



## Cover Memorandum

### Vehicle Towing & Storage, JHPD Directive #446

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#### **Purpose of the Directive**

The purpose of this Directive is to provide guidelines for the towing, impounding, and disposition of motor vehicles.

#### **Summary of Directive Requirements**

The Johns Hopkins Police Department (JHPD) will tow and impound vehicles only from property that is within the JHPD's primary jurisdiction pursuant to the Memorandum of Understanding (MOU) between JHPD and the Baltimore Police Department (BPD), dated December 2, 2022. Officers will enforce the impoundment and towing provisions of Maryland's Transportation Code in a reasonable and equitable manner without regard to race, color, ethnicity, gender identity/expression, religion, disability, financial status, or sexual orientation. While JHPD officers have the authority to tow and impound vehicles in accordance with this Directive, the routine enforcement of parking violations on the Johns Hopkins University (JHU) campus will remain with JHU's Transportation Services. JHPD will focus its towing and impoundment efforts on responding to violations that create a public hazard or other threat to public safety.

This Directive provides information about JHPD's authorized contracted towing vendor and the steps that officers must take when requesting towing services. Officers must never abandon occupants of any vehicle being towed and provide options for arranging assistance for the occupants. Required actions for officers include: being on the scene of each tow; requesting towing services from Communications personnel; processing and submitting applicable property and evidence according to JHPD directives; and completing all required reports. The Directive also requires actions of Communications personnel, Patrol Supervisors, and Records personnel, including providing the notice of towing in accordance with Maryland law.

This Directive also describes the process for conducting an inventory of vehicles prior to the vehicle's removal. Vehicle inventories are **not** conducted for the purpose of searching for contraband, but to: secure and protect the vehicle and its contents while the vehicle is not in the possession of the owner; protect the agency and officers against claims of lost, stolen, or damaged property; and protect employees and the public against injuries or other harm due to hazardous materials or substances found in the vehicles. Officers shall never use towing a vehicle in order to perform an inventory search as a pretext for an evidence search. The Directive provides specific instructions on where officers are allowed to search during an inventory (including prohibiting forcing open any locked areas or containers); the removal and processing of any property of value from the vehicle, and; what to do with items that are not removed from the vehicle. Evidence or contraband discovered in the conduct of an inventory may be seized and used to prosecute, but that the burden is on the officer to show that the inventory was

reasonable and pursuant to JHPD policy. Finally, the Directive instructs officers on how to document inventories, including the requirement to record any vehicle inventory on their body-worn camera.

The Directive also provides guidance on how to respond to various vehicle towing and impound situations, including: illegally parked vehicles, abandoned vehicles, vehicles involved in collisions, vehicle operator arrest, vehicles seized and impounded as evidence, stolen vehicles, violations of the Maryland Transportation Code, JHU and JHPD vehicles, government and commercial vehicles, and vehicle relocations. The Directive also states when officers may place a temporary hold on a vehicle and the procedures for doing so.

Finally, the Directive discusses the steps that vehicle owners/agents should take to appeal an impoundment.

### **Blueprint for the Policy Development Process**

The draft JHPD policies (hereinafter referred to as “directives”) shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD’s draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of JHPD development, including suggestions received in the legislative process as well as last fall’s Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

**a. Publicly available policies from municipal police departments that have undergone substantial reform efforts**, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;

**b. National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations**, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts’s “Racially Just Policing: Model Policies for Colleges and Universities”; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.

**c. National and local higher education institutions that are based in comparable environments and make policies publicly available**, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community's public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



**POLICE DEPARTMENT**

**VEHICLE TOWING & STORAGE**

**OPERATIONAL PROCEDURE #446**

Responsible Executive:  
Chief of Police  
Responsible Office:  
Vice President for Public Safety  
Approved by:  
Dr. Branville G. Bard, Jr.  
Issued: [full date]  
Revised: [full date]

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**Policy Statement**

The Johns Hopkins Police Department (JHPD) recognizes the importance of closely following all relevant laws and policies when making decisions about towing and impounding motor vehicles. Furthermore, to help safeguard the public interest against fraud, deception, and similar abuses, it is the policy of the JHPD to request only the Medallion Towing Services for civilian vehicles in need of tow. JHPD will enforce the impoundment and towing provisions of Maryland’s Transportation Code in a reasonable and equitable manner without regard to race, color, ethnicity, gender identity/expression, religion, disability, financial status, or sexual orientation.

