

LAW ENFORCEMENT MANAGEMENT INSTITUTE

DEPARTMENT RESPONSE TO AN ON-DUTY  
POLICE OFFICER DEATH

A LEARNING CONTRACT SUBMITTED IN  
FULFILLMENT  
OF THE REQUIREMENTS FOR  
GRADUATE MANAGEMENT INSTITUTE

BY

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GARLAND, TEXAS

AUGUST 1991

#47

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## ABSTRACT

The paper is titled "Department Response to an On-Duty Police Officer Death." The paper opens discussing family needs of a slain police officer, such as the police agency's method of notification and the assistance that the police agency provides in regard to benefits for funeral plans. Death benefits are discussed in detail advising what criteria must be satisfied, what the benefit is and how and where to apply for the benefits. Police assistance for the family at the hospital, as well as counseling and assistance with preparing paperwork, is addressed.

The paper looks at who the survivors are, what reactions and stress levels can be expected, and what some of the more common beliefs are concerning how police families should react to the death.

The paper concludes discussing funeral considerations. The police agency's responsibilities such as coordination of the funeral plans are discussed, when it is appropriate and when it is not. Also mentioned is the police agency's responsibility to support the family during the lying-in-state and funeral service. Lastly, support for the family and for the other survivors is discussed.

## INTRODUCTION

This paper is intended to discuss concerns that need to be dealt with in relation to a police officer being killed in the line of duty. Issues that should be recognized are numerous and some are here listed. The family of a slain police officer is a very important concern of the police department. This issue should be planned for very carefully in order to provide the family with every need the police department can possibly fill and to demonstrate the police department's full support of a slain officer's family. The police department's actions are an important issue in relation to the immediate change in attitude and perspective among its personnel. The police department is placed in a so-called "state of emergency" when an officer is killed in the line of duty. Some officers immediately feel the public as a whole is against the police and develop an attitude of "us against them", while yet other police officers see how easily and quickly a police officer can be killed performing his duties and ask themselves, "Is it worth it? Could that have been me?" Officers of the police department, upon the death of a police officer, as well as police officers from other police departments, may have feelings they rarely experience. How these feelings affect the police officer as an individual and the effect these feelings have on his work as a police officer need to be recognized. Usually the public is very supportive and sympathetic at an officer's death. This must be taken into account in police planning, i.e. trust funds, public memorial services, gifts and donations.

It is important that a police family be aware of death benefits available to the family of a slain officer. While it is not necessary that a police family keep a record of all

of the death benefits, it is important for the police officer's beneficiaries to know who to contact in the police agency, whether it is federal, state, county or municipal, in order to secure death benefit information. This information should be readily available from the police agency in order to meet this need of the deceased officer's family. In the event of death, many copies of various documents are required to be attached to the claim, such as death certificates, state certification license, driver's license, and social security card. Included as an issue of concern is pre-planning for the need should this type of tragedy strike a police family. Finally, the last issue of concern to be listed here will be several considerations that a police department would need to evaluate in implementing a police funeral order. The complexities and careful thought necessary, involved in creating a police funeral order, will be outlined in a police funeral order that will be included in this paper as an appendix. It is hoped that this paper may assist many police agencies and police officers in recognizing a need for preparation of having a police officer killed in the line of duty and be able to meet the needs of the slain police officer's family and survivors to the fullest extent possible, as well as the police department and its personnel.

## **FAMILY NEEDS OF A SLAIN POLICE OFFICER**

### **METHOD OF NOTIFICATION**

In order to learn more about the problems survivors face when a police officer is killed in the line of duty, the National Institute of Justice sponsored a study by an organization known as Concerns of Police Survivors, or C.O.P.S. The study found that when police survivors do seek help, some departments have excellent assistance and support programs. As the study indicates, police departments can do much more to help survivors cope with their loss. Notification practices had many variances among departments. Of the police statements submitted to C.O.P.S. (60 percent of the departments with formal policies submitted them), 50 percent dealt with notification. Some dealt only with chain-of-command notification procedures, but most of the departments specified the need to notify the family quickly. Most of the departments surveyed did not have designated officers or teams for the purpose of notifying the family. Often any available officer or group of officers is asked to notify survivors, which is by no means the best method or alternative. A very essential record for a police department to maintain are next-of-kin records. This will greatly aid in the notification procedure. These records, in cases where they are kept, are not easily accessible to the late evening or late night shift, or consistently verified and updated by most police agencies. The study showed that while almost 80 percent of the police agencies surveyed kept records on spouses, more than two-thirds lack records on

parents of their officers. Some 40 percent of the agencies update spouses' records periodically, about 27 percent never do, and another 23 percent do so only on change of duty. According to the study, agencies that maintain records on parents of officers update them infrequently. Children by ex-spouses or deceased spouses should also be listed in order that they too can be notified. This will assist the department if these persons are not living with or being supported by the deceased officer. The organization of Concerns of Police Survivors made a record of several recommendations that police departments should follow as a guideline in carrying out death notifications.

1. The name of the deceased officer must never be released to the media before immediate survivors living in the area are notified. A police widow from Texas was quoted as saying, "I had just finished grocery shopping when I heard the chilling report of a police shoot-out on the car radio. The reporter was the one who informed me that it was my husband that had been killed. My neighbors found me, crying hysterically, parked in the middle of the road several blocks from home.
2. If there is knowledge of a medical problem with an immediate survivor, medical personnel should be dispatched to the residence to coincide with the death notification.
3. Notification must always be made in person and never alone. The police chaplain, psychologist, the Chief of Police (or his representative), or another police survivor could appropriately accompany the informing officer. A police widow from Pennsylvania was quoted as saying, "When I got to the hospital, he had already died. He had been at the



hospital for two hours. The department waited for the chaplain to arrive before coming to tell me. I could have seen him before he died."

C.O.P.S. suggests that if the above suggested persons are not readily accessible, notification should not be held up until the people can gather.

