


<b>NORTHAMPTON POLICE DEPARTMENT</b>		
<b>Administration &amp; Operations Manual</b>		
<b>Policy: Motor Vehicle Inventory</b>		<b>AOM: O-312</b>
Massachusetts Police Accreditation Standards Referenced:		Issuing Authority <hr/> Jody Kasper Chief of Police
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**I. Introductory Discussion**

- A. The purpose of this directive is to provide guidelines for department personnel to follow when conducting an inventory of motor vehicles that are towed, removed, impounded, or stored by the police department. This will help to accomplish the following:
1. The protection of the motor vehicle as well as any personal property contained in such vehicle.
  2. The protection of the police and tow company against claims arising from property allegedly lost or stolen while in either’s custody; and
  3. The protection of the police and public from potentially dangerous items that may be in the vehicle.

This policy and procedure does not apply to searches conducted for the purpose of discovering evidence. Consult *AOM O201 Search and Seizure* where the examination of a motor vehicle or its contents is to be conducted for an investigatory purpose.

## II. Policy

- A. It shall be the policy of the Northampton Police Department to conduct and record an inventory of the contents of all motor vehicles towed, removed, or stored at the request of the Northampton Police Department as the result of police actions **with the exception of the following circumstances** in which no inventory will be taken:
1. When the vehicle is legally parked and locked
  2. When the vehicle is removed by a third party
  3. When the vehicle is disabled, or unable to be operated legally, such as unregistered or uninsured and towed at the operator's/owner's request and the owner/operator is present
  4. When large numbers of cars will require towing due to nature-related emergencies (i.e. snow removal); or
  5. When special conditions requiring prompt removal prevent the taking of an inventory before the vehicle is removed
- B. When an inventory is not conducted, an explanation as to the reason why it was not done shall be included in the officer's report.

## III. Inventory Process

- A. Any vehicle that is towed, removed, impounded, or stored at the direction of a police officer, or is placed in the custody of the police department is to be inspected and an inventory of its contents and general condition shall be recorded on *AOM O312.a Motor Vehicle Inventory Form* (see section V below).
1. Whenever the inspection and inventory at the scene are not safe or practical, they may be conducted at a storage facility. In either case, they should be conducted within a reasonably short period of time.
  2. Inventory of items shall specifically describe such things as:
    - a. The item Make, Model & Type
    - b. The item Serial Number if available
    - c. Amount (of money or number of items)
    - d. Any other identifying descriptions
- B. The standard inventory process will consist of an inspection of the exterior and interior of the vehicle for damaged or missing parts, as well as a search of the interior to locate and record all contents. Areas of the vehicle that are subject to examination shall include all closed or locked depositories, including the trunk, glove box, console, or similar type depositories, that can be accessed without causing damage to the vehicle. In addition, the contents of any open containers, or closed containers that can be opened without damage, shall also be inventoried.

- C. It shall be the responsibility of the member of the department requesting the tow to:
1. Secure any monies or articles of value that cannot be properly secured by the tow company in accordance with procedures set forth in *AOM 0402 Evidence & Property Handling Procedures*.
  2. Cause the owner or their representative to be notified as soon as possible, and inform them of the following:
    - a. Location of the towed vehicle
    - b. Reason for the tow
    - c. Contents removed
  3. Contact dispatch to have an appropriate entry made in the Department Computer System as to the description of the vehicle towed and the tow company.
  4. Cause any contents taken to the station, for safekeeping or seized as evidence or contraband, to be appropriately processed and tagged according to departmental policy and procedures set forth in *AOM 0402 Evidence & Property Handling Procedures*. An incident report shall be required for any seizure of evidence or contraband found incidental to the inventory.
  5. Cause a computer check to be made of the vehicle's registration plate number and the vehicle identification number (VIN).

#### IV. Discovering Evidence of a Crime

- A. While the purpose for an inventory of a motor vehicle is not to discover evidence of a crime, such evidence is admissible so long as the inventory is conducted in accordance with this policy and procedure **and the discovery of such evidence is incidental to the inventory**. Any of the following articles that establish probable cause to believe that a crime is or has been committed, found as the result of the inventory, may be seized and held for further investigation:

1. Contraband
2. Fruits of a crime
3. Instruments of a crime
4. Evidence of a crime

#### V. Motor Vehicle Inventory Form

- A. *AOM 0312.a Motor Vehicle Inventory Form* shall be completed in its entirety by the investigating officer, preferably prior to the removal of the vehicle by the tow company. In those cases when this is not possible, the location and the time of the inventory shall be noted on the inventory form.
- B. If possible, the officer completing the inventory shall obtain the signature of the tow operator or tow company representative.

- C. The completed inventory form will be attached to and filed with any report of investigation or arrest.
  
- D. In those cases, where there is no arrest or report of investigation, the Records Bureau will maintain the completed inventory forms. The folder will be subject to inspection by the Chief of Police and the Captains.