

Preventing Violence Against Towers



By Randall C. Resch

In a year-long compilation of tow operator fatalities I conducted, my research confirmed more than 100 tow operators were killed nationwide while in the process of towing, impounding or repossessing cars. These fatalities include violent acts against towers: struck by 2x4s, stabbings, shootings and more resulting in death.

If you didn't know it, the violence against tow operators reports as far back as Oct. 6, 1934, when garage mechanic/towman Kenneth Ray Davis, 26, and CHP Officer William McDaniel, 36, were literally assassinated as they were about to remove a DUI (wrecked) vehicle.

Colorado even has a "preventing violence" law on the books that was written to reduce unnecessary violence towards towers doing their jobs. Under Colorado's law, vehicle owners and other persons cannot cause interruptive actions attempting to stop towmen from towing vehicles once the vehicle has been identified and marked as a vehicle to be towed.

Action Against Violence

In June 2011, towman Allen Rose, 35, was working to tow an illegally parked vehicle at an apartment complex. The vehicle's owner, Detra Ferries, 32, allegedly jumped into her SUV and raced away from the scene. A cable or chain somehow wrapped around tower Rose's legs resulting in Rose being dragged at least one mile. Rose was transported to an area hospital where he died of his injuries.

In the months following Rose's death, Colorado enacted the "Allen Rose Tow Truck Safety Act" (SB 11-260). The law makes it a crime to interfere with a towing operator and the process of lawful towing.

In accordance to Colorado's law, a tower is now required to post an 8"x8" sign on the vehicle stating, "Warning: This vehicle is in tow. Attempting to operate or operating this vehicle may result in criminal prosecution and may lead to injury or death to you or another person." Although this sign-posting does not prevent a vehicle owner from going high-order, it does prequalify that a person may be arrested if they accost a tow operator as they are in-process of towing a vehicle.

Why don't all states have some version of the same law to make it known to motorists?

The towing and repossession industries have been plagued with on-scene violence as the result of active private-property impounds or repossessions. Vehicle owners oftentimes "claim" they didn't know that they were illegally parked or that their vehicle was being repossessed.

The processes of providing impound services to private-property owners and lending institutions is a lawful business: They need protection under law. Colorado's SB 11-260 is a move in the right direction.

At the end of Colorado's legislation there's a safety clause that states, "The general assembly hereby finds ... and declares that this act is necessary for the immediate preservation of the public peace, health, and safety." Since the bill was initiated into law in 2011, I haven't seen any additional tow operator deaths that occurred as the result of a towing action.

Though my research doesn't include incidents that have resulted in assault or injury, it might suggest that more states should have similar laws to provide a level of protection for tow operators. Wouldn't you agree?

No matter what tow or repo action you're involved in, keep your wits about you—don't provoke, initiate or escalate any interaction with a vehicle's owner or their entourage. If it means backing down, there's nothing wrong with living for tomorrow.

Randall Resch is American Towman's and Tow Industry Week's Operations Editor, a former California police officer, tow business owner and retired civilian off-road instructor for Navy Special Warfare. Randall is an approved instructor for towers serving the California Highway Patrol's rotation contract. His course is approved by the California law enforcement community. He has written over 500 industry-related articles for print and on-line, is a member of the International Towing & Recovery Hall of Fame, and, a recipient of the 2017 Dave Jones Leadership Award.