If the opportunity to get the family to the hospital prior to the demise of the officer presents itself, don't wait for the appropriate delegation to gather. As soon as most police families see you, they will know something is wrong. Ask to be admitted to the house. Never make a death notification on the doorstep. Gather everyone in the home and ask them to sit down. Inform them slowly and clearly of the information of the incident. Make sure you use the officer's name during the notification. If the officer has already died, relay that information. Never give the family a false sense of hope. Use words like "died" and "dead" rather than "gone away" or "passed away", is the recommendation of C.O.P.S. An east coast police widow was quoted as follows, "We drove for what seemed like hours with the escorting officer saying repeatedly, "He's going to be all right." When we got to the hospital, I was told he was dead on the scene."

If the person responsible for the death notification has been seriously affected by the death, he (she) should understand that showing emotions is perfectly acceptable. The officer should go ahead and relay as much information as possible to the family, if these specifics are known. It

is important to note the reactions of the family may include hysteria, anger, fainting, physical violence, shock, etc.

4. If the family wants to go to the hospital, they should be transported via police vehicle. It is highly recommended that the family not drive themselves to the hospital. Should there be serious resistance and the family insists on driving, please have an officer accompany them in the car. The department should know if there are young children in the home. The survivor may wish to leave the children at home. The department should be prepared to handle immediate babysitting needs. This is where co-workers' spouses or a spouse support group can be used. Because of the nature of possible radio transmissions, the officer making the transport should notify the officer in charge at the hospital that the family is en route. Keep in mind that the surviving parents should also be afforded this courtesy of personal notification if they live in the same geographic area.
5. If immediate survivors are from out of town, request personal death notification from the law enforcement agency in that area. Logistical arrangements should enable simultaneous telephone contact with the fallen officer's department.
6. It is most reassuring to the family when the Chief of Police or another high-ranking designee responds to the home or hospital. (In some cases, the absence was viewed by both the family and fellow officers as not only insensitive but poor leadership as well).

Spouses and family of officers may become very upset and worried when a shooting incident occurs. If the officer has been involved in a shooting incident before, then painful memories for the officer and the family may be revived. Officers and their spouses may try to protect their young children by not telling them about the incident. If there has been any publicity, as is often the case, this usually does not work. Children frequently receive distorted or inaccurate accounts from friends or acquaintances and are upset both by the accounts and by the fact that their parents have told them nothing. Young children usually sense when something important has happened to one of their parents, and if no explanation is offered, they will construct one themselves, often one that involves unrealistic self-blame or responsibility. These can be corrected by giving children a simple age-appropriate explanation. Several officers have discovered long after a shooting incident that their children knew of it, but were afraid to talk to their parents because their parents had clearly not wanted to share it with them.

A good approach is to ask first if the child has heard anything about what happened. Then, let the child respond without interruption so that any unrealistic ideas can emerge, and be corrected gently. Reassure young children that they are safe with their parent(s) and that a "bad guy" is not going to hurt them. Reassurance may be more difficult when an officer has actually been injured, but it is still appropriate. Children's fears are often different from, and worse than, the reality of the situation. If you decide not to tell your children, a cautious inquiry about whether they have heard anything is still recommended.<sup>1</sup>

## ASSISTANCE OF BENEFITS FOR FUNERAL PLANS

The organization of Concerns of Police Survivors has studied ways of providing information and assistance on benefits to the surviving family. A "Benefit Coordinator" from the police department can play a vital role in carrying out the responsibilities of the police department in this area. The following are duties the Benefits Coordinator can perform.

1. All of the information on all benefits available, as well as funeral expenses that will be incurred, should be gathered by the Benefits Coordinator. Insure that this Benefits Coordinator has the department's full support to fulfill the responsibility to the survivor to coordinate all death benefits/payments; (i.e., insurance policies, outstanding debts, etc.). This officer should be completely responsible for filing appropriate paperwork and following through with the family to insure that these benefits are being received. Caution: Do not rely on private consultants/attorneys to work on the benefits. The bill for their services will follow. If the will is to be probated or an administration taken out, the family attorney must do this. Police personnel should handle only official benefits that come through the department. Many police associations retain private attorneys for families not having a family attorney. Death of an officer may give rise to payment for personal damages for the family.

2. A few days after the funeral, the Benefits Coordinator should visit the surviving family to discuss the benefits they receive. A prepared printout of the benefits/funeral payments due the family, listing named beneficiaries, contacts at various benefits 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 death since the initial contact is clouded by the emotional numbness of the family during that first benefits meeting. The surviving family should be visited every month for the first three or four months. Check again about six months after the death to make sure the family is receiving/has received every payment possible.
3. 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) will be receiving.
4. The Benefits Coordinator should pay special attention to the problems with possible revocation of health benefits to the surviving family. The vast majority of survivors are given a 30-day grace period before being cancelled from coverage or of being responsible for monthly payments for the coverage.
5. If criminal violations surround the death, the family should be informed of all new developments prior to any press release.
6. If there will not be any court proceedings surrounding the circumstances of the officer's death, at the earliest opportunity, the department should relay all details of the incident to the family. A police widow in Indiana

once said, "I had to threaten suit against the department before they would sit down and tell me how it all happened. I was able to see, and feel comforted, by the fact that there was nothing he could have done to save himself. Through all of this, the department had me thinking there was something to hide."

7. The Chief and other high-ranking officials should be highly visible during these days.
8. The police organization or community support group should make their attorney/financial counselor available to the surviving family for whatever legal/financial counseling is necessary; (i.e., establish trust funds, educational funding, etc.). The attorney should not be affiliated with the jurisdictional government and should not work as an avid advocate for the family's interest.<sup>2</sup> A lawsuit may arise between the family and the jurisdictional government - beware of conflict of interest. Attorneys should not be involved in police and state procedural benefits, but should be involved with family interests if there is a possibility of a lawsuit.

