



3-24 IN THE LINE-OF-DUTY DEATH NOTIFICATIONS AND BENEFITS

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

1-25 Chaplain Unit

B. Form(s)

None

C. Other Resource(s)

NMSA 1978, §§ 21-21F-1 to 21-21F-5 Fire Fighter and Peace Officer Survivors Scholarship Act

NMSA 1978, §§ 29-4a-1 to 29-4A-5 Peace Officers', New Mexico Mounted Patrol Members' and Reserve Police Officers' Survivors Supplemental Benefits Act

NMSA 1978, §§ 45-1-201 Uniform Probate Code Definitions

Public Safety Officers' Benefits Program, Bureau of Justice Assistance, U.S. Department of Justice

D. Rescinded Special Order(s)

None

3-24-1 Purpose

The purpose of this policy is to outline the procedures for Albuquerque Police Department (Department) personnel when notifying next of kin of sworn personnel about a death in the line-of-duty.

3-24-2 Policy

It is the policy of the Department to ensure that death notifications for sworn personnel who died in the line-of-duty are conducted with the utmost diligence and care.

N/A

3-24-3 Definitions

A. Beneficiary

A designated person as defined in the Uniform Probate Code (NMSA 1978, § 45-1-201).

B. Benefits



Financial payments that are made to the beneficiary to ensure financial stability following the death of a Department employee in the line-of-duty.

C. Casualty Assistance Representative (CAR)

A Department-appointed officer who holds the rank of commander or higher who is the point of contact for all families who may have to go through the traumatic experience of a death notification. A CAR acts as a direct-line resource to the Department, including the chain of command, up to the Chief of Police.

D. In the Line-of-Duty Death

Any action, felonious, accidental or natural, which claims the life of a Department officer who was performing a work-related function while on-duty.

E. Next of Kin

1. A person designated by an officer who is responsible for the disposition of the officer's remains, personal effects, and release of records. If the officer did not designate someone to be their next of kin, it will be the officer's surviving spouse or, if the officer does not have a surviving spouse, their closest relative. If none of these conditions are met, the Department will recognize the following people in the following order as the officer's next of kin:
 - a. Natural and adopted children in order of seniority, including stepchildren and other children if acknowledged by the officer or as determined by a court;
 - i. The age of majority is eighteen (18) years.
 - ii. The rights of minor children, except for the disposition of the officer's remains, shall be exercised by their surviving parent or legal guardian.
 - b. A parent unless sole custody was granted to a person because of a court decree or a statutory provision;
 - c. Blood or adoptive relative who was granted legal custody of the person by a court decree or a statutory provision;
 - d. A brother or sister who is of legal age in order of seniority;
 - e. A grandparent;
 - f. Another relative in order of relationship to the officer according to the Uniform Probate Code; or
 - i. The seniority of age will determine control when persons are of equal degree of relationship (e.g., parents or siblings).
 - g. A person who stands in the place of a parent to the officer.
 - i. The seniority of age will determine control when persons are of equal relationship.

7 3-24-4 **Procedures**

A. Preparing to Make a Death Notification



1. The on-duty supervisor shall notify their chain of command to ensure arrangements are made for the Chief of Police or Deputy Chief of Police and the involved officer's chain of command to notify the involved officer's next of kin, regardless of where the next of kin lives.
2. The Chief of Police or their designee shall appoint a CAR before going to the next of kin's residence.

B. Delivering the Death Notification

1. The Chief of Police or Deputy Chief of Police and the involved officer's chain of command shall be the only personnel who notify next of kin about an officer who died in the line-of-duty.
 - a. A Department Chaplain, consistent with SOP Chaplain Unit (refer to SOP Chaplain Unit for sanction classifications and additional duties), and/or a personal acquaintance of the involved officer may assist with delivering the death notification, if possible.
2. The Chief of Police or Deputy Chief of Police and the involved officer's chain of command shall deliver the death notification in person with relevant, available facts as soon as possible.
3. When necessary, the CAR shall stay at the residence with any children while adult next of kin, immediate family members, and other family members proceed to the hospital until the children's designated guardians can report to the residence.
4. Department personnel are prohibited from notifying the media outlets of the deceased officer's name until the next of kin has been notified.

N/A

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C. Casualty Assistance Representative (CAR) Responsibilities

1. The CAR shall:
 - a. Be the next of kin's point of contact for all Department communication;
 - b. Arrange for a secluded waiting area at the hospital away from media outlets and the public;
 - c. Arrange for transportation for next of kin to and from the hospital in coordination with the Honor Guard Team Lieutenant;
 - d. Arrange for medical bills to be sent to the Department, not the residence;
 - e. Coordinate with the Honor Guard Team Lieutenant to work with the next of kin for funeral arrangements;
 - f. Connect next of kin with a Behavioral Sciences Section (BSS) clinician;
 - g. Provide information to the designated beneficiary(s) about the City of Albuquerque's insurance and benefits;
 - h. Provide information to the designated beneficiary(s) from the following organizations, including, but not limited to:



ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-24 (Formerly 3-30)

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- i. Albuquerque Police Officers' Association (APOA);
- ii. 100 Club of New Mexico;
- iii. Benefits as granted to the beneficiary pursuant to the:
 1. Fire Fighter and Peace Officer Survivors Scholarship Act;
 2. Peace Officers', New Mexico Mounted Patrol Members' and Reserve Police Officers' Survivors Supplemental Benefits Act; and
 3. Public Safety Officers' Benefits Program.
- i. When a lawsuit, if filed in connection to the death of the officer, notify the next of kin within a reasonable amount of time of the adjudication process and shall provide information regarding any relevant legislation that arose from the court case.

D. Web-based Directory

1. All command staff personnel shall have access to the web-based directory that stores the decedent's next of kin's contact information, including their name and address for death notification purposes.
2. Department personnel shall confirm the information in the web-based directory for the next of kin is correct at the beginning of the bid and midway through the bid.

N/A

E. Honorary Upgrade

1. The Chief of Police may award an honorary upgrade to an officer who was killed in the line-of-duty or to an officer who died honorably for other causes while employed by the Department.
 - a. The officer's Deputy Chief of Police or Area Commander will offer the honorary upgrade to the surviving family of the deceased officer.
 - b. An honorary upgrade only applies to sworn personnel who hold the rank of Lieutenant or below.
 - c. The honorary upgrade is an optional recognition.
2. The Chief of Police or their designee will present the award for an honorary upgrade during a police memorial service, unless otherwise requested by the surviving family of the deceased officer.
 - a. The honorary upgrade award will have a badge mounted on a plaque, engraved with the deceased officer's name and dates of service.
 - b. Property Unit personnel will be responsible for procuring the badge and plaque.

F. Professional Staff Members

1. The Chief of Police or their designee will award professional staff with a plaque who were killed in the line-of-duty or who died honorably for other causes while employed by the Department.



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2. The Chief of Police or their designee shall give the plaque to the decedent's family.
3. The plaque will have the decedent's name, dates of service, and the Department shield.
4. Property Unit personnel will be responsible for procuring the plaque.

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