

**INTRADEPARTMENTAL CORRESPONDENCE**

October 12, 2021  
14.2

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** 30-DAY HOLD IMPOUND AUDIT (AD NO. 20-005)

**RECOMMENDED ACTION**

It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached 30-Day Hold Impound Audit.

**DISCUSSION**

Audit Division conducted the 30-Day Hold Impound Audit to evaluate compliance with Department policies and procedures.

If additional information regarding this audit is required, please contact Trina Unzicker, Commanding Officer, Audit Division, at (213) 486-8480 or Lizabeth Rhodes, Director, Office of Constitutional Policing and Policy, at (213) 486-8730.

Respectfully,

  
MICHEL R. MOORE  
Chief of Police

Attachment

**LOS ANGELES POLICE DEPARTMENT**

***30-DAY HOLD IMPOUND AUDIT***

***(AD No. 20-005)***



**Conducted by  
AUDIT DIVISION**

**MICHEL R. MOORE  
Chief of Police**

***August 2021***

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## 30-DAY HOLD IMPOUND AUDIT

Conducted by  
Audit Division  
2020

### OVERVIEW

Audit Division (AD) evaluated the Department's adherence to 30-Day Hold Vehicle impounds policies and procedures.<sup>1</sup> The topics evaluated included whether the proper impounding authority was used for 30-Day Hold and appropriate forms were completed.<sup>2</sup>

We assessed a sample of 30-Day Hold impounds from July 1, 2019 through June 30, 2020 and determined that:

- The identified impound authority was accurately used 81 percent of the time and those that required a 30-Day Hold were accurate 75 percent of the time (*Objective No. 1*);
- The Vehicle Report, CHP 180 (Vehicle Report) was completed 100 percent of the time for all impounded vehicles (*Objective No. 2a*);
- The Remarks Section of the Vehicle Report was completed 99 percent of the time (*Objective No. 2b*);
- Officer completing and supervisor approving fields were completed 94 percent of the time (*Objective No. 2c*);
- Required notices were sent to the registered owner and/or legal owner 85 percent of the time (*Objective No. 2d*);
- Required notices were sent within 48 hours 100 percent of the time (*Objective No. 2e*); and,
- The Narrative Section of the Vehicle Report was completed 100 percent of the time (*Objective No. 2f*).

### BACKGROUND

This is the first 30-Day Hold Impound Audit that AD conducted. This audit required extensive research of the Department's policies and procedures. This audit was conducted to assess the Department's performance in regard to impounding a vehicle for 30 days. The improper use of an impound authority can unnecessarily deprive a person of the use of possibly their only mode of transportation. The deprivation of a vehicle can also cause unnecessary financial strain once the vehicle is released from the tow operator. Furthermore, related case law guides the Department's policies and procedures involved in assessing the objectives in this audit.

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<sup>1</sup> This audit was conducted as part of the Annual Audit Plan for 2020.

<sup>2</sup> Auditors conducted this audit in accordance with the U.S. Government Accountability Office, Generally Accepted Government Auditing Standards (GAGAS), July 2018 Revision.

California Vehicle Code (CVC) §14607.4 states that driving a motor vehicle on the public streets and highways is a privilege and not a right. Specifically, CVC §14607.4(f) states in part, “It is necessary and appropriate to take additional steps to prevent unlicensed drivers from driving, including the civil forfeiture of vehicles used by unlicensed drivers.” Therefore, 30-Day Hold Vehicle Impounds are authorized under one of the following Vehicle Code Sections:

- California Vehicle Code §14602.7(a) – Vehicle Impoundment: Fleeing a Peace Officer states, “A vehicle so impounded may be impounded for a period not to exceed **30 days.**”
- California Vehicle Code §23109.2(a)(1) – Vehicle Impoundment: Speed Contest, Reckless Driving, and Exhibition of Speed states, “A motor vehicle so seized may be impounded for not more than **30 days.**”
- California Vehicle Code §22659.5 and Los Angeles Municipal Code (LAMC) §41.70 both state a motor vehicle to be a public nuisance, subject to seizure and impoundment for a period of up to **30 days** when a motor vehicle is used in the commission or attempted commission of an act that violates California Penal Code (CPC) Sections: 266h – pimping, 266i – pandering, 647(b) – solicitation of prostitution, and 373.3(h) – illegal dumping of commercial quantities of waste.

**Note:** The Department’s Chief of Police Notice issued September 22, 2015, instructs officers to use impound authority LAMC §41.70 (instead of §22659.5 VC) and document “30-Day Hold” at the top of the Vehicle Report.

- California Vehicle Code §14602.6(a) authorizes law enforcement agencies to impound vehicles for **30 days** when driven by individuals with no driver’s license, a suspended license, or a revoked license.

## DEPARTMENT POLICIES

- The Department Manual, Volume IV, §222.05 – Community Caretaking Doctrine and the Vehicle Impound Procedures, states that an impoundment based on the Community Caretaking Doctrine is likely warranted to prevent the immediate and continued unlawful operation of the vehicle. The decision to impound any vehicle must be reasonable and in furtherance of public safety.
- The Department issued a Legal Update on June 26, 2017, regarding “Suspension of 30-Day Impound Holds Per California Vehicle Code §14602.6(a)”, based on the 9<sup>th</sup> Circuit Court of Appeals Ruling on June 21, 2017, in the case of Brewster v Beck. The Legal Update instructed officers to **no longer use** CVC §14602.6(a) as the impound authority and **use** CVC §22651(p) instead.

**SCOPE AND METHODOLOGY**

**Population and Sample**

Application Development and Support Division (ADSD) provided a data run of all 30-Day Hold Impounds for the period from July 1, 2019 through June 30, 2020. The request yielded 48 impounded vehicles. Auditors sought additional 30-Day Hold Impounds from the Department Traffic Divisions, which added an additional 37 impounds, for a total population of 85 30-Day Hold Impounds. Auditors assessed all 85 30-Day Hold impounds for this audit. (See Appendix II for additional Scope and Methodology.)

The applicable sample items tested for each objective varied and are detailed within each respective objective.