## DEATH BENEFITS

In the study done by the National Institute of Justice on line-of-duty deaths, it was found that 91 percent of the police department surveyed reported that they provide explanations of their health benefits to officers and 89 percent said they provide

explanations of death benefits. The departments were not questioned about how the explanations were carried out and whether the officers actually understood or were aware of the importance of the information. Some departments indicated this instruction was accomplished in a brief description, or by handing officers a booklet to read. Very few departments fully explain all benefits, options, and compensation and their implications for the officer and family. Survivors may be excluded from the police department's group medical coverage within days of the officer's death. In such cases, a letter informing survivors of this separation is sent in the mail, forcing the survivor - still in shock - to find health coverage for the family. In such cases, departments seem to fail to differentiate between a planned termination from police service and an unexpected line-of-duty death. While survivors generally reported satisfaction with the treatment they received from police departments, they did report certain specific problems regarding compensation and benefits. Most survivors are not prepared for the delays that occur in processing benefit and compensation requests. Some survivors found that departments are uninformed about benefits.<sup>3</sup> A good solution to this dilemma is for departments to incorporate this information in the academy training and encourage spouses, parents and/or other survivors to attend. It is very important that officers have a will. A copy of the will can be placed in the officer's personnel file. This could serve as a great simplifier for the department and survivors.

The death benefits listed below are provided as a guide to assist survivors of law enforcement officers in the event that the officer is killed in the line of duty. Listed

are several sources of financial aid to the officer's survivors will have regarding types of benefits available. There may be changes in the amounts on monetary awards and benefits and the person making inquiry should verify the information.<sup>4</sup>



## BENEFITS PROVIDED UNDER FEDERAL LAW

For non-Federal Law Enforcement Officers, benefits are provided under 5 U.S.C. sec. 8101 et seq. and as extended by 5 U.S.C. 8191.

If the officer is injured, sustains disease, or is killed in connection with a person(s) wanted by the U.S. Government, committed a crime against the U.S. Government, etc., the officer or survivors may qualify under this Federal Law.

Generally, the benefits provided are as follows:

1. Payment of \$800.00 for burial expenses paid directly to the surviving spouse or survivors.
2. Surviving spouse is entitled to receive, from the U.S. Government, up to 45% of the officer's base per month until they remarry, if there are no eligible children.
3. Surviving spouse is entitled to 40% of the officer's base pay and each dependent child is entitled to receive, from the U.S. Government, 15% of the officer's base salary until such child reached the age of 18 years and leaves home or marries, or 23 years of age provided the child continues in school.

The above statute should be investigated in all cases where the death was caused by firearms as it is possible that there may have been a violation of the Federal Firearms Act, 18 U.S.C. chapter 40, and/or the National Firearms Act, 26 U.S.C. chapter 53.

Valuable assistance can be obtained by checking with any Special Agent from Alcohol, Tobacco, and Firearms.

To file for the above Federal Benefits, contact:

U.S. Department of Labor  
Special Claims Division  
Federal Office Building  
Dallas, Texas

Special Claims  
Washington, D.C.  
(202) 523-6490

## **PUBLIC SAFETY OFFICER'S BENEFITS**

### **ACT OF 1976**

Federal death benefits are provided for survivors of Law Enforcement Officers killed in the line of duty, as set forth under 42 U.S.C. sec. 3701 entitled "Public Safety Officer's Benefits Act of 1976". The intent of this law is to provide benefits to survivors of certain public safety officers who die in the performance of duty, but were not necessarily engaged in the enforcement of a federal law at the time of their death. This law would apply to any law enforcement officer, either city, county, state, or federal, or any fireman who is killed in the line of duty during the normal course of his duties; providing such officer's death was not the result of intentional misconduct or gross negligence on the part of the officer, or that voluntary intoxication of the officer was not the proximate cause of the officer's death.

The benefits as set forth by this law is a payment of \$100,000 to be given as follows:

1. If there is no surviving child or children of such officer, then all \$100,000 is paid to the surviving spouse of such officer.
2. If there is a surviving child or children and a surviving spouse, then \$50,000 is to be paid to the surviving child or children to be divided into equal shares, and \$50,000 to be paid to the surviving spouse.
3. If there is no surviving spouse, but there is a surviving child or children, the \$100,000 is to be paid to the surviving child, or if more than one child then divided equally between the children. "Children" includes

natural or illegitimate children, if there is evidence that the child(ren) is indeed the child(ren) of the officer.

4. If none of the above, the \$100,000 is to be paid to the dependent parent or parents of such officer to be divided into equal shares.

The surviving child or children are entitled to a share of the benefits provided that they are under eighteen (18) years of age; or if they are over eighteen (18) years of age then they must be unmarried full-time students.

The Public Safety Officer's Benefits Act was passed into law and became effective on September 26, 1976.

To apply for the above benefits, contact:

U.S. Department of Justice  
Office of Justice Assistance, Research & Statistics  
Public Safety Officer's Benefits Program  
Washington, D.C. 20531  
202-724-7620

**BENEFITS PROVIDED UNDER STATE LAW**  
**(DEATH BENEFITS)**

Death benefits are provided for survivors of Law Enforcement Officers by Texas law in "Survivors of Law Enforcement Officers", Art. 6228F V.C.S.

The financial aid to survivors of Law Enforcement Officers who are killed in the line of duty while enforcing a State law are as follows:

1. The spouse receives \$20,000.
2. Monthly payments are made to the guardian of any surviving minor children until the child's 18th birthday as follows:
  - 1 child - \$200.00 per month
  - 2 children - \$300.00 per month
  - 3 or more children - \$400.00 per month

Prompt notification of death should be made and to expedite the filing of this claim, the following information should be furnished:

1. Sworn statements by the surviving spouse making application for the death benefits, giving the name of the deceased spouse, the date of death, name and ages of all minor children involved together with the address of the surviving spouse and children.
2. Certified copies of the investigative reports relating to the fatal injury (if available).
3. Certified copy of death certificate.
4. Certified copy of the Coroner's Report if any.

