

LINE OF DUTY DEATH POLICY

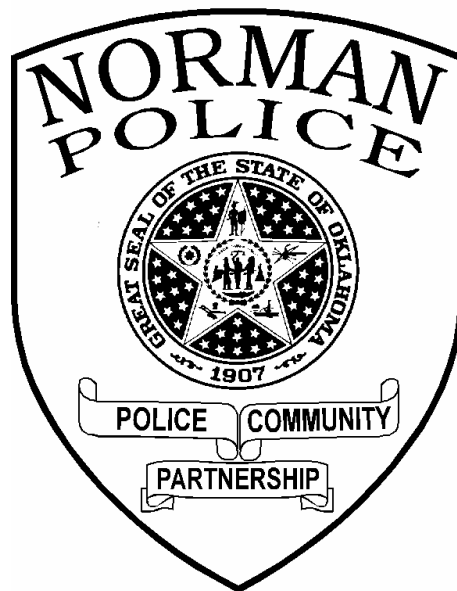
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NORMAN POLICE DEPARTMENT

Policy Title Line of Duty Death or Injury	Policy Number 114	Effective Date 04/01/99
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Issued By Chief Phil Cotten	Special Instructions Refer to the Line of Duty Death and Injury SOP for details of benefits. Also see Related Policy 305.	Revision Date(s) 11/99, 11/00, 12/02, 11/08

I. PURPOSE (revised 12/02)

The purpose of this policy is to provide direction for the Norman Police Department to provide appropriate emotional care for the seriously injured, ill or deceased employee's family. If the incident is the line-of-duty death of a police officer, funeral arrangements are to be decided by the family of the officer with their wishes taking precedence over those of the agency.

Although this policy is intended to address the line-of-duty death or injury of police officers, many provisions, including death notification and family assistance, may be applicable to any agency employee regardless of whether or not the death is duty related.

II. POLICY

It shall be the responsibility of the Norman Police Department to provide liaison assistance to the primary family of an officer who dies in the line-of-duty or who is hospitalized for an indefinite period of time or requires repeated and/or intermittent hospitalization because of a line-of-duty injury or systemic illness. This assistance shall include, but not limited to, the clarification and comprehensive study of survivor benefits and emotional support during this traumatic period for the surviving family.

It is the responsibility of the subject officer's supervisor to notify the Chief of Police of the incident as soon as possible. Immediately upon notification of the incident, the Chief of Police shall appoint an officer in charge (OIC), typically the involved officer's bureau or division commander, to coordinate all departmental functions regarding the incident.

III. DEFINITIONS: (revised 12/02)

- A. *Line-of-Duty Death*: Any action, felonious or accidental, which claims the life of a Norman Police Officer who is performing work related functions either while on or off-duty.
- B. *Line-of-duty Injury or illness*: For the purposes of this policy a line-of-duty injury or illness shall be an injury or systemic illness serious enough that hospitalization or time away from the department is ordered by a physician for an indefinite period.
- C. *Survivors*: Primary family members of the injured or deceased officer, including spouse, children, grandchildren, parents, grandparents, siblings, fiancé, and/or significant others.
- D. *Beneficiary*: Those designated by the officer as recipients of specific death benefits.

- E. *Benefits*: Financial payments made to the family to assist with financial stability following the loss of a loved one.
- F. *Funeral Payments*: Financial payments made to the surviving families of an officer killed in the line-of-duty which are specifically earmarked for funeral expenses.

IV. PROCEDURES (revised 12/02, 11/08)

A. Officer in Charge (OIC)

1. In order to prevent duplication of efforts, maintain order, and ensure that the process works for the benefit of the officer or his or her family, the OIC shall coordinate all departmental functions regarding the incident. When possible, the OIC should be a major. A captain may be assigned if a major is not available.
2. The OIC shall make assignments of tasks and responsibilities to department personnel, including Peer Support Unit (PSU), CISD, and Honor Guard members. Those persons shall report the status of their tasks to the OIC. Department personnel shall not perform incident related tasks without the approval of the OIC unless exigent circumstances exist.
3. If the OIC does not already possess communications equipment via which assigned personnel can make prompt contact with him or her, (e.g. pager and/or wireless telephone), he or she will be provided with the necessary means to facilitate such communications.
4. Personnel appointed to the position of OIC shall be thoroughly familiar with the concept and procedures of PSU, CISD, the Honor Guard and other internal and/or external organizations involved in the process.
5. Personnel assigned to tasks regarding this policy shall be placed on special assignment and not available for routine calls until relieved of duty. These personnel may be required to obtain an evaluation by an approved mental health professional prior to return to regular duty.
6. In the event the officer has multiple families and/or an adversarial relationship exists between the families, the OIC may assign a separate liaison for each family.