**SUMMARY OF FINDINGS**

**Table No. 1 – Summary of Audit Findings by Objective**

<b>Objective No.</b>	<b>Audit Objective</b>	<b>Number Meeting Standard/ Evaluated</b>	<b>Percent Meeting Standard</b>
<b>1</b>	<b>Impound Authority</b>		
1(a)	Proper Impound Authority Used Based on Circumstances of the Impound	69/85	81%
1(b)	Impound Authority Used Required a 30-Day Hold	64/85	75%
<b>2</b>	<b>Vehicle Report, CHP 180</b>		
2(a)	Vehicle Report, CHP 180 Completed	85/85	100%
2(b)	Remarks Section Completed	84/85	99%
2(c)	Officer’s Signature and Approving Supervisor	80/85	94%
2(d)	Impound Notices Sent	72/85	85%
2(e)	Timely Impound Notifications	74/74	100%
2(f)	Narrative Section Completed	85/85	100%

**DETAILED FINDINGS**

**Objective No. 1 – Impound Authority**

An impound authority must be used and documented in the “Storage Authority/Reason” field of the Vehicle Report. Certain impound authorities under the CVC require a 30-Day Hold.

**Objective No. 1(a) – Proper Impound Authority Used Based on Circumstances of the Impound**

**Criteria**

Below are the impound authorities that require a 30-Day Hold:

- Section 23109.2 VC – Racing, Speed Contest and Reckless Driving;<sup>3</sup>
- Section 14602.7 VC – Fleeing a Peace Officer; and,
- LAMC §41.70 – Vehicle used in the commission or attempted commission of an act that violates CPC §266h, 266i, 647(b) & 374.3(h).<sup>4</sup>

**Note:** The Department’s Chief of Police Notice issued September 22, 2015, instructs officers to use impound authority LAMC §41.70 (instead of §22659.5 VC) and document “30-Day Hold” at the top of the Vehicle Report.

Below are authorities where a 30-Day Hold is optional and not required:

- CVC §22651(a) through §22651(r)<sup>5</sup> including §22651(p) VC – Unlicensed Driver with No Priors;
- CVC §22655 – Hit & Run, Removal for Investigation, or Impounding for Evidence; and,
- CVC §4602.8 VC (5-15 Day Hold) – Driving under the influence with prior(s).

The *Department Traffic Coordinator Notice* states:

The purpose of this Notice is to remind Department personnel that the use of §14602.6(a) of the California Vehicle Code, as an impound authority, is not authorized. Officers should no longer use §14602.6(a) CVC (Unlicensed Driver with prior(s), Suspended, or Revoked License) as an impound authority and instead should use §22651(p) CVC (Unlicensed Driver with No Priors).<sup>6</sup>

The above Notice is based on Legal Affairs Division’s update entitled “Suspension of 30 Day Impound Holds”.<sup>7</sup> (See Recommendation No. 3.)

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<sup>3</sup> *Department Traffic Coordinator Notice*, August 28, 2019, “30-Day Holds Under California Vehicle Code §23109.2.”

<sup>4</sup> *Office of the Chief of Police Notice*, September 22, 2015, “Vehicle Impound Procedures Pursuant to California Vehicle Code §22659.5.”

<sup>5</sup> *Department Manual*, 2nd Quarter 2019, Vol. 4, §222, “Impounding Vehicles.”

<sup>6</sup> *Department Traffic Coordinator Transit Services Bureau Notice*, November 10, 2020, “Suspension of 30-Day Impound Holds - Reminder.”

<sup>7</sup> Legal Affairs Division Legal Update, June 26, 2017, “Suspension of 30 Day Impound Holds Per CVC §14602.6(a).”

**Audit Procedures**

Auditors reviewed all 85 Vehicle Reports to determine whether the proper impound authority was used in the “Storage Authority/Reason” field of the Vehicle Report based on the circumstances of the related impound. Proper authority means that the impound authority used is accurate based on information provided in the “Remarks” and/or “Narrative” sections of the Vehicle Report, and/or any other related reports, i.e. arrest reports. The Department met the standard if the impound authority indicated in the “Storage Authority/Reason” field was accurate based on the information contained in the Vehicle Report and/or related reports.

**Findings**

Sixty-nine of 85 Vehicle Reports (81%) met the standard for this Objective. The remaining 16 Vehicle Reports used an impound authority that was not appropriate based on the circumstances of the impound.

**Table No. 2 – Findings of Impound Authorities That Were Not Correctly Used**

Bureau	Area/Division	DR No.	Detail:
Traffic Group	Valley Traffic Division	191613975	<ul style="list-style-type: none"> <li>• Vehicle impounded using §22651(h)(1) VC (Driver Arrested).</li> <li>• Section 23109.2 VC (Reckless Driving) should have been used.</li> <li>• Per Vehicle Report Remarks, “Vehicle observed reckless driving on private property... Driver arrested for 23103(b) VC”.</li> </ul>
	Central Traffic Division	191315370	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>• Section 23109.2 VC (Reckless Driving) should have been used.</li> <li>• Per Vehicle Report Narrative: “Officers observed the above vehicle in violation of §23109(c) VC.”</li> </ul>
		191317023	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>
		201308440	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>• Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>• Per Vehicle Report Narrative: “... scene of Street Takeover in violation of §23109(c) VC ...”</li> </ul>
		201309091	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>
		209914281	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>• Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>• Per Vehicle Report Remarks Section, Driver was cited for §23109(c) VC.</li> </ul>



		201309965	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>
		201309966	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>
		200311882	<ul style="list-style-type: none"> <li>• Vehicle impounded using §22651(p) VC (Unlicensed Driver).</li> <li>• Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>• Per Vehicle Report Narrative: "... was then placed under arrest for §23109(c) VC Engaging in Exhibition of Speed and was cited and released at scene ..."</li> </ul>
		200313374	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>
	South Traffic Division	191316978	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>
South	Harbor Division	200510947	<ul style="list-style-type: none"> <li>• Vehicle impounded using §22651(h)(1) VC (Driver Arrested).</li> <li>• Section 22655.5 VC (Impounding for Evidence) should have been used.</li> <li>• Per Vehicle Report Label, "30-Day Hold for Evidence".</li> </ul>
West	Hollywood Division	190617455	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>
	Olympic Division	202005146	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>
		192020997	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>
	West Los Angeles Division	190816915	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License)</li> <li>• Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>• Per Department Legal Update dated June 26, 2017.</li> </ul>

**Objective No. 1(b) – Impound Authority Used Required a 30-Day Hold**

**Criteria**

Below are the impound authorities that require a 30-Day Hold:

- Section 23109.2 VC – Racing, Speed Contest and Reckless Driving;<sup>8</sup>
- Section 14602.7 VC – Fleeing a Peace Officer; and,
- LAMC §41.70 – Vehicle used in the commission or attempted commission of an act that violates CPC §266h, 266i, 647(b) & 374.3(h).<sup>9</sup>

**Note:** The Department’s Chief of Police Notice issued September 22, 2015, instructs officers to use impound authority LAMC §41.70 (instead of LAMC §22659.5 VC) and document “30-Day Hold” at the top of the Vehicle Report.