5. Affidavits from any witnesses detailing the facts of the fatal injury (if available).
6. Sworn statement from the head of the employing agency stating that at the time of the fatality the deceased was employed full time as a Law Enforcement Officer and that the deceased was on duty at the time of the fatal accident, and that death was the result of risk or hazard inherent in his employment.
7. Certified copy of the marriage license showing marriage between the surviving spouse and the deceased.
8. A statement from a responsible physician, who has examined the surviving female spouse, as to whether or not she is pregnant.
9. Sworn statements from two substantial persons who are qualified to say that they had known the deceased and the surviving spouse for a number of years intimately to know whether either has been married previously, and the names and approximate ages of their children, if any.
10. Certified copies of court orders granting divorce for either the deceased or the surviving spouse, if any.
11. Certified copies of Birth Certificates for minor children involved.
12. If guardianship is involved, certified copies of all guardianship papers.

To file for benefits under this act, contact:

State Board of Trustees  
Employees Retirement System of Texas  
1800 San Jacinto Street  
Austin, Texas 78701

## PERSONAL BENEFITS

1. If employee is a member of any professional organization, a life insurance policy may be included in membership dues.
2. Life insurance policies generally
3. Pensions or benefits from off-duty employment
4. Benefits accrued from employment prior to police department
5. Fraternal organizations
6. Credit union benefits
7. Mortgage insurance
8. Insurance on debts, i.e. car loans

NOTE: Police departments do not have responsibility for processing the above, but can offer suggestions for check-list for survivors or representatives. Some survivors are unaware of those benefits and no claim is ever made. If officer dies intestate, administration of estate should be suggested so administrator of estate can be appointed by Probate Court. Police associations often suggest family obtain legal assistance to handle these private matters.

**BENEFITS PROVIDED UNDER STATE LAW**  
**(EDUCATION)**

Education benefits for children of peace officers are provided for under Section 54.204 Education Code titled "Children of Disabled Firemen and Peace Officers."

This statute provides for children of police officer to attend any State supported college or university tuition free, if the officer suffers an injury resulting in death or disability in the line of duty.

To receive benefits under this act, contact:

Coordinating Board  
Texas College and University Systems  
201 East 14th Street  
Austin, Texas 78701



**SOCIAL SECURITY ADMINISTRATION**

503 N. Kentucky, P.O. Box F, McKinney, Texas 75069

Phone: 263-5861

Social Security will pay the following death benefits when a Law Enforcement Officer is killed in the line of duty.

1. Up to \$225.00 for funeral expenses paid only to the officer's surviving spouse or minor children.
2. A monthly pension to officer's surviving spouse which is based on the officer's age and amount they have paid into Social Security, as well as the surviving spouse's subsequent earned income, and will continue until the surviving spouse remarries.
3. A monthly pension to each surviving child until such child reaches the age of 18 years and completes school, leaves home, or marries.

This claim must be filed in person at the Social Security Office and the following information will be needed at the time the claim is filed:

1. Social Security number of the deceased.
2. Social Security number of the surviving spouse.
3. Social Security number of each minor child.
4. Birth certificate of surviving spouse.
5. Birth certificate of each minor child.
6. Marriage certificate.
7. Certified copy of death certificate (when available).
8. W-2 forms of the officer for the previous year.

9. W-2 forms of the officer for the current year (when available).

The officer's survivors should make application for benefits as soon as possible after the officer's death, as it will take approximately six - eight weeks from the date of filing before the benefits start.

NOTE: Benefits for Officers working for agencies not under the Social Security System are subject to prior work eligibility.

**VETERANS ADMINISTRATION**

1100 Commerce Street, Dallas, Texas

Phone: 214-824-5440

If a Law Enforcement Officer is killed in the line of duty, or off duty, and is a veteran of the United States Armed Forces, and is currently receiving compensation from the Veterans Administration, the Officer's survivors are entitled to the following death benefits:

1. Veterans Administration will pay \$450.00 for burial expenses and grave marker.
2. If the gross income of the surviving spouse is less than \$3570.00, they are then entitled to received a pension from the Veterans Administration. If Social Security is paid, the surviving spouse can deduct 10% of their income from Social Security to arrive at the above figure.
3. Each minor child, regardless of whether the deceased officer was receiving any type of compensation from the Veterans Administration, is entitled to receive a pension of \$61.00 per month until the age of 18, or marries, or the age of 23 provided the child is still in school and unmarried.

The funeral home handling the burial arrangements will fill out and file the necessary papers to receive burial benefits. The burial benefits will be paid directly to the funeral home and they will need the following information to file the claim:

1. Copy of the officer's military discharge papers.
2. Copy of the officer's separation papers (entitled DD214).

To apply for the pension for the surviving spouse and children, the surviving spouse or their representative should call or write the Veterans Administration and the V.A. will mail the necessary forms.

**WORKER'S COMPENSATION  
INDUSTRIAL ACCIDENT BOARD**

100 E. 17th L.B.J. Finance Building

Austin, Texas

Phone: (512) 448-7900

Workman's Compensation will pay the following death benefits when a Law Enforcement Officer is killed in the line of duty:

1. Will pay \$2,500.00 for funeral expenses which can either be paid directly to the funeral home handling the burial arrangements.
2. Will pay \$203.00 per week to the surviving spouse if there are no surviving minor children.
3. If the officer is survived by any minor children, Worker's Compensation will then mandatorily divide the payment, paying \$101.50 per week to the child until the child reaches the age of 21, or marries, or until the child reaches the age of 25 provided the child continues in school. If there are two or more children, the \$101.50 week payment must be equally divided among them.
4. At such time as all dependent children become of age or leave home, the surviving spouse will receive the \$203.00 per week thereafter.
5. If the surviving spouse remarries, then they must take a cash settlement under Worker's Compensation for a maximum of two years of benefits (\$10,556.00 if receiving \$101.50 per week, and \$21,112.00 if receiving \$203.00 per week). The minor child or children would continue to

receive the \$101.50 per week for two years, after which they would then receive \$203.00 per week.

6. If the officer was single and had never been married, the parents (if living) or next of kin are entitled to receive cash settlement under Worker's Compensation computed at \$203.00 per week times 350 weeks, for a total of \$71,050.

