



**OFFICE OF THE DIRECTOR
THE UNIVERSITY OF TEXAS SYSTEM POLICE
POLICIES AND PROCEDURES MANUAL**



Title: IMPOUNDING AND INVENTORY OF PERSONAL PROPERTY		
Policy Number: C-5	Effective Date: 09/01/04	Rescinds / Amends: I-74-4 ...09/01/91
Related Laws: Autran v State, Harris v U. S.	Related Standard(s) / Rule(s): IACLEA 23.1.1, 23.1.5, 23.1.7; CALEA 84.1.1, 84.1.5, 84.1.7; UTS 23.1.1., 23.1.5, 23.1.7	

I. PURPOSE:

To establish a uniform procedure to be used when personal property is impounded and to define certain instances in which vehicles may be impounded.

II. POLICY:

The Chief of Police of each institution is responsible for the safekeeping of all impounded property and for the proper disposition of those items, including any such items used as evidence.

Officers are to be reminded that inventories are not searches and are conducted for the purpose of protecting property and police personnel from harm.

Officers are to be reminded that the process of impounding and inventorying a vehicle can not be used in lieu of obtaining a search warrant in a situation where probable cause exist and there is time to obtain a search warrant.

III. DEFINITIONS:

- A. Impounding - taking into police custody for safekeeping
- B. Inventory - compiling an itemized list of personal property

IV. VEHICLES:

- A. Vehicles may be impounded in the following circumstances:
 - 1. When the person with responsibility for the care, custody and control of the vehicle is arrested and impounding is reasonable and necessary to safeguard the vehicle and its contents
 - 2. When the vehicle is recovered as stolen or wanted

3. When the vehicle has been abandoned on U.T. property
 4. When the vehicle is illegally parked and blocking other traffic
 5. As otherwise directed by the Chief of Police of the component institution and/or the Director of Police
- B. All vehicles impounded in conjunction with a custodial arrest will be inventoried and the following rules shall apply:
1. The inventory should be conducted by the officer handling the case.
 2. The person who had physical custody of the vehicle at the time of impoundment or a witness should be present during the inventory.
 3. The inventory will be conducted as soon as practical following the impoundment.
 4. The trunk compartment may be inventoried only if there are keys available or entry may be gained by less than destructive force.
 5. Opaque containers may not be opened for the purpose of inventorying their contents (this includes consoles, glove compartments, back packs, etc).
 6. During the inventory, a list will be made of all valuable items found in the vehicle, along with a description of any and all visible damage to the vehicle.
 7. All other vehicle impounds will be conducted in accordance with component institution and/or police department policy.

V. PERSONAL ITEMS:

- A. All personal items which come into police custody will be inventoried for the purpose of locating the owner, protecting the property and protecting the officer and/or the police department from claims of theft, damage, or injury as a result of impounding the property. Examples:
1. Abandoned property
 2. Found property
- B. In the event the property is a locked or secured container, an officer should consult with a supervisor before using force to open the container.

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