

**The Bill Blackwood
Law Enforcement Management Institute of Texas**

**Long-term Disability for Police Officers
“Injured in the line of duty”**

**An Administrative Research Paper
Submitted in Partial Fulfillment
Required for Graduation from the
Leadership Command College**

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June 2009**

ABSTRACT

Long-term disability for police officers that are injured in the line of duty is an important topic because police officers throughout the United States and in Texas are being forced into early retirement due to debilitating injuries they received in the line of duty, and they are struggling to survive on the disability benefits. The purpose of this research is to bring awareness to police officers across the United States and within the federal government that enough is not being done to ensure that if a police officer becomes disabled, after being injured in the line of duty, they will be taken care of for the rest of their lives.

The method of inquiry used by the researcher included journal entries, personal surveys, numerical statistics, and internet sites. Through research, it is determined that more police officers throughout the United States are being injured in the line of duty, and their injuries are so severe that they become disabled. For example: Jim Mullen was injured in the line of duty and forced to retire. Mullen only received 75% of his salary and had to pay for medical insurance from that 75% (Murphy-Milano, 2007). After being labeled disabled, officers are finding it hard to survive even from the maximum benefits that are allowed through the current disability plan for most law enforcement agencies.

It has been recommended that law enforcement agencies review their department policies for police officers that were injured in the line of duty and forced to retire.

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INTRODUCTION

Throughout the United States, there are a growing number of police officers that have been disabled due to injuries sustained in the line of duty. The Disabled Police Officers Counseling Center, Inc. (Morrison, n.d.) showed that the number of police officers injured in the line of duty was astronomical. Research revealed that each state has problems prevalent in their individual state. Due to the lack of information available for Texas, the research focused on police departments around the United States. The issue examined officers being classified as disabled and forced to retire early due to being injured in the line of duty. Officers are struggling to maintain their way of life with the amount of disability provided. A number of officers are unable to afford the medical insurance on the percentage of disability they are receiving.

It is important that law enforcement agencies throughout the United States provide training to officers about disability insurance. Rookie and veteran officers should be updated on chances for any disability benefits in the event that they are injured in the line of duty. The relevance of long-term disability for police officers injured in the line of duty is that most officers do not have enough, or even adequate, disability benefits if they become disabled after sustaining serious injuries in the line of duty.

The purpose of this research is to show that there are police officers who are disabled and forced to retire after being injured in the line of duty. This paper will show, statistically, the growing number of officers that are struggling to maintain their way of life who are losing everything after being injured in the line of duty. This research will show that police officers are unaware of their rights pertaining to long-term disability if they are injured in the line of duty and forced to retire.

The research will examine some alternatives available to ensure that police officers throughout the United States are well compensated or provided adequate care and services should they become disabled while in the line of duty. This paper will show that the current laws for police officers injured in the line of duty have not addressed the financial issues they face. Another question examined focuses on whether or not state and federal legislators are aware of the growing number of police officers struggling to survive on the maximum amount of disability that is allowed after they become disabled from an injury that occurred while on duty.

The method of inquiry used by the researcher will include journals, surveys, personal interviews, and data gathered through the internet. Through research, the intended outcome is to determine how many police officers throughout the country are sustaining injuries severe enough that they are forced into retirement. After being forced into retirement, officers are finding it hard to survive, even from the maximum benefits allowed through the current disability plan for most law enforcement agencies. The field of law enforcement will be influenced by the conclusions because it will bring awareness to police officers that the current benefits for long-term disability, even with the maximum amount of coverage, is not enough for them and their families to survive.

LITERATURE REVIEW

The purpose of this research paper is to show that law enforcement officers are having financial problems after being injured in the line of duty and forced to retire. Law enforcement officers have a challenging job because of the growing number of violent crimes. The majority of people coming into the law enforcement field are young and well fit individuals. However, with the tough economy, the law enforcement family has seen

older men and women changing careers and becoming police officers. Law enforcement can be a very rewarding but dangerous career; however, most police officers love what they do and would not change it for the world. Police officers have the opportunity to supplement their income by working security for businesses within their city or jurisdiction. This is beneficial to them because it allows the officer to make extra income. Individuals that decide to take this career path are aware of the dangers that it possesses. A majority of these officers understand that there is a great possibility that they can be fatally injured or die while performing their duties. Research showed that a large number of officers have been injured in the line of duty and were forced to retire from law enforcement due to their injuries. For example: The National Police Disability Study (Morrison, n.d.) showed that of the responding 17,370 retirements for that time period, 1,703 were due to disability.

