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Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):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D. Rescinded Special Order(s)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 about the death of sworn personnel while 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.

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 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 (NOK)

1. A person designated by the officer who is responsible for the disposition of the officer’s remains, personal effects, and release of records. If the Department employee did not designate someone to be their next of kin, it will be the employee’s surviving spouse or, if the employee 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 Department employee’s next of kin:

   a. Natural and adopted children in order of seniority, including stepchildren and other children if acknowledged by the Department employee 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 Department employee’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 Department employee 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 Department employee.
      i. The seniority of age will determine control when persons are of equal relationship.

7-3-24 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, 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 delivering the death notification, the Chief of Police or their designee shall:
   
   a. Ask the next of kin permission to come inside their residence;
   b. Gather the next of kin, immediate family members, other family members, as authorized by the next of kin, and request for everyone to be seated;
      i. The Chief of Police or their designee shall not deliver the death notification at the doorstep of the residence.
   c. When delivering the death notification:
      i. Begin by informing the next of kin, immediate family members, and other family members, as authorized by the next of kin, of the officer’s first name;
      ii. Explain and describe the type of call for service the officer responded to;
         1. The Chief of Police or their designee shall refrain from extensively describing what happened.
      iii. Avoid vague expressions, such as “passed away,” and instead indicate the officer “died” or “was killed”;
      iv. Speak slowly and carefully;
      v. Call the deceased by name, rather than using generic terms;
      vi. Patiently answer questions about the officer’s death; and
      vii. Explain where the officer is located.
      1. If information about the officer’s location is unknown or unavailable, the Chief of Police or their designee shall explain this to the next of kin, immediate family members, and other family members, and shall explain that they will provide the information as soon as it is determined.
4. 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.

5. Department personnel are prohibited from notifying the media outlets of the deceased officer’s name until the next of kin has been notified.

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:
      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 Department employee, notify 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.

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 of 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. Civilian Department Personnel

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

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.
3-24 IN THE LINE-OF-DUTY DEATH NOTIFICATION(S) 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 New Mexico Uniform Probate Code, §§ 45-1-101 et seq.
Definitions
Public Safety Officers’ Benefits Program, Bureau of Justice Assistance, U.S. Department of Justice
Fire Fighter and Peace Officer Survivors Scholarship Act, NMSA 1975, § 21-21F-1 et seq.
Federal Public Safety Officers’ Benefits (PSOB) Programs.

D. Rescinded Special Order(s)

None

3-24-1 Purpose

The purpose of this policy is to provide a codified roadmap outlining the procedures for Albuquerque Police Department (Department) personnel when notifying next of kin about the death of sworn department employees. Sworn personnel personnel in the for deaths that occurred event of in a the Line of Duty Death.

3-24-2 Policy

It is the policy of the Department to...
accurate reporting; dignified and humane notification; and efficient, thorough, and compassionate assistance to the next of kin (NOK).

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

The Department will appoint a Casualty Assistance Representative (CAR) who will be the point of contact for all families who may have to go through this traumatic experience. The CAR will be the rank of Commander or above. The CAR will be the direct line resource to the Department and its chain of command up to the Chief of Police. Should any litigation arise from the Line of Duty Death, the CAR will keep the NOK reasonably notified of the adjudication process as the case makes its way through the justice system and information regarding any relevant legislation that arose from that case.

3-24-3 Definitions

A. Beneficiary

A designated person Those designated pursuant to as defined in the the New Mexico Uniform Probate Code (NMSA 1978, §§ 45-1-101 et seq. as the recipients of specific death benefits for the deceased).

B. Benefits

Financial payments that may be made to the beneficiary to ensure financial stability following the death of a Department employee in the In-the-Line-of-Duty Death.

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.

Financial payments that may be made to the beneficiary to ensure financial stability following an In-the-Line-of-Duty Death.

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.

The death of an officer Department employee who dies while performing a work-related function while on-duty.

E. Next of Kin (NOK)
1. The person designated by the Department employee who is responsible for the disposition of the officer's remains, personal effects, and release of records, who (does something following the death of the employee) as their next of NOK kin, or if the Department employee did not designate someone to be their next of kin: If none of these conditions are met, the Department employee does—will recognize the following people in the following order as the Department employee's next of kin:

1. for disposition of remains, personal effects, and the release of records to secondary NOK and third parties. Absent the designation by the employee, the surviving spouse (if applicable) is primary NOK, other NOK and interested parties are recognized in the following order:

   a. Natural and adopted children in order of seniority, including stepchildren and other children if acknowledged by the member

   i. The age of majority is eighteen (18) years.

   2. The rights of minor children, except for the disposition of the Department employee's remains, shall be exercised by their surviving parent or legal guardian.

   ii. 

