

GENERAL ORDER XXXIII

SUBJECT: Line of Duty Death

EFFECTIVE DATE: 12-19-07 **REVIEW DATE:** 03-01-2015

NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department and then only in a non-judicial administrative setting.

I. PURPOSE

This policy is designed to prepare this agency for the event of an active duty officer's death in the line of duty and to direct the agency in providing proper support for the deceased officer's family.

II. POLICY

It is the policy of this agency to provide liaison assistance to the immediate survivors of an active duty officer who dies in the line of duty and to provide tangible and emotional support during this traumatic period of readjustment for the surviving family.

III. DEFINITIONS

A. *Line-of-Duty Death:* The death of an active duty officer by felonious or accidental means during the course of performing police functions while on- or off-duty.

B. *Supervisors:* Immediate family members of the deceased officer to include spouse, children, parents, siblings, fiancée and/or significant others.

IV. PROCEDURES

A. Death Notification

The following procedures should be adhered to in cases of line-of-duty deaths and in cases of critically injured officers with poor prognosis of survival. These procedures should be followed whenever possible with the understanding that the wishes of the family take precedence over the desires of the agency. Officers providing services and assistance to family members and survivors shall take all possible measures to accommodate their needs, wishes and desires, but should not make promises to family members that they are not sure can be met.

1. The name of the deceased officer shall not be released to the media or other parties before immediate survivors living in the area are notified.
2. The Chief of Police, his designate or shift supervisor will designate an officer to inform the immediate family of the officer's condition or death. If not immediately available, the senior ranking officer will make the appointment.

3. Notification of the immediate family should be made as soon as possible and, if possible, coincidental with command notifications.

4. Notification of survivors in the immediate area shall be made in person and, whenever appropriate, with another person such as the police chaplain. Whenever the health of immediate survivors is a concern, emergency medical services personnel shall be requested to stand by.

5. If the opportunity to get the family to the hospital exists prior to the officer's death, notification officers shall inform the hospital liaison officer that the family is on its way. In such cases, immediate transportation should be provided for survivors rather than waiting for any other members of the departmental delegation to arrive. If the officer has died, notification should be made to the survivors in as forthright and empathetic a manner as possible.

6. Communication of information concerning the officer and the incident shall, whenever possible, be restricted to the telephone to avoid interception by the media or others. Should the media obtain the officer's name prematurely, the ranking officer should request that the information be withheld until proper notification of survivors can be made.

7. The notification officer shall be responsible for identification of additional survivors outside the area and shall make any notifications as desired by the immediate family. Such notifications shall be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made.

8. The notification officer shall submit a written report to the chief of police specifying the identity, time and place of survivors notified.

B. Assisting Survivors at the Hospital

Whenever possible, the agency's chief executive officer shall join the family at the hospital in order to emphasize the agency's support. The next highest ranking officer to arrive at the hospital shall serve as or designate a hospital liaison officer who shall be responsible for coordinating the arrival of immediate survivors, departmental personnel, the media and others and assume the following responsibilities:

1. Arrange for waiting facilities for immediate survivors and a press staging area. The desires of the surviving family members should be followed with regard to their accessibility to other officers and friends.

2. Ensure that medical personnel provide pertinent medical information on the officer's condition to the family before any other parties.

3. Assist family members, in accordance with their desires, in gaining access to the injured or deceased officer.

4. Provide hospital personnel with all necessary information on billing for medical services. The liaison officer should ensure that all medical bills are directed to the appropriate departmental authority and that they are not forwarded to the officer's family or other survivors.

5. Arrange transportation for the family and other survivors upon their departure from the hospital.

6. Ensure that immediate family members are provided with appropriate assistance at the hospital.

C. Appointment of Department Coordination Personnel

The designated departmental officer(s) shall begin serving in the following capacities: department liaison, funeral liaison, benefits coordinator and family support advocate. These assignments should be made in writing to departmental personnel and the surviving family members informed of those designated. In addition, the chief of police or his designee will, if needed:

1. Make additional personnel assignments to assist in handling incoming phone calls and inquiries and to direct the public to appropriate personnel;
2. Ensure that the employee assistance program is implemented to assist surviving family members and emphasize the family's right to psychological services; and
3. Ensure that other officers are provided the opportunity to participate in critical incident stress debriefings.