To file for Worker's Compensation the officer's survivors, or their representative should contact the Industrial Accident Board. To file the claim, the following information will be needed:

1. Full name of the deceased and age.
2. Social Security number of the deceased.
3. Date and time of injury.
4. Description of injuries received.
5. Date and time of death.
6. Exact cause of death.
7. Hourly wage rate and weekly wage average of the deceased.
8. Full name and age of surviving spouse.
9. Full names, ages, dates of birth, and marital status of children.
10. Date of marriage and copy of marriage certificate.
11. Names, addresses, and dates of marriage and divorce or death of previous spouses if the deceased was married more than once.
12. Copy of the death certificate (if available).
13. If the deceased was not married, then the name and the address of parents, if living, or next of kin.

Worker's Compensation benefits will begin approximately two weeks after the date of filing.

**Benefits from Private Organizations**

**Contact:**

**Executive Director**

**Fleetwood Foundation**

**P.O. Box 429**

**Arlington, Texas 76010**



## POLICE ASSISTANCE FOR THE FAMILY

### POLICE ASSISTANCE OF THE FAMILY AT THE HOSPITAL

The organization of Concerns of Police Survivors suggest eight steps to follow in assisting the family at the hospital. They are listed below as a guide to follow if your agency does not already have procedural guidelines to follow.

1. The ranking police official at the hospital should meet with the designated hospital personnel to arrange appropriate waiting facilities for the family and a separate area for fellow police officers. This police official should also insure that medical personnel relay pertinent information to the family on officer's condition on a timely basis. These same medical personnel should make the family aware of hospital police about visitation with the injured officer and/or visitation with the body following the demise, and explain why autopsy is needed.

If it is possible for the family to visit their officer prior to the death, they most certainly should be afforded that opportunity. Do not be overly protective of the family. "There is a 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."<sup>5</sup>

2. The same ranking police official or designee will see that the family is updated on the incident as soon as the family arrives at the hospital.
3. A ranking police official or designee should be present the entire time the family is at the hospital and should arrange whatever assistance the family may need at that time.
4. The people who made the initial notification should be among those at the hospital.
5. A survivor should not be sedated unless medication is requested by the survivor.
6. Idle promises should not be made to the family at this time, (i.e., "We'll promote him/her posthumously." "We'll retire his/her badge.")
7. Arrangements should be made for transportation of the family back to the residence.
8. Arrangements should be made for all medical bills relating to the services rendered to the deceased officer to be sent to the appropriate governmental agency for payment. The family should not receive any of these bills at their residence address.
9. Wise to check with supervisors or the Internal Affairs Division to see if any complaints or actions were pending at the time of death and deal with the situation without involving the family if necessary.

## COUNSELING

According to the study conducted by C.O.P.S., of the police departments surveyed, 58 percent have a psychological unit but only 31 percent offer access to a staff psychologist. Only 5.4 percent of the departments offer peer counseling and police-family response services; 43 percent make counseling referrals; and 19 percent pay for outside counseling. Survivors state there is a definite lack of psychological counseling for family members and most of these survivors believed that if such services were needed as a result of death, that the police department should pay for these services. Survivors also reported they felt abandoned by the police departments. The spouses wanted some type of formal and informal contact to continue. Most reported that contact ended soon after the funeral. Most departments tend not to consider the emotional or psychological needs of survivors to be part of their responsibility.

In addition to its impact on the family, the death of an officer killed in the line of duty can have a tremendous impact on other police officers of the department. For smaller departments that lack of financial and personnel resources, the loss of an officer creates significant disruption. For police officers in departments of all sizes, the death of an officer can be a demoralizing reminder of their own vulnerability.

## PREPARATION OF PAPERWORK

Of the police departments surveyed for having formal policies concerning the death of an officer, 67 percent reported they had no formal policy. Often no one is designated or prepared to deal with the legal and financial paperwork and to assist the surviving family members in planning for the funeral, with requesting benefits, or in preparing for the emotional and financial strain that may accompany the death. In some departments, legal and personnel divisions have a specific officer or attorney who supervises paperwork for benefits. Personnel officers seem to be best qualified for this duty.

Many departments have no formal procedures for completing required paperwork and assisting family members with funeral plans and requests for benefits. Most departments do not consider the emotional and psychological needs of survivors to be a part of their responsibility.

## **SURVIVORS NEEDS**

### **DEFINITION OF SURVIVORS**

For the purposes of defining survivors when discussing emotional effects, it is safe to include as survivors, spouses, parents, children, siblings, friends, and co-workers of police workers killed in the course of their work.

### **REACTIONS AND STRESS LEVELS**

Reactions of police survivors are often so profound as to be diagnosed as Post-Traumatic Stress Disorder (PTSD), a psychological disorder associated with traumatic events that are generally outside the range of usual human experience. Common PTSD symptoms include recurring recollections of the traumatic event, feeling of detachment or estrangement from others, hyper-alertness, sleep disturbances, guilt about surviving, memory impairment, and difficulty with concentrating.<sup>6</sup> Many people and police departments are unaware of the devastating impact of an officer's death on survivors. many mistakenly believe that police survivors are somehow more prepared for their losses than civilian survivors. In fact, surviving family members of public safety officers may be more at risk than other survivors after their loss. Relatives of slain

police officers often endure psychological distress for long periods of time and do not seek help or discuss their problems because they feel embarrassed or wish to avoid seeming weak.

Survivors may refuse existing community services because they believe that only other members of the "police culture" can understand their problems. A survivor's level of distress is affected by the police department's response to the tragedy. Elements of the department's response that should be considered include:

- \* The way survivors are notified of the death;
- \* The emotional support provided by the department;
- \* The information the department gives concerning insurance and benefits.

The study done by C.O.P.S. states that the way these elements are handled had an influence on whether or not the survivor will develop a clinical psychological disorder such as PTSD.