**Audit Procedures**

Auditors reviewed all 85 Vehicle Reports identified as 30-Day Holds. Each Vehicle Report was assessed to determine whether the impound authority used in the “Storage Authority/Reason” field required a 30-Day Hold. The Department met the standard if the Impound Authority used required a 30-Day Hold.

**Findings**

Sixty-Four of 85 Vehicle Reports (75%) met the standard for this Objective. The following 21 Vehicle Reports identified as 30-Day Holds did not use an impound authority that required a 30-Day Hold. These Vehicle Reports were identified as “30-Day Hold” impounds either by the Impounding Officer or the Area Records Clerk. (See Recommendation No. 4.)

**Table No. 3 – Findings of Impound Authorities Used That Did Not Require a 30-Day Hold**

Bureau	Area/Division	DR No.	Details
Traffic Group	Valley Traffic Division	191613975	<ul style="list-style-type: none"> <li>• Vehicle impounded using §22651(h)(1) VC (Driver Arrested).</li> <li>• Section 22651(h)(1) VC does not require 30-Day Hold.</li> </ul>
	Central Traffic Division	191315370	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>

<sup>8</sup> Department Traffic Coordinator Notice, August 28, 2019, “30-Day Holds Under California Vehicle Code §23109.2.”

<sup>9</sup> Office of the Chief of Police Notice, September 22, 2015, “Vehicle Impound Procedures Pursuant to California Vehicle Code §22659.5.”

		191317023	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
		201308440	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
		201309091	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
		209914281	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
		201309965	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
		201309966	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
		200311882	<ul style="list-style-type: none"> <li>• Vehicle impounded using §22651(p) VC (Unlicensed Driver).</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
		200313374	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
	South Traffic Division	191316978	<ul style="list-style-type: none"> <li>• Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>• Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>• Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
	West Traffic Division	190618921	<ul style="list-style-type: none"> <li>• Vehicle impounded using §22651(p) VC (Unlicensed Driver)</li> </ul>

			<ul style="list-style-type: none"> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
South	Harbor Division	200510947	<ul style="list-style-type: none"> <li>Vehicle impounded using §22651(h)(1) VC (Driver Arrested).</li> <li>Section 22651(h)(1) VC does not require 30-Day Hold.</li> </ul>
	Southeast Division	191823169	<ul style="list-style-type: none"> <li>Vehicle impounded using §22655 VC (Hit &amp; Run).</li> <li>Section 22655 VC does not require 30-Day Hold.</li> </ul>
West	Hollywood Division	190617455	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
		190616209	<ul style="list-style-type: none"> <li>Vehicle impounded using §22651(p) VC (Unlicensed Driver)</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
	Olympic Division	202005146	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
		192020997	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
	West Los Angeles Division	190816915	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>
	Valley	Foothill Division	191611636
North Hollywood Division		191516899	<ul style="list-style-type: none"> <li>Vehicle impounded using §22651(p) VC (Unlicensed Driver)</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>

**Objective No. 2 – Vehicle Report, CHP 180**

The Vehicle Report is used to report vehicles that are stolen, lost, recovered, found, or impounded. The California Highway Patrol provides this form to all California law and traffic enforcement officers.

### **Objective No. 2(a) – Vehicle Report, CHP 180 Completed**

#### **Criteria**

The Department Manual states:

Vehicle Report, CHP Form 180, shall be completed to report the following when stolen, lost, recovered, found, or impounded:

- Motor vehicles (all types)...<sup>10</sup>

#### **Audit Procedures**

Auditors reviewed all 85 Vehicle Reports identified as a 30-Day Holds. Each Vehicle Report was assessed to determine if Vehicle Report was completed for each impounded vehicle. The Department met the standard if the Vehicle Report was completed for each impounded vehicle.

#### **Findings**

Each of the 85 Vehicle Reports (100%) met the standard for this Objective.

### **Objective No. 2(b) – Remarks Section Completed**

#### **Criteria**

The *Vehicle/Vessel Reporting – Field Notebook Divider*, states:

50. **Remarks.** This are is to be utilized for additional property inventory, vehicle damage, or any extra information that may be needed by the investigative personnel.<sup>11</sup>

#### **Audit Procedures**

Auditors reviewed all 85 Vehicle Reports identified as 30-Day Holds. Each Vehicle Report was assessed to determine if the “Remarks” section of the Vehicle Report was completed. Fields to be completed in the “Remarks” section include: “Driver’s Name”, “Arrested/Section?”, “Cargo/Type”, “Reported By”, “Value”, and any other comments such as property, tools, vehicle damage, arrests, etc. The Department met the standard if all the fields in the “Remarks” section of the Vehicle Report were completed.

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<sup>10</sup> *Department Manual*, 2<sup>nd</sup> Quarter 2019, Vol. 4 §220.10, “Vehicle Investigation Determination.”

<sup>11</sup> *Vehicle/Vessel Reporting – Field Notebook Divider*, Form 18.36.00, Page No. 1 Face Sheet, 50. Remarks.

**Findings**

Eighty-four of 85 Vehicle Reports (99%) met the standard for this Objective. The entire “Remarks” section for one Vehicle Report was left blank.

- Central Traffic Division - DR No. 201215554

**Objective No. 2(c) – Officer’s Signature and Approving Supervisor**

**Criteria**

The *Vehicle/Vessel Reporting – Field Notebook Divider*, states:

- 56. **Signature of Officer Taking Report.** The reporting employee shall sign the report.
- 57. **I.D. Number.** Serial number of the reporting employee.
- 58. **Supervisor.** Serial number of supervisor approving the report.<sup>12</sup>

**Audit Procedures**

Auditors reviewed all 85 Vehicle Reports identified as 30-Day Holds. Each Vehicle Report was assessed to determine if the following fields were completed:

1. Signature of Officer Taking Report;
2. I.D. No. (Department Serial No.); and,
3. Supervisor (serial number).

The Department met the standard if all three fields were completed.

