
Policy Directive

OLATHE POLICE DEPARTMENT



SUBJECT: Line Of Duty Death Or Serious Injury
CANCELS: N/A

NUMBER: 1.12
DATE: 10/4/04

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I. PURPOSE

To prepare the Department for an employee's line of duty death or serious injury; to direct the Department in providing support for survivors.

II. DEFINITIONS

Beneficiary: Person designated to receive specific benefits.

Benefits: Financial payments or considerations made to survivors.

Line of duty death: Death of an employee during the course of performing a legitimate job function while on or off duty.

Line of duty serious injury: Injury incurred during the performance of a legitimate job function while on or off duty, in which hospitalization or other recuperative time is necessary. Typically, this type of injury requires Emergency Room treatment or other initial critical care.

Survivors: Immediate family members of the deceased, to include spouse or domestic partner, fiancée, children, parents, siblings or other specific designee.

III. EMPLOYEE ASSISTANCE

A. The supervisor on the scene of a line of duty death or serious injury should ensure that employees present when the incident occurred are relieved from the scene as soon as practical.

B. As soon as possible following a line of duty death, the on-duty shift commander or division commander should assign one or more employees, preferably at the rank of Sergeant or above, to telephone all off-duty employees and inform them of the death.

IV. NOTIFICATION FORMS

A. All employees shall have the opportunity to complete a Line of Duty Death or Serious Injury Notification/Funeral Protocol Information form. Completed forms will be stored and maintained by the Executive Secretary.

B. An employee may elect to not complete a Protocol Information form. If so, a record of the employee's refusal will be stored with the Executive Secretary.

C. An employee may remove or update his or her completed form by contacting the Executive Secretary. Employees should take the opportunity to review their forms during their annual evaluations.

V. NOTIFICATION PROCEDURES

A. For seriously injured employees, notification will be made as soon as practical to an immediate family member by the on-duty Shift Commander or supervisor, with this priority:

1. Spouse, domestic partner, or fiancée.
2. Adult child.
3. Parent.
4. Adult Sibling.
5. Minor child.

B. Transportation for family members to the hospital will be provided by Department personnel.

C. The Shift Commander or supervisor making notification is not required to notify all immediate family members, although this may be done at the request of the first family member contacted.

D. Any decision concerning notifications will consider that the opportunity to get the family to the hospital prior to the possible death of the employee is significantly more important than who delivers the notification.

E. If the employee has died, timely notification to survivors will be made by a Notification Team. This team will consist of at least two persons, to include the Chief of Police or their designee and, when practical, the person and/or clergy member listed in the preferred notification section on the employee's Protocol Information form. If no form is on file, the Chief of Police or their designee will select the other member(s) of the team.

VI. NOTIFICATION GUIDELINES

A. Prior to a line of duty death notification, the Notification Team should attempt, as much as possible, to determine:

1. The circumstances of the death, in as much detail as is practical. Never take death information over the police radio.
2. Whether a survivor has a medical condition of concern. If so, arrangements should be made for medical personnel to stand by during the notification.
3. Whether there are young children in the home. If so, the Department should be prepared to handle immediate babysitting needs, perhaps by utilizing the Department's Spouses Circle of Support group.
4. Arrange notification in person. Always leave a name and phone number with survivors.
5. The name of the deceased member will not be released by the Department before the immediate family is notified.

B. The Notification Team should consider:

1. Notification should not be made on the doorstep. Ask to be admitted inside and gather everyone together (the Notification Team may offer to speak with children separately, if the survivor desires this.)
2. The Notification Team may themselves be affected by the death. Members should understand that the showing of emotion is perfectly acceptable.
3. Survivor reaction may include anger, hysteria, shock, and physical violence.

