JOPLIN POLICE DEPARTMENT	3-09 STANDARD OPERATING GUIDELINE
SUBJECT: Line-of-Duty Death	**REVIEW DATE: Annually - March**
EFFECTIVE DATE: 03/27/2024	**ACTION DATE:**
AMENDS/SUPERSEDES: 04/01/2020	**AMEND DATE: 03/19/2024**
ACCREDITATION INDEX: 22.2.3, 22.2.4	**APPROVED:** Richard A. Pearson **Chief of Police**

I. POLICY

The Joplin Police Department will provide liaison assistance to the immediate survivors of a member who dies in the line of duty. This assistance is provided whether the death was unlawful or accidental (i.e., automobile accident, hit by a passing vehicle during a traffic stop, training accident) while the member was performing a police-related function, either on or off-duty and while he or she was an active member of the Department.

The Chief of Police may institute certain parts of this Order for cases of a member's natural death. The Department will also provide a clarification and comprehensive study of survivor benefits as well as emotional support during this traumatic period of readjustment for the surviving family. Funeral arrangements of the deceased member are to be decided by the family, with their wishes taking precedence over the Department's. (22.2.4)

II. PURPOSE

This Order establishes procedures to ensure the proper support and emotional care for a member's family following a line-of-duty death.

III. DEFINITIONS

A. Line-of-Duty Death

Any action, felonious or accidental, which claims the life of a Joplin Police officer who is performing work-related functions either while on or off duty.

B. Survivors

Immediate family members of the deceased officer; spouse, children, parents, siblings, fiancée, and/or significant others.

C. Beneficiary

Those designated by the officer as recipients of specific death benefits.

D. Benefits

Financial payments made to the family to ensure financial stability following the loss of a loved one.

E. Funeral Payments

Financial payments made to the surviving families of an officer killed in the line-of-duty that are specifically earmarked for funeral expenses.

IV. PROCEDURE (22.2.4)

Coordination of events following the line-of-duty death of a police officer is an extremely important and complex responsibility. Professionalism and compassion must always be exhibited as an obligation to the member's survivors and to the law enforcement community. In order to provide the best possible services and support for the member's family, specific tasks may be assigned to selected members of the Department. Their titles are:

- Notification Officer
- Hospital Liaison Officer
- Family Liaison Officer
- Department Liaison Officer
- Benefits Coordinator
- Chaplains

An explanation of each of these responsibilities is contained in this Order. A member may be called upon to perform more than one role. Members are encouraged to maintain an up to date "Confidential Line-of-Duty Death Information" form in the Administration Division. The information will be of extreme comfort to members' families and the Department in fulfilling the deceased officer's wishes.

A. Notification

1. It is the responsibility of the Bureau Captain or designee to ensure proper notification is made to the next of kin of a member who has suffered severe injuries or died. The Bureau Captain or designee will contact the Police Chaplain who will make the notification. The Bureau Captain or designee will either personally accompany the Chaplain when making notification or designate a Notification Officer to accompany the Chaplain. In the absence of a Chaplain, the Bureau Captain or his designated Notification Officer will make the notification to the survivors.

2. The name of the deceased member will not be released to the media by the Department before the immediate family living in the area is notified.

3. If there is knowledge of a medical problem with an immediate survivor, medical personnel should be available at the residence at the time of notification.

4. Notification will be made in person and never alone. The Notification Officer or his or her designee, close friend, or another police survivor could appropriately accompany the Police Chaplain**.** However, if the persons are not readily accessible, notification should not be delayed until these people can gather. If there is an opportunity to get to the hospital prior to the demise of the member, do not wait for the delegation to gather. The family should learn of the death from the Department first and not from the press or other sources.

5. Never make a death notification on the doorstep. Ask to be admitted to the house. Inform family members slowly and clearly of the information that you have. If specifics of the incident are known, the Notification Officer should relay as much information as possible to the family. Be sure to use the member's name during the notification. If the member has died, relay that information. Never give the family a false sense of hope. Use words such as "died" and "dead" rather than "gone away" or "passed away."

