

INSTRUCTIONAL ORDER

August 2017

Immediately

V.5:33

Distribution: All Employees

Subject: **INVESTIGATIVE COST RECOVERY**

Index as: Cost Recovery, Investigations

Investigative Cost Recovery

Accreditation Standards:

Cross Reference: § 938.27, Florida Statutes

Replaces: I.O. V.5:33 Investigative Cost Recovery (August 28, 2017)

This Order establishes procedures to initiate a request for the recovery of investigative costs from those convicted of criminal offenses. It consists of the following sections:

- I. [Policy](#)
- II. [Definitions](#)
- III. [Requesting Cost Recovery](#)

I. POLICY

As permitted by section 938.27, Florida Statutes, the Department may attempt to recover salaries and other costs incurred for criminal investigations resulting in convictions.

II. DEFINITIONS

A. Costs – Actual expenses incurred in conducting the investigation that are supported by documentation.

- 1. Included are investigative hours and other activities supported by receipts, “chits” or other documentation including, but not limited to, payments to informants, per diem costs, lodging and rental vehicles.
- 2. Expenses for fuel and other expenses for the operation of Department vehicles will not be included as investigative costs.

B. Investigative Hours – Time spent by personnel conducting criminal investigations, starting from the initial response to the scene, and concluding when the investigation is complete. This includes time spent preparing reports and post-investigative work, but excludes time spent attending depositions and trials.

C. Salary – Personnel costs associated with a criminal investigation. Personnel costs will be calculated at the following hourly rates:

Police Investigative Assistants	\$30
Forensic Technicians	\$40
Officers/Detectives	\$45
Sergeants	\$55

III. REQUESTING COST RECOVERY

- A. Whenever an officer prepares a *Complaint/Arrest Affidavit* or an *Officer's Worksheet* (Criminal Traffic Only), the section for investigative cost recovery may be completed, identifying each officer/investigator/forensic technician by name and number of investigative hours committed to the case.

Only investigative hours expended and projected report writing time will be included.

1. The number of investigative hours reported will be the minimum number that can be supported with documentation (*i.e.*, CAD records, reports, case management records, etc.) should there be a challenge.
 2. Investigative hours will be rounded down to the nearest one half ($\frac{1}{2}$) hour (*e.g.*, if 1 hour and 40 minutes were spent on an investigation and for the typing of the report, this would round down to 1.5 hours).
 3. Multiply the number of hours (1.5) by the current salary rate (\$40/hr) to arrive at the investigative hours total cost (\$67.50).
 4. If the investigative task requires more than employee, the investigative hours of all personnel will be reported. The calculation and entry described above must be made for each employee involved in the investigation to arrive at a total figure.
 5. The investigative hours of probationary officers under the supervision of a field training officer will not be reported.
- B. Investigative costs incurred after the *Affidavit/Officer's Worksheet* is completed may be documented by the primary officer/investigator and submitted to the appropriate Assistant State Attorney.
1. Documentation includes an exact accounting of all investigative costs that are supported by receipts or other documentation.
 2. Unless specific arrangements have been made in advance, the accounting of investigative costs will be addressed to the appropriate Assistant State Attorney and sent to the State Attorney's Office via Court Liaison.
 - a. A copy will be sent to the Records Division to be included with the original report.
 - b. Supporting documentation will not be submitted with the *Affidavit; the Officer's Worksheet* for criminal traffic offenses or the *Investigative Cost Continuation Worksheet* but will be retained by the Officer/Investigator in charge of the case until adjudication of the case is complete.

Anthony Holloway
Chief of Police