Most police departments lack formal policies for handling the aftermath when an officer is killed on duty. Some departments have provided policies concerning only felonious on-duty deaths, thus excluding accidental deaths. Other police departments only deal with tangible issues such as notification procedures and funeral arrangements but neglect important tangibles such as counseling and emotional support. Some officers react to the stress of a death with increased irritability at home. Sometimes, the stress on a police officer and the spouse may temporarily strain the marital relationship. Spouses, too, can expect a milder form of stress reaction. Parents, children, brothers

or sisters, and other relatives may be affected. Incidents involving death to a police officer can be very traumatic, even to the most well adjusted officer and the officer's family. In fact, they are considered the most severe occupational stresses officers will ever encounter. No one, no matter how healthy, well trained, and well adjusted, is immune to the normal stress reaction to such an event.

The key to a healthy response is to be aware of the normal reactions to a critical incident and to make appropriate adjustments as they occur. It is not unusual for an officer and family to take several weeks or months to adjust to a shooting incident or the death of a fellow officer. Some effects may last a long time and others may appear after an initial delay. The following are some of the reactions commonly experienced by officers involved in critical incidents. Spouses and other family members may also experience them.<sup>7</sup>

- \* Sleeping problems - restlessness, insomnia (sleeping difficulty), vivid dreams or nightmares (often about the incident);
- \* Fatigue;
- \* Anxiety and tension;
- \* Sadness, crying, depression;
- \* Hyper-alertness and/or startle responses;
- \* Anger;
- \* Excessive or unusual consumption of alcoholic beverages.

All of these reactions are normal and should diminish after a time, but they are hard on a family. Many officers find that talking about the situation repeatedly helps them to work it out.

## BELIEFS OF REACTIONS

In a January 1987 article of the National Institute of Justice, Director James K. Stewa stated it is a mistaken belief that the spouses, children, and parents who survive police deaths are somehow more prepared for their losses than are other people. But knowing that the job can be dangerous does not prepare an individual for the actual experience of losing a loved one. Police survivors often endure prolonged psychological stress because they do not seek help. They are hurt by the misconception that, because they are part of the police community, they should somehow be stronger emotionally and better prepared for such a tragedy. Once again, many people and police departments are unaware of the devastating impact of an officer's death on survivors. Many mistakenly believe that police survivors are somehow more prepared for their losses than civilian survivors. In the C.O.P.S. study it was found that when police officers die in the line of duty, surviving spouses, parents, and siblings are not more prepared for the death just because they are part of a law enforcement family. Knowing that the job could be dangerous does not prepare an individual for the actual experience of having a loved one die. Adding to what was previously listed as disorders caused by a traumatic experience are the following real disorders, disproving the belief that police families are more prepared for the death of a loved one.

- \* Difficulty concentrating and making decisions, feeling confused, having one's mind go blank;
- \* Feeling hostile;



- \* Feeling different from others, feeling alone, being uncomfortable in social situations;
- \* Fearing people, places, and things, and being anxious of one's ability to survive;
- \* Reexperiencing the traumatic incident through flashbacks, dreams, or thoughts;
- \* Feeling emotionally numb, having less interest in previously enjoyed activities, or being unable to return to prior employment;
- \* Having less ability to express positive and negative emotions;
- \* Feeling guilty about the way one acted toward the deceased or as if one could have prevented the death.

These reactions are indicated by specific symptoms. Table 1 on the following page presents the most prevalent and acute symptoms identified by survivors as occurring at levels that clinically indicate serious distress. The study also found that 59 percent of the surviving spouses of police officers killed in the line of duty met the criteria for having PTSD. This psychological disorder is common among victims of physical assault, rape, and natural disasters, prisoners of war, and persons taken hostage. Police families are not immune merely because of the police family label it has. In the police families, factors that were found to intensify distress reactions among spouses include the way they are notified of the death and the length of time they had been married. Spouses who are not notified in person experience additional trauma, as evidenced by increased levels of hostility and guilt. Younger women, especially married for 10 years or less, were found to have a more severe reaction to the death of a spouse than older women married for a longer period of time.

TABLE 1.

## Most prevalent and acute symptoms identified by survivors\*

<u>Symptom</u>	<u>Percent Reporting</u>
Feeling lonely	75.2
Feeling unhappy or sad	70.4
Feeling low in energy or slowed down	68.3
Feeling easily annoyed or irritated	67.5
Feeling tense or keyed up	66.7
Easily hurt feelings	64.3
Trouble concentrating	56.3
Repeated images that won't leave your mind	53.9
Thinking about the same thing repeatedly	52.8
Trouble remembering things	52.4
Feeling emotionally numb or empty	52.4
Feeling angry	51.6
Wishing others would care for you	51.2
Difficulty falling asleep	50.8
Feeling uncomfortable in social situations	50.8
Feeling people will take advantage of you	50.8
Difficulty making decisions	47.6
Having to think carefully to make the correct decisions	46.8
Being angry at yourself for not accomplishing more	49.6

\*Symptom levels were established through the Derogatis Symptom Inventory (DSI). Copyright 1982. Leonard R. Derogatis, Ph.D.

## FUNERAL CONSIDERATIONS

A study by the National Institute of Justice shows that more than half of the surviving spouses of police officers killed in the line of duty may need support and assistance from the police department.

## POLICE DEPARTMENT'S RESPONSIBILITY

Police department can help family members and police officers in coping with the loss of an officer by establishing and implementing general and specific policies on how to proceed in the event of a death of an officer killed while on duty. The police department has the responsibility to offer assistance to the family of the slain police officer in order to provide the most respectful burial for the officer and to hopefully meet the emotional needs and/or expectations of the family. This will also keep the integrity of the department at its highest and keep the respect of the police officers of the agency. Smaller departments can call on larger neighboring departments for help in planning, traffic, motorcycle escorts, etc., very successfully.

## COORDINATION OF FUNERAL PLAN

The police department should have an office with the responsibility of coordinating a funeral plan. This could be the responsibility of the Family Assistance Officer, the Benefits Coordinator, or an officer assigned specifically for the sole purpose of overseeing the funeral plan. It should always be remembered that the funeral arrangements are to be decided by the "family", with their wishes taking precedence over those of the police agency. If the family wishes a police funeral then the agency should assist in every way possible in funeral arrangements, working in close contact with the family.