6. If the family requests to visit the hospital, they should be transported by police vehicle. It is highly recommended that the family not drive themselves to the hospital. If the family insists on driving, a member should accompany them in the family car.

7. If young children are at home, the Notification Officer must arrange for babysitting needs. This may involve co-workers' spouses, transportation of children to a relative's home, or similar arrangements.

8. Prior to departing for the hospital, the Notification Officer should notify the hospital staff and the Hospital Liaison (by telephone if possible) that a member(s) of the family is enroute.

9. The deceased or severely injured member's parents should also be afforded the courtesy of a personal notification whenever possible.

10. If immediate survivors live beyond the Joplin metropolitan area, the Notification Officer will ensure that the Communications Division sends a teletype message to the appropriate jurisdiction, requesting a personal notification. The Notification Officer may choose to call the other jurisdiction by telephone in addition to the teletype message. Arrangements should be made to permit simultaneous telephone contact between the survivors and the Department.

11. The Chief or a high-ranking representative should respond to the residence or the hospital to meet with the family as quickly as possible.

12. In the event of an on-duty death, the external monitoring of police frequencies may be extensive. Whenever possible, communications regarding notifications should be restricted to the telephone. If the media has obtained the member's name, they will be advised to withhold the information, pending notification of next of kin.

13. The Notification Officer will ensure that all members of the police department are notified when there is an on-duty-death or severe injury to a department member.

B. Assistance for Affected Members

1. Members who were on the scene or who arrived moments after a member was critically injured or killed should be relieved as quickly as possible.

2. Police witnesses and other members who may have been emotionally affected by the serious injury or death of another member will attend a Critical Incident Stress Debriefing.

C. Assisting the Family at the Hospital

1. The first official, other than the Chief or his/her representative, to arrive at the hospital becomes the Hospital Liaison**.** The Hospital Liaison is responsible for coordinating the activities of hospital personnel, the member's family, police officers, the press and others. These responsibilities include:

   a. Arranging with hospital personnel to provide an appropriate waiting facility for the family, the Chief of Police, the Notification Officer**,** and others requested by the immediate survivors,

   b. Arranging a separate area for fellow police officers to assemble,

   c. Establishing a press staging area,

d. Ensuring that medical personnel relay pertinent information regarding a member's condition to the family on a timely basis and before such information is released to others,

e. Notifying the appropriate hospital personnel that all medical bills relating to the injured or deceased member are directed to the City of Joplin, Human Resources Department. The family should not receive any of these bills at their residence. This may require the Hospital Liaison to re-contact the hospital during normal business hours to ensure that proper billing takes place,

f. Ensuring that the family is updated regarding the incident and the member's condition upon their arrival at the hospital, and

g. Arranging transportation for the family back to their residence.

2. If it is possible for the family to visit the injured member before death, they should be afforded that opportunity. A Police Chaplain or police official should "prepare" the family for what they might see in the emergency room and should accompany the family into the room for the visit if the family requests it. Medical personnel should advise the family of visitation policies and, in the event of death, explain why an autopsy is necessary.

3. The Notification Officer(s) should remain at the hospital while the family is present.

4. Do not be overly protective of the family. This includes sharing specific information as to how the member met his or her demise, as well as allowing the family time with the deceased member.

D. Support of the Family During the Wake and Funeral

1. The Chief of Police, or a designee, will meet with the member's family at their home to determine their wishes regarding Departmental participation in the preparation of the funeral or services. All possible assistance will be rendered.

2. With the approval of the family, the Chief will assign a Family Liaison Officer**.** The Chief will also designate a Department Liaison Officer and a Benefits Coordinator**.**

E**.** Family Liaison Officer

1. The selection of a Family Liaison Officer is a critical assignment. An attempt should be made to assign someone who enjoyed a close relationship with the member and his or her family. When possible, male/female "teams" should be utilized as Family Liaison Officers**,** thus preventing bonding between the survivor(s) and member during a vulnerable time in the survivor's life.