**Findings**

Eighty of the 85 Vehicle Reports (94%) met the standard for this Objective. The five Vehicle Reports that did not indicate a serial number in the “Supervisor” field of the Vehicle Report are as follows:

**Table No. 4 – Findings for Supervisor Field**

Bureau	Area/Division	DR No.	Comments
Traffic Group	Valley Traffic Division	190916227	• Supervisor’s Serial No. missing however, supervisor’s signature was documented
		190916600	
		191614253	
		191615514	
West	Hollywood Division	190617455	• Supervisor’s Serial No. missing however, supervisor’s signature was documented

<sup>12</sup> *Vehicle/Vessel Reporting – Field Notebook Divider, Form 18.36.00, Page No. 1 Face Sheet; 56. Signature of Officer Taking Report, 57. I.D. Number, 58. Supervisor.*

**Objective No. 2(d) – Impound Notices Sent**

**Criteria**

The *Vehicle Code §22852(b)*, states:

A notice of the storage shall be mailed or personally delivered to the registered and legal owners...<sup>13</sup>

The *Vehicle/Vessel Reporting - Field Notebook Divider*, states:

**59. Required Notices Sent to Registered and Legal Owners per 22852 VC?.** If the Notice of Stored Vehicle attachments or 15.23.00s have been sent to the R/O and L/O, mark the appropriate box.

**Audit Procedures**

Auditors reviewed all 85 Vehicle Reports identified as 30-Day Holds. Each Vehicle Report was assessed to determine if the following fields were completed:

1. Required Notices Sent to Registered and Legal Owners Per §22852 VC; and,
2. Date Notified.

The Department met the standards if the two fields were completed.

**Findings**

Seventy-two of 85 Vehicle Reports (85%) met the completion standards for this Objective. The 13 Vehicle Reports that did not meet this standard had one or both fields missing as detailed in Table No. 5 as follows:

**Table No. 5 – Findings for Impound Notices Sent**

Bureau	Area/Division	DR No.	Comments
Traffic Group	Valley Traffic Division	191613972	• Missing Date Notified
	Central Traffic Division	191324662	• Missing Date Notified
		209914281	• Notice Sent Boxes Not Checked
		201309966	• Notice Sent Boxes Not Checked • Missing Date Notified
		200112554	• Notice Sent Boxes Not Checked • Missing Date Notified
		201215554	• Notice Sent Boxes Not Checked • Missing Date Notified
	South Traffic Division	200312689	• Notice Sent Boxes Not Checked

<sup>13</sup> California Vehicle Code §22852(b), Division 11 Rules of the Road, Chapter 10 Removal of Parked and Abandoned Vehicles, Article 2 Vehicle Disposition.

			• Missing Date Notified
		201813263	• Notice Sent Boxes Not Checked • Missing Date Notified
Central	Newton Division	191314408	• Notice Sent Boxes Not Checked • Missing Date Notified
South	Southeast Division	191823169	• Notice Sent Boxes Not Checked
West	Hollywood Division	190615327	• Notice Sent Boxes Not Checked • Missing Date Notified
		190616209	• Notice Sent Boxes Not Checked • Missing Date Notified
	Olympic Division	192020997	• Notice Sent Boxes Not Checked • Missing Date Notified

**Objective No. 2(e) – Timely Impound Notifications**

**Criteria**

The *Vehicle Code §22852(b)*, states:

A notice of the storage shall be mailed or personally delivered to the registered and legal owners within 48 hours, excluding weekends and holidays,...<sup>14</sup>

The *Vehicle/Vessel Reporting - Field Notebook Divider*, states:

60. **Date Notified.** Date notices were sent to R/O and L/O.

**Audit Procedures**

Given that 11 of the 85 Vehicle Reports missing dates in the “Date Notified” field were identified as findings in Objective No. 2(d), the remaining 74 Vehicle Reports were able to be assessed for this Objective. Each Vehicle Report was assessed to determine if the impound notification was sent within 48 hours. The 48-hour window was determined by the date of the Vehicle Report (“Date/Time of Report” field) and the date of the notification (“Date Notified” field). The Department met the standard if the notifications were documented as sent within 48 hours of the date of the report.

**Findings**

Each of the 74 Vehicle Reports (100%) met the standard for this Objective.

<sup>14</sup> *California Vehicle Code §22852(b)*, Division 11 Rules of the Road, Chapter 10 Removal of Parked and Abandoned Vehicles, Article 2 Vehicle Disposition.



## **Objective No. 2(f) – Narrative Section Completed**

### **Criteria**

The *Vehicle/Vessel Reporting – Field Notebook Divider*, states:

#### **Narrative**

This area shall be used for any narrative continuation that may be needed.<sup>15</sup>

### **Audit Procedures**

Auditors reviewed all 85 Vehicle Reports identified as 30-Day Holds. Each Vehicle Report was assessed to determine if the Narrative Section provided information regarding the circumstances of the impound. If the “Narrative” section did not have a narrative and simply referred to a related report(s), auditors located and reviewed the report(s) to determine if the circumstances warranted the 30-day impound.<sup>16</sup> The Department met the standard if the “Narrative” section or other related report used in lieu of narrative was completed.

### **Findings**

Eighty-five of 85 Vehicle Reports (100%) met the standard for this Objective.

## **OTHER RELATED MATTERS**

1. Department Manual, 2nd Quarter 2019, Vol. 4, §222, “Impounding Vehicles” lists §14602.6(a) as a viable option to impound vehicles and place a 30-Day Hold. The Legal Update, dated June 26, 2017, directs officers to not place a vehicle on a 30-Day Hold for §14602.6(a) but rather to use CVC §22651(p). Therefore, The Department Manual needs to be updated to reflect the Legal Update dated June 26, 2017. (See Recommendation No. 3.)
2. Department Manual, Volume 4, §222.50 “Notification to Owner of Impounded Vehicle, Impounding Employee Responsibility” describes the notification of the impound to the registered and legal owners of record. The Notice of Stored/Impounded Vehicle, Form 15.23.00 shall be used for the notification. During a review of Department policies and procedures, it was found that the Department Manual, Volume 4, §222.51 “Vehicle Impound Notice, Officer’s Responsibilities”, addresses the completion and service of the Vehicle Impound Notice, Form 16.27.6. This form no longer exists according to the Records & Identification Division. A check with the Office of Constitutional Policing and Policy (OCPD), auditors determined that Form 16.27.6 was replaced with Form 15.23.00. Additionally, Form 16.27.6 was never deactivated and Form 15.23.00 was never activated. Due to this anomaly between the two Forms involving the same vehicle impound notification, the requirement to attach the original Vehicle Impound Notice to the Vehicle

<sup>15</sup> *Vehicle/Vessel Reporting – Field Notebook Divider, Form 18.36.00, Page No. 2 Narrative.*

<sup>16</sup> Related Reports include but not limited to: Arrest Reports, Traffic Collision Reports, Complaint Applications, etc.

