

LAW ENFORCEMENT MANAGEMENT INSTITUTE

LINE OF DUTY DEATHS: DO WE PAY PROPER HOMAGE

A RESEARCH PAPER

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#163

*DEDICATED TO THOSE MEN AND WOMEN IN OUR
PROFESSION WHO CONTINUE TO PERFORM THEIR DUTY IN
THE FACE OF GREAT ADVERSITY FROM SOCIETY ITSELF:
WILL WE EVER UNDERSTAND WHY?*

INTRODUCTION

In January of 1794, Robert Forsythe became the first American peace officer to be killed in the line of duty.¹ He was a Federal Marshall appointed by George Washington. Marshall Forsythe and two of his deputies were attempting to serve court papers when he was killed by a single bullet.

Since 1794, there have been over 30,000 peace officers killed in the line of duty. With each loss, there have been loved ones who pay the price in loneliness and a community that suffers one more loss to the thin blue line that protects society.

In 1962, President John F. Kennedy was most famous for his strength in the resolution of the Cuban Missile Crisis. Most are not aware, that also in 1962, President Kennedy signed a proclamation designating the week of May 15th as National Police Week and May 15th as Peace Officers' Memorial Day. This proclamation was the result of a four-year effort by one individual, a Philadelphia resident named Abraham Charles Sussman. As a young man, Mr. Sussman had thoughts of a career in law enforcement; however, he became discouraged by the frequency of officers killed or injured in the line of duty. Instead, Mr. Sussman became a butcher in his father's meat market and, later, became a Reserve Peace

¹National Fraternal Order of Police Journal/Winter, 1990, pg.9

Officer with the Philadelphia Police Department. Mr. Sussman's motivation for the establishment of Peace Officers' Memorial Day was derived from what he felt was a lack of recognition shown to peace officers while performing their duties.

From 1958 to 1962, Mr. Sussman wrote over 12,000 letters to members of Congress, governors, mayors, police chiefs and police support groups seeking support for his idea. Mr. Sussman was recently commended by Congress on January 24, 1990, for his efforts to establish Peace Officers' Memorial Day.

On May 15, 1982, through the initiative of the Grand Lodge Ladies Auxiliary of the Fraternal Order of Police, the first Annual National Peace Officers' Memorial Day service was held in Senate Park on Capital Hill in Washington D.C. Only 125 people were in attendance. On May 15, 1983, the second Memorial Service was scheduled to be held. On the date before, 10 surviving families arrived to participate in the service. One of the results of their attending the service was that they were able to share what had occurred in their lives, the tragedy of the line-of-duty death.

PRESENT DAY HOMAGE

On Wednesday, June 27, 1990, a tragedy occurred in the City of Houston. Jim Irby, an 18-year veteran of the Houston Police Department was killed in the line of duty, performing what the newspapers would call a routine traffic stop.

What was so different about this senseless tragedy compared to others was the reaction of members of the community. While the dramatic situation was unfolding, several citizens rushed to the aid of the fallen officer. Other citizens near the scene pursued the assailant, at great risk to themselves while under fire from his weapon. The citizens tracked the assailant until additional police units arrived and took him in to custody. Throughout the week, community support continued. A fund raiser was held at the Hard Rock Cafe where over \$45,000.00 was raised in a matter of hours. Citizens throughout Houston came to the restaurant and donated money to his family, some even signed over their entire paychecks to the cause.

For Officer Irby's family, along with countless others who have had to endure this type of tragedy in their lives, Peace Officers' Memorial Day will have a special meaning. And what about those Police Officers who have not been directly involved in a line-of-duty death? How important is it to them? Peace Officers' Memorial Day has been in existence since it was enacted by Congress in 1963; however, the first day for a National Service was not until 1982. How many in the law enforcement profession have not even recognized this day?

In conducting this research, two awareness surveys were conducted concerning Police Memorial Day; one involved students in the Management

Institute, and the other involved students at Wharton County Junior College Police Academy.