2. This is not a decision-making position, but a "facilitator" between the family and the Department.

3. Responsibilities of the Family Liaison Officer include:

a. Meet with the family and tell them what his/her responsibilities will be during this time,

b. Ensuring that the needs of the family come before the wishes of the Department,

c. Assisting the family with funeral arrangements and making them aware of what the Department can offer if they decide to have a police funeral. If they choose a police funeral, briefing the family on funeral procedure (i.e., presenting the flag, playing of taps, firing party). (See SOG governing funerals)

d. Apprising the family of information concerning the death and the continuing investigation, as well as any court proceedings. The Family Liaison Officer should be with the family during all related court proceedings.

e. Providing as much assistance as possible, including overseeing travel and lodging arrangements for out-of-town family members, arranging for food for the family, meeting childcare and transportation needs, etc.,

f. Being constantly available to the family,

g. Determining what public safety, church, fraternal and labor organizations will provide in terms of financial assistance for out-of-town family travel, food for funeral attendees following the burial, etc.,

h. Coordinate the return of the deceased officer's personal property to the family and the return of departmental property from the family.

i. Notifying Concerns of Police Survivors (C.O.P.S.), (573) 346-4911. Members are available to provide emotional support to surviving families, and

F. Department Liaison Officer

1. This position is normally assigned to a bureau Captain because of the need to effectively coordinate resources throughout the Department.

2. Responsibilities of the Department Liaison Officer include:

a. Working closely with the Family Liaison Officer to ensure that the needs of the family are fulfilled,

b. Handling the news media throughout the ordeal. If the family decides to accept an interview, a member should attend to "screen" questions presented to the family so as not to jeopardize subsequent legal proceedings,

c. Meeting with the following persons to coordinate funeral activities and establish an itinerary:

i. Chief of Police, Bureau Commanders, and Police Chaplains

ii. Funeral director,

iii. Family priest or minister,

iv. Cemetery director, and

v. JPD Honor Guard Commander,

d. Assist the Police Chaplain in directing the funeral activities of the Department and visiting police departments according to the wishes of the family,

e. Issuing a Teletype message to include the following:

i. Name of deceased,

ii. Date and time of death,

iii. Circumstances surrounding the death,

iv. Funeral arrangements (state if service will be private or a police funeral),

v. Uniform to be worn,

vi. Expressions of sympathy in lieu of flowers, and

vii. Contact person and phone number for visiting departments to call to indicate their desire to attend or to obtain further information,

f. Establishing a command center, if necessary, to coordinate information and response to the tragedy,

g. Obtaining an American flag. If the family wishes a flag presentation by the Chief, notify the Chief's Office,

h. Determining if the family desires a burial in uniform and selecting a member to obtain a uniform and all accouterments (except weapons) and deliver them to the funeral home,

i. Assigning members for usher duty at the church,

j. Arrange for an outside sound system at the chapel, if necessary, because of an anticipated overflow crowd;

k. Arranging for the delivery of the member’s personal belongings to the family,

l. Briefing the Chief and staff concerning all funeral arrangements,

m. Ensuring that the surviving parents are afforded recognition and that proper placement is arranged for them during the funeral and procession,

n. Arranging for a standby doctor for the family, if necessary,

o. Coordinating traffic management with the Traffic Sergeant and with other jurisdictions during the viewing, funeral and procession.

p. Assigning a member to remain at the family home during the viewing and funeral,

q. Maintaining a roster of all Departments sending personnel to the funeral, including:

i. Name and address of responding agencies,

ii. Name of the Chief of Police,

iii. Number of officers attending,

iv. Number of officers attending the reception after the funeral, and

v. Number of vehicles.

r. Assisting in making the necessary accommodations for food, lodging, etc.,

s. Acknowledging visiting and assisting departments,

t. Arranging for routine residence checks of the survivor's home by the Patrol Bureau for 6-8 weeks following the funeral.

u. Coordinate with other agencies for replacement staff to provide patrol, front desk, etc. functions during the funeral service.