Report could not be assessed during this audit. However, a review of the 85 Vehicle Reports indicated that none had the Notice of Stored/Impounded Vehicle, Form 15.23.00 attached. (See Recommendation No. 5.)

- During the course of the audit, inconsistencies were identified relating to Department Policies and Procedures for different 30-Day Hold impound authorities. The inconsistencies involved requirements for certain impound authorities that were not required for other impound authorities. Of the numerous Department directives, Operations Order No. 16, 2005, was much more comprehensive as it detailed the Vehicle Report narrative completion, officer's responsibilities, supervisor's responsibilities, detective's responsibilities, and Area Records Unit's responsibilities. Other directives were brief and not as in depth which led to incomplete forms and/or lack of documentation. The table below highlights the requirements, per their respective Department directive, for different impound authorities. (See Recommendation No. 6.)

**Figure No. 2 – Inconsistency in Policy Requirements for 30-Day Hold Impound Authorities**

Department Directives and Associated Impound Authorities	Department Policies and Procedures Identified within Various Department Directives								
	Vehicle Report Narrative Completion	Justification of Impound Authority	30-Day Hold Written on Top	Attach Related Reports/Citation/DMV Records	Area Records to Indicate 30-Day Hold in the NRS	Supervisor Approval	Notice of Stored/Impounded Vehicle Form	Vehicle Impound Notice 15.27.5 (does not exist)	Early Release Agreement Form 15.27.5
Department Traffic Coordinator, Uniformed Services Group, Dated January 23, 2003. CVC Section 23109.2 - Vehicle Impoundment: Speed Contest - Amended									
Department Traffic Coordinator, Transit Services Bureau Notice, Dated August 29, 2013. 30-Day Hold under CVC 23109.2 - Speed Contest, Reckless Driving, & Exhibition of Speed									
Office of Operations, Operations Order No. 16, Dated December 22, 2005. Unlicensed Drivers & Vehicle Impound Procedures Section 22653(p) VC - Unlicensed Driver with no Priors Section 14602.6(a) - Unlicensed Driver with Prior(s), Suspended or Revoked License	✓		✓	✓	✓	✓	✓		✓
Special Order No. 7, Dated April 10, 2012. Community Caretaking Doctrine & Vehicle Impound Procedures - Established	✓		✓					✓	
Department Manual, 2015 4th Quarter, Volume 4, Section 222.05		✓	✓					✓	
Chief of Police Notice, Dated September 22, 2015. Vehicle Impound Procedures Pursuant to Section 22653.5 VC - Public Nuisance, Plugging, Pondering, Prostitution, & Illegal Dumping (LAIMC 41.70)			✓						

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## **RECOMMENDATIONS**

Audit Division recommends the following:

1. Traffic Group (TRFG) and Office of Constitutional Policing and Policy (OCP) should review procedures for Record Clerks to ensure that accurate information is entered in the 'MIS' field of the Stolen Vehicle System (i.e. "30-Day Hold") when obtaining a DR number. (See Appendix II.)
2. The TRFG should standardize procedures to ensure that all 30-Day Hold impounds are properly captured and retained at the divisional level to ensure 30-Day Hold impounds are enforced without vehicles inadvertently being released early. (See Appendix II.)
3. The OCP should update the Department Manual, Volume 4, §222, "Impounding Vehicles" to reflect the Legal Update, dated June 26, 2017. The current Department Manual instructs the use of CVC §14602.6(a) contrary to the current Department policy where it is "not authorized." (See Objective No. 1(a) and Other Related Matter No. 1.)
4. The TRFG should create a complete list of all applicable CVC sections that require a 30-Day Hold to ensure that 30-Day Holds are properly applied in order to avoid unnecessary 30-Day Hold placements. (See Objective No. 1(b).)
5. The OCP should revisit the Department Manual, Volume 4, §222.51, "Vehicle Impound Notice, Officer's Responsibility." The Vehicle Impound Notice, Form 16.27.6, no longer exists. It appears to have been replaced by the Notice of Stored/Impounded Vehicle, Form 15.23.00. If so, it is necessary to update this section to reflect the deactivation of Form 16.27.6 to be replaced by the activation of Form 15.23.00. The policy should ensure that the original Form 15.23.00 is attached to the Vehicle Report per Department policy. (See Other Related Matter No. 2.)
6. The TRFG should revisit all related Department directives involving vehicle impounds to determine if they are to be processed in a manner that is consistent amongst the various impound authorities, particularly impound authorities that may or may not require 30-Day Holds. Consistency should encompass issues identified within this Audit, as well as form completion, documentation, attachment of related reports, and responsibilities of the officer, the supervisor, and the Area records clerk. (See Other Related Matter No. 3.)

## **ACTIONS TAKEN/MANAGEMENT RESPONSE**

1. The audit report was provided to the Commanding Officer, TSB, who was in general agreement with the audit findings and provided a detailed response. (See attached.)

Below is a summary of TSB's response:

- The TSB will direct Traffic Group to prepare roll call training relating to vehicle impound procedures, vehicle impound report completion, and supervisory review of vehicle impound reports. The training will emphasize 30-Day Hold report completion and focus on the shortcomings identified in this audit. Roll call training will be provided at each Traffic Division as well.
2. The audit report was provided to the Assistant to the Director, OO, who was in general agreement with the audit findings and provided a detailed response. (See attached.)

Below is a summary of the response. The OO will:

- Recirculate the Department Traffic Coordinator Notice, "30-Day Holds Under California Vehicle Code 23109.2," dated August 29, 2019, to Area Commanding Officers and Area Training Coordinators to disseminate the information during roll call; and,
- Provide training for Area Records personnel on proper impound authorities and procedures to allow an additional report review.

