  **Barre City Police Department**

***Barre, Vermont***

**Braedon S. Vail**

***Chief***

**PERSONNEL PROCEDURES**

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| --- | --- | --- |
| **Subject:**  **Line of Duty Death** | **Number:**  **316** | **Effective Date:**  **XX/XX/24** |

**Note:** These Rules & Regulations, Operational Policies and/or Procedures are for internal use only and does not enlarge a member’s civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

**Policy:** The Barre City Police Department provides liaison assistance to the immediate family of a member who is seriously injured or dies in the line of duty and provides support during this traumatic period of readjustment for the surviving family.

**Purpose:** Defines procedures for members who sustain a serious injury or death in the line of duty and directs the agency in providing proper support for the affected member’s family.

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**I. Definitions**

**A.** **Line of Duty Injury/Death** - The serious injury or death of a member by felonious or accidental means during the course of performing law enforcement functions while on or off duty.

**B. Survivors** - Immediate family of the deceased member including spouse, children, parents, siblings, fiancée, and/or significant others.

**II. Notifications**

**A.** Upon notification of a serious injury to a member, whether the injury was sustained on or off duty, the senior ranking officer on duty shall notify the following personnel via the chain of command:

● On Duty Sergeant

● Deputy Chief of Police

● Chief of Police

**B. Death Notification**

The following procedures should be adhered to in cases of line of duty deaths and in cases of critically injured members with poor prognosis of survival. These procedures should be followed whenever possible with the understanding that **the wishes of the family take priority over the desires of the department.** Officers providing services and assistance to family members and survivors shall make every effort to accommodate their needs, wishes and desires, but should not make promises to the family that can’t be met.

● The name of the deceased membershall not be released to the media or other parties before survivors are notified, and the Chief has granted permission.

● The senior ranking officer will designate a notification officer to inform the immediate family of the member's condition in the event of a serious incapacitating injury. In the event of a death, the Chief will make notification.

● Notification of the immediate family should be made as soon as possible.

● Notification of survivors in the immediate area will be made in person and in the company of another officer. Whenever the health of survivors is a concern, emergency medical service personnel shall be requested to stand by.

● If the opportunity to get the family to the hospital exists prior to the member’s death, notification officers shall inform the hospital liaison officer that the family is on its way. In such cases, immediate transportation should be provided for survivors rather than waiting for other department members to arrive. It is recommended that the family not be allowed to drive themselves to the hospital. If the member has died, notification should be made to the survivors in a forthright and empathetic manner.

● Communication of information concerning the member and the incident shall, whenever possible, be restricted to the telephone to avoid interception by the media. All media inquiries will be handled by the Chief. Should the media obtain the member’s name prematurely, the ranking officer shall request that the information be withheld until proper notification of survivors.

● The notification officer is responsible for identification of additional survivors outside the area and shall make any notifications as desired by the family. Such notifications shall be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made.

**III. Hospital Liaison**

**A.** Whenever possible, the Chief will join the family at the hospital. The next highest-ranking officer to arrive at the hospital shall serve as liaison until such time as the Chief can designate a member as hospital liaison.

**B.** The hospital liaison shall be responsible for coordinating the arrival of the family and other survivors, office personnel, the media and others and will assume the following responsibilities:

● Arrange for waiting facilities for the survivors and a press staging area, if necessary. The desires of the survivors should be followed with regard to their accessibility to other members and friends.

● Encourage medical personnel to provide pertinent medical information on the member’s condition to the family before any other parties.

● Assist family members, in accordance with their desires, in gaining access to the injured or deceased member.

● Arrange transportation for the family and other survivors upon their departure from the hospital.

● Ensure that family members or other survivors are provided with additional assistance at the hospital, as appropriate.

**IV. Office Liaison**

**A.** The Chief will act as the office liaison and will act as a facilitator between the family and the police department.

**B.** To lessen the confusion for the family and to the extent possible, the office liaison will be the one voice through which the office representatives (family liaison and family support advocate) communicate with the family. The office liaison will expedite tasks employing office resources and the delegation of assignments. The duties of the office liaison include, but are not necessarily limited to, the following:

● Sending appropriate messages to other agencies announcing the death of the member.

● Providing oversight of travel and lodging arrangements for out-of-town family members.

● Identifying alternative churches and reception halls that will accommodate the law enforcement funeral. Those alternatives will be presented to the family who will make the final determination.

● Coordinating all official law enforcement notifications and arrangements to include an honor guard, ceremonial funeral, traffic control, and liaison with visiting law enforcement agencies.

● Ensure that the office coordinates all statements and press conferences concerning the incident. The family should not have to personally deal with the stress of media inquiries.

**V. Family Liaison**

**A.** The Chief will designate a member who will act as the family liaison to serve as a facilitator between the decedent member's family and the office during the wake and funeral.

**B.** This position requires that the family liaison have a good knowledge of the family relationships, but not so emotionally involved with the loss that it would impair their effectiveness. The family liaison is responsible for:

● Meeting with family members and explaining their responsibilities to them.

● Being available to the family prior to and throughout the wake and funeral.