**Who is Governed by this Policy**

All personnel, including sworn, non-sworn and contractual or voluntary persons in service with JHPD are governed by this Directive.

**Purpose**

To provide guidelines for the towing, impounding, and disposition of motor vehicles.

## Definitions

<b>Abandoned Vehicle</b>	Any motor vehicle, trailer, or semitrailer that meets the definition of an abandoned vehicle as stated in MD Code, Transportation § 25-201 and in Section V of this Directive.
<b>Impoundment</b>	For purposes of this Directive, the seizing and temporary custody of a motor vehicle for a legitimate police purpose, such as for evidentiary purposes.
<b>Medallion Towing Services</b>	A company contracted by the Baltimore Police Department (BPD) to tow vehicles. Medallion Towing Services vehicles will display on the left cowl of the towing vehicle a numbered medallion issued by the BPD Traffic Section / Towing Unit.
<b>Member:</b>	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
<b>Officer:</b>	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
<b>Vehicle Inventory</b>	A warrantless search prior to the lawful towing of a vehicle was conducted by police. An inventory is not a search for evidence of a crime. The purpose of an inventory is for police to determine the contents of a vehicle in order to: secure and protect the vehicle and its contents while the vehicle is not in the possession of its owners/agents, protect the law enforcement agency and officers against claims of lost, stolen, or damaged property, and protect employees and the public against injuries or other harm due to hazardous material or substances found in vehicles. Officers shall never use towing a vehicle in order to perform an inventory search as a pretext for an evidence search.

## Policy

Officers are routinely faced with decisions about whether to impound or tow motor vehicles for reasons such as abandonment, involvement in an accident, to safekeep property, to secure evidence, etc. Although this is a routine function, it is nevertheless one that must be approached with a great deal of care and discretion to avoid civil liability, inadmissible evidence, and other negative consequences.

While JHPD officers have the authority to tow and impound vehicles in accordance with this Directive, the routine enforcement of parking violations on the JHU campus will remain with JHU's Transportation Services. See JHPD Directive #447, Parking Enforcement. JHPD will focus its towing and impoundment efforts on responding to violations that create a public hazard or other threat to public safety. Officers shall follow all relevant Maryland laws governing vehicle towing, as well as all JHPD directives related to traffic enforcement and vehicle searches and seizures.

## Core Principles

- I. **Protecting Public Safety**, the primary purpose of JHPD's involvement in vehicle towing and impounding is to protect the Johns Hopkins (JH) community from hazards that may result from vehicles that are blocking roadways, abandoned, or otherwise pose a threat to public safety.
- II. **Protect against Fraud & Abuse**, JHPD will only request the services of a Medallion Towing Services for civilian vehicles in need of tow. This will help protect against potential fraud, deception, and similar abuses. Furthermore, JHPD will take actions pursuant to this Directive in a reasonable and equitable manner without regard to race, color, ethnicity, gender identity/expression, religion, disability, financial status, or sexual orientation.

## Procedures

### I. General

- A. JHPD will tow vehicles consistent with the procedures established in this directive, and only from property that is within JHPD's primary jurisdiction pursuant to the Memorandum of Understanding (MOU) between JHPD and the Baltimore Police Department (BPD), dated December 2, 2022.
- B. Routine enforcement of parking violations will remain the primary responsibility of JHU's Transportation Services, See JHPD Directive #447, Parking Enforcement. JHPD will focus its towing and impoundment efforts on vehicles that pose a hazard or other threat to public safety.
- C. Officers shall enforce the impoundment and towing provisions of Maryland's Transportation Code in a reasonable and equitable manner without regard to race, color, ethnicity, gender identity/expression, religion, disability, financial status, or sexual orientation. See JHPD Directive #106, Fair & Impartial Policing.
- D. JHPD shall use BPD's Medallion Towing Services, when a vehicle must be towed, and the owner operator does not have a preferred towing service.
- E. In all non-emergency situations, the vehicle's owner, or operator, if available, shall be permitted to contact towing company, roadside assistance, or an automobile or motor club of their choice to tow the vehicle, provided the tow vehicle can arrive within a reasonable period of time.
  - Individuals who wish to make a complaint against Medallion Towing Services shall contact BPD's Transportation/Towing Unit.
- F. Vehicles towed pursuant to this Directive will generally be stored at a BPD/Baltimore City Impound Lot, unless otherwise requested by the vehicle's owner or operator.