OFFICIAL CORRESPONDENCE REVIEW

INITIATED BY: (NAME, BUREAU OR DIVISION, ETC.) <b>BLAKE H. CHOW, DEPUTY CHIEF</b> <b>Commanding Officer, Transit Services Bureau</b>	DATE May 27, 2021
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**STAFF OFFICER ASSIGNED: (NAME, BUREAU OR DIVISION, PHONE EXTENSION, ETC.)**  
 Management Analyst Michelle Chow, TSB, at (213) 922-3614

**SUBJECT: 30-DAY HOLD IMPOUND AUDIT**

	REVIEWED BY:		ATTN	REVIEWED BY:
2	Office of Special Operations		1	<i>[Signature]</i> Transit Services Bureau
	Office of Operations			Risk Management and Policies Division
	Operations–West Bureau			CO, Counter-Terrorism and Special Operations Bureau
	Operations–South Bureau		3	Audit Division
	Operations–Central Bureau			OCOP - Admin
	Operations–Valley Bureau			Chief of Staff
	Fiscal Group			Chief of Police
	Personnel Division			Employee Relations Group

70-15.75.0 (5/93)

OCOP #	OSO #	TSB# 21-079		
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## INTRADEPARTMENTAL CORRESPONDENCE

May 27, 2021

8.1

**TO:** Commanding Officer, Audit Division

**FROM:** Commanding Officer, Transit Services Bureau

**SUBJECT:** 30-DAY HOLD IMPOUND AUDIT

Audit Division requested Transit Services Bureau (TSB) review and respond to the 30-Day Hold Impound Audit pertaining to Traffic Group. Specifically, the Audit assessed the completeness of the Vehicle Report (CHP Form 180).

### **PURPOSE**

It was requested that TSB review and validate the Audit findings.

### **METHODOLOGY**

Audit Division obtained a statistically valid and stratified random sample of 85 Vehicle Reports to assess the following objectives:

- 1(a) Proper Impound Authority Used Based on Circumstances of the Impound
- 1(b) Impound Authority Used Required a 30-Day Hold
- 2(b) Remarks Section Completed
- 2(c) Officer's Signature and Approving Supervisor
- 2(d) Impound Notices Sent

### **FINDINGS**

#### **Objective No. 1(a) – Proper Impound Authority Used Based on Circumstances of the Impound**

Audit Division noted that ten Vehicle Reports used an impound authority that was not appropriate based on the circumstances of the impound, did not meet the standard on the impound authority indicated in the "Storage Authority/Reason" field for accuracy based on the information contained in the Vehicle Report and/or related reports.

Transit Services Bureau agrees with this finding.

#### **Objective No. 1(b) – Impound Authority Used Required a 30-Day Hold**

Audit Division noted that eleven Vehicle Reports did not use an impound authority that required a 30-Day Hold based on the impound authority used in the "Storage Authority/Reason" field

which required a 30-Day Hold.

Transit Services Bureau agrees with this finding.

**Objective No. 2(b) – Remarks Section Completed**

Audit Division noted that one Vehicle Report did not complete all the required fields in the “Remarks” section of the Vehicle Report.

Transit Services Bureau agrees with the findings.

**Objective No. 2(c) – Officer’s Signature and Approving Supervisor**

Audit Division noted that four Vehicle Reports did not meet the standard stated on the *Vehicle/Vessel Reporting – Field Notebook Divider, Form 18.36.00, Page No. 1 Face Sheet; 58*. Supervisor (serial number). Supervisor’s signature was documented in place of the required serial number.

Transit Services Bureau agrees with the findings and would recommend that the Field Notebook Divider number 58 be changed to require a supervisor’s signature and serial number, which is consistent with Department practice.

**Objective No. 2(d) – Impound Notices Sent**

Audit Division noted that eight Vehicle Reports did not meet the standard stated on the *California Vehicle Code §22852(b), Division 11 Rules of the Road, Chapter 10 Removal of Parked and Abandoned Vehicles, Article 2 Vehicle Disposition in checking the Notice Sent Boxes and/or documenting the Date Notified.*

Transit Services Bureau agrees with the findings.

**Objective No. 2(f) – Narrative Section Completed**

Audit Division noted that three Vehicle Reports did not meet the standard stated on the *Vehicle/Vessel Reporting – Field Notebook Divider, Form 18.36.00, Page No. 2 Narrative Section* to provide information regarding the circumstances of the impound.

Transit Services Bureau agrees with the findings.

**ACTIONS TAKEN**

Transit Services Bureau will direct Traffic Group to prepare roll call training relating to vehicle impound procedures, vehicle impound report completion, and supervisory review of vehicle impound reports. The training will place emphasis on 30-Day Hold report completion and focus on the specific short-comings identified within this audit. Roll Call training will be provided at each Traffic Division.

Commanding Officer, Audit Division

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8.1

Transit Services Bureau will complete quarterly inspections of 30-day vehicle impound reports to assess compliance. Inspections will focus on the following areas where deficiencies were identified.

### **RECOMMENDATIONS**

It is recommended that the supervisor's signature be added to number 58 on the *Vehicle/Vessel Reporting – Field Notebook Divider, Form 18.36.00*, Page No. 1 Face Sheet; 58. Supervisor (serial number).

If you have any questions, please contact Lieutenant Jamie Bennett, Adjutant, Transit Services Bureau, at (213) 922-3614.