G. Benefits Coordinator (22.2.3)

1. The Benefits Coordinator will gather information on benefits/funeral payments available to the family. The Benefits Coordinator has the Department's full support to fulfill this responsibility to the survivors and is completely responsible for filing the appropriate benefit paperwork and following through with the family to ensure that these benefits are being received.

2. The Benefits Coordinator is responsible for:

a. Filing Worker's Compensation claims and related paperwork,

b. Contacting Human Resources without delay to ensure that the beneficiary receives death and retirement benefits, the member's remaining paychecks and payment for remaining vacation and compensatory time,

c. Gathering information on all benefit/funeral payments, to include the Public Safety Officers Benefits Act, that is available to the family,

d. Setting up any special trust funds or educational funds,

e. Notifying police organizations such as HEROES, Inc., the Fraternal Order of Police, the Missouri Police Chiefs Association, etc., of the death and ensuring that any and all entitlements are paid to the beneficiary. These agencies may also offer legal and financial counseling to the family at no cost,

f. Preparing a printout of the various benefits/funeral payments that are due to the family, listing named beneficiaries and contacts at various benefits offices, and when they can expect to receive payment,

g. Meeting with the surviving family a few days after the funeral to discuss the benefits they will receive. A copy of the prepared printout and any other related paperwork should be given to the family at this time (use Appendix 2-43.1 to assist in preparing a printout of available benefits for the family).

i. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the child(ren) may be receiving.

ii. Attention should be given to the revocation of health care benefits. Many providers allow a 30-day grace period before canceling or imposing monthly payments upon survivors, and

h. Meeting again with the family in about six months to ensure they are receiving benefits.

H. Other Responsibilities

1. The funeral procession, it's route, and traffic control concerns will be the responsibility of the Traffic Sergeant. (See SOG governing funerals)

2.

3. The Department Liaison Officer, Family Liaison Officer, and the Police Chaplain will work together to coordinate all activities and to keep all levels of command informed. (See SOG governing funerals)

4. The Honor Guard Commander will coordinate with the Chaplain's Office and the Family Liaison Officer with respect to the family's wishes for the funeral arrangements. (See SOG governing funerals)

I. Continued Support for the Family

1. Members of the Department must remain sensitive to the needs of the survivors long after the member's death. The grief process has no timetable. More than half of the surviving spouses can be expected to develop a post-traumatic stress reaction to the tragedy.

2. Survivors should continue to feel a part of the "police family." They should be invited to Department activities to ensure continued contact.

3. Members of the Department are encouraged to keep in touch with the family. Close friends, co-workers and officials should arrange with the family to visit the home from time to time so long as the family expresses a desire to have these contacts continue.

4. The Chief of Police should observe the member's death date with a short note to the family, flowers on the grave and/or wreath placement at the National Law Enforcement Officers Memorial.

5. Holidays may be especially difficult for the family, particularly if small children are involved. Increased contact with the survivors and additional support is important at these times.

6. The Family Liaison acts as a long-term liaison with the surviving family to ensure that close contact is maintained between the Department and the survivors and that their needs are met for as long as they feel the need for support.

7. If no court proceedings surround the circumstances of the member's death, the Family Liaison will relay all details of the incident to the family at the earliest opportunity.

8. If criminal violations surround the death, the Family Liaison will:

   a. Inform the family of all new developments prior to press release,

   b. Keep the family apprised of legal proceedings,

   c. Introduce the family to the victims' assistance specialists of the court,

   d. Encourage the family to attend the trial, and accompany them whenever possible, and

e. Arrange for investigators to meet with the family at the earliest opportunity following the trial to answer all their questions.

V. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules or the Joplin Police Department's Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies, shall comply with this policy.

VI. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only form a basis of a complaint by this department, and then only in a non-judicial administrative setting.

APPENDIX 3-09

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These are the possible benefits/funeral payments available to the surviving family of a fallen Joplin Police Officer.

I. WORKER'S COMPENSATION

Worker's Compensation benefits are payable to the beneficiaries of the fallen officer. The City of Joplin Human Resources Office is the contact agency and they can be reached at 624-0820 Ext 211.

II. CITY LIFE INSURANCE

The City of Joplin will pay the amount of life insurance benefit for which Officer was enrolled under the group policy. The contact is Human Resources at 624-0820 Ext 211.

III. POLICE LAGERS PENSION

Officers hired on or after February 3, 2020 fall under Missouri Lagers L-11 plan. Death benefits vary depending on the beneficiary listed. Death benefit options can be found at the Lagers website: www.molagers.org or by emailing info@molagers.org or by telephone at (800) 447-4334.

IV. POLICE PENSION-DEATH BENEFIT

Upon the death of an active member, the Joplin Police and Fire Pension and Retirement Plan shall pay to the beneficiary of the member or if there is no beneficiary or if the beneficiary predeceases the member, to the estate of the member, a lump sum based upon the amount of retirement contributions made by the member. The plan will also pay the beneficiary a monthly check in an amount to be determined by the Finance Department. Contact person is the Finance Director, 624-0820 Ext 240

V. SOCIAL SECURITY

Because Officer _____ paid into Social Security for _____ years, the widow and family are eligible for Social Security benefits. Social Security Administration, Joplin Branch, 800-772-1213.

VI. PUBLIC SAFETY OFFICERS' DEATH BENEFIT

Federal statute provides a one-time $437,503.00 (as of 10/01/2023) & will include cost-of living increases after that) death benefit to the survivors of a public safety officer who is killed or permanently and totally disabled in the line of duty. Forms are completed by the local agency and forwarded to the U.S. Department of Justice for processing and payment. Contact PSOB staff at (888) 744-6513 or write to the Public Safety Officers' Benefit Program Bureau of Justice Assistance, 810 7th Street, N. W., Washington, DC, 20531. Fax: (202) 307 3373. If all paperwork submitted to the Department of Justice is in order, payment of this benefit can be expected within 90 days.
(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.

VII. PUBLIC SAFETY OFFICERS' EDUCATIONAL ASSISTANCE PROGRAM

Federal Statute provides educational assistance to the dependents of Law Enforcement Officers who are killed or disabled in the performance of their duties. This program is administered by the Public Safety Officers' Benefits Program, Bureau of Justice Assistance, 810 7th Street N.W., Washington, DC 20531, telephone (888) 744-6513, Fax (202) 616-0314, www.ojp.usdoj.gov/BJA.

VIII. BENEFITS FOR NON-FEDERAL LAW ENFORCEMENT OFFICERS

U.S. Dept. of Labor, Programs (OWCP) Office of Workers' Compensation
(Law enforcement agency should check with the Department of Labor to see if death circumstances meet criteria for filing for this benefit. If circumstances do not meet the criteria, either leave off benefit information or state that "This benefit is not due to the family of Officer ")

Benefits are provided for any non-federal law enforcement officer who is killed under one of the following conditions:

1. While engaged in the apprehension or attempted apprehension of any person:

    a. who has committed a crime against the United States, or

    b. who at the time was sought by a law enforcement authority of the U.S. for the commission of a crime against the U.S., OR

    c. who at that time was sought as a material witness in a criminal proceeding instituted by the U.S.

2. While engaged in protecting or guarding a person held for the commission of a crime against the U.S. or as a material witness in connection with such a crime.