- G.** Under no circumstances shall the occupants of any vehicle being towed or impounded under this Directive be abandoned on any city street or highway.
- Officers shall take those measures necessary to ensure that the occupants are provided reasonable transportation by:
    - Offering to transport the occupants to JHPD headquarters, where the occupant can make alternate transportation arrangements, or
    - Transporting the occupants to the closest public transportation stop.
  - The occupants have the right to refuse police transportation. Should this happen, the officer will record such refusal on the Incident Report and on body worn camera (BWC).
  - Barring exigent circumstances, the officer will never transport any individual against their will.
  - Officers shall document in the Incident Report whether the driver or any occupant were taken to JHPD headquarters or to the closest public transportation stop. The officer will request that the driver or occupants sign the Incident Report.
- H.** Generally, no fees will be charged by JHPD for impoundment or public assistance towing; however, the Medalian Towing Service and BPD/Baltimore City Impound Lot may charge their customary towing and storage fees.
- I.** Motor vehicles shall not be impounded for purposes other than those defined by statute or ordinance, and never as a form of punishment or as a means of conducting vehicle searches when probable cause does not exist or consent to search cannot be obtained.
- J.** Generally, vehicles will not be towed and impounded for registration, vehicle identification number (VIN) or title violations, though citations may be issued when appropriate and in accordance with JHPD Directive #442, Traffic Control & Enforcement.
- K.** Officers shall not drive vehicles that are not the property of JHPD unless moving the vehicle a short distance is necessary to eliminate a hazard, prevent obstruction of a fire hydrant, or comply with posted signs.
- L.** Maryland law requires vehicles involved in certain drug-related crimes to be towed and recommended for forfeiture to the Office of the Attorney General (OAG). MD Code, Criminal Procedure, § 12-204. If JHPD officers encounter any vehicles that may require forfeiture under this law, they should contact BPD to respond.

## **II. Required Action**

**A. Officers shall:**

- Be on the scene of each tow.

NOTE – Officers may respond to priority calls without a supervisor’s authorization. Officers may also leave the scene prior to the arrival of a tow truck if other exigent circumstances develop, but only when authorized by a supervisor. If the officer does leave the scene prior to the arrival of the tow truck, the officer shall notify the JHPD Communications Center and cancel the request for the tow truck.
- Contact JHPD Communications personnel and request that they:
  - Conduct registration, stolen, and other relevant checks on vehicles, and
  - Notify the contracted towing company unless the vehicle’s owner/operator requests to contact their own company. Officers shall provide Communications personnel with the location, make, and tag number of the vehicle(s) to be towed and advise if there is a need for special equipment (e.g., dollies, rollback, or heavy towing vehicle for a tractor trailer).
- Upon the arrival of the tow truck, have the vehicle operator and occupants exit the vehicle and remain on location until the tow truck operator has the vehicle in tow.
- Inventory vehicles consistent with Section III of this directive.
- Process and submit applicable property and evidence consistent with JHPD Directive #468, Collection & Preservation of Evidence.
- Notify JHPD Communications personnel if the contracted towing company vehicle does not arrive within 20 minutes from the time of notification.
- Offer reasonable assistance to operators and passengers of towed vehicles to ensure the well-being of involved persons and property. This assistance may be in the form of finding alternative transportation arrangements, attempting notifications, providing local transport, allowing individuals to wait for a reasonable time at JHPD Headquarters, and using telephones.
- Complete an Incident Report titled Towed Vehicle for each vehicle towed under this Directive and record the name and number of the towing vehicle in the appropriate block of the report. (CALEA 61.4.3.c)
  - Ensure the towing vehicle operator records the amount of the tow charge and their signature in the narrative section of the Incident Report.
  - Sign the tow bill to verify the work performed by the towing vehicle operator at the scene. Give one (1) copy of the Incident



Report to the tow truck operator and one (1) to the vehicle operator.

- EXCEPTION – No Incident Report for a towed vehicle is required if the owner/operator authorizes the private towing of their vehicle or directs it to be towed to a destination other than a BPD/Baltimore City Impound Lot.

**B. Communications personnel shall:**

- Contact BPD dispatch for Medalion Towing Services.
- Conduct registration, wanted, and stolen checks and other appropriate checks if:
  - There are any irregularities on standard checks, or
  - At the request of impounding officers or other officers on scene
- Relay to officers any irregularities found during any of the checks,
- Generate a separate case number for each vehicle towed as the result of JHPD authorization, except for vehicles involved in collisions or when vehicle owners/agents authorize the private towing of their vehicles,
- Record appropriate information in CAD, and
- Send any necessary NCIC entries and removals.