BLAKE H. CHOW, Deputy Chief  
Commanding Officer  
Transit Services Bureau

Attachments



DR No.	Date	Impound Authority	Division	Proper Impound Authority Used	Objective No. (a)	Audit Division Comments/Notes	Objective No. (b)	Traffic Division Validation Comments/Notes
191613975	9/15/2019	22651(b)(1) VC	VTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §22651(b)(1) VC (Driver Arrested).</li> <li>Section 23109.2 VC (Reckless Driving) should have been used.</li> <li>Per Vehicle Report Remarks: "Vehicle observed reckless driving on private property... Driver arrested for 23103(b) VC"</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>Section 23109.2 VC (Reckless Driving) should have been used.</li> <li>Per Vehicle Report Narrative: "Officers observed the above vehicle in violation of §23109(e) VC."</li> </ul>	<ul style="list-style-type: none"> <li>Section 22651(b)(1) VC does not require a 30-Day Hold.</li> </ul>		
191315370	7/21/2019	14602.6(a) VC	CTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>Section 23109.2 VC (Reckless Driving) should have been used.</li> <li>Per Vehicle Report Narrative: "Officers observed the above vehicle in violation of §23109(e) VC."</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>Per Department Legal Update dated June 26, 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>		
191317023	8/19/2019	14602.6(a) VC	CTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>Per Department Legal Update dated June 26, 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>Per Vehicle Report Narrative: "... scene of Street Takeover in violation of §23109(c) VC ..."</li> </ul>	<ul style="list-style-type: none"> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>		
201308440	3/29/2020	14602.6(a) VC	CTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>Per Department Legal Update dated June 26, 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>Per Vehicle Report Narrative: "... scene of Street Takeover in violation of §23109(c) VC ..."</li> </ul>	<ul style="list-style-type: none"> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>		
201309091	4/6/2020	14602.6(a) VC	CTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>Per Department Legal Update dated June 26, 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>Per Vehicle Report Remarks Section, Driver was cited for §23109(c) VC.</li> </ul>	<ul style="list-style-type: none"> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>		
209914281	4/19/2020	14602.6(a) VC	CTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>Per Department Legal Update dated June 26, 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>Per Vehicle Report Remarks Section, Driver was cited for §23109(c) VC.</li> </ul>	<ul style="list-style-type: none"> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>		
201309965	4/26/2020	14602.6(a) VC	CTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License). This Section could not be used due to Legal Update.</li> <li>Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>Per Vehicle Report Remarks Section, Driver was cited for §23109(c) VC.</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>Per Department Legal Update dated June 26, 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>		
201309966	4/26/2020	14602.6(a) VC	CTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>Per Department Legal Update dated June 26, 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>Per Vehicle Report Narrative: "... was then placed under arrest for §23109(c) VC Engaging in Exhibition of Speed and was cited and released at scene ..."</li> </ul>	<ul style="list-style-type: none"> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>		
200311882	5/25/2020	22651(p) VC	CTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §22651(p) VC (Unlicensed Driver)</li> <li>Section 23109.2 VC (Exhibition of Speed) should have been used.</li> <li>Per Vehicle Report Narrative: "... was then placed under arrest for §23109(c) VC Engaging in Exhibition of Speed and was cited and released at scene ..."</li> </ul>	<ul style="list-style-type: none"> <li>Section 22651(p) VC does not require 30-Day Hold.</li> </ul>			

200313374	6/78/2020	14602.6(a) VC	CTD	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>Per Department Legal Update dated June 26, 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>	
191316978	8/18/2019	14602.6(a) VC	STD	<ul style="list-style-type: none"> <li>Vehicle impounded using §14602.6(a) VC (Suspended or Revoked License).</li> <li>Section 22651(p) VC (Unlicensed Driver) should have been used.</li> <li>Per Department Legal Update dated June 26, 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Per Legal Update, vehicle should have been impounded using §22651(p) VC (Unlicensed Driver) instead of §14602.6(a) VC.</li> <li>Section 22651(p) VC does not require a 30-Day Hold.</li> </ul>	
190618921	9/12/2019	22651(p) VC	WTD	Not a Finding for this Objective	Section 22651(p) VC does not require 30-Day Hold.	

Audit Division Findings Notes/Comments				Traffic Division Validation Comments/Notes	
DR No.	Date	Division	Objective No.2(b) Remarks Section	Objective No.2(c) Supervisor Serial No.	Objective No.2(d) Impound Notices Sent and Date Notified
190916227	9/3/2019	VTD		Supervisor Serial No. Missing	Traffic Group would recommend that the Field Notebook Divider be changed to require a signature and serial number, which is consistent with Department practice. It should be noted that per the CHP, only the supervisor initials are required on the State Form.
190916600	9/9/2019	VTD		Supervisor Serial No. Missing	Traffic Group would recommend that the Field Notebook Divider be changed to require a signature and serial number, which is consistent with Department practice. It should be noted that per the CHP, only the supervisor initials are required on the State Form.
191614253	9/22/2019	VTD		Supervisor Serial No. Missing	Traffic Group would recommend that the Field Notebook Divider be changed to require a signature and serial number, which is consistent with Department practice. It should be noted that per the CHP, only the supervisor initials are required on the State Form.
191615514	10/20/2019	VTD		Supervisor Serial No. Missing	Traffic Group would recommend that the Field Notebook Divider be changed to require a signature and serial number, which is consistent with Department practice. It should be noted that per the CHP, only the supervisor initials are required on the State Form.
191613972	9/15/2019	VTD			Missing Date Notified
191324662	12/30/2019	CTD			Missing Date Notified
209914281	4/19/2020	CTD			Notice Sent/Boxes Not Checked
201309966	4/26/2020	CTD			Missing Date Notified & Notice Sent Box Not Checked
200112554	5/31/2020	CTD			Missing Date Notified & Notice Sent Box Not Checked
201215554	6/29/2020	CTD			Missing Date Notified & Notice Sent Box Not Checked
200312689	6/14/2020	STD			Missing Date Notified & Notice Sent Box Not Checked
201813263	6/30/2020	STD			Missing Date Notified & Notice Sent Box Not Checked
201215554	6/29/2020	CTD	Remarks Section left Blank		

## INTRADEPARTMENTAL CORRESPONDENCE

June 10, 2021  
11.2

**TO:** Commanding Officer, Audit Division

**FROM:** Assistant to the Director, Office of Operations

**SUBJECT:** 2020 30-DAY HOLD IMPOUND AUDIT RESPONSE

Audit Division (AD) conducted a 30-Day Hold Impound Audit to determine compliance with Department directives, policies and procedures. The scope of the audit included whether the proper impounding authority was used, and to determine if the proper forms were utilized correctly. Of the 85 impounds reviewed by AD during July 1, 2019 to June 30, 2020, 14 impounds were completed by Office of Operations personnel; the remaining reports were completed by Traffic Group. Audit Division noted that the Department performed well overall, with improvements required over the following objectives tested:

- **Objective No. 1(a) – Proper Impound Authority Used Based on Circumstances of the Impound:** Audit Division noted that nine out of 14 (64%) met the standard for this objective. Out of the five that did not meet the standard, four were due to the officers referencing an authority that is no longer utilized by the Department. The remaining report was improperly labeled as a “30-Day hold for Evidence” and should have been indicated as an “Evidence Hold.”
- **Objective No. 1(b) – Impound Authority Used Required 30-Day Hold:** Audit Division noted that five out of 14 (36%) met the standard for this objective. The nine reports that did not meet the standard, improperly labeled the impound as a “30-Day Hold.”
- **Objective No. 2(c) – Officer’s Signature and Approving Supervisor:** Audit Division noted that 13 out of 14 (93%) met the standard for this objective. The report that did not meet Audit Division’s standard did have a legible name of the supervisor approving the report; however, did not have a serial of the approving supervisor.
- **Objective No. 2(d) – Impound Notices Sent:** Audit Division noted that nine out of 14 (64%) met the standard for this objective. Three of the five reports that did not meet the standard did not indicate the impound notices were sent. The remaining two reports indicated notices were sent as required; however, failed to indicate the date the notices were sent.