*Note: A coordination team could be developed from Agencies within Howell County to assist with filling the above described assignments and responsibilities. The Team would report to and work with the requesting Agency Head or his assigned delegate.

D. Department Liaison

The department liaison officer will serve as a facilitator between the family and the law enforcement agency. This individual will normally be a shift supervisor in order to expedite the tasks of employing departmental resources and the delegation of assignments. This officer will work closely with the funeral liaison officer to ensure that the needs and requests of the family are fulfilled. This includes, but is not necessarily limited to, the following:

1. Providing oversight of travel and lodging arrangements for out-of-town family members.
2. Identifying alternative churches and reception halls that will accommodate the law enforcement funeral. These alternatives will be presented to the family, who will make the final determination.
3. Coordinating all official law enforcement notifications and arrangements to include the honor guard, pallbearers, traffic control and liaison with visiting law enforcement agencies.
4. Assisting family members in dealing with general media inquiries and informing them of limitations on what they can say to the media specifically.
5. Providing liaison with the media to include coordination of any statements and press conferences. The departmental liaison shall also ensure that members of the agency are aware of restrictions regarding release of any information that might undermine future legal proceedings.
6. Ensuring that security checks of the survivor's residence are initiated immediately following the incident and for as long as necessary thereafter.

E. Funeral Liaison

The funeral liaison officer acts as facilitator between the decedent officer's family and the department during the wake and funeral. The funeral liaison officer is responsible for

1. Meeting with family members and explaining his responsibilities to them,
2. Being available to the family prior to and throughout the wake and funeral;
3. Ensuring that the needs and wishes of the family come before those of the department;
4. Assisting the family in working with the funeral director regarding funeral arrangements;
5. Relaying any information to the family concerning the circumstances of the decedent officer's death and appropriate information regarding any investigation;
6. Determining the need for travel arrangements for out-of-town family members and any other special needs of the family during the funeral and reporting this information to the department liaison; and
7. Briefing the family members on the procedures involved in the law enforcement funeral.

F. Benefits Coordinator

The benefits coordinator is responsible for:

1. Arranging the filing of workers' compensation claims and related paperwork,
2. Presenting information on all benefits available to the family;
3. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions, as appropriate;
4. Preparing all documentation of benefits and payments due survivors to include the nature and amount of benefits to be received by each beneficiary, the schedule of payments and the name of a contact person or facilitator at each benefit or payment office;
5. Filing all benefits paperwork and maintaining contact with the family in order to ensure that benefits are being received. A copy of benefits documentation should be provided to all survivors affected and explained to each of them; and
6. Advising the surviving family of the role of police associations and organizations and the nature of support programs that they sponsor for law enforcement survivors.

G. Family Support Advocate

The family support advocate serves in a long-term liaison and support capacity for the surviving family. The duties of this individual include:

1. Providing contact with surviving family members in order to keep them abreast of criminal proceedings relating to the death of their family member;
2. Accompanying surviving family members to criminal proceedings, explaining the nature of the proceedings and introducing them to prosecutors and other persons as required;
3. Identifying all support services available to family members and working on their behalf to secure any services necessary;

4. Maintaining routine contact with family members to provide companionship and emotional support and maintain an ongoing relationship between the department and the immediate family; and

5. Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance, and encouraging others to visit and help as necessary.

A. This policy is issued by the authority of the Chief of Police. Any policy additions, deviations or revisions shall be made only at the direction of the Chief of Police.

By Authority of:

Jeffrey S. Head, Chief of Police

APPENDIX 1

To West Plains Police Department, Line of Duty Death or Injury

BENEFITS AND ASSISTANCE SUMMARY INDEX

I. Worker’s Compensation2

II. City of West Plains Life Insurance.....2

III. Missouri Local Government Retirement System.....2

IV. Social Security2

V. Public Safety Officer’s Benefit (PSOB).....3

VI. Benefits for Non-Federal Law Enforcement Officers.....3

VII. State of Missouri Crime Victims Compensation Program.....4

VIII. City of West Plains Payroll.....4

IX. Personal Life Insurance4

X. Fraternal Order of Police.....4

XI. Veterans Administration Benefits5

XII. Concerns of Police Survivors (COPS).....5

XIV. National Law Enforcement Officers Memorial.....6

XV. Missouri Law Enforcement Officers Memorial.....6

XVI. Other Social and Fraternal Organizations.....7

XVII. Documentation necessary for application of benefits.....7