

Policy: 1408.6, Recovering Costs of Investigations

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Distribution Group: All Employees

Review Responsibility: Police Legal Advisor

Accreditation Chapter(s): None

Chief of Police: Eric D. Smith

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I. PURPOSE

The purpose of this policy is to outline the proper procedure for submitting paperwork requesting reimbursement.

II. POLICY

It is the policy of the Orlando Police Department to seek reimbursement of investigative costs for all criminal cases submitted for state prosecution.

III. DEFINITIONS

Investigative Costs Expense Report: Designed to account for the staffing hours and miscellaneous expenses of all personnel involved in the investigation. The report will include the name of each employee, the employee number, and the number of hours worked on the investigation. The hourly rate used for each class of employee should be the base salary for each class taken from a chart, which will be updated annually, or the actual wage paid to the specific employee.

The cost of investigation for the offense of DUI takes into account the expenses involved in the detection, arrest and evidence collection involved in DUI investigations.

If an investigation includes Department resources that extend beyond the personnel listed in Attachment A, such as administrative assistants, Communications, TAC, CSOs, DUI Enforcement Team, detectives, SWAT, CNT, ERT, or CISD, the primary officer may request that these personnel or units complete their own expense reports for inclusion in the cost recovery package. All expense reports shall be forwarded to the primary officer within three calendar days.

Request for Reimbursement of Investigative Costs: A letter forwarded to the State Attorney's Office specifically requesting the reimbursement.

IV. PROCEDURES

1. STATUTORY GUIDELINES

[§938.27 \(1\), Fla. Stat.](#): In all criminal cases the costs of prosecution, including investigative costs incurred by law enforcement agencies, if requested and documented by such agencies, shall be included and entered in the judgment rendered against the convicted person.

[§938.27 \(7\), Fla. Stat.](#): Provides that the investigative costs recovered under this section shall be returned to the appropriate investigative agency that incurred the expenses.

2. FILING THE APS PACKAGE

The Investigative Costs Expense Report (Attachment A) and the Request for Reimbursement of Investigative Costs (Attachment B) will be submitted with the APS package for each criminal case resulting in an arrest or the filing of criminal charges with the State Attorney's Office. If the expected penalty is likely to be life in prison (i.e., Capital Sexual Battery or Homicide), the Recovering Costs of Investigation forms are not required. These forms are available electronically as an APS submission package on the N drive and PowerDMS.

The Investigative Costs Expense Report and the Request for Reimbursement of Investigative Costs will be submitted with all DUI arrest paperwork at the Orange County Jail. These forms are available at the Orange County Sheriff's Office DUI Testing Center. Copies of the Investigative Costs Expense Report and the Request for Reimbursement of Investigative Costs will be forwarded to the Records Section.

The flat rate for a DUI investigation is \$100.00.

The primary officer or the officer filing the APS will be responsible for preparing and submitting the Investigative Costs Expense Report and the Request for Reimbursement of Investigative Costs with the APS package submitted to the State Attorney's Office.

The original copies of the Investigative Costs Expense Report and the Request for Reimbursement of Investigative Costs shall be attached to the APS package. Copies of the Investigative Costs Expense Report and the Request for Reimbursement of Investigative Costs will be forwarded to the Records Section.

3. RESPONSIBILITIES

Sergeants and corporals will be responsible for ensuring the Investigative Costs Expense Report and the Request for Reimbursement of Investigative Costs are completed correctly and submitted with each APS package with the appropriate timeframe. Division Commanders will ensure these procedures are being implemented.

The Criminal Investigations Division Commander will be responsible for updating the policy on an annual basis.

V. FORMS AND APPENDICES

ATTACHMENT A-Investigative Costs Expense Report

ATTACHMENT B-Request for Reimbursement of Investigative Costs

VI. REFERENCES

This policy rescinds Policy and Procedure 1408.5

Related Policies: Not Applicable

Related Laws: [Florida Statute 938.27](#)