

222.05 COMMUNITY CARETAKING DOCTRINE AND THE VEHICLE IMPOUND PROCEDURES.

COMMUNITY CARETAKING DOCTRINE OVERVIEW. Officers shall be guided by the Community Caretaking Doctrine and the procedures set forth in this Order when deciding whether to impound a vehicle driven by an unlicensed driver, or a driver with a suspended or revoked license. The courts have ruled that this doctrine allows officers to impound a vehicle when doing so serves a community caretaking function. An impoundment based on the Community Caretaking Doctrine is likely warranted:

- When the vehicle is impeding traffic or jeopardizing public safety and convenience, such as when a vehicle is disabled following a traffic collision;
- When the vehicle is blocking a driveway or crosswalk or otherwise preventing the efficient movement of traffic (e.g., vehicle, pedestrian, bicycle);
- When the location of the stopped vehicle may create a public safety hazard (e.g., vehicle, pedestrian, bicyclist);
- When the location of the vehicle, if left at the location, may make it a target for vandalism or theft; or,
- To prevent the immediate and continued unlawful operation of the vehicle (e.g., licensed driver not immediately available).

The totality of circumstances, including the factors listed above, should be considered when deciding whether impoundment is reasonable under the Community Caretaking Doctrine and the Fourth Amendment. The decision to impound any vehicle must be reasonable and in furtherance of public safety.

UNLICENSED DRIVER AND DRIVER WITH A SUSPENDED/REVOKED LICENSE IMPOUND AUTHORITIES.

Unlicensed Driver – No Priors. Section 22651(p) VC shall be used as the impound authority for all vehicles being impounded when it has been determined that the driver was involved in the following and the officer issues a Traffic Notice to Appear citation, Form 04-50.00:

- Driving without a valid California Driver's License (unless the driver is a nonresident with a valid license or otherwise exempt under the Vehicle Code); or,
- Driving with an expired, withheld, or out-of-class California Driver's License.

Officers shall release the vehicle in lieu of impound provided **all** of the following conditions are met:

- The registered owner or his/her designee has a valid California Driver's License or is a nonresident with a valid license or otherwise exempt under the Vehicle Code;
- The registered owner and licensed driver are immediately available;
- The registered owner authorizes the licensed driver to drive the vehicle; and,
- The vehicle's registration is not expired over six (6) months.

Note: If the traffic stop is conducted in the registered owner's residential driveway or a legal parking space in the immediate vicinity of the owner's residence, impounding the vehicle **would not** be appropriate. However, if the traffic stop is conducted in the driver's residential driveway or in the immediate vicinity of the driver's residence but the driver is not the registered owner, officers must consider the totality of the circumstances to determine if impoundment is reasonable.

The name and driver's license number of the licensed driver that the vehicle is being released to shall be documented in the narrative portion of the Traffic Notice to Appear that is issued to the unlicensed driver. If it is determined that the registered owner knowingly allowed an unlicensed driver to operate the vehicle, he or she may be cited for Section 14604(a) VC, "Non-Owner Driver of Vehicle."

Lapd Manual Volume 4

**United States. Congress. Senate.
Committee on Governmental Affairs.
Permanent Subcommittee on
Investigations**

Lapd Manual Volume 4:

Criminal Aliens in the United States United States. Congress. Senate. Committee on Governmental Affairs. Permanent Subcommittee on Investigations,1994

Talking out Loud d.e.gray,2021-10-29 Casey Hoghupper a six year veteran police officer working LAPD s Seventy Seventh Division has a secret She has a guardian angel that no one else can see or hear but her The problem is the other officers in her division only see her talking out loud when no one else is present Question Is the stress of the job causing her to lose her mind The captain of her division along with city psychologist Althea Bianchi are tasked with finding out if she is still fit to protect and to serve the citizens of Los Angeles Evaluating Casey Hoghupper wouldn t be easy for Dr Bianchi since Casey herself has earned a BA degree in psychology from renowned Vassar College in Poughkeepsie New York The two would go head to head during their office visit and later after spending only one night as an observer during Hoghupper s Watch 3 shift Dr Bianchi becomes even more convinced that she should be relieved of her police powers and retired to civilian life Aside from several appearances by her guardian angel Casey s demeanor as a police officer has always been completely above board professional and by the book And thanks to Seventy Seventh Division captain Howard Carver Dr Bianchi would end up more or less falling on her own sword In an effort to escape some of the stigma given to her by her fellow police officers Casey puts in for a transfer to another division and soon finds herself working Hollywood Division Hollywood is the place elitists like to refer to as the entertainment capital of the world but to the Hollywood coppers who work there it s the land of fruits and nuts Casey realizes that whoever coined the phrase being a cop in LA is like having a ringside seat to the greatest show on earth was on point But now working Hollywood Division it was time to send in the clowns After another visit from her guardian angel Casey Hoghupper thwarts the mass murder of over twenty people who were staying at the Hollywood Gay Dream Motel on a chilly Christmas Eve Her quick actions made it possible for all the guests to flee the motel just minutes before it is leveled and burned to the ground by a murderer s homemade bomb Casey Hoghupper teams up with Det Marrisca Ortega and together they go on the hunt to track down the suspect who planted the bomb if for no other reason than to hide the murder of the man named John Smith in room 12 This story will have you crying laughing and rooting for cops who have to deal not only with the Hollywood eccentrics but the streetwise criminals and those within the LAPD s ivory tower

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