicles for other parking violations when impoundment is authorized by city code.

1.1.4.6.2. A parking citation is required.

1.1.4.6.3. No administrative release required.

1.1.4.6.4. No administrative fee required.

1.1.4.7. Impoundment for Certain Offenses.

1.1.4.7.1. Members may impound vehicles when they have probable cause to believe the driver has committed any of the following offenses:

- 1.1.4.7.1.1. Driving while suspended or revoked in violation of ORS 811.175 or ORS 811.182;
- 1.1.4.7.1.2. Driving while under the influence of intoxicants in violation of ORS 813.010;
- 1.1.4.7.1.3. Operating without driving privileges or in violation of license restrictions in violation of ORS 807.010; or
- 1.1.4.7.1.4. Driving uninsured in violation of ORS 806.010.

1.2. Street Takeover.

1.2.1. Members may, without prior notice, order a motor vehicle towed as evidence of a crime, for community caretaking, or for any other lawful purpose, without respect to the person's ownership of the motor vehicle, when the peace officer has probable cause to believe the person operating or in possession or control of the motor vehicle has committed the offense of Unlawful Street Takeover or Unlawful Staging of a Street Takeover Event. The owner of a motor vehicle that has been towed under this section may seek the return of the motor vehicle as provided by law.

1.3. Criminal Evidence of a Crime.

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

~~1.3.1.~~1.3.2. Members may seize a vehicle when the vehicle is on a premises open to the public, or in 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.

~~1.3.2.~~1.3.3. 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-removal, tampering, or destruction.

~~1.3.4. Procedure:~~If no exigent circumstances exist, the member should request can arrange for another member(s) to have one or more members standby with the vehicle until they can obtain a warrant to seize the vehicle can be obtained. If exigent circumstances arise while obtaining the warrant is being obtained, including, but not limited to, persons attempting to access the vehicle, members may can deny access or seize the vehicle as evidence. in accordance with Directive 0650.00, Search, Seizure, and Inventories.

~~1.3.5. Members seizing the vehicle will~~shall consult with a Sergeant before impounding a vehicle that is part of a felony crime scene or known or suspected to contain evidence of a felony.

~~1.3.3.~~1.3.6. Members impounding vehicles as evidence of a felony crime or traffic crime involving serious physical injury shall request the vehicle be towed to Rivergate Vehicle Storage (RVS) and shall place a formal hold on the vehicle. The members will Members shall immediately notify the appropriate detective or sergeants supervisor of the hold.

1.4. Stolen Vehicle Recovery.

1.4.1. Members shall refer to Directive 0630.61, Stolen Vehicles (in accordance, for guidance on stolen vehicle recovery procedures.

1.4.2. Recovery of stolen vehicles discovered at a tow lot.

~~1.3.3.1.~~ 1.4.2.1. Members shall not proceed with DIR 630.61)stolen vehicle recovery procedures for stolen vehicles discovered at tow lots, unless a supervisor grants an exception.

~~1.3.3.2.~~ 1.4.2.2. A memberSupervisors may impound a vehicle grant exceptions when the circumstances merit a member reasonably believesrecovering the vehicle is stolen.(e.g., evidentiary need, known suspect information).

1.4.2.3. Procedure: Unless a supervisor grants an exception, members dispatched to a tow lot to recover a stolen vehicle shall clear the call with a disposition of "I- Referred/Other Agency Handled."

1.4.2.3.1. Members will callshall notify Auto Records of the call to place a temporary hold onensure Records clears the vehicle from LEDS/NCIC.

1.4.2.3.2. Auto Records shall be responsible for precinct detectivesnotifying owners and record the DPPSTreporting agencies of the vehicle's recovery.

~~1.3.3.2.1.~~ 1.4.2.3.3. Members shall document, in the CAD call, the DPSST number of the records clerk notified. Members will also notify his/her precinct detective sergeant of the hold and request the vehicle is towed to a private tow lotmember they contacted at Auto Records, when possible.

5.2.4. A member may impound a vehicle when the VIN has been verified to indicate the vehicle is in stolen status.

5.2.4.1. 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 release the vehicle to the owner. Otherwise, the member will request the vehicle be towed to a private tow lot. Members will immediately notify Auto Records that the vehicle is no longer in stolen status, and transmit notification via the MDC that the vehicle is no longer in stolen status and is possession of the owner, so that other members are aware of the recovery.

