



CRYSTAL POLICE DEPARTMENT

Department Policy Manual

TITLE: Vehicle Towing & Release
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PURPOSE

This policy provides the procedures for towing a vehicle by or at the direction of the Crystal Police Department.

SCOPE

All police department employees.

IMPOUNDING

Vehicles may be towed for any reason authorized under MSS §169.014. Vehicles may be moved or removed from the highway when in violation of MSS §169.32.

Vehicles may also be impounded under the rules of criminal procedure or for other purposes authorized under law including the safekeeping of property when the owner is otherwise impaired or unable to take responsibility for the vehicle.

COMPLETION OF THE VEHICLE IMPOUND & INVENTORY REPORT

Department employees towing a vehicle shall complete a vehicle impound report including a description and inventory of the property within the vehicle. The vehicle impound form shall be completed fully utilizing the records management system, which will then send the impound form to the contracted tow service.

The property inventory shall include the contents of the passenger compartment, trunk, and other containers whether locked or unlocked. The inventory procedures are designed to protect the owner's property, to provide for the safety of the officers and the public, and to protect the department against fraudulent claims of lost, damaged, or stolen property.

TOWING AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by towing the vehicle. However, a vehicle may be left at the scene by the owner's request if the vehicle is legally parked and does not present a hazard. Officers should also allow the owner to make reasonable arrangements to have the vehicle legally removed from the scene if the vehicle is not to be held for further investigation, and the retrieval of the vehicle can be accomplished in a reasonable period of time. Officers are not required to wait an unreasonable period of time or to jeopardize the safety of any officer or the public by permitting such arrangements.

A vehicle shall be towed if it is needed for the furtherance of an investigation or prosecution of a case, if it is subject to forfeiture, or if the community caretaker doctrine would reasonably suggest that the vehicle should be towed.

Unless it would cause a delay in the impound of a vehicle or create an officer safety issue, reasonable accommodations should be made for the operator to maintain possession of small personal items (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

PRESERVATION OF EVIDENCE

An officer who impounds or authorizes the impounding of a vehicle is required to take reasonable and necessary steps to preserve evidence. If there is probable cause to believe that a vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or that a particular person has committed a criminal offense, officers shall ensure that all legally required and reasonably necessary efforts are taken to preserve evidence.

TOWING SERVICES

The city of Crystal utilizes Twin Cities Towing for impound services. If required, other towing agencies may be employed to accomplish tasks or to perform impound during exigent circumstances.

STOLEN VEHICLE RECOVERY

When the department is notified that a stolen vehicle entered by our agency has been recovered, the officer assigned to the call shall notify the victim that the vehicle has been recovered and if and where the victim is able to retrieve the vehicle.

The department protocol will be to process all recovered vehicles for evidence that entered as stolen by our agency, unless circumstances exist that prohibit recovered stolen vehicle processing.

PLACING A HOLD ON IMPOUNDED VEHICLES

Holds may be placed on an impounded vehicle based on the nature of the crime being investigated or vehicles which are subject to forfeiture. In such cases, the officer placing the hold shall check the hold box and provide a reason for the hold.

Vehicles placed on a hold shall be documented in a police report with the reason for the hold (seizure, investigative hold, etc.). In cases where a vehicle was placed on an investigative hold, the investigative unit supervisor shall be notified.

When a vehicle is held for forfeiture, an officer shall list MISVFOR (miscellaneous vehicle forfeiture) as an offense in the accompanying police report.

RELEASING A HOLD ON IMPOUNDED VEHICLES

Prior to releasing a hold on an impounded vehicle, the case will be reviewed by a Crystal Police Department supervisor. When a department member has determined that a vehicle hold shall be released, a new impound form shall be completed and sent to the tow service indicating that the vehicle may be released and the conditions for release. A vehicle release may also be accomplished by emailing a memorandum of tow release to the tow service. This memorandum shall be retained in the case file.

RETIREVAL OF IMPOUNDED PROPERTY FROM AN IMPOUNDED VEHICLE

Prior to authorizing the release of personal property from an impounded vehicle, the case will be reviewed by a Crystal Police Department supervisor.