What most officers do not know is that not only do they have to be approved by the agency's own doctors to be eligible for long-term disability; they also only receive a percentage of their salary. This does not take into account the deductions from their paychecks, which includes expensive medical insurance. The problem with long-term disability for police officers injured in the line of duty is that when they are forced into retirement due to their injuries, they do not receive enough compensation for the survival of their families. Officers are losing their homes, families, and livelihoods because there is not enough being done to ensure medical insurance coverage for injuries that caused disability. Another issue with long-term disability is that it varies from state to state, and most police agency policies on long-term disability is not enough for the officer to make a living after being forced into retirement. Most agencies are not willing to pay for the

medical insurance for the injured officer, which causes more expenses for them to endure without the proper funding.

Murphy-Milano (2007) introduced Jim Mullen, a Chicago police officer who was shot and nearly killed while on duty in 1996. He is now a quadriplegic on a ventilator. Mullen stated, "Could you imagine my life going from being a policeman full of life to being disabled in a wheelchair?"(p. 1). Mullen's disability pay was 75% of his salary, but he said that was not enough to survive off of and wanted to go to work anywhere. The following scenario exemplifies the disability formula in Chicago: For a person that receives \$623 a month in benefits and has a job that pays \$400 a month, this equals a total income of \$1,023 a month. By the time expenses (\$100) and money for insurance is deducted (\$107), the person has a remaining \$193 of the \$400 he/she received from the job they work. This is the reason working is not necessarily beneficial for these officers (Murphy-Milano, 2007).

Greenwood (2008) gave the example of Pittsburgh police officer Detective Jeffery Smith who was shot in the while on duty. The injuries included nerve damage and muscle spasms, which made standing and sitting for long periods of time uncomfortable. He is struggling to receive his disability pension, even though this injury ended his career. State law in Pittsburgh requires the officer who is applying for benefits to be seen by three doctors: one doctor is chosen by the police officer, but the other two are chosen by the board. This is a very stressful process for officers because the doctors chosen by the police department can disagree with the injured officer. In this case, the doctor that was chosen by Smith and one of the chosen doctors agreed that his injuries would not allow him to return to work. The third city doctor disagreed with the first two doctors and believed

that Smith was not disabled. The pension board, which was made up of the chief of police and regular police officers, also believed that Smith did not qualify to be categorized as disabled. Smith receives a regular pension, which is only 50% of his salary, and if approved for the disability, he would receive the same amount, not including medical (Greenwood, 2008).

Former Virginia State Trooper Bill Carrico, now a delegate on the Virginia State Police Association, was forced to retire due to an in the line of duty injury where he lost a limb and became confined to a wheelchair. Carrico is trying to overturn a 2000 session of general assembly that approved an important law requiring the Commonwealth provide health care for police officers permanently disabled from an injury that occurred while on duty. The issue with the legislation is that the information is not easily understood. The implementation date was July 1, 2000, which excluded the state troopers that were disabled prior to this date. This left at least 88 Virginia State Troopers who were injured in the line of duty and forced to retire without health care (Poole, 1998).

In January 2003, disabled public safety officers in the city of San Francisco received benefits in a historic Equal Employment Opportunity Commission (U.S. Equal Employment Opportunity Commission, 2003). The California Public Employees' Retirement System had over 1,700 retired state and local officers subjected to age discrimination. California has the nation's largest public retirement fund, which is responsible for providing benefits to these officers. When the system chose to reduce the benefits of officers based on their age, the officers filed a lawsuit to address this issue. For all officers over the age of 30, Section 21417 reduced the amount of industrial disability pensions to below 50% of the compensation standard. Therefore, for those workers, the older they were past 30 at the

time they were hired, the less amount they could receive if they were seriously injured (U.S. Equal Employment Opportunity Commission, 2003).

Arnett, a former Fremont Police Officer, retired because of back injuries he received while on duty. He loved his career, but this injury ended his future in it. Arnett thought he would get half of his salary as a disability pension after he retired. However, Arnett was allotted only about one-third of his salary. This created financial hardship for his family. The lawsuit took nine years in the court system, but they won a great victory for police officers and other public service officers in the state of California (U.S. Equal Employment Opportunity Commission, 2003).

In the United States military, the long-term disability for service members works much like that in the civilian world. Military service men and women who are injured in the line of duty have to wait sometimes as much as three months to find out whether or not they will receive long-term disability benefits. Service men and women feel betrayed by the military, much like this nation's law enforcement officers who are injured in the line of duty and forced to retire.