1.4.1.5. Abandoned Vehicles.

~~1.4.1.~~ 1.5.1. Members areshall 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:vehicles to PBOT's Parking Enforcement Division.

5.2.4.2. Routine Towing: For abandoned vehicles that do not constitute a public health or safety hazard a member will notify the 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.

- ~~5.2.4.3. 24 Hour Towing: For abandoned vehicles that are a public health or safety hazard a member will:~~
  - ~~5.2.4.3.1. Complete the Abandoned Auto Intake form.~~
  - ~~5.2.4.3.2. Write "24 Hour Tow" at the bottom and "Not Warned" on the date line.~~
  - ~~5.2.4.3.3. List the specific hazardous conditions the vehicle is being towed for in the comments section.~~
  - ~~5.2.4.3.4. Fax the completed form to the Parking Patrol Division within 24 hours.~~
  - ~~5.2.4.3.5. Do not place a warning tag or issue a citation on the vehicle.~~
  - ~~5.2.4.3.6. Vehicles can be removed within 2-3 days by the Parking Division if the inspector determines that the vehicle is hazardous.~~

## ~~6. REQUEST AND REPORTING PROCEDURES~~

- ~~6.1. 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, address, and date of birth of the driver and other parties claiming an interest in the vehicle.~~

1.5.2. Members may impound abandoned vehicles that present additional community caretaking concerns or criminal evidence pursuant to this Directive.

## 2. Tow Request and Reporting Procedures.

### 2.1. Requesting a Tow.

2.1.1. Members ~~should~~may request tow service via the MDC ~~unless exigency requires the request be made via the radio. If the member does not have an MDC, or for private request or police vehicle tows, the member may use the service net to request, or by any Bureau approved tow service by providing request procedure.~~

1.4.2.2.1.2. When requesting a tow, members shall provide the following information, if available:

2.1.2.1. ~~Specific charges~~Criminal charge and all reasons/or parking violation, if applicable.

1.4.2.1.2.1.2.2. Reason for the tow.

2.1.2.2.1. License or VINMembers should be aware that a hazard reason code imposes an administrative fee for the owner.

2.1.2.3. Vehicle location and specific directions for access, if applicable.

1.4.2.2.2.1.2.4. Vehicle's license plate number, VIN, year, make, model, and location of the vehiclecolor.

1.4.2.3.2.1.2.5. Hold information (~~type of hold, detail, etc. when, if applicable~~), and investigatory unit responsible for the hold.

1.4.3.2.1.3. Members ~~will~~shall wait at the scene for the tow operator to arrive ~~except, other than~~ for parking violations and private request tows. For all other tows, the following appliesapply:

2.1.3.1. Members shall confirm that the tow operator that arrives is from the company dispatched.

1.4.3.1.2.1.3.2. Tow operators are not required to complete the tow if a member is not present.

1.4.3.2.2.1.3.3. Tow companies must appear at the scene within ~~30 minutes of the order.~~ 20 minutes on routine requests, or within 25 minutes in peak traffic (0700-0900 and 1500-1900 hours). Tows involving special equipment or large vehicles may require additional time.

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

~~6.1.1. Members will write "TOW" on the face of the parking tag, if applicable.~~

~~6.1.2. Members required to wait for a towing operator will 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.~~

1.4.4.2.1.4. When circumstances allow ~~for~~ a vehicle to ~~be left at the scene~~ stay in place, members ~~will~~ shall make reasonable efforts to secure the vehicle and ~~ensure those~~ document their efforts ~~are documented in an appropriate~~ a police report. ~~If the vehicle~~ a member cannot ~~be reasonably secured then it should be towed~~ secure a vehicle, the member shall request a tow for the vehicle for safekeeping ~~in accordance with section 4.3.3 of this directive~~ pursuant to this Directive.

## ~~7. EXAMINING VEHICLES FOR FINGERPRINTS~~

~~7.1. Forensic Evidence Division (FED) may be notified to have a vehicle examined for fingerprints when:~~

~~7.1.1. A stolen and recovered vehicle is used in another crime.~~

~~7.1.2. There is a known suspect in a stolen vehicle, and the fingerprints are needed to place the suspect in the car.~~

~~7.1.3. A larceny from a vehicle case has a known suspect possessing property from a vehicle and the prints are needed to lace the suspect in the vehicle.~~

~~2.2. The vehicle is involved in a crime~~ Reporting Requirements.