3. While engaged in the lawful prevention of, or lawful attempt to prevent, the commission of a crime against the U.S.

Questions concerning this benefit should be directed in writing to the Office of Workers' Compensation Program, P.O. Box 37717, Washington, DC, 20013-7117.

IX. VETERANS' BENEFITS

Many Law Enforcement Officers are veterans of the U.S. Armed Forces and a number of survivor's benefits are available to the spouse and children of a deceased veteran. Included may be:

1. Death Pension
2. Funeral Expenses
3. National Service Life Insurance
4. Interment or burial plot allowance

For information or help in applying for veteran's benefits, call 800-827-1000.

X. STATE OF MISSOURI VICTIMS COMPENSATION PROGRAM

Injured victims of violent crimes or dependents of deceased victims may be eligible to receive up to $25,OOO.OO from the Missouri Crime Victims Compensation Board for medical expenses, income loss, replacement services and funeral expenses resulting from the crime (where the victim has no other source of reimbursement). Crime Victims' Compensation Unit, Dept. of Labor and Industrial Relations, P.O. Box 58 Jefferson City, MO 65102. Phone: (573) 526-6006; Fax: (573) 526-4940. Victim Compensation information: http://www.dolir.state.mo.us/wc/dolir6f.htm

XI. CITY OF JOPLIN PAYROLL

The City of Joplin provides payment of the following monies to the survivors of deceased officers:

1. The unused portion of his/her accrued compensatory time.

2. The unused portion of his/her accrued vacation leave.

XII. PERSONAL LIFE INSURANCE BENEFITS

Claims for insurance benefits available through this source are filed by the family with any assistance needed from the department. In the case of Officer _____, _____ policies, with (names of companies) were in effect at the time of his death.

XIII. FRATERNAL ORDER OF POLICE

The Fraternal Order of Police provides a one-time $ _____ death benefit to the family members of a deceased member officer. Contact the local FOP President.

XIV. CONCERNS OF POLICE SURVIVORS, INC. - C.O.P.S. KIDS

A program which financially assists dependent-aged children who seek psychological counseling to help them cope with the trauma inflicted on them through the sudden, often violent, loss of their parent to the Law Enforcement profession. For information on C.O.P.S. Kids contact: Concerns of Police Survivors, Inc., P.O. Box 3199, Camdenton, Missouri, 65020, (573) 346-4911.

XV. CONCERNS OF POLICE SURVIVORS, INC. - C.O.P.S. SCHOLARSHIPS

Based on scholastic achievement and lack of state-funded educational benefits, the C.O.P.S. Scholarship Committee may grant scholarships to surviving children (under the age of 30) and surviving spouses of Law Enforcement Officers whose deaths have been determined by government agencies to be "in the line of duty."

XVI. NRA DEATH BENEFIT

If a police officer, with or without compensation, is feloniously killed in the line of duty (line of duty according to government guidelines) and is a current member of the National Rifle Association, the surviving spouse/family may be entitled to a $25,000 death benefit. Contact NRA Insurance Administration and Claims at (877) 672-3006 with the name of the NRA member and member number. Contact must be made with-in 90-Days of the officer's death.

XVII. TASER FOUNDATION

The Taser Foundation's mission is to honor the service and sacrifice of local and federal law enforcement officers in the United States and Canada lost in the line of duty by providing financial and educational support to their families. When a duly sworn officer is lost in the line of duty, the officer's department may apply for a one-time gift from the TASER FOUNDATION. Applications are available online at www.taserfoundation.org. The grant check is made payable directly to the officer's beneficiaries but coordinated through the department as to insure the family's privacy during such a traumatic time.

XVIII. FORMS NEEDED FOR APPLICATIONS

The following forms will be needed for the various benefit applications:

a. Marriage License.
b. Certified copy of Death Certificate.
c. Certified copy of minor child/children Birth Certificate.
d. Physician's Statement.
e. All _____(year) to _____ (year) W-2 earnings forms.