

GENERAL ORDER, OPERATIONS, NUMBER 28
APRIL 3, 2001
WATERLOO POLICE DEPARTMENT

A. SUBJECT:

Seized and forfeitable vehicles, large items and flammable liquids.

B. PURPOSE:

To establish a standard procedure for the handling of seized and forfeitable vehicles, large items and flammable liquids involved in crimes.

C. POLICY:

All employees shall comply with the following guidelines for seized and forfeited vehicles, large items and flammable liquids.

D. PROCEDURE:

1. Vehicles.

- a. Recovered stolen vehicles shall be parked in the police parking area at City Hall if operational. The vehicles shall remain parked here until the owner is notified and claims the vehicle. If the vehicle is not operational or the owner is unable to claim the vehicle or refuses to do so, it shall be taken to a wrecker service where it will remain until claimed, sold, or salvaged. Fees incurred will be the responsibility of the vehicle owner. Once the vehicle is driven to the parking area at City Hall or transported to a wrecker service and tagged as evidence in the case, the Property/Evidence Section (Property Personnel) shall be responsible for final disposition of the same.
- b. Vehicles involved in serious and/or fatal motor vehicle personal injury accidents will be driven or towed to a wrecker service where the Police Department examination will be conducted. Upon conclusion of the investigation, the vehicle will be photographed and/or videotaped, and released to the owner or insurance company after fees payable to the wrecker service are satisfied. Prior to release, the County Attorney, or a member of the staff, will be advised of the pending release. If the County Attorney orders the vehicle held, the County Attorney will be responsible for locating vehicle storage and the associated fees. Wrecker service fees incurred prior to the time the vehicle is cleared for release to the owner will be paid

by the Police Department. Wrecker fees incurred after the vehicle is released by the Department will be the responsibility of the owner. Property Personnel shall be responsible for the final disposition of the vehicle, including notification of the County Attorney's office of the pending release.

- c. Vehicles involved in serious crimes and considered as evidence (not vehicles seized with forfeiture in mind), will be driven to the police parking area at City Hall for examination. If not operational, the vehicle will be towed to a wrecker service where it will be examined. Upon completion of the examination, the vehicle will be photographed and/or videotaped and released to the owner. Prior to release, the County Attorney, or a member of the staff, will be advised of the pending release. If the County Attorney orders the vehicle held, the County Attorney will be responsible for locating vehicle storage and the associated fees. Wrecker service fees incurred prior to the time the vehicle is cleared for release to the owner will be paid by the Police Department. Wrecker fees incurred after the vehicle is released by the Department will be the responsibility of the owner. Property Personnel shall be responsible for the final disposition of the vehicle, including notification of the County Attorney's office of the pending release.
- d. Vehicles taken as evidence with intent to forfeit must be driven or towed to the police parking area at City Hall. The officer working the case and requesting the forfeiture must submit a written request to the Captain of the Investigative Division or designee.
 - 1. If the decision is made to proceed toward forfeiture, the Property/Evidence Section will be notified. The seizing officer will remove and tag unattached miscellaneous property from within the vehicle, and then transport vehicle to the impoundment building. The keys for said vehicle will be tagged with vehicle and left under wiper blade in an envelope. The seizing officer and the respective supervisor will process the forfeiture through the County Attorney.
 - 2. The impoundment building shall be locked at all times. Property Personnel shall maintain the key and shall be solely responsible for the admission and release of all vehicles impounded.
 - 3. If the decision is made not to proceed toward forfeiture, Property Personnel, once notified of the decision, will be

responsible for the release of the vehicle and may call upon the officers working the case for assistance.

- e. In all cases, unless a vehicle is to be immediately released or taken to a wrecker service company, the keys shall be tagged and placed with the Property /Evidence Section or basement Property locker. Vehicles towed or driven to wrecker services shall have keys turned over to the wrecker company. The seizing officer shall notify the Property /Evidence Section of the vehicle whereabouts and status via e-mail if paperwork will not be completed on the day of seizure.

2. Large Items

Whenever possible, large evidence items should be examined, photographed and/or videotaped at their present location, then released to the owner. When it is necessary to remove large evidence items, such as furniture, the items may be transported to the police impoundment building and stored temporarily until suitable storage can be found. When time permits, contact the Property /Evidence Section for advance assistance in securing and proper transportation of seized evidence. When this is not possible, contact the Property & Evidence personnel, on-duty or off-duty, for assistance and direction in the transportation and storage of the evidence. The seizing officer will contact the Property /Evidence Section, via e-mail, of the present location and status of evidence if proper paperwork will not be completed on the day of the property seizure.

3. Flammable Liquids

When it is necessary to seize a container of flammable liquids, such as gasoline, charcoal lighter fluid, etc., as evidence, a small sample shall be taken for analysis. The sample shall be placed in an unlined metal container from the equipment room or lab. The remainder should be dumped on a hard surfaced (concrete or asphalt) open area by spreading it out where it can evaporate. After taking a sample and dumping the remainder, the empty container should be tagged and secured in the Property locker located outside of the northeast corner of City Hall. The key to the locker is held by the Watch Commander.

Waterloo Fire Rescue uses the following guidelines for flammable liquids, which will also be followed by the Waterloo Police Department.

- a. If we are called to a business or residence because the property owner has found some flammable liquid, it is up to the

resident to get rid of it.

- b. If we find something liquid and we don't know what it is, call the Waterloo Fire Rescue/HAZMAT Team.

By Order of:

Thomas J. Jennings
Chief of Police