~~2.2.1. Members shall write a primary police report whenever they seize or impound a vehicle.~~

~~2.2.2. Members shall document the reason they seized or impounded the vehicle, and include the name, address, and date of birth of the driver and other parties claiming an interest in the vehicle.~~

~~2.2.3. Members shall document the following vehicle information in their report:~~

~~2.2.3.1. License plate number and state, VIN, year, make, model, style and body color; and~~

~~7.1.4. Unique features such as rape, robbery, burglary and the fingerprints are needed to help identify the suspect.~~

~~7.1.5. Vehicles should not be examined for fingerprints when:~~

~~7.1.5.1. The vehicle is recovered stolen and no other crimes are involved.~~

~~7.1.5.2. The vehicle is the subject of a larceny from a vehicle and there is no suspect.~~

~~1.4.4.1.2.2.3.2.~~ Any exceptions to this section (6.1) must be approved by a supervisor. Members seizing a vehicle for examination by the FED will place a formal evidence hold visible damages or markings on the vehicle and notify FED and the appropriate detective or sergeant as soon as possible. The member will also request the vehicle be towed to Rivergate Storage and advise the tow operator to avoid unnecessary touching of the surfaces and to place the vehicle out of the weather.

## ~~8. SPECIAL CIRCUMSTANCE TOW~~

### ~~3. Special Circumstance Tows.~~

#### ~~1.5.3.1. Police Bureau Vehicles.~~

~~8.1.1.~~ If a Police Bureau vehicle is towed requires towing services, the member ~~will order an agency towing service via~~ shall request a tow and provide the service net.

~~1.5.1.3.1.1. Procedure:~~ Members will state the vehicle's shop number and reason for the tow in their request.

~~8.1.1.1.~~ Members will fill out an Investigation Report when his/her police vehicle is towed or receives services for which the Bureau is billed (flat repairs, jump start, etc.) The narrative should include a brief explanation as to the reason for the tow or service.

~~1.5.2.3.1.2.~~ Members will also Members shall obtain a copy of the tow company's receipt, if provided a printed copy, and submit it to the precinct administrator.

#### ~~3.2. Police, Fire, and Medical Operations.~~

~~3.2.1.~~ Members may order towing to facilitate the operations by fire, police, ambulance, or other emergency personnel or vehicles.

#### ~~1.6.3.3. Courtesy Tow Tows.~~

~~1.6.1.3.3.1.~~  Holders of City permits which permit holders who reserve specific areas for activities such as film production, special events, parades, or similar events are allowed to tow may request towing of vehicles parked in the reserved area according to the following guidelines:

~~3.3.2.~~ 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:

~~3.3.2.1.~~ To provide safe clearance for special events such as parades, marches, or motorcades; or

~~1.6.1.1.3.3.2.2.~~ To provide clear access for areas specifically reserved by City official or the Parking Patrol Division permit.

~~1.6.2.3.3.3.~~ The supervisor in charge may direct the vehicle be moved towed 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.

~~1.6.3.3.3.4.~~ The Tow Contractor shall Towing companies are required to notify Auto Records of the exact location of each towed vehicle upon completion of each tow. This is for the owner's information to prevent a vehicle vehicles from being mistakenly reported/ or recorded as stolen.



3.3.5. The costs of towing and storing the vehicle for a period not to exceed 72 hours will be paid by:

3.3.5.1. The City in the case of a tow requested by a City officer or employee, or

3.3.5.2. The permittee in the case of a tow requested by a permittee.

3.3.5.3. The owner of the vehicle may be charged a reasonable storage fee for the storage of the vehicle if the vehicle is towed and stored at a private storage facility and the owner fails to remove the vehicle from the private storage facility within 72 hours after the vehicle was towed.

1.7.3.4. Private Request ~~Tow~~Tows.

1.7.1.3.4.1. Members may order ~~private request towing a~~ Private Request Tow on behalf of the owner ~~or other person in charge of~~ a vehicle.

~~8.1.2. Members will make the request through the service net (not the MDC).~~

~~8.1.3. Members do not need to complete an investigation report or parking citation.~~

3.4.2. A private request tow is either Non-Preference (the City-contracted tow company tows the vehicle to their tow lot) or Private Preference (the vehicle owner selects the tow company and vehicle destination).

1.7.2.3.4.3. If the vehicle owner is present, but unable to request towing due to injuries or other circumstances, ~~the member will~~ members may request private towing when it is reasonable to ~~if they reasonably~~ believe that the person in charge of the vehicle ~~the owner~~ would request towing if they were able.

