

Representative Josué Ortega

Delaware House of Representatives

Council Member Shané N. Darby

Wilmington City Council

August 17, 2026

Office of the Attorney General

State of Delaware

820 N. French Street

Wilmington, DE 19801

Re: Request for Investigation — City of Wilmington Vehicle Towing, Impoundment, and Parking-Debt Collection Practices

Attorney General Jennings,

We respectfully submit the enclosed referral and request that your office open an investigation into the City of Wilmington's vehicle towing, impoundment, and parking-debt collection practices. The referral is based on records the City itself produced — impound data covering 19,083 vehicles towed between 2020 and 2025, fiscal-year fee totals, vendor “top violator” reports, outstanding-debt extracts, and a series of the City's own written responses to public-records requests.

Analyzed together, these records raise concerns that we believe warrant independent review:

- The City boots a vehicle once the owner owes more than \$300 in unpaid citations and tows it if it stays booted and unredeemed, with the citation debt to be collected or discharged at release. Yet, across multiple records requests, the City was unable to produce any record of citation debt collected through towing; its Assistant City Solicitor stated the City “does not maintain records responsive to this request.”
- Across six years, roughly 29 percent of all towed vehicles — and a majority (about 58 percent) of vehicles towed for parking debt — were scrapped rather than returned. Under the operative arrangement, the towing contractor retains the full value of a scrapped or resold vehicle, and the City waives the owner's underlying ticket debt when the contractor takes title. In the most common outcome, the debt-collection purpose of the tow is extinguished rather than fulfilled.
- More than two thousand vehicles carry debt above the boot threshold, but only a small fraction are towed in a given month, while the highest-balance debtors remain untouched — raising questions of uniform and non-arbitrary enforcement.
- Against roughly 4,564 tows over an eighteen-month period, only 30 owners filed appeals, and not one appeal is recorded as resolved in the owner's favor — with hearings conducted inside the same City department that orders the tows and collects the debt.
- Records from other Delaware municipalities show that Wilmington towed 19,083 vehicles between 2020 and 2025 — more than the combined total from all other responding Delaware cities — and at roughly twice the per-capita rate of comparable Delaware cities. Newark, of comparable size, uses vehicle immobilization rather than towing, keeping vehicles with their owners. The comparison indicates that the tow-and-forfeit model is a policy choice, not a necessity of Delaware law.
- Records document that 182 vehicles towed under the City's collection-related accounts were held more than 180 days between 2020 and 2025; 58 show no recorded release or disposition at all, some held over five years. The City identified five of these vehicles as disposed of through Justice of the Peace Court garage-keeper lien actions, but the towing contractor's own operational records for those same vehicles show no release, sale, or disposition entry for four of them, and a \$0.00 balance on all five years after impound — a discrepancy the City has not explained.

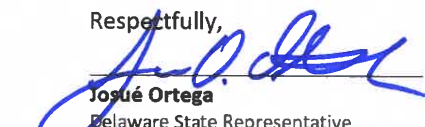
These questions have not been resolvable at the municipal level. On April 18, 2024, the Wilmington City Council adopted Resolution 24-022 (Darby) by an 11–2 vote, requesting a comprehensive audit of ticketing, towing, and booting practices before December 31, 2024. The audit has not been conducted, and the questions raised by the records remain open.

Before pursuing this referral, a member of City Council and the undersigned's analytical support met directly with City officials on July 28, 2026, and asked whether the City intended to conduct the audit requested by Resolution 24-022 or otherwise account for the anomalies described above, requesting a response by August 14, 2026. The City did not respond.

We do not ask your office to accept any conclusion. The enclosed referral identifies specific, documented anomalies and the authorities each implicates. Several of these questions can be resolved only by your office, with its power to compel records from the City and its contractor — which is why we bring them to your attention.

We come to this request with direct history. Representative Ortega served in the City of Wilmington's Office of Constituent Affairs from 2016 to 2021, where residents' calls about towed vehicles too often could not be answered from the records then available; the questions in this referral are, in substantial part, the questions his constituents were asking then. Council Member Darby sponsored Resolution 24-022, the Council's 2024 request for a comprehensive audit of these practices, which the administration declined to conduct. Whatever the investigation concludes, we respectfully request a written response regarding the disposition of this referral. We are happy to provide the underlying records and analysis, and to answer any questions. Thank you for your consideration.

Respectfully,


Josué Ortega

Delaware State Representative


Shané N. Darby

Wilmington City Council Member

Enclosure: Referral for Investigation