**C. Patrol supervisors shall:**

- Ensure officers are towing and impounding vehicles appropriately, and
- Ensure Towed Vehicle Reports are submitted, reviewed, corrected if necessary, and submitted to Central Records by the end of the shift wherein vehicles were towed.

**D. Records personnel shall:**

- When a vehicle is towed or impounded at the direction of JHPD under this Directive, as soon as reasonably possible, and not more than seven (7) days after a vehicle was towed, send a notice of tow by certified mail to the last known registered owner of the vehicle and each secured party with a recorded interest in the vehicle.
- Ensure that the notice includes the following components in accordance with MD Code, Transportation § 25-204 and § 16-303.1:
  - Statement that the vehicle was taken into custody.
  - Description of the vehicle's color, manufacturer year, make, model, license plate number, VIN, and mileage.
  - Location of the facility where the vehicle is being held.
  - Authority and purpose for the removal of the vehicle.

- Explanation of the procedure for releasing the vehicle.
- Information regarding the owner's/secured party's right to reclaim the vehicle within 11 working days after the receipt of the notice, upon the payment of all towing, preservation, and storage charges. For vehicles impounded pursuant to MD Code, Transportation § 16-303.1, the owner/secured party shall be notified that the vehicle must be reclaimed within 10 days after the date specified in the court order.
- Statement that the failure of the owner/secured party to reclaim the vehicle in the time provided constitutes a waiver of the right, title, and interest in the vehicle; consent to the sale of the vehicle at public auction; and consent by the owner, other than a lessor, to the retention of the vehicle for public purposes as provided by Maryland law (MD Code, Transportation § 25-207).
- Post the notice where the vehicle was found if the identity of the last registered owner or others having a recorded interest in the vehicle cannot be determined, or if the certified notice is returned as undeliverable. (MD Code, Transportation § 25-205(c)).

### III. Inventory of Vehicles

- A. When a vehicle is towed or impounded in the direction of JHPD under this directive, prior to the vehicle's removal officers shall inventory all personal and detachable property of value not removed from the vehicle by the owner or operator.

EXCEPTIONS – Officers will not conduct inventories:

- For vehicles involved in collisions where owners/agents are able to take custody of property at the scene, or
- When vehicle owners/agents authorize the private towing of their vehicles.

- B. Vehicle inventories are **not** conducted for the purpose of searching for contraband, but to:

- Secure and protect the motor vehicle and its contents while the vehicle is not in the possession of its owners/agents,
- Protect JHPD and officers against claims of lost, stolen, or damaged property, and
- Protect employees and the public against injuries or other harm due to hazardous materials or substances found in vehicles.

NOTE – Officers shall never use towing a vehicle in order to perform an inventory search as a pretext for an evidence search. Nothing in this directive is

intended to negate or reduce officers' authority to conduct Constitutionally permissible vehicle searches, which must be done in accordance with JHPD Directive #411, Search & Seizure.

- C. Officers shall remove any property of value from the interior of the vehicle and process/submit it in accordance with JHPD Directive #468, Property and Evidence Management.
- Officers shall give a copy of the property receipt to the person in control of the vehicle. If that person is not present, officers should leave the receipt in the vehicle.
- D. Evidence or contraband discovered in the conduct of a bona fide inventory may be seized and used to prosecute.
- The burden is on the officer to show that the inventory was reasonable and pursuant and in conformance with this directive.
  - Officers shall process and document any evidence consistent with JHPD Directive #468, Collection & Preservation of Evidence.
- E. Officers will conduct inventories only to the extent officers have access to the vehicles. The inventory of locked vehicles is limited to those articles readily observable from their exterior.
- F. When conducting an inventory, officers shall:
- Inventory personal property and the contents of open containers in all vehicle areas where personal property or hazardous materials may reasonably be found, including, but not limited to, passenger and engine compartments, unlocked glove compartments, accessible areas under or within the dashboard area, pockets in the doors or in the back of the front seat, under floor mats, under the seats, center consoles; unlocked trunks; and unlocked car top containers.
  - Open and inventory any closed, but unlocked containers, including unlocked baggage and unsealed cartons.
  - Not force open any locked areas or containers, but may use any available keys, combinations, or unlocking mechanisms inside the vehicle to unlock and inventory the areas/containers.
  - Ask the vehicle occupants whether the vehicle contains any valuable or hazardous materials and note the response in the inventory report.
    - If the occupants state that any closed containers hold valuables or hazardous material, officers shall open and inventory the contents. When possible and appropriate, the contents should be removed and given to the owner or booked into property for safekeeping.

