



## **3-24 IN-THE-LINE-OF-DUTY DEATH NOTIFICATION AND BENEFITS**

**Related SOP(s): None**

### **3-24-1 Purpose**

The purpose is to provide a codified roadmap for Department personnel in the event of a Line of Duty Death

### **3-24-2 Policy**

Dealing with casualties is an important function of command. Commanders at all levels must give the In the Line of Duty Death/Causality Services program their personal attention. The program's primary goals are prompt and 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 death notifications are conducted with the aforementioned care and diligence.

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 reasonable 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. In-the Line-of-Duty Death**

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

#### **B. Next of Kin**

The person most closely related to the casualty is considered primary NOK for disposition of remains, personal effects, and the release of records to secondary NOK and third parties. The surviving spouse (if applicable) is primary NOK. The term



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surviving spouse does not include one who obtained a divorce from the decedent (at any time). Other NOK and interested parties are recognized in the following order:

1. Natural and adopted children in order of seniority. \*Includes step children and other children if acknowledged by the member or so determined by a court. The age of majority is 18 years. The rights of minor children, with the exception of disposition of remains, shall be exercised by their surviving parent or legal guardian.
2. Parents, in order of seniority, unless legal exclusive (sole) custody was granted to a person by reason of a court decree or statutory provision.
3. Blood or adoptive relative who was granted legal custody of the person by court decree or statutory provision.
4. Brothers or sisters of legal age in order of seniority.
5. Grandparents in order of seniority.
6. Other relatives in order of relationship to the member according to the New Mexico Uniform Probate Code, §§ 45-1-101 et seq. Seniority of age will determine control when persons are of equal degree of relationship (e.g. parents or siblings).
7. Persons standing in loco parentis to the decedent. Seniority of age will determine control when the persons are of equal relationship.

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. 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. Death Notification will be made as follows:

1. Notification will be made by the Chief of Police or Deputy Chief along with the involved officers' chain of command. A police chaplain and/or a personal acquaintance will be utilized if possible. 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 prior to 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 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 (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 information is unknown or unavailable, inform the individuals of this and provide that information as soon as possible.
8. The media will not be made aware of officer's name until all family has been notified.



B. CAR Responsibilities

1. Arrange for secluded waiting area at hospital away from media and public.
2. Point of contact for all Department communication to the family.
3. Transportation needs for family members from hospital back to residence.
4. Arrange for medical bills to be sent to the Department, not the residence.
5. Coordinate with family for funeral arrangements.
6. Provide access to the Department psychologist and staff for family.
7. Coordination of officer presence at residence until ten (10) days after funeral service.
8. Provide information on benefits assistance to the designated beneficiary or beneficiaries from the following resources:
  - a. Albuquerque Police Officers Association
  - b. 100 Club of New Mexico
  - c. City Insurance and Benefits
    - i Health Insurance Benefits
    - ii Worker's Compensation
    - ii Retirement Pension
    - iii
  - 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.;
  - e. Federal statutory benefits, including but not limited to Federal Public Safety Officers' Benefits (PSOB) Programs.

C. Honorary Upgrade

1. As determined by the Chief of Police, an honorary upgrade may be awarded to an officer who has been killed in the line of duty or dies honorably of other causes while employed by the Albuquerque Police Department.



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- a. The honorary upgrade is an optional recognition that will be offered to the survivors of the deceased by the appropriate Deputy Chief/ Area Commander.
  - b. The honorary upgrade will apply only to officers through the actual rank of lieutenant.
2. An award 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 an officer killed in the line of duty or dying honorably of other causes while employed by the department.
- a. The 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 will be responsible for the procurement of the badge and plaque.
3. Reserve Officers and Civilian Employees
- a. Reserve officers and civilian employees killed in the line of duty or dying honorably of other causes while employed by the Department will be recognized by the offering of a plaque to their family.
  - b. The plaque will include the officer or employee's name, dates of service, and APD shield.
  - c. The Police Property Unit will be responsible for the procurement of the plaque.



### **3-24-1 Policy**

~~It is the policy of the Department to ensure that In-the-Line-of-Duty death notifications are conducted in the proper manner and that personnel and their survivors receive all benefits due them in the case of death in the line of duty.~~

### **3-24-2 Definitions**

#### ~~Beneficiary~~

~~Those designated by the officer as the recipients of specific death benefits.~~

#### ~~Benefits~~

~~Financial payments made to the family to ensure financial stability following an in-the-Line-of-Duty death.~~

#### ~~In-the-Line-of-Duty Death~~

~~Any action, felonious or accidental, which claims the life of a public safety officer who was performing work related function while on or off duty.~~

#### ~~Public Safety Officer~~

~~A sworn law enforcement officer.~~

#### ~~Survivors~~

~~Immediate family members of the deceased officer and affected co-workers.~~

### **3-24-3 Procedures**

~~Death notification will be made as follows:~~

- ~~1. Shall be made by personnel of the rank of commander and above, utilizing a police ——— chaplain and/or personal acquaintance if possible.~~

~~Coordinate notification with the on-call APD Chaplain to ensure that notification is made by someone who is trained to handle notification with compassion and sensitivity.~~

~~Make notification promptly with all relevant facts available.~~

~~Every effort should be made to make notification to the family before the deceased's name is released to the media.~~

~~Be prepared to make arrangements for medical assistance if any survivor(s) has a known medical illness, to include transportation to an area hospital if needed.~~



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~~If possible, assist with childcare arrangements if needed.~~

~~Volunteer to arrange for notification of out of town relatives.~~

~~Keep updated about the incident and keep the family informed.~~

~~Assisting Family at the Hospital~~

~~Arrange for waiting facilities away from the general public and media.~~

~~Relay information to family first, then to Department personnel.~~

~~Arrange for transportation back to the residence.~~

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

~~Support During/While Preparing for the Funeral~~

~~Appoint a liaison to assist/coordinate funeral arrangements between the family and the Department.~~

~~Provide access to Department staff psychologist.~~

~~Provide routine residence checks on survivor's residences.~~

~~Assure funeral protocol.~~

~~Issuance of a Department Memorandum Standing Orders~~

~~Class A uniform, honor guard, 21 gun salute, covered badges, and motorcade.~~

~~Provide Information on Benefits Assistance~~

~~See Benefits package for detailed information available through the Albuquerque Police Officers Association (APOA) or Division/Area Commander.~~

~~Provide Support During/While Awaiting Trial of Suspect(s)~~

~~Update family on trial proceedings.~~

~~Use Victims Assistance personnel to assist.~~

~~Additional Assistance~~

~~Offer psychological assistance to the family.~~



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~~Offer assistance regarding the continuance of health insurance coverage for survivors at the entitled rates.~~

~~Use services of volunteer groups and support groups for the family.~~

~~Familiarize the family with the Concerns of Police Survivors organization (COPS).~~

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