

BETHLEHEM POLICE DEPARTMENT GENERAL ORDERS

SUBJECT: LINE-OF-DUTY DEATHS

CALEA STD. NO.

AMENDS/SUPERSEDES:

REVISED:

EFFECTIVE DATE:9/2007

APPROVED:9/2007

NOTE: In any civil action against any individual, agency or governmental entity, including the State of New Hampshire, arising out of the conduct of a law enforcement officer having the powers of a peace officer, standards of conduct embodied in policies, procedures, rules, regulations, codes of conduct, orders or other directives of a State, County or local law enforcement agency shall not be admissible to establish negligence when such standards of conduct are higher than the standard of care which would otherwise have been applicable in such action under State law. (RSA 516:36).

INDEX WORDS: Deaths; Duty-Related

I. POLICY:

The method by which survivors are informed, and the agency support of survivors has a significant impact upon the bereavement process. Inappropriate actions can result in significant psychological consequences for the spouse and family. It is therefore the policy of the department to provide for such contingencies.

II. PURPOSE:

The recovery of the spouse and family of a deceased officer is directly related to events which follow each death notification.

The primary purpose of this policy is to offer insight and to establish procedures which will foster rather than inhibit the survivor recovery process in the event of a duty-related death.

III. DEFINITIONS:

As used in this policy, "next of kin" shall include a person's parents, spouse, siblings, children, fiance, fiances, or a significant other with whom the person has a romantic relationship and resides.

IV. PROCEDURES:

A. Planning:

1. Advance planning is necessary, the same as the department is required to plan for any other contingency, such as a natural disaster or civil disturbance, if it is to properly respond to the death of one of its members.
2. A Pre-planning and Resource Committee is hereby established within the department to handle planning and response to line-of-duty deaths. This committee shall consist of the department's consulting psychologist; Attorney _____, from the law firm which represents the Town; The senior Field Officer of the Police Department; the department's Chaplin; and or the Vice President of the Bank, a representative of the Kiwanis or like club to be designated by the club.
3. Members of this group will be replaced by the Chief upon notice of a vacancy.
4. The Chaplin shall serve as Chairperson of the group and shall call at least one meeting a year, for the purpose of updating and revising this policy and identifying any survivors of deceased police officers who may be in need of further assistance.

B. Activities:

1. In the event of a line-of-duty death, the Chaplin shall call the group together in an emergency session to advise and assist the Chief in responding to the situation.
2. The group shall produce a document for distribution to each department member and spouse outlining all duty-related death benefits and the procedure for obtaining them, and the Chaplain shall check this document for accuracy with the department's fiscal officer and update it as required. The document shall also provide information on the importance of having a will and how to determine the need for supplemental insurance coverage.
3. The group shall annually send a notice to all officers recommending that they review their supplementary insurance coverage and update their

beneficiaries on their insurance policies and retirement plan.

C. Individual Officer Responsibilities:

1. Police officers seldom consider their own vulnerability and many times that issue is focused upon only at the funeral of a fellow officer. This causes many officers to ignore such necessary steps that would be helpful to survivors in the event of their death. The members of the Pre-planning and Resource Committee are available to any officer to provide advice and assistance in such matters.

D. Notification:

1. The next of kin in police line-of-duty deaths often comment that the officer who delivered the death message was not a friend of the deceased, or the messenger was not held in favor by the slain officer or the next of kin. Thus, the notification procedure would lack the compassion the survivors need and desire.
2. At the time of employment, the Training Officer shall require each sworn officer, full and part-time, to complete a death notification form which will be maintained in a sealed envelope in that officer's training file where it is immediately available. The form shall be updated annually during the classroom phase of annual firearms qualification and training. The form shall contain the following information:
 - a. A listing, in order of preference, of the names of the three officers who would deliver a message of serious injury or death;
 - b. A listing of who should be notified by the department, giving their home and work addresses, phone numbers and their relationship to the officer.
 - c. The names of officers who would serve as the liaison between the department and the family. It is recommended that both male and female officers be assigned;
 - d. The name of the officer who would clean out the deceased officer's locker and return issued equipment to the department from both the locker and the residence;