- G.** Officers shall not remove items from the vehicle, instead they will be locked in the vehicle, preferably in the trunk. In addition, Officers will:
- Not remove Vehicle equipment, luggage, and other containers from the vehicle. Even if the apparent value of the locked container seems significant, they will not be removed. Officers should attempt to notify the owner of the vehicle of such containers.
- H.** Officers shall record any vehicle inventory on their BWC and in-car camera system.
- I.** Except where specifically noted otherwise in this directive, whenever any vehicle is towed by a Medallion Towing Service or taken into custody at the direction of an officer, a Towed Vehicle Report will be initiated.
- The operator of the tow truck shall sign their name in the narrative section of the report as an agent of the towing business. This signature shall indicate formal acknowledgement that the vehicle was released to the custody of the towing business.

**IV. Illegally Parked Vehicles** (CALEA 61.4.3.b)

- A.** Vehicles will not be routinely impounded for parking violations. Parking Violation Notices must be issued prior to towing for parking violations. See JHPD Directive #447, Parking Enforcement.
- B.** Towing is authorized for parking violations that involve:
- Vehicles parked in fire lanes or interfering with access to fire hydrants or the passage of emergency vehicles.
  - Vehicles illegally parked in handicapped spaces.
  - Parked or standing vehicles that:
    - Impede the movement of traffic,
    - Block driveways or entrances,
    - Constitute threats to public safety,
    - They are in appropriately signed or designated tow zones, or
    - They are in gated parking areas that are marked as tow zones during the hours reserved for cardholders.

NOTE - The owner or operator should arrange for the towing of vehicles that are illegally parked as described above. If the owner/operator refuses or is unable to make appropriate arrangements, the officer will have the vehicle towed at the owner/operator's expense by the contracted towing company. Officers will not move the vehicle themselves as an alternative to towing.

- C. When appropriate, officers shall issue the owner/operator a citation for the appropriate violation. See JHPD Directive #447, Parking Enforcement and JHPD Directive #442, Traffic Control and Enforcement.
- D. Officers are not permitted to tow vehicles for parking violations occurring outside JHPD's primary jurisdiction.
- E. Vehicles that display diplomatic license plates and are operated by persons enjoying diplomatic immunity will not be impounded unless requested by the driver or owner with diplomatic immunity. If necessary, vehicles may be towed for relocation to close, legal parking places. See JHPD Directive #413, Diplomatic Immunity.

**V. Abandoned Vehicles** (CALEA 61.4.3.a)

- A. Per MD Code, Transportation, § 25-201, an abandoned vehicle means any motor vehicle, trailer, or semitrailer that:
  - Is inoperable and left unattended on public property for more than 48 hours,
  - Has remained illegally on public property for more than 48 hours,
  - Has remained on private property for more than 48 hours without the consent of the owner or person in control of the property,
  - Has remained in a garage for more than 10 days after the garage keeper has given the owner of the vehicle certified notice to remove the vehicle,
  - Has remained in a garage for more than 10 days after the period when, by contract, the vehicle was to remain in the garage,
  - Was left for more than 10 days in a garage by:
    - Someone other than its registered owner, or
    - A person authorized to have possession of the vehicle under a contract of use, service, storage, or repair,
  - Has remained on public property for more than 48 hours and:
    - Is not displaying currently valid registration plates, or
    - Is displaying registration plates of another vehicle,
  - Has been left unattended on any portion of a controlled access highway as defined in MD Code, Transportation, § 8-101(f) for more than 24 hours,
  - Has been left unattended on any portion of a primary or secondary highway or controlled access highway, and is in violation of any of the provisions of MD Code, Transportation, § 22-408 (Warning Device Requirements for Disabled Vehicles), or
  - It is not reclaimed as provided under MD Code, Transportation, § 16-303 (Violation of License Provisions).