B. Death or Life Threatening Injury Notification

1. The name of the injured or deceased officer will be released by the PIO or another person designated by the Chief of Police only after notification of the primary family members.
2. The notification plan will be formulated using the most recent confidential Line-of-Duty Death or Injury Information provided by the officer.
3. If there is knowledge of a medical condition with a primary survivor, medical personnel will be dispatched to the residence to coincide with the notification along with the notifying personnel.
4. Notification will always be made by two or more persons. The Chief of Police, his representative, and/or pre-selected persons of the officer's choice will notify the family if time to assemble these persons exists. Delays in developing the appropriate notification team must be weighed against the importance of the timely notification of the primary family.
 - a. If the above-suggested persons are not readily accessible, notification shall be made by a supervisor on-duty. The opportunity to get the family to the hospital prior to the demise of the officer is significantly more important than who delivers the notification.
 - b. If the family wishes to go to the hospital, they may be transported via Department vehicle. It is highly recommended the family not drive themselves to the hospital.

- c. If the primary survivors are not in close proximity to Norman, the OIC shall request personal notification from a public safety agency from their locale. The OIC is permitted to assist in making transportation arrangements to Norman but may not assume responsibility for travel expenses on behalf of the Police Department without the authorization of the Chief of Police.
5. As soon as most public safety families see you, they will know something is wrong.
 - a. Ask to be admitted to the house. Do not make a notification on the doorstep.
 - b. Gather everyone in the home and ask them to sit down.
 - c. Inform them slowly and clearly of the information you have on the incident.
 - d. It is important to use the officer's name during the notification.
 6. If the officer has already died, relay that information. Do not give the family a false sense of hope.
 7. Notifying personnel must be prepared for unexpected responses from survivors to include hysteria and possible verbal or physical attack, anger, fainting, shock, etc.
 8. Notifying personnel must be reassuring to the survivors. The most acceptable comment to newly bereaved people is something such as "I'm so sorry this has happened" and "The agency will do everything we can to help you through this"

C. Assisting the Family at the Hospital

1. Arrangements regarding appropriate waiting facilities for the family and fellow police officers are outlined in the appendixes of the Line-of-Duty Death and Injury S.O.P.
2. An Emergency Department Liaison (EDL.) will be appointed by the OIC to act as information liaison for medical personnel to the family of the officer and fellow police officers. It is recommended that the EDL be an agency individual who has a rapport with emergency department personnel and practices.
3. The duties of the EDL include but are not limited to the following:
 - a. The EDL will ensure the family is updated as soon as they arrive at the hospital.
 - b. The EDL will insure that pertinent information on the officer's condition is relayed on a timely basis. He or she shall also make the family and fellow police officers aware of hospital policy about visitation with the injured officer and/or visitation with the body following the demise, and explain why involvement of the Medical Examiner's Office is necessary.
 - c. The EDL should prepare the family for what they might see and accompany them to the hospital emergency department.
 - d. The EDL will be responsible for notifying the emergency admitting personnel that all medical bills relating to the care and treatment of the officer should be forwarded to the Police Department.
 - 1) This will require the EDL to have essential information regarding the officer. The officer's residence address and next of kin information should be omitted on the admitting form.
 - 2) Do not ask a family member to sign as guarantor of payment for treatment.
 - 3) Omit requests for any insurance information.
4. If the injuries to the officer are likely fatal and it is possible for the family to visit their officer prior to death, they should be afforded the opportunity. There is definite need to touch and hold the body while there is still life, and being present when death occurs can be comforting to the family.
5. PSU members will be present the entire time the family is at the hospital and should arrange whatever assistance the family may need in cooperation with the EDL.
6. The personnel who made the initial notification should be among those at the hospital.