Management Institute Survey: Twenty participants were surveyed with a total of 301 years of service for an average of 15.05 years. The survey given contained questions concerning basic knowledge of Police Memorial Day.

In response to these questions, 55% of those surveyed responded correctly to a question regarding in what month Police Memorial Day occurs (May). In response to a question concerning what day Police Memorial Day is held, 30% of those surveyed selected the correct date (the 15th). In response to a question regarding actual participation in a Police Memorial Day Ceremony, 30% responded that they had participated in a ceremony.

The respondents in this survey represented both large and small agencies throughout the State of Texas. Officers representing agencies that had sustained a line-of-duty death seemed much more knowledgeable regarding Police Memorial Day.

In fairness to colleagues in the Institute, a survey of an academy class at Wharton County Junior College was made. Of 80 students surveyed, none had any prior law enforcement experience. In response to these questions, .05% of those surveyed responded correctly to a question regarding the month Police

Memorial Day was recognized. None of those surveyed could supply the correct date, nor had any participated in a ceremony.

It is apparent that persons in general are not truly aware of Police Memorial Day. It is my opinion that until we in law enforcement overcome our own apathy regarding Police Memorial Day, it will not receive the emphasis that it should in the rest of society.

LINE-OF-DUTY DEATH

A line-of-duty death is a tragedy, and serious long-term problems can result if an agency is not prepared to deal with the trauma of the situation. One of the ways an agency can effectively deal with a line-of-duty death is to have a written operational procedure which has been adopted as policy for action following such a death. A recent National Institute of Justice study found that 67% of the police departments surveyed had no formal policy concerning the actions to be taken if an officer dies in the line-of-duty. ²

In developing such a policy, the foremost concern should be notifying the family of the slain officer. This must be done before media inquiries or phone calls from concerned friends or neighbors begin. The department should designate a person to be responsible for notification, either department chaplain, the Chief

²Law and Order, June, 1990, pg 34, Line of Duty Death in small departments.

of Police and/or an officer that has close contact with the family. All contact should be done in person and the information presented with compassion and honesty. False hope should not be given where none exists: the family should not be led to believe that someone is alive that has already died.

When a line-of-duty death has occurred, information should also be disseminated to the other members of the agency to avoid rumors.

The media will become involved in a line-of-duty death, and their objectives will be different from that of the agency. A designated person should be responsible for dissemination of information to the media.

If there is a crime scene involved and the media is present, a press area should be established in the area with specific concern for the protection of the evidence at the scene. All interviews with officials of the agency or the family spokesperson should be coordinated.

The needs of the officer's family should not be ignored by the agency. A liaison should be assigned to the family members to assist with their needs and to communicate the wishes of the family to the agency. The family should never be forgotten during any on-going investigation. Also, families should be invited to participate in future agency functions. Contact between members of the agency and the family should be encouraged.

A line-of-duty death can cause financial hardship for the surviving family. There are certain benefits available through Federal and State governments, and the agency needs to have updated information for families so they can apply for these benefits to reduce the hardship. Any funds owed to the family by the agency for time worked, compensatory time, vacation and sick leave should be paid as soon as possible to help prevent any short-term financial hardship. All bills concerning the transportation, treatment and funeral should be directed to the agency and not the family.

If an agency is prepared to deal with a line-of-duty death, the negative effect of the loss can be reduced, especially in a small agency where the officers know each other well. Often fellow officers can supply information about off-duty jobs, prior employment, insurance policies and benefits unknown to the family.

As law enforcement officers, we accept certain risks in the performance of our duties. We consider other law enforcement officers as family and a fallen officer is a brother or a sister. We attend the services of another, whether we personally knew the fallen officer or not, just to pay our respects. This is a tradition that should be upheld every Police Memorial Day.

We cannot expect the public to recognize and respect our memorials if we do not. This day should be recognized by each law enforcement agency. Black

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bands should be worn over badges and headlights should be operated on police units. Officers need to be more aware of this day and the significance it has for our profession.