It is important to help law enforcement officers cope with the emotional scars that can develop as a result of a debilitating injury and a subsequent forced retirement since officers will have lost their ability to work in an occupation that was not just a job but a way of life. It would be great if departments could provide some type of assistance to officers so that they could afford to attend college or develop new skills that would allow them to continue to support themselves and their families after an untimely retirement. Law enforcement officers need help to pay their necessary living expenses, such as rent, medicines, car payments, or other basic items that they may have fallen behind on, is very

important to the injured officer. During the research for this paper, there was very little information and statistics about law enforcement officers injured in the line of duty and forced to retire. There is a great deal of information about how many officers are killed and a little about officers who are assaulted, but there is little or nothing about officers who are disabled from a line of duty injury. This is a serious flaw in the data gathering processes used by the American law enforcement community. There is one organization that attempted to gather statistics on law enforcement officers who are injured while on duty and are forced to retire. National Police Disability Study (Morrison, n.d.) found that statistics were kept for officers who were killed in the line of duty, and little to no data was kept for officers who were injured and became disabled (Morrison, n.d.). Because there are so many officers around the United States forced to retire due to an in the line of duty injury, there should be more studies done by the federal government.

The research has shown that there is not enough being done to ensure that law enforcement officers are being taken care of in the event they are injured in the line of duty and forced to retire. There are a few organizations that are providing what assistance they can provide for disabled officers injured while on duty. Public Safety Officer's Benefits Program (PSOB) assists officers with a one-time payment of \$303.06, but they do not cover medical benefits. They also provide financial assistance through the Public Safety Officer's Educational Assistance Act. The Fraternal Order of Police (FOP) is another organization that assists police officers who were injured and forced to retire. The Fraternal Order of Police provides a wide variety of services for police officers as well as financial assistance for those injured in the line of duty and force to live on long-term disability (Bureau of Justice Assistance, 1976).

There is an organization through Police Link that is trying to get a proposal passed, which is called the Police Death and Disability Act, which supports the men and women who serve and protect 24 hours a day (Bragg, n.d.). This is a federally funded act that would provide protection to those who did the protecting and can no longer serve in that role. This proposal would enable these police officers to have their medical bills paid for by the government, and their families medical expenses would be covered as well. If a law enforcement officer should become injured while on duty to the extent that they are no longer able to perform their duties as a law enforcement officer and must retire, those officers would be covered under this act. Disabled/retired officers will become eligible for 100% paid medical coverage at the date of retirement, which will be paid for by the federal government under this bill. Those covered under this bill shall be issued a medical identification card at no cost, and it will serve as an insurance card accepted by all licensed medical practitioners and facilities and all charges are to be paid by the United States government. This bill will include 100% of the costs for medical prescriptions, such as medication, equipment, or any other means that are necessary to aid in the officer's recovery. If this bill is passed, it will be a victory for police officers because, currently, there is not enough being done to ensure that an officer receives financial help if he/she becomes disabled due to an in the line of duty injury. In addition to medical expenses being high, officers receive as little as 60% of their salary and their medical is deducted from their disability check.

Congressman Dave Reichert, who represents Washington's Eighth Congressional District, is trying to help law enforcement officers who are disabled due to an in the line of duty injury (Vedder, 2007). Reichert became aware of the problem

through a local police officer by the name of Pat Kelley, from Seattle, Washington, who almost died after he was hit by a drunk driver while on duty. Reichert watched a KOMO 4 Problem Solver Investigation that revealed the Department of Justice had refused to pay the officer benefits. Reichert has taken this concern to Congress and the Department of Justice. Congress approved a fund years ago to help police officers and firefighters who were killed or disabled in the line of duty. The flaw in the system was that if the justice department felt the officer was not injured enough, the benefits were not approved. Reichert is a former King County Sheriff Deputy who has already fought with the justice department over benefits for first responders. This has been approved by the Homeland Heroes Act. After seeing the story of Pat Kelley, he met with the justice department on the behalf of hundreds of cops and firefighters. After the meeting with the justice department, Reichert has been afforded the passage of an amendment in order to speed up the benefits for Kelley. Reichert is looking into a new law that forces the Department of Justice to help other law enforcement officers who are disabled from an in the line of duty injury.

METHODOLOGY

The purpose of this research is to bring awareness to police officers across the United States and those within the federal government that enough is not being done to ensure that if a police officer becomes disabled, after being injured in the line of duty, they will be taken care of for rest of their lives. The research hypothesizes that law enforcement officers are running into issues that are causing them financial hardship as well as mental hardship while trying to obtain enough disability to survive on.