3. b. A Parent, unless legal exclusive (sole) custody was granted to a person because of a court decree or a statutory provision;

4. c. Blood or adoptive relative who was granted legal custody of the person by a court decree or a statutory provision;

5. d. A Brothers or sisters who is of legal age in order of seniority;

6. e. A Grandparents;

f. Other relatives in order of relationship to the member according to the New Mexico Uniform Probate Code, §§ 45-1-101 et seq.;

7. i. The seniority of age will determine control when persons are of equal degree of relationship (e.g., parents or siblings).

A 

8. g. A person who stands in the place of a parent loco parentis to the decedent Department employee

   The seniority of age will determine control when the persons are of equal relationship.

i. 

C. Beneficiary
Those designated pursuant to the New Mexico Uniform Probate Code, §§ 45-1-101 et seq., as the recipients of specific death benefits for the deceased.

D.C. Benefits

Financial payments that may be made to the beneficiary to ensure financial stability following an in-the-Line-of-Duty Death.

E. Public Safety Officer

A sworn law enforcement officer.

3-24-4 Procedures

A. Preparing to Make a Death Notifications will be made as follows:

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 NOK, next of kin, regardless of where the NOK lives.

2. The Chief of Police or their designee shall appoint a CAR before going to the NOK’s residence.

B. Making 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 the death of an officer that occurred in the line-of-duty. Death Notification notifications will be only made by the Chief of Police or Deputy Chief along with the involved officer’s chain of command.

   a. A Department Chaplain, consistent with SOP Chaplain Unit, and/or a personal acquaintance of the involved officer may assist with making delivering the death notifications, if possible, consistent with SOP Chaplain Unit.

   (Someone) shall make arrangements for personally notifying the involved officer’s NOK, regardless of where the NOK lives.

2. The Chief of Police, Deputy Chief of Police and the involved officer’s chain of command shall deliver the death notifications shall be made in person and as soon as possible, with relevant, available facts as soon as possible.
A Department Chaplain and/or a personal acquaintance of the involved officer may assist with making death notifications, if possible, consistent with SOP Chaplain Unit.

3. When delivering the death notification, the Chief of Police or their designee shall:

   a. Instead, ask the next of kin (NOK) permission to come inside their residence;
   b. Gather the next of kin, immediate family members, other family members, including children, and request for everyone to be seated;
   c. In providing:
      i. The Chief of Police or their designee shall not deliver the death notification at the doorstep of the residence;
   d. When delivering the death notification:
      i. Begin by informing the next of kin, immediate family members, and the other family members, as authorized by the next of kin, of the officer’s first name;
      ii. Explain and describe the type of call for service the officer responded to and what happened;
      iii. Avoid vague expressions, like “passed away,” and instead indicate the officer used “died” or “was killed”;
      iv. Speak slowly and carefully; and
      v. Call the deceased by name, rather than using generic terms; and
      vi. Patiently answer questions about the officer’s death; and
      vii. Explain where the officer is located.

   1. If information about the officer’s location is unknown or unavailable, the Chief of Police or their designee shall explain this to the next of kin, and the other immediate family members, and the other family members, and shall explain that they will provide the information as soon as possible.

Call the deceased by name, rather than utilizing generalized terms such as, but not limited to, “the body.”

(Someone) shall make arrangements will be made for personally notifying the involved officer’s NOK, regardless of where the NOK lives, even if the survivor lives far away.
4. When (Someone) shall appoint a CAR before going to the NOK’s residence. If necessary, the CAR shall stay at the residence with any children while the adult next of kin, and immediate family members, and other family members proceed to the hospital, until other family members or the officer’s children’s designated guardians can respond to the residence.

A Department Chaplain police chaplain and/or a personal acquaintance of the involved officer may assist with making death notifications, will be utilized if possible, consistent with SOP Chaplain Unit.

1. This notification will be made in person. Arrangements will be made for personal notification even if the survivor lives far away.

2. Notification will be made as soon as possible, with relevant, available facts.

3. All command staff personnel will have access to an online directory of employees for notification purposes, containing NOK names, addresses, and contact information. It will be incumbent upon all personnel to confirm names and addresses once at the bid and once at the midpoint of the bid.

4. A CAR will be appointed before going to the NOK’s residence. If necessary, the CAR will stay at the residence with any children while the adults proceed to hospital, until other family members or designated guardians can respond to the residence.

5. Notification will not be made on the doorstep of the residence; instead, ask to come in, gather the family, including children, and request everyone to be seated. In providing notification:

a. Avoid vague expressions like “passed away.” Use “died” or “killed”;

b. Speak slowly and carefully and inform them that “Officer’s” first name responded to (the type of call and what happened); and

c. Do not drag out the details, but do not rush through them either.