7. Any promises, such as, "We'll promote him/her posthumously." or "We'll retire his/her badge", shall not be made to the family by any person except the Chief of Police.
8. PSU members will make arrangements for transportation of the family back to their residence or other desired reasonable destination.

D. Support for the Family during a Wake or Funeral (revised 12/02)

1. The following services will be offered to and provided for the family unless they request otherwise.
2. Unless the family requests otherwise, PSU members will act as the liaison for the family. Although the liaison should know the deceased officer and be aware of the family relationships, the liaison should not be so emotionally involved with the loss that he or she would become ineffective. The duties of the liaison shall include but not limited to the following:
 - a. Insure the needs of the family come before the wishes of the department.
 - b. Meet with the family and relate the duties of the liaison or allow the family to designate the person, if appropriate, they wish to perform the tasks.
 - c. Meet with the family regarding funeral arrangements.
 - 1) Since many officers have not prearranged their wishes for the handling of their own funeral, the family will most likely need to decide all aspects of the funeral.
 - 2) The department should only make the family aware of what they can offer in the way of assistance if the family decides to have a Line-Of-Duty funeral.
 - d. The liaison will be provided with a pager and/or wireless phone to facilitate an immediate line of communication among all personnel involved.
 - e. The liaison should become familiar with all information concerning the death and the continuing investigation in order to answer family questions.
 - f. The liaison will be constantly available to the family throughout this traumatic process.
 - g. The liaison will ensure surviving parents or surrogate parents are afforded recognition and will have proper placement arranged for them during the funeral and funeral procession.
 - h. If the funeral is a Line-Of-Duty funeral, the liaison will ensure the family is briefed on the funeral procedure including the 21gun salute, presenting the flag, playing of taps, etc. The family has the option of excluding any portion of the funeral procedure.
3. A command level officer or the public information officer will be designated to handle the media throughout this traumatic ordeal. In the event the family should decide to grant an interview, this officer would attend and offer to screen all questions presented to the family to guard against jeopardizing upcoming legal proceedings.
4. In the event of a line-of-duty death, PSU members will ensure the home is prepared for the influx of visitors following the funeral. Food and babysitting will be provided through the Community Response Network.
5. In the event of a line-of-duty death, PSU members will offer to remain at the home and screen telephone calls.
6. In the event of a of line-of-duty death, the PSU, or other agency designee will provide a list of churches with seating capacities large enough to accommodate attendance at the funeral.
7. In the event of a line-of-duty death, department vehicles and drivers will be made available to the family if they desire transportation to and from the funeral home.
8. In the event of line-of-duty death, PSU members will be responsible for providing the family access to other public safety survivors or other support groups to include but not limited to Concerns of Police Survivors, Survivors of Homicide Victims, Compassionate Friends, Parents of Murdered Children, etc.

9. The Norman Police Department will send PSU members or other officers on routine residence checks by the officer's or survivors' home for as long as is reasonable following the incident. Officers conducting the residence checks will also inquire if any harassing telephone calls are being received. A PSU member or police officer will be assigned to remain at the residence continually during the time that survivors are attending the funeral and related functions.

E. Providing Information and Assistance Regarding Benefits to the Surviving Family in the Event of a Line-of-Duty Death.

1. A PSU Benefits Officer or other individual will gather information regarding all department, association, and Federal benefits available to the surviving family and ensure the department's full support pursuing these benefits. The benefits officer member is responsible for filing appropriate paperwork and following through with the surviving family to ensure benefits are being received.
2. A benefits officer should visit with the surviving family to discuss the benefits within a few days following the funeral. A prepared printout of the benefit payments due the family, listing named beneficiaries, contacts at various benefit offices, and when they can expect to receive the benefit should be given to the family. This same explanation procedure should be repeated within a month following the funeral since the initial contact is clouded by the emotional numbness of the family during the first benefits meeting. A follow up will be made every six months until the surviving family receives every possible benefit.
3. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of benefits to which the child or children are entitled.
4. A benefits officer should pay special attention to the problems with possible revocation of health benefits to the surviving family. The City of Norman requires survivors to contact the City of Norman Personnel Department within thirty (30) days if they wish to continue coverage.

