

Crow Tow

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sprawling lot on Southeast 21st Street. Few of the unhappy owners have been as successful as Frey. Car owners, lenders, insurers and dealerships all have registered complaints about Crow Tow with the Iowa Attorney General’s Office and Department of Transportation, police, insurance regulators and the Better Business Bureau. But most go nowhere, open records requests to the various agencies suggest.

Randy Crow, who runs the family business with his wife and son, said of Frey’s complaint what he often tells officials who inquire: What happened was perfectly legal.

And Crow should know. In a successful bid this June to regain a lucrative impound contract with the Polk County Sheriff’s Office, Crow Tow boasted that Randy Crow helped write part of Iowa’s decades-old abandoned vehicle law.

The proposal also said Crow Tow is “widely recognized for its rigorous compliance” with that law, “executing every impoundment with precision, consistency, and a zero-tolerance approach to oversight or misapplication.”

In response to specific questions related to a complaint Frey filed with the attorney general’s office and others by folks who have lost vehicles they thought belonged to them, Crow said in an email that no one — not a title holder, lender or repo company — has any legal right to a vehicle under the state law after it is sold as abandoned at a Crow Tow auction.

“Iowa code extinguishes the rights of any previous owner or lienholder once the vehicle has been sold,” he wrote.

The law, with some of the shortest windows in the country to declare a towed car abandoned and sell it at auction, bolsters Crow’s business. Crow Tow has current impound contracts with the the sheriff’s office, Des Moines and Johnston police and the Iowa State Patrol. But the bulk of its business is in the form of private towing contracts throughout central Iowa with owners of properties like apartment complexes, shopping centers and other establishments. Crow Tow advertises at least two auctions a month on Facebook, sometimes with more than 100 vehicles at a time.

Yet it isn’t the volume Crow Tow handles that bothers former customers like Frey. It’s how Crow Tow drivers and employees deal with often cash-strapped customers and the ease with which Iowa’s weak law allows them to quickly take possession of what often is a person’s most valuable asset.

Frey, of Des Moines, said when he learned the Camry he bought actually had belonged to Slinger, he was willing to give it back to Crow Tow so the company could return it. But Crow Tow employees wouldn’t give back the \$2,820 he’d spent at the auction.

“They just shrugged me off and told me (it’s) not their problem,” he said. “They wouldn’t give me the time of day.”

Worse, Frey said, when he needed to get a copy of his receipt from the auction, employees told him he couldn’t use a debit card and insisted he pay \$50 cash to prove he’d bought the Camry. The kicker, he said, is that they also refused to provide a second receipt for the \$50 cash expense.

“There’s no fighting Crow Tow,” he

said. “It’s ridiculous how they are.” Randy Crow said Frey didn’t immediately register the Camry in Polk County and alleged Frey had been trying to sell the vehicle when the title wasn’t in his name. He said the Camry wasn’t reported stolen until Feb. 23, at which point it had been out of Crow Tow’s possession for almost a month.

If Frey had transferred the vehicle title at the time of his purchase, it would not have been considered stolen, Crow said. “Mr. Frey was having people test drive to buy this vehicle, which he can’t legally sell without transferring it in his name.”

Frey said he did register the Camry, and the mishap never would have happened if Crow Tow had to wait longer before selling impounded vehicles and had to ensure those who are sent tow notices actually receive them.

Crow acknowledged charging \$50 for copies of auction paperwork. “If the customer’s actions cause a need for additional labor to research and reproduce the documents, that labor must be charged for,” he said. “They can pay cash or card.”

Crow Tow, he said, did all its due diligence and followed all applicable laws to the letter.

“Crow Tow is not responsible for how long other agencies take to process this issue and resolve it,” he said.

Unhappy customers often met with inaction

In other locales, as complaints about predatory towing practices have skyrocketed, consumers have filed class action lawsuits, cities and counties have passed or reworked ordinances and state legislators have enacted sweeping changes aimed at fixing lopsided laws that protect towing companies more than vehicle owners.

But none of those fixes have been made in Iowa.

Crow Tow’s owners and lobbyists — who have donated generously to the campaigns of local city council members, Des Moines Mayor Connie Boesen, the Polk County Board of Supervisors and its chair, Matt McCoy — have helped successfully fight off public discussion of a towing ordinance in Des Moines and bipartisan efforts in the state Legislature to change decades-old state code that consumer advocates say is among the worst for consumers in the country.

Open records requests this summer to a mix of agencies show Iowans complain frequently about towing in general, and Crow Tow in particular. But they tend to get little relief when they do.

Crow Tow had 370 calls to police, most because of disputes, from 2018 to 2020, before Polk supervisors ended the county’s lucrative towing contract in 2021. More than 7,700 residents signed a Change.org petition criticizing its business tactics and urging Des Moines police to end their contract, scheduled to be rebid this fall.

Crow Tow’s new impound contract with the Polk County Sheriff’s Office, which began July 1 and ends in 2028, requires the contractor and its employees to be gracious and serve “with the attitude that their service is an extension of Polk County government, and that their dealings with the public shall be carried out with the utmost respect for the citizens with whom they come into contact.”

But while the county, in its request for proposals, required Crow Tow to

post a sign in a conspicuous place on its premises, telling those with impound complaints to contract the sheriff’s office, which is responsible for documenting them, no one has, a sheriff’s official said.

No one registered a dispute with the sheriff before Crow Tow lost the county contract and no one has since the contract was renewed. “Not to my knowledge,” Lt. Trevor Barber said.

The Des Moines Police Department did hold a handful of impound appeal hearings each year up until 2023, reversing one or two decisions each year. That was before Crow Tow took over vehicle release from police this year and auctioning duties from another contractor. No appeal hearings have been held in 2024 or this year, according to information provided by the city.