~~8.1.4. If possible, the member ordering the tow should notify the responsible party of the vehicle disposition (i.e. the location of the tow lot).~~

## HOLDS

### 4. Holds.

#### ~~8.2. Asset Forfeiture~~

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

~~8.2.1. Vehicles will not be towed for civil forfeiture without prior approval from the on call Drugs and Vice Division supervisor.~~

~~8.2.2. A civil forfeiture notice will be issued to all parties associated with the vehicle.~~

#### 1.8.4.1. Temporary Hold~~Holds.~~

1.8.1.4.1.1. 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:

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

4.1.1.2. It is the responsibility of the member ordering the tow to~~Members shall request vehicles that require a VIN inspection be towed to a private lot, unless given authorization to tow to RVS by a VIN Inspector.~~

4.1.1.3. VIN Inspectors may request a vehicle be towed to RVS.

4.1.1.4. 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.

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

~~8.2.2.1. The initiating member can lift a temporary hold within the 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.~~

1.8.1.3.4.1.1.6. 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.

#### 1.9.4.2. Formal Hold/Holds.

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

1.9.2.4.2.2. 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.

4.2.3. Members may have vehicles already towed to a private lot or other facility relocated to RVS any hour of the day, by any shift.

1.9.3.4.2.4. 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.

1.9.4.4.2.5. 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.

4.2.6. 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).

#### 4.3. Asset Forfeiture.

4.3.1. Vehicles impounded for civil forfeiture shall be towed to RVS with a formal hold for the Narcotics and Organized Crime (NOC) supervisor.

4.3.2. Vehicles shall not be towed for civil forfeiture without prior approval from the on-call NOC supervisor.

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

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

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

4.4.1.1. A recovered stolen vehicle was used in another crime.



- 4.4.1.2. There is a known suspect in a stolen vehicle case, and the fingerprints are needed to link the suspect with the vehicle.
- 4.4.1.3. There is a known suspect in a theft from a vehicle case and the fingerprints are needed to link the suspect with the vehicle.
- 4.4.1.4. The vehicle is involved in a crime such as rape, robbery, or burglary and the fingerprints are needed to help identify the suspect.
- 4.4.1.5. Any exceptions to this section must be approved by a supervisor.
- 4.4.1.6. Members seizing a vehicle for examination by FED shall place a formal evidence hold on the vehicle, contact FED to request processing, and notify the appropriate detective or sergeant as soon as practicable. The member shall also request the vehicle be towed to RVS, and tell the tow operator to place the vehicle out of the weather and to avoid unnecessarily touching the vehicle.

~~8.2.3. Vehicles After a formal hold is placed on a vehicle, the hold must be verified by sending a completed Formal Hold form to Auto Records.~~

~~4.4.2. are generally not examined for fingerprints when:~~

~~4.4.2.1. The vehicle is a recovered stolen and no other crimes are involved.~~

~~4.4.2.2. A victim's vehicle is the subject of a theft and there is no suspect.~~

~~4.5. Vehicle Identification Number (VIN) Inspection Hold.~~

~~4.5.1. Members may place a temporary hold on any vehicle towed within the City of Portland in which the VIN has been removed, defaced, or altered, in order to conduct a VIN inspection.~~

~~4.5.2. VIN Inspectors may request the vehicle be towed to RVS for processing purposes.~~

~~4.6. Removing formal holds.~~

~~4.6.1. The investigative unit ~~placing a~~ responsible for the formal hold ~~on a vehicle~~ is also responsible for removing the hold. The removal can be made by ~~telephoning~~ contacting Auto Records.~~

~~1.9.5.4.6.2. 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~~

~~9.1. Police tows must be released by the Records Division. A tow company cannot release the vehicles without a written release form the Records Division.~~

# #1

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Sunday, October 17, 2021 7:52:43 AM  
**Last Modified:** Sunday, October 17, 2021 7:53:15 AM  
**Time Spent:** 00:00:31

---

Page 1

## Q1

Please provide feedback for this directive

0630.60

---

## Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

---

## #2

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Sunday, October 17, 2021 7:53:53 AM  
**Last Modified:** Sunday, October 17, 2021 7:54:54 AM  
**Time Spent:** 00:01:01

---

Page 1

### Q1

Please provide feedback for this directive

Recommend adding definitions of 'street takeover' and RVS.