F. Providing Departmental Support During Criminal Legal Proceedings

1. If criminal violations surround the death, the family will be informed of all developments prior to any press release.
2. If there are not any court proceedings surrounding the circumstances of the officer's death the department will relay that information to the surviving family as soon as it becomes known.

G. Providing Extended and Follow-up Support (new 12/02)

1. PSU personnel will encourage and assist the family with obtaining peer support and/or professional counseling services.
2. It is of paramount importance to help the primary surviving family maintain a relationship with the agency if they desire. To that end, the following suggestions are made.
 - a. PSU personnel should schedule follow-up visits with the primary surviving family for at least two years following the line-of-duty death, to include monthly phone calls and greeting cards on special occasions and holidays.
 - b. PSU personnel will ensure primary family members are invited to all memorial services or other agency functions deemed appropriate.
 - c. PSU personnel will provide the primary family members with information from organizations such as Concerns of Police Survivors (COPS) and other recognized police survivor organizations.

H. Line-of-Duty Deaths in other Oklahoma Agencies (new 12/02)

1. When any member of the Norman Police Department becomes aware of a law enforcement line-of-duty death within the State of Oklahoma, they should immediately notify the Office of the Chief of Police. If after normal business hours, including weekends or holidays, the highest ranking on-duty supervisor should be notified.
2. As soon as practical after notification of a law enforcement line-of-duty death, the Chief of Police shall cause notification to be made to all agency personnel. The notification should include an order to lower the department flags to half-staff and for personnel to wear mourning ribbons.
3. Flags shall be lowered to half-staff and mourning ribbons worn until after the funeral of the involved officer.
4. The Chief of Police may order observances as deemed appropriate on a case by case basis in the event of unusual line-of-duty death circumstances occurring within the State of Oklahoma, or occurring outside of the state
5. Mourning ribbons may be worn on badges and may be worn by non-uniformed personnel, including civilians, in the form of a looped black ribbon.

APPENDIX 1

To Norman Police Policy 114, Line of Duty Death or Injury

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The following are potential benefits and/or assistance that may be available to the surviving family of a fallen Norman Police Officer. Some benefits may also be available to an injured officer and his or her family. The specific amounts of cash payments are not listed because they are subject to change. However, contact information is provided so the current payment may be ascertained.

I. Worker's Compensation

Worker's compensation benefits are payable to the beneficiaries of the fallen officer or to an officer injured in the line of duty.

Contact information: The City of Norman City Attorney's Office will provide specific information. They can be contacted at telephone number **405.366.5423**.

II. City of Norman Life Insurance

The City of Norman provides basic life and accidental death and dismemberment insurance for every employee. The death benefits are payable to the beneficiaries named on the insurance enrollment documentation and dismemberment is payable to the employee. In addition to the basic coverage some employees are enrolled in optional coverage insurance.

Contact information: The City of Norman Personnel Office will provide specific and current benefits. They can be contacted at telephone number **405.366.5482**.

III. Oklahoma Police Pension and Retirement System

The Oklahoma Police Pension and Retirement System may provide payments to the beneficiaries upon the death of a member or retired member of the system. Additionally, the system may pay a disability benefit to a member who incurred a permanent total disability or a permanent partial disability while performing the duties of a police officer provided the officer has complied with the conditions as set forth in the statutes. See Title 11, Oklahoma Statutes, Chapter 1, § 50-113 through 117 for specific details of these benefits.

Contact information: Oklahoma Police Pension and Retirement System at telephone number **405.840.3555**.

IV. Social Security

The United States Social Security may provide benefits for members or their beneficiaries in case of death or disability of the member.

Contact information: The City of Norman Personnel Office at telephone number **405.366.5482** or the Social Security Office at telephone number **405.799.0702** or **800.772.1213**.

V. Public Safety Officers' Benefits Program (PSOB)

Federal statute may provide the following benefits:

- A one-time death benefit to the survivors of a public safety officer who is killed in the line of duty
- Payments to officers who are permanently or totally disabled due to an injury sustained in the line of duty
- Education benefits to dependants of public safety officers who are kill or disabled in the line of duty.

