



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



536.02

VEHICLE TOWING AND RELEASE

03-05-2026

PURPOSE

The purpose of this order is to establish procedures for processing recovered stolen, stored, impounded, or asset seized vehicles.

POLICY

It shall be the policy of the Sacramento Police Department (SPD) to safeguard motor vehicles that are recovered stolen, stored, impounded, or asset seized at the direction of department employees by following established procedures and properly documenting police actions.

PROCEDURE

A. DEFINITIONS

1. ASSET SEIZURE – A public entity intends to take title of the vehicle.
2. EVIDENCE IMPOUND – A vehicle kept in police custody until the vehicle has no further value as evidence.
3. IMPOUND – A vehicle kept in police custody in accordance with a court order (e.g., Vehicle Code 14602.7)
4. PRIVATE PROPERTY TOW – A vehicle towed from private property by the owner or person in lawful possession of the private property.
5. RECOVERY – A found stolen or embezzled vehicle.
6. REPOSSESSION – A process in which a lender of an automobile loan can reclaim a vehicle from the borrower in the event of a borrower's default on a loan agreement.
7. STORAGE – A vehicle caused to be stored by an employee of the department (e.g., Vehicle Code §§ 22651(g), 22651(h), 14602.8, 23109.2).

B. GENERAL

1. Employees shall not require the occupants to stand by until the tow truck arrives unless the driver is requesting the removal of the vehicle.
2. Employees shall make a visual inspection of the Vehicle Identification Number (VIN) of all motor vehicles that are towed to determine if it corresponds to the license plate and registration of the vehicle.
3. An SPD Form 188 (Vehicle Recovery/Storage/Inventory) shall be used whenever a vehicle is a recovery, is stored, impounded, evidence impounded, or asset seized.
 - a. Employees shall inventory the contents of every vehicle recovered, stored, impounded, evidence impounded, or asset seized by the department to protect:
 - (1) The owner's property while it is in storage or police custody.
 - (2) The department when claims or disputes arise over the status of property.
 - (3) Employees and the public from potential danger.
 - b. Vehicles being towed as an evidence impound where forensic (e.g., gunshot residue or DNA) testing is being requested should be minimally disturbed and a visual inspection from the exterior may be sufficient.
 - c. Inventories shall include the contents of any open or closed containers found within the vehicle, including the passenger compartment, trunk, or any other area where personal property may be stored. Employees should open closed containers whose contents cannot be ascertained from an exterior inspection alone.
 - d. The decision to tow a vehicle is unlawful when done as a pretext to search for contraband.



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- e. Employees conducting a tow inventory should be as thorough and accurate as practical in preparing an itemized inventory.
 - f. Items found should be noted on the SPD Form 188. If multiple items are located employees may document the items on their body worn cameras (BWC) and should narrate what items are located. The footage from the BWC shall be considered part of the inventory process.
 - g. Employees shall include in their report:
 - (1) All items of value found.
 - (2) If no items of value are found.
 - (3) The reasons an inventory is not conducted (e.g., destruction of possible evidence, search warrant being obtained, vehicle locked).
 - (4) If a video inventory was done via BWC.
 - h. After the vehicle inventory is completed, employees should make reasonable accommodations to permit a driver or owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband, unless it would cause an unreasonable delay in the completion of a vehicle impound and storage or create an issue of employee safety. Any items removed by the driver or owner should be removed from the SPD Form 188.
 - (1) No one shall be permitted to retrieve items from vehicles being evidence impounded if doing so could alter or destroy evidence contained in the vehicle.
 - (2) If there is an exigent need to retrieve items of personal property from an evidence impound tow, employees shall confer with the supervisor that has authorized the impound to determine a course of action.
 - (a) If it is determined that items may be retrieved, the items shall only be retrieved by department employees.
 - i. Owners and drivers will not be allowed to remove items that are part of the vehicle (e.g., car stereo, spare tires).
 - j. The tow truck driver shall sign the SPD Form 188 and be given the yellow copy.
4. A SPD Form 188 is not required when the employee facilitates a tow at the owner's request. The owner or driver must remain on scene to sign for the tow.
 5. Employees shall ensure the tow information or advisement of the vehicle location has been entered on the incident history.
 6. Supervisors shall review, approve, and route the completed SPD Form 188 to the Records Section. If an employee cannot complete the entire SPD Form 188 because the DMV computer system is inoperative or the vehicle is registered out of state, the employee shall complete as much information as possible and note the reason the form could not be completed on the SPD Form 188.
 7. The Records Section shall:
 - a. Send "Notice of Stored Vehicle" letters to the registered and the legal owners of the vehicle.
 - b. Forward a copy of all motor vehicle reports to the appropriate section.
 - c. Upload copies of the SPD Form 188 and Notice of Stored Vehicle letter to the report.
 8. Inquiries about the release of vehicles shall be referred to the Tow Unit or the section responsible for the evidence impound (e.g., hit and run to the Traffic Unit, sexual assault impounds to the Sexual Assault and Child Abuse (SACA) Unit).