4. The deceased's personal items should not be turned over during the notification. Survivors often need extended time before accepting these items.
5. If survivors wish to go to the hospital, they should be transported by a member of the Notification Team. Should survivors insist on driving, every effort should be made to have a member of the Notification Team, or other appropriate employee, accompany them. This does not mean you must ride in the same vehicle.
6. If notification is to be made in a work place or hospital setting, the Notification Team should obtain a quiet room. Afterwards, the Notification Team should offer to make additional notifications, if requested.
 - a. In a hospital setting, the Notification Team should arrange for a doctor to be present or available shortly thereafter to answer medical questions. The Notification Team should also arrange for survivors to spend time with the deceased's body, if desired.
 - b. In a work place ask to speak to the manager or supervisor, and ask if the person to be notified is available. It is not necessary to divulge any details regarding the purpose of your visit.

C. The Notification Team should understand:

1. The team members' presence and compassion are the most important resources brought to the death notification.
2. It is appropriate to begin by saying, "I have some very bad news to tell you," or a similar statement. This gives the survivor an important moment to prepare for the shock.
3. Refer to the victim by name. Continue to do so even when discussing trauma; do not refer to "the body."
4. Avoid vague expressions such as the deceased "was lost" or "passed away." Examples of plain language include "Your husband was shot this evening and he died" and "Your father had a heart attack at work and he died."
5. Answer questions about the cause of death, the location of the deceased's body, whether an autopsy will be performed, and so on. If an answer is unknown, don't be afraid to say so, and offer to provide more information when it is available.
6. Be careful not to impose religious beliefs held by Notification Team members. Publications by the Concerns of Police Survivors reveal that many survivors have reported statements like "It was God's will" or "She led a full life" were not helpful.
7. Accept survivors' emotions. Never try to talk survivors out of their grief or offer false hope. There are few consoling words survivors find helpful, but it is appropriate to say, "I am sorry this happened."

VII. Coordinated Personnel

A. As soon as practical following a line of duty death, the Chief of Police or designee will appoint Department personnel to the following assignments:

1. Officer in Charge (Command level)
2. Hospital Liaison (Sergeant or above)
3. Family Liaison
4. Funeral Liaison (Sergeant or above)
5. Media Liaison (Command level or Public Information Officer)
6. Benefits Liaison (Personnel Sergeant)

B. The Officer in Charge (OIC) will be responsible for supervising all persons involved in the Department's response to a line of duty death. Unless exigent circumstances exist, no employee shall perform tasks related to the Department's response without the approval of the OIC. In addition, the OIC will:

1. Coordinate the actions of assigned employees with the Police Chaplains and the current Funeral Protocol Committee, to include distributing assignment checklists to appropriate personnel.
 - a. The Funeral Protocol Committee is an ongoing committee of employees chosen by the Chief of Police or designee and given the responsibility for arranging, as desired by survivors, a traditional law enforcement funeral, and for updating and maintaining all assignment check-lists. Committee members serve unrestricted terms, and should have received training in line of duty death response.
 2. Make additional personnel assignments as needed, such as arranging personnel to assist in handling incoming telephone calls.
 3. When necessary and practical, ensure employees assigned to the Department's response are removed from normal assignments until their duties have been fulfilled.
 4. Communicate to all employees involved that they must guard against making promises to survivors the Department cannot keep.
 5. Ensure survivors and employees are provided opportunities to participate in counseling services offered by the Employee Assistance Program (EAP) or Critical Incident Stress Debriefing Team.
 6. Continuously ensure survivors, assigned employees, and other Department personnel are aware of restrictions on the dissemination of information which, if released, might undermine future legal proceedings.
 7. Coordinate with the Johnson County Sheriff's Office and Kansas Highway Patrol, to provide law enforcement coverage within the City of Olathe during the time of the funeral. This coverage is provided per standing agreements with both agencies; its purpose is to allow all Olathe police officers the opportunity to attend the funeral.
 8. Arrange for security checks to be conducted at the survivor's residence as long as is necessary.
 9. Provide future support to the Benefits Liaison, if needed.
- C. The Hospital Liaison will respond to the hospital and be responsible for coordinating the arrival of survivors, Department personnel, the media and others. The Hospital Liaison will:
1. Arrange for a waiting area for survivors, a separate waiting area for Department employees, and a media staging area that is placed away from these areas.
 2. Ensure appropriate security measures are in place, to include supplementing hospital security personnel with police officers, if necessary.
 3. As appropriate, share with the family information on how the employee died, as well as arrange for the family to spend time with the deceased employee's body, if requested. The Hospital Liaison and other employees should guard against being overly protective of the family, remembering that:
 - a. The family has the right to be with their loved one at the time of death.
 - b. There is a definite need to touch and hold the body while there is still life, and being present when death occurs can be considerable comfort to the family.
 - c. The family has the right to visit the body immediately following death, although care must be taken to prevent the destruction of any evidence that may be needed during criminal and/or administrative investigations into the death.
 4. Coordinate the recovery of any evidence needed by investigators. Ensure that an evidence