- B.** Officers are authorized to tow abandoned vehicles that have not been reported stolen and are located within JHPD's primary jurisdiction. MD Code, Transportation, § 25-203.
- If the vehicle is reported stolen, officers shall respond in accordance with Section IX of this directive.
- C.** If the vehicle is located on public or private property that is not owned by JHU, the officer shall contact BPD to respond.
- D.** Officers shall take the following steps when towing abandoned vehicles:
- Make reasonable attempts to notify the vehicle's owner(s).
  - Request that JHPD Communications personnel initiate CAD entries to record:
    - Vehicle locations,
    - Vehicle descriptions,
    - Verifications that the vehicles have not been reported stolen,
    - Notification attempts, and
    - Any reasons to delay towing of vehicles
  - Complete and place an Abandoned Vehicle Notice on the vehicle.
  - Request JHPD Communications personnel to research CAD entries to ensure the vehicle has been properly recorded as abandoned.
  - Ensure any time requirements or restrictions have been met.
  - Issue Parking Violation Notices for the charge of abandoned vehicle.
  - Complete the Towed Vehicle Report.
  - If contact with the owner is unsuccessful or not applicable, request the contracted towing company to respond and tow the vehicle at the owner's expense, as described in this Directive.
  - Ensure records of the tow are entered by Communications into CAD.

## **VI. Vehicles Involved in Collisions**

- A.** When a vehicle has been involved in a collision but is operable, and the owner/operator is able to move the vehicle, officers shall inform the owner/operator that they must move the vehicle from the traveled portion of the roadway and park it in a safe location as soon as possible or it will get towed.
- B.** When a vehicle is rendered inoperative as the result of a collision, but there is no necessity for having the vehicle removed immediately, the owner/operator or another responsible person designated by the owner/operator must be given the option of making disposition of the vehicle.

- Officers shall advise the owner/operator that the vehicle will be classified as an abandoned vehicle if allowed to remain on public property more than 48 hours and may be towed by the authority of JHPD.
- C. When the vehicle is inoperable and/or the person responsible for the vehicle cannot make immediate disposition, and the vehicle is impeding the free flow of traffic or creating a traffic hazard, officer shall arrange for the vehicle to be towed in accordance with the procedures set forth in Section II of this directive.
- D. If the vehicle involved in the collision will be processed as evidence for the purposes of an investigation, officers shall follow the procedures in Section VIII of this directive.
- E. Officers shall follow all additional relevant procedures set forth in JHPD Directive #443, Collision Investigations.

## **VII. Vehicles Towed upon Owner/Operator Arrest**

- A. A vehicle that is operated by an arrested driver and that is not needed for evidentiary purposes may be released by the arresting officer to:
  - The owner/co-owner of the vehicle, or
  - A licensed driver with the consent of the owner/co-owner.

NOTE – See JHPD Directive #444, Driving Impaired & Under the Influence for procedures when the operator is arrested for a DUI/DWI.

- B. If the vehicle is released, officers shall complete a Supplement Report and have vehicle's owner/operator sign in the narrative section of the report, acknowledging receipt of and responsibility for the vehicle.
- C. If the arresting officer does not release the vehicle, the officer shall have the vehicle towed according to the procedures in Section II of this directive.
- D. If the vehicle is needed for evidence in furtherance of an investigation or prosecution, officers shall follow the procedures in Section VIII of this directive.
- E. Detainees will not be allowed to move their own vehicles.

## **VIII. Vehicles Seized as Evidence**

- A. Officers shall tow a vehicle if a subject is arrested for purposes of incarceration and one of the following circumstances exists:
  - The vehicle was used as a major instrument in a crime.

- The vehicle contains evidence of a crime that cannot be processed at the scene and must be secured to ensure its evidentiary integrity.
- B.** Officers should not unnecessarily impound motor vehicles for the purpose of gathering evidence when such processing can be reasonably, effectively, and safely conducted at or near the scene.
- Officers shall conduct all vehicle searches in accordance with JHPD Directive #411, Search & Seizure, including obtaining a Search and Seizure Warrant for the search of the vehicle prior to conducting a search of a seized vehicle, and process and document all evidence in accordance with JHPD Directive #468, Collection & Preservation of Evidence.
- C.** When seizing a vehicle in relation to a crime for which BPD has investigative jurisdiction under the MOU, officers shall notify BPD to respond to the scene. BPD will take responsibility for towing and impounding the vehicle. See Appendix A for a breakdown of crimes by investigative jurisdiction.
- D.** When seizing a vehicle in relation to a crime for which JHPD has investigative jurisdiction, officers shall follow the towing procedures in Section II of this directive, except that:
- Vehicles towed and impounded for evidentiary purposes must be towed separately from other vehicles.
  - An officer shall follow the vehicle being towed to the JHPD headquarters keeping the vehicle under observation the entire trip.
  - Officers shall not inventory a vehicle seized as evidence.
- E.** Officers must complete an Incident Report, explaining the reason for towing the vehicle. The officer shall:
- Give a copy of the Incident Report to the tow vehicle operators.
  - Submit the original Incident Report to the officer's supervisor, making sure the tow truck is identified.
- F.** All vehicles impounded for evidentiary purposes shall be held only long enough to complete the processing and evidentiary needs for the vehicles.
- Investigating officers are responsible for notifying owners as soon as impounded vehicles may be released.
  - If JHPD is unable to release the vehicle to the owner after the vehicle has been processed for evidence, tow the vehicle to BPD/City of Baltimore Impound Lot.
- G.** The towing fee/bill for impoundments shall be referred to the Johns Hopkins Public Safety (JHPS) Finance Section for payment.



