



City of Rochelle Police Department

Memo

To: Alan Cooper
From: Eric Higby
Date: 08/2012
Re: Administrative Tow Fees

When an officer makes a traffic stop that results in an administrative tow, a second officer responds for back up since a custodial arrest will be made. Paperwork is given to the driver or the owner of the vehicle if he/she was present. Most of the time the second officer on scene will wait for the tow truck and perform a search of the vehicle. If contraband is discovered during the search of the vehicle, the second officer will have to complete a report, log in the evidence, and be available for court proceedings.

The officer who made the arrest processes the prisoner in (inventories property, takes fingerprints, takes a photo, completes a jail log), and then completes a report. If there was video of the traffic stop, it would be logged into evidence. That DVD would be taken to the evidence room by Detective Sergeant Leininger. The prisoner will be checked every 30 minutes until he can post bond. If he posts, additional bond paperwork will be filled out. If the prisoner cannot post bond, the arresting officer will complete a probable cause affidavit and a complaint. The officer will take the prisoner to the county jail in Oregon.

If the registered owner was not on scene, a letter would be sent via certified mail. In preparation for the monthly tow hearings, Administrative Aide Schwartz would research the cases to see what materials are required. All of the case reports are printed, and copies of the DVD's are made. These materials are delivered to Attorney Ahlberg by A.A. Schwartz. Attorney Ahlberg reviews the materials so that he is familiar with the cases for the hearings.

The arresting officer is not required to be at the hearing, but he/she is required to attend the corresponding criminal trial. The trial could be held in Rochelle or Oregon. If it is a jury trial in Oregon, the officer may be required to attend the proceedings which can be up to one and one half days.

I attend the majority of the tow hearings, and Detective Sergeant Leininger is my replacement when I am unable to be there. If the owner does not show up for the

hearing, A.A. Schwartz must mail them the results. There is additional paperwork an officer must do with the Secretary of State if the vehicle isn't claimed. The same officer must routinely interact with local towing agencies to ensure the paperwork is completed properly.

In addition to the time of the officer committed to the arrest and tow of the vehicle, an additional premium of time should be added to account for the time the Department needs to schedule another officer to be on patrol. This constitutes "uncommitted time". The Department attempts to have a ratio of 1:1 for committed time to uncommitted time. That is, for each hour an officer is committed, the Department attempts to have an uncommitted officer out on patrol for 1.0 hour. If, for example, officers spend 31 hours on towing vehicles in a month, another 31 hours ought to be scheduled in that month for uncommitted patrol time.

The Department averages 16 tows per month. Of that 16, on average, 5 of those tows are for D.U.I., drug-related, or felony arrests.

Arresting officer/sergeant-Minimum of one hour (misdemeanor) up to 4 hours (D.U.I. / drug / felony), wages range from \$28.86-\$42.58 per hour (base + benefits).

K9 Officer/Handler-Minimum of one hour per tow (assuming use in 50% of tows), wages range from \$32.35-\$46.08 per hour (base + benefits).

Dispatcher Time for tow – Minimum of one hour per tow, wages at \$17.14 per hour (base + benefits).

Usage of two squad cars (transport and tow) estimated at \$40.00 per hour per vehicle, with a minimum of 1.0 hour.

Potential prisoner transport to Oregon-\$22.20 approximately for mileage, and \$28.86-\$42.58 (base + benefits) for the transport time for the officer or sergeant.

Cost of printing administrative forms-Tow sheet \$95.00 for 500, Notice of seizure \$60.00 for 200, Admin. Fee bond release-\$50.00 for 100, Admin hearing result sheet \$50.00 for 100.

Officer's time for processing vehicles-\$31.82 per hour (base + benefits) at 0.75 hours per tow.

Cost of certified mail \$5.75, two letters are possible, at \$11.50.

Cost of DVD's, jewel boxes and paper estimated-\$20.00 per month

A.A. Schwartz's time-\$22.86 per hour (base + benefits) at 8 hours per month, or \$182.88 per month.

Sgt. Leininger's time (evidence, tow hearings)-\$44.10 per hour (base + benefits), for 4 hours per month, or \$88.20 per month.

My time for the tow hearings-\$48.58 per hour (base + benefits) for two hours per month, or \$97.16 per month.

City Manager's time for tow hearing - \$85.71 per hour (base + benefits) for two hours per month, or \$171.42 per month.

Attorney Ahlberg-Ranges from \$100-600 per month.

Chief Eric Higby