C. RECOVERY OF STOLEN MOTOR VEHICLES

1. Employees who locate a stolen vehicle shall recover the vehicle immediately, unless the watch commander approves a delay.
 - a. The reason for the delay shall be clearly articulated to the watch commander; public safety shall be the primary concern.



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2. The employee shall cause a “miscellaneous” comment to be added to the call history explaining the delay.
3. When an employee is assigned to process a stolen motor vehicle recovery, the dispatcher shall provide the employee with the information contained in the Stolen Vehicle System (SVS).
4. The employee shall ensure a minimum of one attempt by telephone is made to contact the owner of the vehicle, if possible, and allow the owner the opportunity to pick up the vehicle if they can do so within 30 minutes.
 - a. The 30-minute time limit may be extended with supervisory approval
 - b. The employee may make the call themselves or request the call be made by the communications center for recording and documentation purposes.
 - c. The results of these attempts shall be entered on the call remarks.
 - d. If an arrest is anticipated a victim statement should be obtained by a sworn employee.
5. The Records Section shall:
 - a. Make one attempt by telephone to notify the owner of a recovered vehicle as to where the vehicle is being towed and stored. The result of the notification attempt shall be entered in the “miscellaneous” field of the SVS recovery/locate message.
 - b. Comply with Vehicle Code § 10500 by sending a letter postmarked within twenty-four hours of receipt of information regarding the recovery, excluding weekends and holidays, notifying the owner and legal owner about the recovered vehicle and its storage location.
6. Auto Theft Unit employees who determine that an abandoned vehicle is stolen shall either:
 - a. Comply with prior sections or immediately notify the Records Section, which shall make the appropriate notification.
7. Recovered stolen vehicles shall not be processed for fingerprints unless:
 - a. The vehicle was known to be involved in a serious crime.
 - b. The vehicle was extensively stripped.
 - c. Requested by the watch commander, a field supervisor, or a detective within the Office of Investigations.

D. STORED MOTOR VEHICLES

1. In accordance with Vehicle Code § 22650(a), employees shall be guided by the Community Caretaking Doctrine when deciding whether to store a vehicle. This doctrine allows officers to tow and store vehicles only when doing so serves a community caretaking function, such as:
 - a. When the vehicle is impeding traffic or jeopardizing public safety and convenience, such as when a vehicle is disabled as a result of a traffic collision.
 - b. When the vehicle is blocking a driveway or crosswalk or otherwise preventing the efficient movement of traffic.
 - c. When the location of the stopped vehicle may create a public safety hazard.
 - d. When the location of the vehicle, if left at the location, may make it a target for vandalism or theft.
 - e. To prevent the immediate and continued unlawful operation of the vehicle (i.e., a licensed driver not immediately available).
2. The totality of circumstances, including the factors listed above, shall be considered when deciding whether storage is reasonable. The decision to store any vehicle must be reasonable and in furtherance of public benefit and public safety.
3. If the employee determines that there is lawful authority for removal of the vehicle (e.g., Vehicle Code § 12500(a), 14601, 22651) and it is necessary to achieve the community caretaking need, the employee shall advise the driver of the decision to remove and store the vehicle.
 - a. Employees shall document the articulable facts on the SPD Form 188 or in the report and on the computer aided dispatch (CAD) call documenting the community caretaking need (e.g., the car is illegally parked, or the employee knows that cars parked at the location are often vandalized or have items stolen from them).



