


TEXARKANA POLICE DEPARTMENT GENERAL ORDERS MANUAL

SUBJECT	Vehicle Inventories		
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APPROVED BY		(Reserved for Expansion)	<i>(Formerly 1101.09)</i>

I. Purpose and Scope

- A. The purpose of this policy is to define the Texarkana Police Department's procedures and guidelines necessary for impounding vehicles and for conducting inventories of the contents contained within the impounded vehicle.

II. Policy

- A. It shall be the policy of the Texarkana Police Department to develop, implement and manage a series of specific guidelines that addresses the manner in which its sworn officers conduct inventories of those vehicles which are impounded. Officers of the Texarkana Police Department shall inventory those vehicles under the following circumstances:

1. During those instances in which a vehicle is impounded incident to criminal or traffic related offenses; or
2. During those instances in which a vehicle is impounded or towed as a result of a motor vehicle crash when such removal occurs absent the owner/operator's request; or
3. During those other non-criminal incidents—such as a medical emergency—that find the person in lawful control of the vehicle and incapable of securing the personal property contained within the vehicle; or
4. During those instances in which an officer of the Department impounds an abandoned vehicle and the person lawfully responsible for the vehicle and its contents is unable to secure the personal property contained within the accessible portions of the vehicle.

- B. All members of the Department shall recognize and adhere to the guidelines set forth within this policy.

III. Procedure

- A. The purpose of all vehicles inventories conducted by members of the Texarkana Police Department is not to seek out evidence of a crime; instead, the Texarkana Police Department defines vehicle inventories as administrative functions that serve the following purposes:

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1. To protect the owner's property:
 - a. This obligation may be further categorized as either legal and/or moral, but the courts have supported an officer's responsibility to protect property taken into custody from unauthorized interference.
 2. To protect the Texarkana Police Department and its officers from disputes and claims of either stolen or damaged property:
 - a. Proper inventory at the time of custody provides an accurate record of the condition of the property at the time it was seized.
 3. To protect the Texarkana Police Department, its officers and the public from danger:
 - a. Taking custody of an automobile subjects the Texarkana Police Department and the public to conditions that require the inventory of items, objects and property contained within the vehicle to ensure items such as bombs, hazardous devices and hazardous chemicals are detected as quickly as possible.
 4. To determine the owner's identity:
 - a. Identifying the owner of the vehicle will help the Texarkana Police Department know to whom the property should be released.
- B. Before an inventory of a vehicle can lawfully be conducted, officers of the Texarkana Police Department must develop a lawful foundation for conducting the inventory. The following is a list of the criteria utilized to develop a lawful foundation for conducting vehicle inventories:
1. Circumstances that necessitate a vehicle's impoundment borne from violations of Arkansas criminal and traffic laws;
 2. Circumstances that necessitate a vehicle's removal from the scene of a traffic crash;
 3. Circumstances borne from non-criminal and non-traffic related episodes that place the person who is in lawful control of a vehicle in a position that eliminates their ability to secure the personal property contained within their vehicle. Medical emergencies fall within this category; or
 4. Circumstances that find an officer of the Texarkana Police Department encountering an abandoned vehicle whose lawfully responsible owner is unable to secure the vehicle and its contents located in accessible areas of the vehicle.
- C. When conducting vehicle inventories, officers of the Texarkana Police Department shall inventory all spaces located within the vehicle to include the vehicle's trunk and the beds of passenger trucks. All closed containers found within the vehicle shall be opened and the contents located therein shall be inventoried.
1. *Colorado v. Bertine*, 479 U.S. 367 (1987)—a case argued and ruled on in the U.S. Supreme Court—provides guidance for officers who conduct vehicle inventories. According to the ruling, warrantless inventory searches of impounded vehicles may—in addition to all of the other accessible areas within the vehicle—include closed containers; however, closed containers may only be opened if the inventory is conducted pursuant to a police policy requiring such searches and is not undertaken in bad faith for the sole purpose of uncovering evidence of a crime.
 2. Those containers which are found locked shall not be forced open, but the officer conducting the inventory shall document the condition of the locked container within the narrative of their report.

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If a key or the lock's combination is available, all locked containers will be opened and inventoried.

- D. Upon conducting the non-consensual removal/towing of a vehicle, officers of the Texarkana Police Department will complete an offense report within the appropriate ADSI module. All of the inventories items located within the vehicle shall be placed within the narrative of the officer's report. For additional information regarding the completion of such reports, refer to [General Order 1108.03--
-Incident Reporting Procedures](#).
- E. Should an officer of the Department locate an article or specific item falling within one of the following categories during the course of a vehicle inventory, the article or item may be seized as evidence and maintained for further investigative purposes. Any article or item seized during an inventory shall be listed within the narrative portion of the officer's ADSI offense report and handled, documented and stored in accordance with [General Order 1102.02---Property and Evidence Control](#):
 - 1. Fruits or instrumentalities of a crime;
 - 2. Contraband; and
 - 3. Implements or instruments of illegality.
- F. Should an officer locate monies and/or other articles deemed significant in value within the vehicle at the time of the inventory—and the article(s) cannot be properly secured by the towing company—the officer may take the following action:
 - 1. Articles deemed significant in value can be taken to the Texarkana Police Department for safekeeping. When removing an article(s) for safekeeping, officers of the Department shall document, handle and store the article(s) in accordance with Paragraph E above. These articles will be released in accordance to established Department policy (General Order 1102.02---Property and Evidence Control).
- G. The Communications Center shall record all vehicles which are towed at the direction of the officer on the Department's Wrecker Log.

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