## **IX. Stolen Vehicles**

Pursuant to the MOU with BPD, stolen vehicles recovered by JHPD will be impounded consistent with BPD's governing policies, procedures, and regulations and stored at a BPD/Baltimore City impound lot. According to BPD's Directive 902, Towing Procedures, upon determining that a vehicle has been stolen officers shall:

- A. Process the vehicle for evidence prior to requesting the towing service. See JHPD Directive #468, Collection & Preservation of Evidence.
- B. Release the vehicle to the owner if:
  - The owner is on the scene, or
  - After notification, the owner can arrive on scene in a reasonable amount of time, and
  - The vehicle does not require further evidentiary processing per Section VIII (Vehicles Seized as Evidence) of this Directive, nor is there any other reason to hold the vehicle in accordance with Section XIV (Vehicle Holds).
- C. If the vehicle is not released to the owner, officers shall have the vehicle towed to the BPD/City of Baltimore Impound Lot.
- D. Notify the BPD Hot Desk and provide the information requested. Record the name of the BPD member and time notified in the Incident Report.

## **X. Violations of Transportation Code**

- A. In accordance with JHPD Directive #442, Traffic Control and Enforcement, officers **shall** not tow or impound vehicles after charging violations of Maryland's Transportation Code, unless the vehicles cannot be legally parked, or the owners/agents cannot arrange for private tows. These violations include, but are not limited to:
  - Unregistered vehicle,
  - Suspended, revoked, refused, etc. registration,
  - Compulsory insurance violation with confirmed pick-up numbers,
  - Vehicle Emission Inspection Program (VEIP) violations with pick-up numbers,
  - Unsafe motor vehicle,
  - Violations enumerated in MD Code, Transportation, § 26-202 (Arrest of persons without warrant for violations of vehicle or traffic laws),

- Expired permanent registration in excess of 30 days,
  - Expired temporary registration,
  - Failure to be licensed, or
  - Expired driver's license, provided that the license has expired at least six (6) months.
- 
- B.** License plates that must be returned to the Motor Vehicle Administration (MVA) as the result of suspensions, cancellations, etc. will be photographed and processed for return to MVA consistent with JHPD Directive #469, Property & Evidence Management. Officers may, with supervisory authority, return plates to MVA during business hours.
- C.** License plates that are needed for court will be processed and submitted as evidence consistent with JHPD Directive #468, Collection & Preservation of Evidence.

## **XI. JHU Vehicles**

### **A. Non-JHPD vehicles owned/operated by JHU**

The preferred order to be used when it is necessary to remove non-JHPD but JHU-owned from various locations is to:

- Locate and have assigned drivers move vehicles,
- Contact departments to which vehicles are assigned and have representatives from those departments move the vehicles,
- During business hours, contact JHU's Transportation Services and request their staff arrange to move the vehicles, such as drive the vehicles, tow the vehicles with JHU's tow truck, authorize the use of licensed commercial tow companies, etc., and
- During non-business hours, use JHU's Transportation Service's emergency notification list to contact and request their staff arrange to move the vehicles, such as drive the vehicles, tow the vehicles with the JHU's tow truck, authorize the use of licensed commercial tow companies, etc.

### **B. JHPD Vehicles**

JHPD vehicles that need to be towed:

- If legally parked, will be left where they are until they can be towed by JHU's Transportation Service, or

- If not legally parked, it will be promptly towed as directed by JHU's Transportation Service.

## **XII. Government & Commercial Vehicles**

- A. Government agencies and companies with fleets may use their own towing vehicles.
- B. Commercial vehicle operators may call their own company's designated towing service.