Under Iowa law, title holders, lien holders or legal claimants of cars impounded by law enforcement are supposed to be entitled to hearings. They also are entitled to any proceeds from public impound auctions after towing and storage fees are paid, according to Iowa’s Department of Transportation. The city and county are required to hold onto auction proceeds for 90 days in case claims are made.

But few who complain insist on hearings or demand excess proceeds. When asked, several people who have lost vehicles told Watchdog they didn’t know those provisions existed in Iowa law.

There also appears to be confusion now among the city, county and Crow Tow about who should be responsible for adhering to those provisions.

Crow contended they apply only when vehicles are “towed by law enforcement, disposed of by law enforcement, and (the vehicles) are with the law enforcement agency.” If owners have an appeal, he said, “it is with the law enforcement agency, not the towing company.”

The sheriff’s office doesn’t have an updated policy on how to deal with impound complaints and appeals. That “probably needs to be reviewed and updated,” said Capt. Brandon Bracelin.

Krista Morton, the police department’s longtime property management and evidence supervisor, contended in a written response that “auction proceeds do not go to the vehicle owner or any lien holders.”

Later, Peter Zemansky, a spokesperson for the city of Des Moines, acknowledged Morton wasn’t aware owners and lien holders have a legal right to any excess proceeds from impound auctions. Morton’s office is supposed to monitor vehicles held for police investigations.

Des Moines City Manager Scott Sanders said in a statement it’s Crow Tow’s responsibility to comply with Iowa Code 321.89, the abandoned vehicle law, and the current contract.

That contract says: “The contractor shall comply will all applicable local, state and federal laws, rules and regulations in performing services under the contract.”

“Of course, the city would investigate any claim of noncompliance involving the city,” Sanders said.

Crow Tow has technology to help strapped customers. But does it?

In Iowa, cars left unattended for as little as 24 hours can be towed and immediately declared abandoned. Once a tow company sends the owner or lien holder a certified letter providing notification of a tow, the law allows an un-

claimed vehicle to be auctioned or sold as scrap in as little as 10 days’ time.

Crow said in an email this month his company never auctions a vehicle in 10 days. Still, state records related to abandoned car sales, obtained from the DOT under open records law, show it is common for vehicles towed by Crow Tow to be sold in as little as two or three weeks after such notices are written, as was the Toyota that Frey bought in January.

Nothing in Iowa code prevents tow truck drivers from sweeping the parking lots of private businesses to tow as many vehicles as possible, as customers have complained Crow Tow has done for years.

Nothing requires them to drop a vehicle from a truck if a car owner asks, or charge half the regular towing fee to drop a vehicle, as model legislation put forth to legislators recommends.

Nothing prohibits kickbacks to property owners for towing from their premises. And unlike many other states, Iowa law doesn’t cap what towers can charge for towing or daily storage, and it doesn’t prohibit towing for minor infractions like parking over a line, parking tickets or failure to properly display a parking sticker.

Also unlike laws in other states, Iowa code doesn’t prohibit cash-only demands or mandate towing companies to accept credit or debit cards — a common concern because many owners lack the cash needed to pay towing, and daily storage fees that rack up quickly.

Those missing consumer protections are among the reasons groups like TowingLaws call Iowa’s abandoned vehicle code one of the worst in the country. The organization, which seeks to make predatory towing laws more transparent, ranks Iowa 47th in the country terms of its consumer protection in towing cases.

Crow insists his company has the best availability in the business for retrieving towed vehicles, with hours on both weekends and holidays. But it doesn’t allow customers to retrieve vehicles around the clock, as some states require.

Crow said the company has a vehicle locator on its website (located on the bottom of the company’s webpage) so owners can find their cars by VIN or license number and get them released. He also said the business office and all 35 of his company’s trucks are equipped to handle cash and credit cards.

“A person needs to be present with their ID and a card with the matching name, whether at a truck or at the office,” he wrote. “We do not take credit cards over the phone because of persistent fraud issues in the past. In this electronic age, people can easily transfer money to each other in seconds.”

Polk County attempted in conversations related to the new impound contract to address concerns about alleged cash demands by Crow Tow and make sure customers can use credit cards.

“In our kickoff meeting, Crow Tow staff explained that they take credit cards,” said Jonathan Cahill, a spokesperson for Polk County government. “There was no discussion of any limitations to anyone being able to use a credit card for payment.”

Lee Rood’s Reader’s Watchdog column helps Iowans get answers and accountability from public officials, the justice system, businesses and nonprofits. Reach her at brood@registermedia.com, at 515-284-8549, on Twitter at @leerood or on Facebook at Facebook.com/readerswatchdog.

Here’s how many lose vehicles at Crow Tow auctions

Lee Rood
Des Moines Register
USA TODAY NETWORK

When Des Moines car salesman Mario Gomez got a certified letter from Crow Tow dated Nov. 1, 2023, telling him a 2009 Volvo sold at the Calidelfy Autos

car lot had been impounded, he knew he wanted it back.

Calidelfy had made a loan for the purchase of the Volvo and it was due to be repossessed from a customer for lack of payment, the car salesman said.

But Gomez realized when he got the abandoned vehicle notice that the Volvo

already had sat on Crow Tow’s lot for three weeks, accumulating daily storage fees on top of the impound charge. By the time he got the certified letter, the towing and daily storage fees were so high — \$1,679 — Gomez didn’t know whether paying that bill would be worth it.

Under Iowa law, towers have up to 20 days to notify any title holder, lien holder or “any known claimant to the vehicle” of an impound — a timeline that some legislators this year tried unsuccessfully to shorten to five.

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