---

### Q2

**Respondent skipped this question**

Contact Information (optional - your name will be visible on PPB's website)

---

# #3

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Monday, October 18, 2021 5:03:32 AM  
**Last Modified:** Monday, October 18, 2021 5:05:24 AM  
**Time Spent:** 00:01:51

---

Page 1

## Q1

Please provide feedback for this directive

1.1.4.5. Possible Stolen Vehicle.

1.1.4.5.1. The member reasonably believes the vehicle is an unreported stolen vehicle. 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 Vehicle as authorized by city code.

I think adding a requirement that the DPSST of the approving supervisor be added to the tow request and the members report to this section

---

## Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Sherry Winslow/33733**

---

# #4

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, October 19, 2021 11:55:38 AM  
**Last Modified:** Tuesday, October 19, 2021 11:59:11 AM  
**Time Spent:** 00:03:32

---

Page 1

## Q1

Please provide feedback for this directive

I want to express my support for 1.1.4.7 and 1.1.4.8 regarding impounding vehicles for certain offenses such as DWS, uninsured, and street take over. The positive impacts of this policy will be felt widely around the city in terms of reducing hit and runs, fatal crashes, the rates we all pay for uninsured motorist coverage, etc. As a resident of SE Portland, I look forward to having less uninsured and suspended drivers on the road while I'm driving, riding my bike or walking in my neighborhood.

---

## Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Jeffrey Haagenson**

---

## #5

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, October 19, 2021 4:27:29 PM  
**Last Modified:** Tuesday, October 19, 2021 4:30:43 PM  
**Time Spent:** 00:03:14

---

Page 1

### Q1

Please provide feedback for this directive

Latest statistics show that 20% of vehicles in Oregon are being operated by a driver without a license/insurance. These vehicles do not deserve to be on the roadways with all the other law abiding community members. The safety of the community is a stake with these vehicles occupying the highways.

---

### Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

---

#6

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, November 12, 2021 3:33:26 PM  
**Last Modified:** Friday, November 12, 2021 3:33:50 PM  
**Time Spent:** 00:00:23

---

Page 1

## Q1

Please provide feedback for this directive

### COMMENTS ON VEHICLE TOWING AND EMPLOYEE INFO DIRECTIVES NOVEMBER 2021

To Chief Lovell, Capt. Parman, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Portland Committee on Community Engaged Policing, US Dept. of Justice, Citizen Review Committee and the Portland Police Bureau:

Below are Portland Copwatch's comments on the Directives posted for review in October/November (<http://www.portlandoregon.gov/police/59757>). It appears that the comments we previously made on Directive 630.60 Vehicle Disposition were about a draft from February 2020 which doesn't line up with the new version. Perhaps the released Directives can come with a version tracking list for clarification. The other policy on the Employee Information System (345.00) has very few changes despite our detailed feedback this past May.

In general, we still hope that one day the Bureau will add letters to section headings (Definitions, Policy, Procedure) so that there are not multiple sections with the same numbers, and to number the individual Definitions. Notably, the Tow Policy had no Definitions sections previously. Our comments below refer to the Procedure Section unless otherwise noted.

-----

#### DIRECTIVE 630.60 VEHICLE DISPOSITION (last comments made February 2020)

As noted above, it is not clear whether the major changes to this Directive are the same as what was proposed last year.

Vehicles Used as Homes: Our first comment last time was a slight thank you for including in the Policy Section (now Policy Section 2) a caveat about not wanting to create "hardship to vulnerable populations." The current draft says officers should "exercise discretion in impounding vehicles under circumstances that may create undue hardship or risk to the occupants." It gives examples of "the presence of young children, elderly or disabled persons, or vehicles equipped for use by such persons." This moves even further away from the Citizen Review Committee's 2007 Tow Policy Work Group recommendation #7\*-1 which asked police to use special consideration if the person is living in the vehicle. The question of people living in their vehicles should be addressed directly.

--Letting Cars be Driven Away Rather than Towed: CRC's 2007 recommendation #1 was to find a way for vehicles to be driven away by an authorized party or for the vehicles to be locked and left in place. Section 1.1.2 allows for a "lawful driver" to move the vehicle in the case of "Community Caretaking." It does not seem that this option is available in other types of possible calls to tow vehicles. Section 2.1.4 (under "requesting a tow") allows for a vehicle to be left in place if it is not an obstruction and can be "reasonably secured."