## SUPPORT FOR THE FAMILY DURING LYING-IN-STATE AND FUNERAL

The organization of Concerns of Police Survivors indicates eight very important guidelines to follow to offer the utmost support to the family during the wake and the funeral.

1. Appointment of a liaison officer is a critical assignment. Although the liaison officer should know the deceased officer and be aware of the family relationships, the officer should not be so emotionally involved with the loss that he/she would become ineffective. The liaison officer

must know that this is not a decision-making position. This is a role of "facilitator" between the family and department. The liaison officer will:

- \* Insure that the needs of the family come before the wishes of the department;
- \* Meet with the family and tell them what his responsibilities will be during this time;
- \* Meet with the family regarding funeral arrangements. Since most officers have not prearranged their wishes for the handling of their own funeral, the family will most likely need to decide all aspects of the funeral. 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 "law enforcement funeral";
- \* Be issued a pager immediately so there is an immediate line of communication;
- \* Know all information concerning the death and the continuing investigation to answer family questions;
- \* Provide as much assistance as possible, oversee arrangements for travel and lodging for out-of-town family members;
- \* Be constantly available to the family throughout this traumatic time;
- \* Ascertain what the police fraternal/labor organization involvement will be and what financial assistance they are willing to provide for out-of-town family travel, feeding the funeral attendees following the burial, etc;

- \* See that the surviving parents are afforded recognition and will have proper placement arranged for them during the funeral and funeral procession;
  - \* See that the family is briefed on the funeral procedure; (i.e., 21-gun salute, presenting of flag, playing of taps, etc.).
2. A commanding officer/public information officer should be designated to handle the media throughout this traumatic ordeal. In the unlikely event that the family should decide to accept an interview, this officer should attend and "screen" all questions presented to the family so as to not jeopardize upcoming legal proceedings.
  3. If there is a "family support group" organized in your department, assign this group the responsibility of seeing that the home is prepared for the influx of visitors and that ample food is available. Babysitting needs for all family members should be met. Have someone screen phone calls. Make sure someone is always at the home.
  4. The department can make the family aware of alternate churches and funeral homes with seating capacities large enough to accommodate attendance at the funeral. However, any alternate churches will need to be aware of the fact that the family clergy will officiate at the service. Remember: The department should only make the family aware of the alternatives. It is the family's choice.
  5. Departmental cruisers should be made available to the family if they desire transportation to and from the funeral home.

6. The family should have access to other police survivors or other support groups (Concerns of Police Survivors, Survivors of Homicide Victims, Compassionate Friends, Parents of Murdered Children, etc.) Members of Concerns of Police Survivors make themselves available to meet with new surviving families. They are the only ones who can say to the surviving family, "We know what you are feeling," and truly mean it!
7. Although some departments may provide the surviving family access to the police psychologist immediately following the death of the officer, the psychologist should provide only "supportive services". Survivors have a definite need to talk to someone about the incident over and over again. It has been recommended, however, that in-depth grief therapy not be entered into until four to six months following the death. By this time, the family member has reached the "disorientation" phase of the grief process, which is when entering therapy is recommended.<sup>8</sup>
8. The department should send routine residence checks by the survivor's home for six to eight weeks following the tragedy. We feel this service is necessary since large amounts of money are passing through the residence and the survivors will be spending much time away from the home with legal matters. The department should also check with the survivor to see if any harassing telephone calls are being received.

## CONTINUING SUPPORT SERVICE

While it is assumed that the law enforcement community prides itself in "taking care of its own" and responds immediately to assist the officer's survivors in any way possible, a United States Department of Justice, National Institute of Justice "Research in Brief" document, cites that a staggering sixty-seven percent (67%) of law enforcement agencies surveyed lacked formal policies concerning the death of an officer. This same document showed that the departments are also lacking guidelines for continued emotional support for the survivors beyond the days of the wake and funeral.<sup>9</sup>

Failure to provide continued support for the surviving family gives them the impression that they have been "totally abandoned" by the department. When, in fact, there are two simple reasons for this feeling of abandonment: 1) Fear and confusion on the part of the law enforcement officers themselves as they go through the trauma of losing a co-worker. This fear and confusion can be overcome by preparing to handle line-of-duty death and victimization training; and 2) insensitivity on the part of the administration and officer involved with the incident. Accidental death/or off-duty deaths are no less hectic a death than felonious, on-duty deaths; and the trauma any type of death inflicts on the family is devastating, regardless of the circumstances.

C.O.P.S. has found that survivors' level of distress is affected by the department's response to the tragedy of line-of-duty death.<sup>10</sup> C.O.P.S. has developed specific



guidelines that address not only tangible procedural issues, but intangible issues as well, such as emotional support and counseling. A surviving family never "gets over" the tragedy, they simply continue on with their lives with the tragedy now a part of their personal history. Each and every time the death anniversary occurs, or a re-trial or appeal, or parole hearing is afforded the cop-killer, the family is forced to relive the injustice dealt to the fallen officer and their loved ones.

#### SUPPORT FOR FAMILY

C.O.P.S. offers five suggestions for departmental support for the surviving family awaiting trial of the suspect in the killing. They are listed as follows:

1. The family should never hear of court or parole proceedings through the newspaper or television news. C.O.P.S. feels strongly that it is the department's responsibility to keep the family informed on the legal proceedings. Perhaps a contact person from within the department should be assigned to notify the family of upcoming court proceedings.
2. Police surviving families are no different than any other victim. They must know how the incident occurred, down to the smallest detail. Many departments keep the family in the dark about the incident stating that it could influence the outcome of the trial if the family is informed of the investigation. If this is the case, the department should sit down with the family and explain their reasons for not sharing the information.

At the earliest opportunity following the trial, the investigators should sit down with the family and answer all their questions about the ordeal. The facts will be far less shocking than what they have already imagined happened during the incident. Should the department show a reluctance to share information on the incident, the survivors may view it as an attempt to "hide something" from the family. Don't be overly protective of survivors.