The Office of Operations (OO) Inspections Unit is in general agreement with the findings related to OO and will address the deficiencies as follows:

- Recirculate Department Traffic Coordinator Transit Services Bureau Notice, *30-Day Holds Under California Vehicle Code 23109.2*, dated August 29, 2019, to Area commanding officers and Area training coordinators to disseminate the information during roll call; and,
- Collaborate with Transit Services Bureau to provide training for Records personnel on proper impound authorities and procedures to allow an additional review.

If you have any questions, please contact Police Performance Auditor IV Yadira Huerta, Office of Operations, at (213) 486-6960.



T. SCOTT HARRELSON, Captain  
Assistant to the Director, Office of Operations

## APPENDIX II

Application Development and Support Division (ADSD) provided a data run of all 30-Day Hold Impounds for the period from July 1, 2019 through June 30, 2020. Auditors found that 30-Day Hold vehicle impounds are captured in the Stolen Vehicle System (SVS) by ADSD when “30-Day Hold” or a variation of the phrase<sup>1</sup> is included in the ‘MIS’ field of the Vehicle Investigation Report screen. Such an entry is made by Area records personnel when obtaining a Division of Records (DR) number for the impounded vehicle (See Figure No.1).<sup>2</sup> If the ‘MIS’ field is left blank, the 30-Day Hold Impound will not be identified and captured by ADSD when a filter is performed. The request of ADSD yielded 48 impounded vehicles. See Recommendation No. 1.

The California Department of Justice (DOJ) maintains the SVS which stores the following information:

- Stolen vehicle
- Stolen identifiable vehicle parts
- Impounded vehicle (to be entered to SVS under “IMP” or “IMP Hold”)
- Repossessed vehicle
- License plate lost or stolen
- Felony vehicle
- Stored vehicle
- Vehicles associated with missing persons
- Lost vehicle

Figure No. 1 – NECS Input Screen

The screenshot shows a terminal window titled "VEH1 VEHICLE INVEST REPORT - ENTER A VEHICLE INTO SVS". The form contains various fields for vehicle information, including DR#, YR, AREA, SEQ#, TYPE, ATTEMPT, STLN, (CAU), RPO, IMP, IMP HOLD, LOST, PRES OWNER, SEX, DESC, DOB, ORI, CA01942, LIC, LIS, LIY, LIT, VYR, VMA, VMO, VST, VCO, VIN, ENG#, ENT, XREF, OAN, INCIDENT NO, PREM, DATE RPTD (DOT), \*\*\*\*\* LOC, TIME OCC, DIV, OPR, RD, RPTG OFCR, OFCR#2, NEW RECORD, and EXISTING RECORD. A red arrow points to the 'MIS' field.

The list of 48 30-day Hold impounds provided by ADSD for a one-year time frame did not appear to be complete. It seemed unlikely there were only 48 30-Day Hold impounds in one year. To check if this was accurate, a query was performed to determine if there were additional 30-day Hold impounds that were not identified by ADSD. Auditors reviewed COMPSTAT<sup>3</sup> data for Citywide Traffic statistics which captures all CVC Section 23109 (Speed Contest) and CVC Section 23103 (Reckless Driving) violations. Such violations require the vehicle to be

<sup>1</sup> Variations of the phrase 30-Day Hold used include but not limited to: 30D HLD, 30DAY HLD, 30DAYHLD, 30 DHOLD, 30DAYHOLD, etc.

<sup>2</sup> The Stolen Vehicle System (SVS) is a sub-system within the Network Communications System (NECS), which is maintained by DOJ.

<sup>3</sup> COMPSTAT, Department acronym for “computer statistics,” is a multi-faceted system for managing police operations. It looks outwardly at crime and its effects in the community, while at the same time looking within the organization to identify best practices in managing police personnel and risk management issues.

impounded for 30 days. This information is submitted to COMPSTAT by the Traffic Division Liaisons on a regular basis. As these two CVC section violations require a 30-Day Hold on the vehicle, this was used to determine, at minimum, how many 30-Day Holds should have been completed for these two violations. There was a total of 224 CVC section violations for the same approximate audit period whereby the involved vehicles were required to have been placed on a 30-Day Hold.

A check with the Traffic Division Liaisons found that the numbers submitted to COMPSTAT were based solely on the violations themselves with no further information regarding the related impounds. Additionally, geographic Areas and traffic divisions were contacted to determine a true population. The checks determined the following:

- Valley Traffic Division (VTD) maintained a log of all 30-Day Hold Impounds beginning September 2019;
- Central Traffic Division (CTD) maintained an incomplete binder of Vehicle Reports for the period beginning November 2019;
- South Traffic Division (STD) did not maintain any logs;
- West Traffic Division (WTD) did not have any 30-Day Hold Impounds due to the Legal Notice dated June 26, 2017; and,
- None of the Areas maintain any logs for 30-Day Hold Impounds.

Based on the above information, there is currently no system in place that captures the number of 30-Day Impounds completed.

Because of this, auditors used all the identified 30-Day Hold impounds from the three sources that maintained records (ADSD data run, VTD log, CTD binder) which resulted in a population of 85. Auditors elected to assess all 85 30-Day Hold impounds for this audit for a meaningful assessment. See below table for the breakdown:

**Table No. A1 – Population Size and Source**

<b>Source</b>	<b>No. of Impounds</b>
ADSD	48 <sup>4</sup>
VTD	25
CTD	12
<b>Total</b>	<b>85</b>

The VTD log contained a total of 34 30-Day Hold impounds for the audit period with nine of the 34 captured on ADSD's list of 48 30-Day Hold impounds. Central Traffic Division's binder had 12 30-Day Hold impounds that were not captured on ADSD's list of 48 impounds. However, ADSD's list had six 30-Day Hold impounds from CTD that were not included in CTD's binder. See Recommendation No. 2.

<sup>4</sup> The list of 48 Vehicle Impounds included Valley Traffic Division (9), Central Traffic Division (15), South Traffic Division (9), West Traffic Division (1), 77<sup>th</sup> Street Division (1), Foothill Division (1), Harbor Division (1), Hollywood Division (3), Newton Division (2), North Hollywood Division (1), Olympic Division (2), Southeast Division (2), and West Los Angeles Division (1).