--Making Note of Valuables: CRC's 2007 recommendation #5 was for the police to ask occupants if there were valuables in the vehicle that should be noted on the property receipt police were required to give them. It does not appear that the Directive requires officers to (a) provide a receipt for the seized vehicle itself or (b) take their own inventory of items inside, much less ask the occupants for such information. We noted that Portland Copwatch does not support police conducting inventory searches as a way to get around conducting searches without consent (or a warrant), however it would be good for police to note valuables stored in the vehicle so they do not go missing later.

--Relief for Vehicle Owners Who Show Up: There used to be a provision (that resulted from CRC's 2007 recommendation #6) that if between the time police call a tow truck and that truck shows up, a person arrives and proves ownership, the vehicle would be released to them. We called the removal of this provision a "huge step backward in building community trust." It has not been restored.

--Examine Whose Cars Get Towed Through an Equity Lens: CRC also recommended that the Bureau should check to be sure there isn't bias in the decisions made to tow people's cars based on race or other factors. Chief Sizer rejected that recommendation, but the Bureau now has its own Equity office and should reconsider this idea.



## 0630.60 Directive Feedback (2UR)

--What Crimes Lead to Towing: In our previous comments, we noted the list of crimes which would prompt an officer to call for a tow had been removed. Section 1.1.4.7 now lists the offenses of driving with a suspended/revoked license, without driving privileges, while uninsured or under the influence of intoxicants. It seems these offenses would be good examples where a lawful (uninebriated, insured) driver could be allowed to take the vehicle away (see "Letting Cars be Driven Away" above).

--Letting a Person Access Belongings: A previous version allowed people to access a vehicle's contents when the reason for the tow did not involve criminal behavior beyond driving-related offenses. The new version has no such provision, but talks about prohibiting access when there are Formal or Temporary Holds put out (Definitions) or when there is a criminal offense (Section 1.2.4).

--Telling Someone Where Their Car Is: As noted in previous comments, it's not obvious why when there is a parking violation (1.1.4.6) officers are not required to at least let the person know their car has been towed. Imagine returning from an important meeting and finding your car missing with no explanation. If the PPB believes in "Customer service" there needs to be communication.

--Better Grammar Avoids Confusion: Various Sections of the Directive say "Administrative Release required." For clarity, we believe these should say "in this type of tow, an Administrative Release form is required to be sent to the owner." Similarly, where it says "Administrative Fee required," it would be more clear to say "An administrative fee is required from the community member."

--Inside Baseball Terms: This is the fourth set of comments where we are noting there is no definition of the term "shop number" (now in Section 3.1.1) as it refers to police vehicles which get towed.

--Prevent Unnecessary Tows: We again note that the Section on "Courtesy Tows" (now 3.3), in an older version, allowed for people to have vehicles in a restricted area if they used magnetic signs or other markings to keep their own vehicles in the area. The current version does not allow for this. Again, put yourself in the shoes of someone whose car goes missing.

--Where are the Unarmed Cops?: The last iteration of this Directive included Sections 2.5.2.6.2 and 5.1.1.3 which allowed Public Safety Support Specialists to request vehicles with Vehicle Identification Number problems to be towed to the Bureau's lot. While one of the PSS Specialists' main functions is to help with vehicle calls that do not require a police officer, there is now no mention of them at all in the Directive. Some places they should be allowed to help include waiting for a car's owner to arrive (Section 1.1.2) or for a tow truck to arrive (Section 2.1.3).

--Notes of Appreciation: PCW appreciates that the Bureau has:

---Added explicit language that seizing a vehicle must be done in a way to meet Constitutional standards (Section 1.1.3);

---Required the Records division to alert a person when their stolen car is recovered (Section 1.3.2.3.2); and

---Made it clear that the City will pay for a "Courtesy Tow" if the City puts in the request for it (Section 3.3.5.1).

--Might Want to Check: PCW found a few confusing language issues.

---For a Hazard tow, the Directive defines hazard as a "vehicle blocking a traffic or bicycle lane, private or public driveway AND a vehicle impeding the normal flow of vehicular traffic [emphasis ours]." Perhaps this should be "OR"?

--Section 4.3 talks about the Drugs and Vice Division, which we thought had been renamed "Narcotics and Organized Crime."

Footnote (630.60):

\*1-PCW posted the CRC report to our site when we could no longer find it on the City's website; see

[http://www.pjw.info/copwatch/CRC\\_Tow\\_Policy\\_Report0907.pdf](http://www.pjw.info/copwatch/CRC_Tow_Policy_Report0907.pdf) .