3. The department, all too often, tells the Victim Assistance Specialists, "We take care of our own." and then the police survivors walk into the courtroom totally unaware of their rights as a victim/survivor. Use the victim assistance people - that's their job. If there is no victim assistance program operating in your jurisdiction, then the department should assume this responsibility.
4. Encourage the family to attend the trial. C.O.P.S. has found that the vast majority of survivors attend so they can find out all the details of the incident that have thus far been denied them. Many survivors feel they are the only ones who can represent the deceased officer's interests. The department should assign a "support person" to accompany the survivors to the trial. If physical material evidence is presented that will be upsetting to the family, this support person can suggest that the family leave the courtroom for that portion of the trial.<sup>11</sup> The police department or agency representative should discuss this with the prosecutor's office to avoid problems. The family should be briefed about press interviews which sometimes exploit survivors.

5. The department should show support for the fallen officer during court proceedings by having as many officers as possible attend. This support should come from all segments of the department; management, the labor organization, co-workers, and even police friends from other departments.

### SUPPORT FOR OTHER SURVIVORS

The police department should recognize and be sensitive to the needs of survivors other than the spouse. Young children, teenaged children, parents, brothers, sisters, etc. are all experiencing grief. Grief is a process that everyone handles differently. It might be beneficial for the psychologist to see the entire family for one "supportive session" shortly after the funeral. Time limitations should not be set for when family members or survivors should "recover". The grief process has no timetable and many survivors may experience a complicated grief process; in fact, research conducted by C.O.P.S. has shown that over 50 percent of surviving spouses develop symptoms of post-traumatic stress reaction to the tragedy.<sup>12</sup> In an article by C.O.P.S. it is stated that too often police surviving families state they feel totally isolated by the department within a short time following the funeral. Death of the officer does not take away that love for law enforcement that the entire family feels. Below are some ideas to help your survivors continue to feel a part of "the police family", for which their officer gave his life. C.O.P.S. offers these suggestions:

- \* When plaques/memorabilia are given to the surviving spouse, consider making the same available to the surviving parents. They have lost a child that can never be replaced. Remember to invite the surviving family to police department activities. They need that continued contact.
- \* Remember those children from a former marriage. Even though they did not live with the police officer-parent, they are nonetheless still that officer's child. They, too, need personal memorabilia of their parent.
- \* Departments can easily keep in touch with the family through monthly phone calls the first year, dwindling off to quarterly contact. Close co-workers of the deceased officer should also be encouraged to "drop" by the home on a regularly basis. But the department should always try to observe the officer's death date with a short note to the family and/or flowers on the grave. Keep in mind that all holidays are traumatic events for the family the first year. Show your support during these times, too.
- \* When officers visit the family, don't be afraid to use the deceased officer's name of ask, "How are you doing since      (name)      death?" Even though tears may flow from your question, they are not flowing because you "brought back bad memories". They are tears of appreciation, knowing that you remembered and loved the fallen officer too.
- \* Remembrance books may be presented to the family. (A unique idea of remembrance came from the Aurora, County, Police Department. Co-workers of the fallen officer worked together to provide a scrapbook.

It included anecdotes, pictures, and newspaper articles of cases the fallen officer had worked on. The scrapbook was given to the children; but officers took time to go page-by-page through the book with the children.) Remember, if survivors of the officer include small children, these children will never know their parent's "police stories" unless co-workers relate the humorous stories to the children.

A 24 year old daughter of an officer killed in 1974 at 1988 Police Survivors' Seminar after being introduced to one of her father's former squad members said, "My dad died when I was ten. I don't remember much about him. But can you tell me what he was like . . . . I mean as a cop?"

- \* Never allow department personnel to make idle promises to the surviving family. It hurts children more to be promised a day with fellow police officers and be stood up rather than never to have been invited at all. "Oh, we'll have to get together for lunch," is a void statement to make to the surviving spouse. Set a definite time, place, and date - and keep it.

A 1987 Ohio police widow wrote, "I'd prefer the guys not promise to take him fishing. Last Saturday he stood by the door all day long. Nobody ever showed up to keep their promise."

- \* The department should maintain support as long as the family feels the need for the support. In time, the family will let you know when they are ready to move on with their lives without assistance from the police department.

## CONCLUSION

Police departments across the nation are in need of procedural guidelines to follow as well as training for a departmental response to a police officer on-duty death. Few departments have satisfactory notification procedures, and of those that do, the next-of-kin files are rarely updated and not extensive. Counseling for the survivors is an important issue. Whereas some departments offer some sort of counseling for their officers, it is not available to the family survivors. Many departments believe it is not the responsibility of the department to afford counseling to family members. Few departments have an established method of conducting paperwork for funeral plans, expenses, debts, or financial assistance for the family. In a survey study conducted by the National Institute of Justice, it was found that police officers and their families were not well educated in what their benefit package consisted of, nor how to secure their benefits.

Survivor needs is an area for which police departments need to take responsibility. The survivor's reaction to the tragedy will be greatly determined by the way the police department offers emotional support, and the information the department gives concerning insurance and benefits. The results of the study suggest that more than half of the surviving spouses of police officers killed in the line of duty may need support and assistance from the police department. Recovery from such trauma may be a very long, involved process quite different from the recovery process after a death due to a terminal illness or other anticipated event. Police departments can help family

members, as well as their own officers, to cope with the loss of an officer by establishing and implementing both general and specific policies on how to proceed in the event of a death. By designing clear-cut policies concerning notification procedures, psychological services, emotional support, and benefits and compensation for survivors, police departments will be better prepared to respond to survivors in an organized and humane fashion.

However, being organized is not enough. Survivors and police personnel need to be aware that the death of a loved one, of a good friend, of a partner, or of a co-worker, is a stressor of the highest magnitude. Avoiding discussion of the possibility of injury or death, of possible plans of action, and of prescribing policies protects no one from death, but it means that if death does occur, the crisis management skills needed to help survivors will not have been planned and thus will not be readily available. In the appendix of this paper are examples of funeral orders that further list considerations that must be dealt with in preparing for a police funeral. It is hoped that this paper will enlighten officers of the need for improvement for preparedness in response to a police officer on-duty death.

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