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- b. If the licensed owner of the vehicle is present, or the owner authorizes another licensed person who is present to take control of the vehicle, the vehicle shall not be stored.
 2. If the driver of a vehicle is arrested and the tow is not necessary, the employee shall ask the subject if they wish to have the vehicle stored at their own expense in accordance with Vehicle Code § 22651(h).
 3. If the arrested subject requests the vehicle be stored, the employee shall note the subject's request on the SPD Form 188 and on the (CAD) call remarks or report.
 4. If the contact with a driver in violation of Vehicle Code § 12500(a) occurs at a sobriety checkpoint inspection, Employees shall make a reasonable effort to identify the registered owner of the vehicle.
 - a. If the registered owner is present, or the employee is able to identify the registered owner and obtain the registered owner's authorization to release the motor vehicle to a licensed driver by the end of the checkpoint, the vehicle shall be released to either the registered owner of the vehicle, if they are a licensed driver, or to a licensed driver authorized by the registered owner of the vehicle (Vehicle Code § 2814.2(c)).
 - b. When an authorization cannot be obtained from the registered owner, the vehicle shall only be stored in accordance with a community caretaking need.
 5. If the arrestee indicates that they do not wish to have the vehicle stored and the employee determined that the vehicle need not be stored, the employee, if feasible, shall:
 - a. Close all windows, lock all doors, and return the key(s) to the arrestee.
 - b. If valuables are contained in the vehicle, ask the arrestee if they would like them placed in the trunk.
 - c. If the arrestee declines, the valuables should be either left in the locked vehicle, or, at the employee's discretion, booked for safekeeping.
 - d. The arrestee's refusal to have the vehicle stored or the decision to leave valuables in the vehicle shall be noted in the report.

E. EVIDENCE IMPOUND PROCEDURE

1. Vehicles shall be evidence impounded when the employee has probable cause to believe the vehicle contains evidence or contraband that cannot be recovered by an employee at the scene, including:
 - a. Evidence sought requiring special techniques and equipment for collection (e.g., fibers, blood, seminal stains, glass fragmentation).
 - b. The employee has probable cause to believe the vehicle is stolen (e.g., an improperly affixed or altered "VIN" plate or no plate at all, stolen engine parts).
 - c. CSI is unable to process the vehicle within a reasonable time, or other extenuating circumstances existing that prevent processing (e.g., rain, scene of major disturbance).
 - d. Collisions involving fatalities, or serious bodily injury where driving under the influence or hit and run is involved, and a vehicle needs to be examined to determine if a mechanical failure is present.
2. The approval of a supervisor or a detective is required to evidence impound a vehicle.
3. When an evidence impound is made, the employee shall:
 - a. Notify the dispatcher of the need for an evidence impound.
 - (1) Evidence impounded vehicles shall be handled by the tow company with whom the city contracts and housed inside a secured facility that affords protection for both the vehicle and the evidence.
 - (2) The SPD Communications Division maintains a current list of tow companies authorized to house impounded vehicles.
 - b. Notify by email or phone the appropriate investigating unit and the tow administrator (tow-administrator@pd.cityofsacramento.org) of the evidence impound.
 - (1) Employees shall document how this notification was made (e.g., employee notified the Auto Theft Unit by email) with the date and time of notification noted in the report.
 - c. Indicate on the SPD Form 188 the reason for the evidence impound.