-----  

## CONCLUSION

As always, we appreciate that the PPB puts out its policies for public review and comment. We continue to urge the time frames to be expanded to 45 days so that groups which meet once a month can draft and then finalize commentary after meaningful deliberation

## 0630.60 Directive Feedback (2UR)

and public input. We also look forward to a time where the discussions about why certain comments are accepted or rejected can happen in real time rather than a one-sided memorandum from the PPB when the final versions are published.

Thank you

--dan handelman and other members of

--Portland Copwatch

---

### Q2

Contact Information (optional - your name will be visible on PPB's website)

Name

**Portland Copwatch**

---

#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

---

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.

---

**Q2** Contact Information (optional)

Email Address

---

## #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

---

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.

---

Q2 Contact Information (optional)

Respondent skipped this question

---

# #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

---

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.

---

## Q2 Contact Information (optional)

Name **Michael Bouyear**  
Email Address  
Phone Number

---

# #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

---

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)

---

## Q2 Contact Information (optional)

Name **Portland Copwatch**  
Email Address

---

# #1

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, February 13, 2020 5:27:12 PM  
**Last Modified:** Thursday, February 13, 2020 5:28:00 PM  
**Time Spent:** 00:00:47

---

Page 1

## Directive 630.60 Feedback

### Q1

Please provide feedback for this directive

#### COMMENTS ON VEHICLE TOW, ALCOHOL USE AND OTHER DIRECTIVES FEBRUARY 2020

To Chief Resch, Capt. Parman, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Community Oversight Advisory Board staff, US Dept. of Justice, Citizen Review Committee and the Portland Police Bureau:

Below are our comments on the six Directives posted for February 2020 ( <https://www.portlandoregon.gov/police/article/73677> ). While two have not been reviewed under this process previously (so far as we know), the ones that have continue to include problems Portland Copwatch (PCW) identified in earlier comments. PCW continues to thank the Bureau for putting out "redline" versions of Directives upon second review, but urges the Bureau to include notes about reasons first review policies have been chosen, including possible revisions the Bureau is considering.

In relaying the first four items to our constituents, we noted that they all seem to relate to questionable behavior which put officers in front of the Police Review Board or in the media in the last 10 months:

640.50 Traffic Crash Investigations: Officer Alfonso Valadez chased a suspect down an off-ramp of the freeway, leading to that person having a fatal head-on crash (Dec. 2019 PRB report).\*

316.00 Alcohol Use: Commander Steve Jones crashed his car into a utility pole, cracking it in two, in June 2018, leading to the loss of his job (Sept. 2019 PRB report).

630.23 Reserve Officer Program: The entirety of the Reserve Officer unit resigned in 2018 when the Bureau failed to train them up to the standards required by the US DOJ Agreement (Oregonian, April 19, 2019).

317.40 Authorized Use of Bureau Resources: Detective Norville Hollins III was demoted after he took a police car to the Oregon coast repeatedly, racking up hundreds of non-work miles (Dec. 2019 PRB Report).

We are also making comments on the Holding Cells (870.25) and Vehicle Tow (630.60) Directives, mostly based on our previous input.

As we have commented repeatedly, while it is useful to have 30 days to make recommendations on the second round reviews, the 15-day window for the first round is too short and precludes most official PPB advisory bodies, which only meet once a month (or once every two months) from weighing in.

We also continue to believe the Bureau should put letters on the Definitions, Policy and Procedure sections so there are not multiple sections with the same numbers. Our comments are on the Procedure sections unless otherwise noted.

Footnote (introduction)

\*-Valadez resigned before he could be fired.

DIRECTIVE 630.60 VEHICLE DISPOSITION (last comments made March 2018, and sent a link to the CRC's 2007 recommendations in August 2019)

It appears the Bureau has made at least a mild gesture to include the Citizen Review Committee's 2007 Tow Policy Work Group recommendation #7 for special consideration if the person is living in the vehicle in question. However, the language indicates officers will always tow a person's vehicle, with Policy Section 1 requiring that officers "shall enforce regulations by towing" but then asks them to be "mindful of potential hardship to vulnerable populations." If officers are required to take action, being mindful is not going to help a person get their home and belongings back. We urge a more comprehensive approach to offering discretion to officers.



## Directive 630.60 Feedback

Items we previously noted had been in the Directive in 2009 but disappeared, both of which were CRC recommendations.