Forms will be completed by the Norman Police Department and forwarded to the U.S. Department of Justice for processing and payment. Exclusions to this benefit would come if there was misconduct on the part of the officer, intoxication, performing duty in a grossly negligent manner, or if claimant was a substantial contributing factor to the death of the officer. If the documentation is submitted in order, payment of this benefit can be expected within 90 days. See 42 U.S. Code 3796 for specific details of this benefit.

Contact information: The Claims Examiner of the Public Safety Officers' Benefit Program at telephone number **888.744.6513** or **202.307.0635**. They can also be reached at FAX number 202.616.0314 or on the web at <http://www.ojp.usdoj.gov.bja>. (go to special programs and to PSOB). The street address is:

Bureau of Justice Assistance
Special Programs
Public Safety Officers' Benefits Program
810 7th Street, N.W., 4th Floor
Washington, DC 20531

VI. State of Oklahoma Victims Compensation Program

Injured victims, including police officers, or dependents of deceased victims may be eligible to receive payment from the Oklahoma Crime Victims Compensation Board for medical expenses, income loss, replacement services and funeral expenses resulting from the crime.

Contact information: The process for this benefit begins by contacting the victim/witness coordinator at the Cleveland County District Attorneys' Office at telephone number **321.8268**.

VII. City of Norman Payroll

The City Of Norman provides payment of the following funds to the survivors of deceased officers:

- A. The unused portion of the officers accrued compensatory time
- B. The unused portion of the officers accrued vacation leave
- C. The unused portion of the officers accrued sick leave, not to exceed 720 hours

Contact information: City of Norman payroll officer a telephone number **366.5372**.

VIII. Personal Life Insurance

Claims for insurance benefits available through private personal life insurance are filed by the family. The Norman Police Department will provide whatever assistance is deemed by the family and the Department to be appropriate in these matters. A complete list of insurance companies and individual policy numbers should be maintained by the family to help ensure that the maximum benefit is obtained. Additionally, policies that may be added as a benefit of credit cards, bank accounts, or memberships in other organizations should be examined.

Contact information: The officers' insurance company(s) name, agent(s), policy number(s) and/or other providers of benefits.

IX. Fraternal Order of Police (FOP)

The Fraternal Order of Police, Oklahoma and Norman Lodges, provides a one-time death benefit payment to the beneficiaries of a deceased member. Additionally, the FOP provides members with a publication used to record personal information such as insurance agents and policy numbers, credit card numbers and other assets. This information saves time and stress if it is needed.

Contact information: The first point of contact is the Norman Fraternal Order of Police, Lodge secretary.

X. Veterans Administration Benefits

The United States Veterans Administration may provide disability or death benefits to officers who are eligible veterans. In addition, the officers' dependents may be eligible for education benefit. Some of the benefits that may be available to eligible veterans are:

- Death Pension
- Funeral Expenses
- National Service Life Insurance
- Servicemen's Group Life Insurance (SGLI) or Veteran's Group Life Insurance (VGLI)
- Interment or Burial Plot Allowance to include an American Flag and Headstone and Marker

Contact information: The United States Department of Veterans Affairs, Benefits and Claims Office can be contacted at telephone number **800.827.1000**. The web site is: <http://www.va.gov> (go to benefits)

XI. Education Benefits for Dependent Children (Oklahoma)

Dependent children of Oklahoma law enforcement officers killed in the line of duty may attend any Oklahoma state university or college tuition and general enrollment fee free. This provision is explained in Title 70, Oklahoma Statutes, Chapter 50, Article II, § 3218.7.

Contact information: Beneficiaries who want to take advantage of this benefit should contact the financial aid office of the Oklahoma state university or college they wish to attend.

XII. Concerns of Police Survivors (COPS)

Concerns of Police Survivors, Inc. provides resources to assist in the rebuilding of the lives of surviving families of law enforcement officers killed in the line of duty as determined by Federal criteria. Furthermore, COPS educates the public of the need to support the law enforcement profession and its survivors. COPS is a non-profit tax-exempt organization and receives substantial grant support from the Bureau of Justice Assistance, Office of Justice Programs, U. S. Department of Justice. The organization is closely associated with the National Law Enforcement Officers Memorial and National Police Week activities in Washington, DC. All voting members of the COPS National Board are survivors of officers killed in the line of duty.