## **XIII. Vehicle Relocations**

- A. In extraordinary situations, JHPD may be required to relocate a vehicle that is parked within JHPD's primary jurisdiction to another location. Those situations include, but are not limited to:
  - Vehicles creating a real or potential safety hazard, including blocking snow removal routes.
  - Vehicles blocking a pathway needed to facilitate JH operations (e.g., construction, maintenance, emergency, etc.).
  - Vehicles parked in the area were reserved for event management. Signs will be posted at least 24 hours in advance.
- B. In these situations, the officer shall:
  - Attempt to contact the vehicle owner when practical to have the vehicle moved, or at a minimum, attempt to notify the owner that the vehicle has been moved.
  - Obtain command-level approval to relocate the vehicle.
  - Complete an Incident Report. On the Vehicle Report, the officer will note the condition of the vehicle (damages, scratches) and at a minimum a visual inventory of the vehicle contents.
  - Contact JHU's Transportation Service towing vendor to respond. The vehicle shall be towed to the nearest parking spot.
  - Notify JHPD's Communications Center with a complete listing of relocated vehicles and their locations.
  - Complete the RMS Tow File, including the location and the specific parking spot number where the vehicle is relocated to.
- C. Relocated vehicles are not impounded and do not require the completion of Towed Vehicle Reports and associated inventories.

- D.** If the vehicle was legally parked at the time of relocation, JHPD will generally pay the towing fee. The towing fee/bill should be referred to JHPS Finance for payment.

#### **XIV. Vehicle Holds**

- A.** A vehicle in police custody may be placed on temporary hold for the following reasons:
- - Evidence processing, including out-of-jurisdiction and other law enforcement agencies if the vehicle cannot be immediately processed,
  - The VIN is missing or altered,
  - The vehicle itself is the focal point of the investigation,
  - Holds placed by the Maryland State Police or other agency to inspect the vehicle's safety features as the result of an accident,
  - Exigent and/or extraordinary circumstances that are approved by a supervisor, and
  - The execution of search and seizure warrants in accordance with JHPD Directive #411, Search & Seizure.
- B.** Vehicles may not be held:
- For driver's license violations,
  - For registration violations, or
  - To require owners/agents to see particular officers or sign citations.
- C.** Officers shall:
- Print in bold letters "POLICE HOLD" on the first line of the Incident Report. In the narrative, write the name and assignment of the requesting officer, if they are other than the seizing officer, and provide a brief explanation for the hold request.
  - Obtain authorization from a supervisor or commander to release holds placed for evidence processing or forfeiture.
  - At the conclusion of the investigation, contact the owner and advise them the vehicle is ready for release.
  - Complete a Supplemental Report that includes the attempts made to contact the owner and states that the vehicle may be released.
- D.** Tow companies cannot be asked to act as enforcement agents restricting a vehicle

owner from their vehicle with invalid tags or license. Payment of tow fees remains the only legal reason a lien may be placed against these vehicles by a tow company.

## **XV. Appeals**

- A. Owners/agents of vehicles impounded by JHPD may submit appeals to determine if proper procedures were followed when vehicles were towed should submit a complaint to the Public Safety Accountability Unit (PSAU), pursuant to JHPD Directive 350, Complaints Against Personnel.

## **Policy Enforcement**

<b>Enforcement</b>	JHPD managers and supervisors are responsible for enforcing this Directive.
<b>Reporting Violations</b>	Suspected violations of this Directive should be reported to the PSAU.

## **Related Resources**

<b>University Policies and Documents</b>
<p>Conduct &amp; Responsibility #106, Fair &amp; Impartial Policing</p> <p>Personnel Procedure #350, Complaints Against Police Personnel</p> <p>Operational Procedure #411, Search &amp; Seizure.</p> <p>Operational Procedure #413, Diplomatic Immunity</p> <p>Operational Procedure #424, Arrests &amp; Alternatives to Arrest</p> <p>Operational Procedure #442, Traffic Control and Enforcement</p> <p>Operational Procedure #443, Collision Investigations</p> <p>Operational Procedure #444, Driving Impaired and Under the Influence</p> <p>Operational Procedure #445, Assistance to Roadway Users</p> <p>Operational Procedure #447, Parking Enforcement</p> <p>Operational Procedure #468, Collection &amp; Preservation of Evidence</p>
<b>External Documentation</b>
<p>Memorandum of Understanding Between the Johns Hopkins Police Department and the Police Department of Baltimore City, Coordination of Law Enforcement Duties. (December 2, 2022)</p>

## Contacts

Subject Matter)	Office Name	Telephone Number	E-mail/Web Address
Policy Clarification and Interpretation			

DRAFT