--The first, ways a vehicle can be driven away by others or locked and left in place (CRC recommendation #1) is now addressed in two places. Section 2.3 allows a lawful driver "who is present at the scene" move the car away, but lets officers call for a tow if that person is not present and doesn't show up before they make the call. No time frame is given for waiting. Then Section 2.4 allows officers to leave a vehicle in place so long as it can be "reasonably secured."

--The second, asking vehicle occupants if valuables should be noted on the property receipt (CRC recommendation #5), is not listed anywhere. In fact, we were unable to find any part of the Directive that requires officers to take an inventory of what is in a vehicle being towed upon request of the occupant. PCW is wary of officers conducting inventories without permission, as they can be used as back-door ways to conduct searches without consent, but if a person is concerned their valuables may be at risk police should take note.

For some reason, the provision that a person who arrives on scene before a tow truck is called, and proves ownership, should have the vehicle released to them has been removed, even though PCW encouraged the Bureau to emphasize that clause previously. (This was also CRC recommendation #6). This is a huge step backward in building community trust.

The Bureau should revisit the CRC's Work Group report, especially the recommendation rejected by Chief Sizer to examine possible bias in whose vehicles get towed, at:

([http://www.pjw.info/copwatch/CRC\\_Tow\\_Policy\\_Report0907.pdf](http://www.pjw.info/copwatch/CRC_Tow_Policy_Report0907.pdf)).\*

Other comments:

--In a previous version, specific crimes which might trigger vehicle tows were listed; now the reasons to tow seem less clear.

--Also still missing are sections telling officers not to release cars to people who are intoxicated, mailing notice of a tow to a vehicle's owner and when appropriate to allow access to the vehicle's contents. This last item is addressed only in circumstances where there is evidence of a crime and officers can deny access to the vehicle (Section 5.4.2).

--While some clarification has been made to which autos are towed to private lots and which are towed to the Bureau's lot in Rivergate, it may be useful to explain that-- if we're reading the Directive properly-- vehicles which are involved in further police investigation go to Rivergate. (See CRC recommendation #8.)

--It's not clear why impound notices or citations are not required in some circumstances, such as if a vehicle is given a "courtesy tow" to clear streets for large events (Section 4.5.1.3), or if it is towed for an "alarm disturbance" (Section 2.5.2.4).

--On that note, while there are definitions for "administrative release" and "administrative fee," the repeated use of those terms throughout the Directive without context is very confusing. We suggest saying "Administrative release required from Records division," and "Administrative fee required from community member."

--The Section allowing officers to write "TOW" on a parking tag previously explained that was to clarify to the tow company which car was to be towed, but now does not (Section 4.3.1.2.2). There may be other reasons to do so, but it seems useful to explain why this action is important. It is also not clear why this is discretionary and not mandatory.

--For the third time, we are noting that the term "shop number" is used in Section 4.4.1.1.1 about towed police vehicles is not defined.

--The Section on "Courtesy Tows" (4.5), in an older version, advised people who have vehicles in a restricted area that they can use magnetic signs or other markings to keep their own vehicles in the area. The current version does not.

--Sections 2.5.2.6.2 and 5.1.1.3 specifically allows Public Safety Support Specialists to request vehicles with Vehicle Identifications Number issues to be towed to the Bureau's lot; this is one of the only mention of PSS Specialists we have seen outside their own Directive. PCW continues to encourage the Bureau to have more unarmed officers performing law enforcement duties to minimize the

## Directive 630.60 Feedback

likelihood of use of force.

Footnote (630.60):

\*-PCW posted the CRC report to our site when we could no longer find it on the City's website.

-----

### CONCLUSION

As we wrote one year ago this month, "PCW again appreciates that the Bureau asks for community comments on its policies, and the few changes that were made in response to our feedback. However, the other common-sense ideas we are putting forward which would lead to a more trustworthy and community-minded police force should not be brushed aside. We are hoping that the once the PCCEP starts making recommendations, the Bureau will engage in public discussions (involving the Committee members and the general public) rather than continuing to go behind closed doors to assess community input. That would show a true commitment to 'community engaged policing.'" Now that PCCEP has proposed a policy, albeit not related to a specific Directive but rather generally about how to approach traffic stops, we hope the Bureau takes up this challenge and engages in meaningful discussion.

Thank you for the opportunity to comment,

dan handelman and other members of  
Portland Copwatch

---

### Q2

#### Contact Information (optional)

Name

**Portland Copwatch**

Email Address

**[copwatch@portlandcopwatch.org](mailto:copwatch@portlandcopwatch.org)**

---