

	DELMAR POLICE DEPARTMENT	
	Policy 6.5 Line of Duty Death Policy	
	Effective Date: 01/01/15	Replaces: N/A
	Approved: <u>Ivan Barkley</u> Chief of Police	
	Reference: N/A	

I. POLICY

It shall be the responsibility of the Delmar 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.

II. PURPOSE

The purpose of this policy is to provide direction for the Delmar 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.

III. DEFINITIONS

- A. Line-of-Duty Death: Any action, felonious or accidental, which claims the life of an officer of the Delmar Police Department.
- 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.

IV. PROCEDURES

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 Chief of Police shall assign an OIC. The OIC shall coordinate all departmental functions regarding the incident. When possible, the OIC should be a Division Commander.
2. The OIC shall make assignments of tasks and responsibilities to department personnel including but not limited to:
 - a. Peer Support Unit (PSU).
 - i. The PSU is comprised of personnel to **listen, assess,** and whenever necessary, **refer** for professional assistance to employees and their families during times of trauma, grief, or other personal and professional problems.
 - b. Critical Incident Stress Debriefing (CISD). Agency designated specialist.
 - c. Honor Guard members.
3. Department personnel assigned to the above listed tasks and assignments shall report the status of their tasks to the OIC. Department personnel shall not perform any task that involves the officer, family, or department without the approval of the OIC.
4. The OIC shall be available 24 hours a day during the incident in order to facilitate prompt contact with assigned personnel.
5. The 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.
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 Delmar, 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 Delmar but may not assume responsibility for travel expenses on behalf of the Police Department without authorization of the Chief of Police.
5. When making the notification, notifying personnel should be aware that 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. If the Officer has already died, relay that information. Do not give the family a false sense of hope.
 - e. It is important to use the officer's name during the notification.

6. Notifying personnel must be prepared for unexpected responses from survivors to include hysteria and possible verbal or physical attack, anger, fainting, shock, etc.
7. 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 should be facilitated by the OIC with hospital personnel.
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.
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 ensure 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 and may be designated as the EDL.
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

1. The following services will be offered to and provided for the family unless they request otherwise.
2. Unless the family requests otherwise, a member of the PSU 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. Ensure 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 families will most likely need to decide all aspects 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 shall be available 24 hours a day 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 21 gun 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 a designated 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 any 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.
 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 line-of-duty death, the OIC will compile and 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 immediate 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 Delmar 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. The OIC in conjunction with the Human Resources manager 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 OIC and Human Resources manager are responsible for filing appropriate paperwork and following through with the surviving family to ensure benefits are being received.
2. A visit with the surviving family should occur to discuss the benefits within a few days following the funeral. A prepared printout of the benefit payments due the family, listing names 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 statement of benefits to which the child or children are entitled.
4. The OIC and Human Resource manager should pay special attention to the problems with possible revocation of health benefits to the surviving family. Should an officer covered by Delmar's medical plan pass away, then the covered family members would be eligible to continue medical insurance through COBRA for up to 36 months if COBRA is elected and paid. If elected, once the COBRA has been exhausted all group medical insurance benefits terminate.

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 no 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. Proving Extended and Follow-up Support

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 (2) 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 Maryland or Delaware Police Agencies

1. When any member of the Delmar Police Department becomes aware of a law enforcement line-of-duty death within the State of Maryland or Delaware, they should notify their Division Commander within a reasonable period of time who will notify the Chief of Police.
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 for personnel to wear an approved mourning band.
3. Mourning bands shall be 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 Maryland or Delaware, or occurring outside of these states.
5. Mourning bands may be worn on badges and may be worn by uniformed personnel and non-uniformed sworn officers.