

## **402.11 INVESTIGATIVE COST RECOVERY**

- I. DISCUSSION: F.S. §938.27 provides for the recovery of investigative costs from convicted criminal defendants if such costs are documented by the law enforcement agency, which made the arrest. It is the purpose of this procedure to establish a method for documenting investigative costs for presentation to the courts by the prosecution. It should be noted that it is incumbent upon the Prosecution to request reimbursement for the costs of the criminal investigation. The statute provides that once requested and documented investigative costs “shall be included and entered in the judgement rendered against the convicted person.”
  
- II. PROCEDURE:
  - A. After completing the probable cause section of the Criminal Report Affidavit, the arresting officer, shall specify the costs incurred in the investigation. The cost amount corresponding to the offense charged is entered from the Investigative Costs Form (TPD 258). In the event of arrests involving multiple charges, the highest cost of the included charges shall be used.
  
  - B. Supervisor: The arresting officer's sergeant, or other supervisor, shall verify that the officer has included the statement and the correct amount pertaining to investigative costs incurred in the appropriate section of the CRA.
  
  - C. All reports and attachments will be filed in accordance with normal procedure.
  
  - D. Supplemental Costs:
    1. In certain investigations which are extensive, prolonged, and require considerable expenditures, the supervisor of the investigating officer (retained cases) or the latent investigator (referred cases) shall ensure an accurate file, including an accurate accounting of department expenses is maintained. Upon conclusion of the investigation and subsequent arrest of the subject, the arresting officer shall provide the supervisor with the total amount of itemized expenses. In cases involving a request for itemized investigative cost recovery, the arresting officer shall write “see letter” on the Criminal Report Affidavit (CRA) in lieu of entering the normal amounts.
  
    2. The supervisor shall make certain that a detailed "letter of investigative cost itemization" is prepared and submitted, through

the division commander, to the Assistant State Attorney assigned to the investigation.

- E. If restitution is ordered by the Court, a copy of the judgement will be forwarded to the Manager of the Department of Revenue and Finance for tracking. The Manager of the Department of Revenue and Finance will designate a program coordinator to monitor investigative cost recovery from long term investigations and special projects. The Coordinator assigned to track investigative cost recovery will be responsible for reporting failures to comply with restitution to the State Attorney's Office to facilitate arranging appropriate sanctions from the Court.
- F. When a detective completes latent investigation after the CRA has been filed by an officer from the district, that detective's additional costs shall be listed in the supplement sent to the SAO.

Supersedes 402.11, dated 12/06.