The method of inquiry used by the researcher will include journals, surveys, statistics, and internet sites. The instrument that will be used to measure the findings is a survey. The survey will ask the size of the agency and how long-term disability works within the participants' agencies. The participants will also have to answer questions regarding the percentage of disability an officer receives if injured, if any officers are living on their disability, and if officers are aware of how long-term disability works.

A total of 23 law enforcement administrators were asked to participate in the survey, and all 23 returned the survey instrument. The survey will analyze the views in the research from officers who represent a wide range of officers from around the state of Texas.

FINDINGS

To establish a background of the survey participants, they were first asked to indicate what category best describes their agency and what rank they held within the department. Of the 26 participants, 15 represented municipal police departments, three represented government agencies, two represented school districts or college police departments, and three represented the sheriff's office. The participants ranged from the rank of corporal to chief of police.

The first question asked in the survey was the size of the police agency that they worked for. From the 23 participants, four officers worked for an agency that ranged from one to 20 officers, nine officers worked with a range of 20 to 60 officers, one officer worked with a range of 60 to 100 officers, three worked with a range of 100 to 150 officers, and six worked with 150 or more officers. The 23 participants were asked the average percentage an officer would receive if he/she was injured in the line of duty

from their agency, and 14 officers stated their agency's disability was from 40% at the lowest to 100% at the highest. The remaining nine officers did not know what their disability percentage was. The participants were asked if there were any officers within their agency living on long-term disability after being injured in the line of duty, and all 23 participants answered no. The final question asked to all participants was regarding whether an officer injured in the line of duty and forced to retire should receive 100% of their salary. Out of 23 participants, 19 officers felt that they should get 100% of their salary, and four felt they should not get 100% of their salary.

DISCUSSIONS/CONCLUSIONS

The research will show the problem police officers are having after being classified disabled and made to retire early due to being injured in the line of duty. Officers are only receiving a percentage of their salaries, which does not include medical coverage. Officers who try to supplement their income with a part time job are penalized and can lose a portion of their disability income. This paper will show that not enough research has been conducted on the number of officers seriously injured in the line of duty and forced to retire. Officers that are living on long-term disability are struggling to maintain their way of life and, in some cases, losing everything.

The question of concern asks what law enforcement agencies or the federal government will do to ensure that any officer who is injured in the line of duty and disabled will be taken care of for life. In conclusion, research showed that there are too many law enforcement officers that are not receiving the financial assistance or medical assistance they need to survive. It becomes a tragedy within the justice system that police officers are putting their lives on the line to protect the lives of the citizens and

their property but when the officers are injured in the line of duty and forced to retire, it creates hardship for them and their family.

The research revealed that there is an unknown number of police officers living on long-term disability from an in the line of duty injury. These officers are still struggling to receive benefits from their departments or the federal government. More needs to be done to make the community aware of these officers. If a police officer becomes disabled during the line of duty and is forced to retire, he/she should not be penalized if the individual decides to work a part-time job. This was one of the issues officers faced: when they tried to supplement their income, they lost their medical benefits. The thing that limited the research is that there has been no extensive study on long-term disability for police officers injured in the line of duty. Therefore, very limited statistics were available in this study. Also limiting the research is that law enforcement agencies have different percentages of disability benefits.

This research created awareness about the need for law enforcement officers to review their disability plan and, if possible, to purchase enough additional disability insurance to supplement what is allowed by their agencies. This research will affect law enforcement officers in the United States, the federal government, and the public. There have been very few studies in law enforcement about officers who are forced to retire due to injuries received in the line of duty. Each police department should keep detailed statistics on each officer within their agency that is injured in the line of duty and forced to retire. This is a serious issue that officers are facing day to day, and the United States government should be more attentive to the hardship that officers are facing while living on disability.

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APPENDIX

Law Enforcement Survey
Research on Long-time Disability for Police Officers Injured in
the line of duty

10-23-2007

LCC Class Module I

Please answer the following questions:

1. How large is your agency?
1-20 20-60 60-100 100-150 150 or more
2. How does long-term disability work within your agency?
3. Does a new officer get in-service training on the departments' policy on long-term disability when they get hired?

Yes No
4. What is the average percentage of disability that an officer in your agency will receive if he/she becomes disabled after being injured in the line of duty?
5. Are there any officers in your agency living on long-term disability after being injured in the line of duty?

Yes No
6. Are all the officers within your agency fully aware of how the long-term disability works should they get injured in the line of duty, and become disabling?

Yes No

7. Do you think that if police officers are injured in the line of duty, he/she should at least receive 100 % of their salary?

Yes No