

**CITY OF OCONOMOWOC POLICE DEPARTMENT  
POLICIES & PROCEDURES**

DATE: May 13, 2020

HISTORY: October 13, 1997

SUBJECT: Motor Vehicle Inventories

POLICY NUMBER: 96-003

**I. PURPOSE**

To provide officers with guidelines for determining when and how to conduct a motor vehicle inventory.

**II. POLICY**

A motor vehicle inventory is an administrative measure designed to protect motor vehicles and their contents while in police custody; to protect this agency against claims of lost, stolen or damaged property and to protect department personnel and the public against injury or damaged to property due to hazardous materials or substances that may be in the vehicle. It is the policy of this law enforcement agency to safeguard the motor vehicle and contents and to prepare motor vehicle inventories according to the following procedures.

**III. LEGAL AUTHORITY TO INVENTORY**

**A.** An authorized member of this department may conduct a motor vehicle inventory without a warrant or probable cause when:

1. The vehicle has been lawfully seized or impounded pursuant to the arrest of the driver.
2. When officers conduct the inventory within the scope of this policy as an administrative procedure.

**B.** An officer will not perform examination of the contents of a motor vehicle pursuant to a criminal investigation under this policy.

**C.** An inventory is not conducted for discovering evidence. Rather, it is a routine procedure performed for:

1. Determining whether there is any personal property in the vehicle that needs to be protected from loss or damage while the car is impounded.
2. Protecting the department against claims that property was lost, stolen or damaged while the vehicle was in departmental custody; and
3. Protecting department personnel (and the public) against injury or damage due to toxic, explosive, flammable or otherwise hazardous substances that may be contained in the vehicle.

**IV. SCOPE OF INVENTORY**

**A.** The scope of the inventory will include items in the interior of the vehicle and areas which can be readily entered without the use of force. The glove compartment, console, trunk and other storage areas (inside and outside the vehicle) are within the scope of the inventory, if the areas are unlocked or entry can be made with the keys of the vehicle.

- B. The inventory will include the opening of closed, but unlocked, containers if officers cannot determine the contents from examining the container. Items of this type would include, but not limited to:
  - 1. Briefcases
  - 2. Suitcases
  - 3. Foot lockers
  - 4. Boxes
  - 5. Bags
  - 6. Tool boxes

#### **V. PROCEDURE**

- A. ALL vehicles impounded by this department will have a complete vehicle inventory.
- B. Officers should conduct the inventory at scene. However, if extenuating circumstances exist, (i.e., officer or public safety, violent weather, etc.) the vehicle may be inventoried at the impound lot. An officer will remain with any vehicle being taken to impound for an inventory.
  - 1. The officer will inspect the exterior of the vehicle to include the under carriage and note any damage or leaks.
  - 2. Officers will conduct the inventory in a manner to avoid damage to the vehicle or its contents.
- C. The opening of locked containers requiring the use of force will be prohibited.
  - 1. If an officer strongly feels the contents of said locked container poses some type of risk, a supervisor will make a determination of whether or not the container should be opened.
- D. All valuables such as wallets, purses, electronics, furs etc., will be taken for safe keeping and properly inventoried. Exceptions:
  - 1. The owner is present, not under arrest, can prove ownership, and can take possession of the item.
  - 2. The owner who is under arrest designates another person who is present at the scene to take possession of the item.
  - 3. Officers will document all items seized for safe keeping on the property report.

#### **VI. PROPERTY CONTROL**

- A. Officers will itemize and document all items of value on the property report.
- B. Contraband and evidence discovered during a motor vehicle inventory will be inventoried on a separate property report and packaged and secured pursuant to current department policy and State Crime Lab requirements.
- C. Officers will attach a copy of the vehicle tow bill to all paperwork generated by the incident.

#### **VII. MISCELLANEOUS**

- A. Large items of value (i.e., tool boxes, tires, large tools, etc.), aftermarket items attached within the vehicle (i.e., stereos, amplifiers, speakers, etc.) quantities of personal items (i.e., basic clothing, toiletries, etc.) will be inventoried and may be left in the vehicle as long as the vehicle is able to be secured.

- B. The owner may be given an opportunity to have someone remove these items by someone of his or her choosing.
- C. All items being secured in an evidence locker will be properly packaged and marked for identification.
- D. Items left in the vehicle will be inventoried and documented on the property report.

**VIII.EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE**

This policy is effective immediately  
and will supersede any directives or understandings in conflict