Some of the benefits that may be available from COPS include:

- COPS Education Scholarships for surviving children
- National Police Survivors Seminars
- COPS Kids counseling for dependant-aged children of officers killed in the line of duty

COPS can provide invaluable resources and assistance in obtaining due benefits. COPS maintains a state by state list of benefits available to survivors of officer killed in the line of duty on their web site.

Contact information: Contact the National COPS at telephone number **573.346.4911** to ascertain the contact person and telephone number for the Oklahoma Chapter or the regional representative. COPS can also be reached at FAX number 573.346.1414 or e-mail at: cops@nationalcops.org. The web site is: <http://www.nationalcops.org>.

XIII. National Law Enforcement Officers Memorial

The National Law Enforcement Officers Memorial was dedicated in 1991 by President George Bush. It honors all of America's federal, state and local law enforcement officers. Inscribed on the Memorial's blue-gray marble walls are the names of more than 14,000 officers who have been killed in the line of duty, dating back to 1794.

Each year, during Police Week, thousands gather at the Memorial to salute all of America's law enforcement heroes, past and present. Special tribute is given to the officers who have lost their lives in the line of duty. The annual new additions are formally dedicated during this ceremony.

The Norman Police Department is responsible for submitting the name of its fallen officer for inclusion in the Memorial.

The Memorial is located at 400 E. Street N.W. in Judiciary Square and is open 24 hours a day. The visitors center is located at 605 E. Street N.W. and is open 7 days a week.

Contact information: Contact the Memorial at telephone number **202.737.3400**. Additional information, individual name searches and name submission can be made at the web site: <http://www.nleomf.com>.

XIV. Oklahoma Law Enforcement Officers Memorial

The Oklahoma Law Enforcement Officers Memorial was dedicated on May 15, 1969, and is believed to be the oldest state Memorial in the United States. The Memorial is sponsored by a committee of six state law enforcement organizations including the Association of Oklahoma Narcotics Enforcers (A-ONE), the Oklahoma Association of Chiefs of Police (OACP), the Oklahoma Sheriffs Association, the Oklahoma Sheriffs and Peace Officers Association, the Oklahoma State Lodge of the Fraternal Order of Police, and the Oklahoma State Troopers Association.

New names are dedicated and added at the memorial service each year during Police Week. Almost 600 names are currently inscribed on the walls of the Memorial.

The Norman Police Department is responsible for submitting the name of its fallen officer for inclusion on the Memorial.

Contact information: Oklahoma Sheriff's and Peace Officers Association at telephone number **405.672.5522**. The Memorial is located on the west lawn of The Department of Public Safety State Headquarters, 3600 N. M.L. King Avenue, Oklahoma City, OK.

XV. Other Social and Fraternal Organizations

The following is a list of social and fraternal organizations that may provide death or disability benefits for their members:

- The Military Order of the Purple Heart
- The Knights of Columbus
- Fraternal Order of Eagles
- National Guard
- National Sheriffs Association
- National Rifle Association (NRA)

XVI. Documentation Necessary for Application of Benefits

The following documentation may be needed to apply for the various benefits and assistance:

- A. Marriage license: May be obtained from the court clerk's office in the county where the marriage was performed.
- B. Certified copy of death certificate: Oklahoma death certificates may be obtained from the Oklahoma Department of Health, P.O. Box 53551, Oklahoma City, OK 73152 or telephone number **405.271.4040**. There may be a search fee for the certificate.
- C. Certified copy of minor child/children birth certificate: Oklahoma birth certificates may be obtained from the Oklahoma Department of Health, P.O. Box 53551, Oklahoma City, OK 73152 or telephone number **405.271.4040**. There may be a search fee for the certificate.
- D. W-2 Earnings statements for the current and possible immediate past year: A copy of the previous tax year W-2 statement will suffice. If one cannot be located, a copy can be obtained from the City Of Norman Payroll Office at telephone number **366.5372**.

XVII. Peer Support Unit (PSU)

PSU personnel are trained Department employees and non-employees who respond to any critical incident to provide approved support and intervention services to Department personnel and their immediate families. Services include but are not limited to one-on-one peer counseling and a variety of logistic services during funerals or other critical incidents.

Contact information: Contact the Chief of Police PSU supervisor or coordinator