

30-Day Vehicle Impound by Court Order or Warrant

501.1 PURPOSE AND SCOPE

This procedure is to provide guidelines on how to obtain a warrant or court order to impound a vehicle that was used in a peace officer's presence to violate 2800.1, 2800.2, 2800.3 or, 23103 of the California Vehicle Code.

501.2 OBTAINING A COURT OR WARRANT ORDER TO IMPOUND A VEHICLE

The following steps should be followed when officers attempt to obtain a court order or warrant to impound a vehicle pursuant to 14602.7 CVC.

Court Order

- (a) Log into the CRIMS website.
- (b) Click on the "E-process" tab.
- (c) Click on the "E-warrant" tab.
- (d) Click on the "New warrant" tab and select "Court order".
- (e) Complete the application and declaration for court order.
 1. List the vehicle's information in the "Entity to be served" section.
- (f) Submit the application and declaration for court order to a magistrate.

Warrant

- (a) Log into the CRIMS website.
- (b) Click on the "E-process" tab
- (c) Click on the "E-warrant" tab.
- (d) Click on the "New warrant" tab and select "MultifunctionalSW".
- (e) Complete the search warrant affidavit.
- (f) Submit the search warrant affidavit to a magistrate.

501.3 ENTERING COURT ORDER OR WARRANT INTO THE STOLEN VEHICLE SYSTEM

Once the court order or warrant is granted, have Fremont Dispatch enter it into the Stolen Vehicle System (SVS). Make sure to have the following information added into the miscellaneous field:

- Vehicle fled from officer (List violation)
- Do not arrest the driver.
- Tow the vehicle only for 14602.7 CVC.
- List officer's name and contact number if notification of tow is wanted.

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The court order is automatically removed from SVS in 90 days. If you request the court order to be re-entered into SVS, make sure the vehicle was not repossessed.

501.4 NOTIFICATION REQUIREMENTS

The impounding agency is responsible for sending a notification letter within two working days by certified mail to the registered and legal owners to inform them that their vehicle has been impounded.

The employee who impounds the vehicle shall complete a notification letter. The employee shall also obtain a copy of the CHP 180 form, a copy of the court order or warrant, and a copy of California Vehicle Code 14602.7 for reference. All four documents shall be given to an employee in the Records Department so that the items can be sent to the registered and legal owners by certified mail with a return receipt. If the impoundment occurs when the Records Department is closed, the documents shall be placed in an envelope marked "Impoundment documents" and placed in the Records Department incoming basket. An email shall be sent to all Records Department employees to ensure that the notification letter and supporting documents are mailed in the required time frame.

501.5 DOCUMENTATION

Employees shall complete an ARS report for incidents where a court order or warrant was obtained pursuant to 14602.7 CVC. A copy of the court order or warrant shall be attached to case file.

501.6 FORMS

Court order and warrant examples, along with the notification letter, are located in the 14602.7 folder on the J drive.

501.7 REVISIONS

Adopted: October 29, 2020

Revised: June 1, 2021