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- d. An employee telling a tow truck operator to “hold for prints” does not constitute an evidence impound. The tow company has no authority to keep the vehicle from the owner under these circumstances.
 4. The supervisor reviewing the impound or crime report shall ensure the report contains the details of the notification to the investigative unit.
 5. The investigating unit shall:
 - a. Process all evidence impound vehicles as soon as possible.
 - b. Complete an SPD Form 140 (Impound Release Form) and notify the towing company the date in which the department will no longer be responsible for the tow and storage cost incurred.
 - c. Attempt to contact the vehicle owner by phone to advise the owner that their vehicle is released from impound.
 - d. Email notification of the impound release to the Evidence Impound Vehicle Releases email handle.
 6. If a vehicle is evidence impounded by an outside agency at the request of SPD, or is initially towed for another reason, the investigating unit shall request the vehicle to be picked up and stored by the tow company with whom the city contracts.
- F. ASSET SEIZED VEHICLES
1. Asset seized vehicles shall be handled as outlined in Reference Manual 526.03 (Asset Forfeiture Manual).
- G. IMPOUNDED VEHICLES
1. A court order or search warrant may be issued in accordance with Vehicle Code § 14602.7 that allows for the seizure and cause the removal of a vehicle used as an instrumentality in violation of Vehicle Code §§ 2800.1, 2800.2, 2800.3, 23103 23109 or other applicable sections that occurs in a peace employee’s presence.
 2. Current procedures for obtaining a court order or search warrant for Vehicle Code § 14602.7 may be found on the Automated Manual System (AMS).
- H. RECOVERY OF LICENSE PLATES
1. If only license plates are recovered, the SVS shall be updated, and the following shall be done:
 - a. If the plate(s) were reported stolen to the SPD or belonged to a stolen vehicle, an SPD Form 188, plates-only portion, shall be completed. The plate(s) shall be booked and fingerprinted as necessary.
 - b. If the plate(s) had been previously reported as “lost property,” a general offense report shall be completed reporting the plate(s) as “found property.”
- I. PRIVATE PROPERTY TOWS
1. A tow company does not lawfully have possession of a vehicle until the vehicle is removed from private property and is in transit (Vehicle Code § 22658 (g)(1)(A)).
 2. A tow company must “immediately and unconditionally” release a vehicle to the owner if the owner demands it, and the vehicle has not yet been removed from the private property (Vehicle Code § 22658(g)(1)(B)). Failure to do so is a misdemeanor (Vehicle Code § 22658(g)(1)(c)).
 3. A drop fee may be charged by the tow company at a later date. However, the vehicle release cannot be conditioned by payment of this fee.
- J. REPOSSESSIONS
1. A repossession occurs when the reposessor gains entry to the vehicle or when the vehicle becomes connected to a tow truck (Business and Professions Code § 7507.12).
 2. The owner of a vehicle has a right to “protest” or “object,” either verbally or by conduct, to the reposessor taking back the vehicle.



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- a. If this protest is so severe that the reposessor cannot take back the property without breaching the peace (i.e., using force or threats) then the reposessor loses the opportunity for "self-help" and will have to resort to legal process to regain possession of the property.
 - b. The owner's protest must be made before the reposessor has taken possession of the vehicle. The owner's spouse has the same privilege to object as the owner.
3. Department employees shall not give registered owners the repossession tow company's name or contact information when their vehicle has been repossessed.
 - a. Should a registered owner request this information they shall be referred to the financial institution that holds their loan or lease agreement.
- K. ENTERING MOTOR VEHICLES INTO THE SVS
1. All recovered stolen, stored, repossessed, impounded, evidence impounded, and asset seized vehicles shall be entered into the SVS by personnel assigned to the Records Section upon notification by employees or towing company personnel.
 2. Employees shall contact the Records Vehicle Update desk as soon as possible and cause the SVS to be updated. Employees shall provide the required information for entry into SVS (i.e., report number, vehicle license, year, make model, style and color(s), the vehicle status code, reason for storage and name of tow company).
 - a. If a recovered stolen vehicle is being released to the owner, the employee shall ensure that the vehicle is removed from SVS before the vehicle is released.
 - (1) If this is not possible (e.g., SVS is down), employees shall not release the vehicle until a radio broadcast is made on all SPD radio channels and on the interagency hotline that the vehicle is being released to the owner.