● Ensuring that the needs and wishes of the family are met and come before those of the department.

● Assisting the family in working with the funeral director regarding funeral arrangements.

● Relay any information to the family concerning the circumstances of the member'sdeath and appropriate information regarding any investigation. The family liaison should coordinate with investigators to ensure the family receives as much information as is allowable during the first few days.

● Determining the need for travel arrangements for out-of-town family members and any other special needs of the family during the funeral and reporting this information to the office liaison.

● Briefing the family members on the procedures involved in the law enforcement funeral.

**VI. Benefits Coordinator**

The Chief is designated as the benefits coordinator and is responsible for:

**A.** Filing workers’ compensation claims and related paperwork.

**B.** Ensure the presentation of all information regarding benefits available to the family, including but not limited to:

● Life Insurance

● Accidental Death and Dismemberment Insurance

● Long Term Disability Benefits

● Social Security

● Salary Due

**C.** Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions.

**D.** Coordinate the preparation of all documentation of benefits and payments due survivors to include the nature and amount of benefits to be received by each beneficiary, the schedule of payments and the name of a contact person or facilitator at each benefit or payment office.

**E.** Filing all benefit documents and maintaining contact with the family to ensure that benefits are being received. A copy of benefits documentation with an explanation should be provided to all affected survivors.

**F.** Advise the family of the role of relevant associations and organizations and the nature of support programs that they sponsor for law enforcement survivors.

**VII. Line of Duty Death Benefits**

There are federal, state, and professional organizations that offer benefits to beneficiaries of officers killed in the line of duty. The benefits coordinator will initiate contact with the following immediately after an officer's death:

**A.** **Federal**

### U.S. Department of Justice, Bureau of Justice Assistance

Payment Programs

810 Seventh Street N.W.

Washington, D.C. 20531

1-(888) 744-6513

##### FAX: (202) 616-0314

● **The Public Safety Officers’ Benefits Program** (42 U.S.C. 3796, et seq.) provides death benefits in the form of a one-time financial payment to the eligible survivors of public safety officers whose deaths are the direct and proximate result of a traumatic injury sustained in the line of duty.

● The Public Safety Officers’ Benefits Program also includes the **Public Safety Officers' Educational Assistance (PSOEA) Act**, which provides financial assistance for higher education to the spouses and children of federal, state, and local public safety officers who have been permanently disabled or killed in the line of duty.

● The educational assistance may be used to defray relevant expenses, including tuition and fees, room and board, books, supplies, and other education-related costs.

**B. State**

Vermont Department of Labor

5 Green Mountain Drive

PO Box 488

##### Montpelier, VT 05601-0488

● **Workers' Compensation** - coverage for employers in Vermont is compulsory an in accord with 21 V.S.A. § 632. Benefits paid shall be 66 2/3% of the member's wage paid to a spouse with no dependent children, 71 2/3% with one dependent child, or 76 2/3% if there are two or more dependent children. Burial and funeral expenses are paid, not to exceed $10,000 and out-of-state transportation of decedent to place of burial not to exceed $5,000.

**C.** **Professional**

Vermont Police Association

PO Box 700

Shelburne, VT 05482

● Association provides a line of duty death benefit for members in the amount of $13,500

**VIII. Family Support Advocate**

**A.** The Chief will designate a member to serve as the family support advocate.

**B.** The family support advocate serves in a long-term liaison and support capacity for the surviving family. The duties include:

● Providing contact with the family members keeping them abreast of criminal proceedings related to the death of the family member.

●Accompanying family members to criminal proceedings, explaining the nature of the proceedings, and introducing them to prosecutors and other persons as required.

● Identifying all support services available to family members and working on their behalf to secure any service necessary.

● Maintaining routine contact with family members to provide companionship and emotional support and maintain an ongoing relationship between the department and the immediate family.

● Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance and encouraging others to visit and help as necessary.

● Ensuring that the anniversary date of the member’s death is observed with a note to the family and/or flowers sent to the grave, and that adequate support is given to the family during holidays, particularly during the first year.

**IX. Protocol**

The Chief shall provide all members with information explaining availability and use of the Employee Assistance Plan and post incident debriefing/counseling services.

**A.** Officers attending the funeral of a deceased law enforcement officer will dress in appropriate uniform as designated by policy with only the badge, nameplate, rank insignia, and official office awards worn.

**B.** A mourning band will be worn over the badge immediately upon the death of an officer of this department and will continue to be worn for the next thirty (30) days. Non-uniformed members will wear the mourning ribbon on an outer garment in a location approved by the Chief.

● The mourning band will be worn over the badge immediately upon the death of an officer of another law enforcement agency located in Vermont, or surrounding jurisdiction, until the burial of the officer.

● Officers attending funerals involving law enforcement officers from outside a surrounding jurisdiction will wear the mourning band over the badge while attending the funeral and it will be removed immediately after the burial of the deputy/officer.

**X. Cancellation**

This directive cancels, replaces and supersedes any directive in conflict therewith.

**AUTHORITY:**

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Braedon S. Vail, Chief of Police

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