6. Call the deceased by name—rather than utilizing generalized terms such as, but not limited to, “the body.”

7. Patiently answer questions about the death, location of the officer, etc.; if the information is unknown or unavailable, inform the individuals of this and provide that information as soon as possible.

8. Department personnel are prohibited from notifying the media outlets until the next of kin and immediate family members have been notified.
Web-based Directory

(Someone) shall maintain the web-based directory of Department personnel who died in the line of duty and their next of kin’s contact information, including their name and address.

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, containing NOK names, addresses, and contact information. The web-based directory of Department personnel’s next of kin’s contact information, including their name and address.

Department personnel shall it will be incumbent upon all personnel to confirm the information in the web-based directory for the next of kin is correct names and addresses once at the beginning of the bid and once at the midpoint of midway through the bid.

B.C. Casualty Assistance Representative (CAR) Responsibilities

1. The CAR shall:
   a. Be the next of kin’s point of contact for all Department communication to the decedent’s family next of kin;
   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;

When a lawsuit if filed The Department will appoint a Casualty Assistance Representative (CAR) who will be the point of contact for all families who may have to go through this traumatic experience. The CAR will be the rank of Commander or above. The CAR will be the direct line resource to the Department and its chain of command up to the Chief of Police. Should any litigation arise from in connection to the death of the Department employee Line of Duty Death, the CAR will keep notify the next of kin within a reasonable amount of time NOK reasonably notified of the adjudication process as the case makes its way through the justice system and shall provide information regarding any relevant legislation that arose from that the court case.

b. Arrange for a secluded waiting area at the hospital away from media and public;
c. Point of contact for all Department communication to the family.

d. Arrange for Transportation transportation needs for next of kin family members from to and from the hospital back to the residence.

e. Arrange for medical bills to be sent to the Department, not the residence.

f. Coordinate with family next of kin for funeral arrangements.

g. Connect next of kin with a Department psychologist and Behavioral Sciences Section (BSS) clinician for family.

Coordinate of officer presence with the Honor Guard Team Lieutenant to arrange for officer presence at the next of kin’s residence until for ten (10) days after the funeral service, consistent with SOP Honor Guard Duty.

a. Provide information to the designated beneficiary(s) about the City of Albuquerque’s insurance and benefits.

g. Provide information on benefit assistance to the designated beneficiary(s) or beneficiaries from the following organizations, including, but not limited to:

a. Albuquerque Police Officers’ Association (APOA);

b. 100 Club of New Mexico;

c. City of Albuquerque Insurance and Benefits;

d. Statutory benefits through the State of New Mexico, including but not limited 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.

d. Statutory benefits through the State of New Mexico, including but not limited to the Peace Officers’, New Mexico Mounted Patrol Members’ and Reserve Police Officers’ Survivors Supplemental Benefits Act, NMSA 1978, § 29-4a-1 et seq. and the Fire Fighter and Peace Officer Survivors Scholarship Act, NMSA 1975, § 21-21F-1 et seq.

Federal statutory benefits, including but not limited to Federal Public Safety Officers’ Benefits (PSOB) Programs.

i. When a lawsuit is filed in connection to the death of the Department employee, notify 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.

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, an honorary upgrade may be awarded to an officer who has been killed in the line of duty or to an officer who died honorably of other causes while employed by the Albuquerque Police Department.
   
   a. The honorary upgrade is an optional recognition that will be offered to the survivors of the deceased by the appropriate Deputy Chief of Police or Area Commander will offer the honorary upgrade to the surviving family of the deceased officer.
   
   b. An honorary upgrade will only apply to officers sworn personnel through who hold the actual rank of Lieutenant or below.
   
   b.c. The honorary upgrade is an optional recognition.

2. The Chief of Police or their designee will present an award for an honorary upgrade will be presented by the Chief of Police or his designated representative during a Police Memorial Service, unless otherwise requested by the surviving family of the deceased officer killed in the line of duty or dying honorably of other causes while employed by the department.
   
   a. The honorary upgrade award will consist of a badge mounted on a plaque, which will be engraved with the deceased officer's name and dates of service.
   
   b. Police Property Unit personnel will be responsible for the procurement of the badge and plaque.

3. F. Reserve Officers and Civilian Department Employees

1. The Chief of Police or their designee shall award Reserve officers and civilian Department employees personnel who were killed in the line-of-duty or who died honorably of other causes while employed by the Department will be recognized by the offering of a plaque.

2. The Chief of Police or their designee shall give the plaque to the survivor's family.
3. The plaque will include the deceased officer or employee’s name, dates of service, and the APD shield.

4. The Police Property Unit personnel will be responsible for the procurement of the plaque.