- e. If clergy are to be involved, two names and phone numbers;
 - f. Any special request to the department regarding the notification, pall bearers, funeral, burial or memorial.
3. In the event of serious injury or death, immediate personal notification is essential. Many families will have radio scanners and the media will pick up immediately on the death or injury of a police officer. Learning about this from an acquaintance or the media can have a devastating effect on the spouse or family. It is also essential to protect the family from the media who, on occasion, can show an appalling lack of sensitivity.
 4. When notifying the next of kin, two officers should be dispatched--one to transport the family member and one to remain at the home to babysit, answer the telephone, etc.
 5. If the Chief is not present at the time of the notification, he/she shall be notified forthwith and will make personal contact with the family as soon as practical, and detail liaison officers for continuous support until after the funeral.
 6. When notification is made, the next of kin will immediately realize the officers are not there for a social visit, so the use of any delaying tactics is inappropriate. Although it is natural for the notifying officer to "try to make it better," such comments as "you are young enough to start your life over again" are not appropriate. The next of kin should be provided with an accurate account of the events surrounding the incident and the current medical condition. There are few exceptions to this rule, as the survivors will otherwise soon learn they have not been told the whole story and may feel betrayed.

E. Follow-Up:

1. Immediately after the notification, the next of kin will usually want to be taken to the hospital and this request shall be honored.
2. Sometimes, well-meaning officers will try to protect the next of kin from seeing the body of the deceased until it has been cleaned up

at the hospital. If the next of kin wishes to see the body at the hospital, this request shall be honored. If the body is mutilated or burned, the family should be so informed and if they still insist upon seeing the body of their loved one, the request should be accommodated.

3. From the time of the death until the funeral, the department shall offer continued appropriate support services such as baby sitting, telephone answering, notifications, assistance in dealing with the response from the public and other agencies, meal assistance, transportation, etc. Some services may also be required for an indeterminate period of time after the funeral. The Pre-planning and Resource Committee, headed by the Chaplin, shall confer with the Chief to be sure that this assistance is provided.

F. Funeral:

1. It is essential that the family be actively involved in planning the funeral arrangements, and that their wishes be followed. The funeral is the family's event, and not the department's, and the wishes of the survivors must be paramount.
2. It is essential to convey to the survivors that the officer's life indeed made a difference, the officer was important to the department and the community, and will not be forgotten. This applies regardless of whether the officer died in a shootout with a criminal, an auto accident or a heart attack. The fact is that it occurred on duty and the officer devoted his/her life to serving the public and showed bravery and dedication simply by belonging to the police profession.
3. Therefore, the officer's name shall be placed on an appropriate plaque in the foyer of the police station and the department shall notify the NH Police Standards and Training Council for appropriate recognition of the officer on the Roll of Honor at the Police Academy.

G. Non Line-of-Duty Deaths:

1. Upon learning of a non line-of-duty death of an officer or civilian member of the department, or a retired member of the department, the Chief or his/her designee shall as soon as practicable contact the family and offer the same type of assistance as in a line-of-duty death.

H. Presentations:

1. If any presentation is made from the department of such items as an officer's badge, a plaque or mementos, because of the possibility that there will be a spouse, parents, and perhaps surviving children or more than one marriage, any presentation from the department shall be made jointly to the surviving spouse and the parents of the officer, with each receiving the presentation in duplicate. This will extend a measure of condolence for the life of the deceased officer and eliminate any competition or friction that might otherwise exist. If the officer is not married but has a fiance' or fiancee', that person shall also be included in the memorial service.

H. Follow-up:

1. Research has shown that spouses of deceased officers often experience traumatic stress disorder for months after the death. It is the policy of the department to provide psychological counseling to all survivors of a deceased officer, and to all department members in the event of a line-of-duty death, and to continue to provide various types of support to the family for several months following the death. This will include post-death counseling for the officer's children, who are often not given any opportunity to express their thoughts and feelings.
2. If a suspect has been charged in the death, a trial will be scheduled. During the trial process, the person handling the criminal case shall keep the family informed. He/she shall also provide them with a complete

briefing just prior to the start of the trial so they will be aware of critical issue before learning of them from the media. If, during the trial, additional issues are to be raised, the family shall be so advised in advance.

3. Because of the myriad of death benefits and other remuneration to which a survivor may be entitled, including retirement benefits, insurance, and the U.S. Department of Justice death benefit fund, a spouse may suddenly find themselves dealing with much red tape and with sums of money larger than they have been used to handling, and even be solicited to make various investments, some of them perhaps unwise ones. The Resource Committee shall make available to the spouse the names of several preselected reputable financial planners who will render advice if requested.