technician takes numerous photographs of the deceased employee, since family members who choose not to view the body at the hospital may need to do so in the future. Provided there will be an autopsy explains to family members why it is needed.

5. Direct employees to not discuss the facts and specifics of the incident. This directive is to ensure the integrity of any pending investigation.

6. Ensure hospital personnel provide timely information to survivors before any other person, and otherwise be an advocate for survivors in all matters, when practical.

7. Provide hospital personnel with necessary information on the deceased employee for medical services rendered, directing that all medical bills be sent to the City of Olathe and not the survivors.

8. Coordinate with the OIC and Family Liaison to meet any immediate survivor needs, such as transportation upon their departure from the hospital.

D. A Family Liaison will be chosen from among the Department's employees and, when possible, should have enjoyed a close relationship with the deceased. The Family Liaison, assisted by a Police Chaplain (or other employee, as desired by survivors), serves as a facilitator between survivors, the Department, and other agencies/persons. Although asked to be an advocate for survivors, a Family Liaison should make every effort to support the tasks of other assigned employees while promoting the Department's philosophy that (when possible, considering pending criminal cases or legal proceedings arising from the death) the wishes of survivors come before those of the Department. The Family Liaison will:

1. Offer to remain at the home and screen telephone calls, as needed.

a. If the Family Liaison does not already possess a Department issued pager, one will be provided by the OIC.

2. Help survivors cope with and manage immediate needs such as meals, transportation, and daycare; assist with funeral details; oversee travel and lodging arrangements for out of town family members, etc.

3. Communicate the needs of survivors to organizations that may provide assistance, while encouraging other concerned persons to visit and help as needed.

4. Establish daily contact with survivors to provide companionship and emotional support. Maintain an ongoing relationship between survivors and the Department.

5. Assist survivors with questions concerning Department actions or procedures. In conjunction with the Chief of Police and OIC, brief survivors on the facts of the death and answer (or later obtain the answer to) questions from survivors.

6. Keep survivors informed as to criminal proceedings related to the death and continuing investigation, if any; accompany survivors to criminal proceedings, explain the nature of the proceedings, and introduce them to prosecutors and other persons as required; notify survivors about the Crime Victim's Bill of Rights set forth in [KSA 74-7333](#) and amendments thereto.

E. The Funeral Liaison will act as a facilitator between survivors and the Funeral Protocol Committee, and will:

1. Be available to survivors prior to and throughout the visitation, services, and burial.

2. Ensure, with the Family Liaison, that the wishes of survivors regarding the funeral come before those of the Department.

3. Brief survivors on "line of duty" funerals, to include information on Department pall-bearers, traffic control, honor guards, rifle salute, playing of taps, presentation of the flag, marked vehicle

escort, etc.

4. Assist survivors in working with the funeral home director. When necessary, identify alternative funeral homes and/or facilities that can accommodate the law enforcement funeral.
5. Assist survivors with regards to funeral activities; establish an activities itinerary in consultation with the Chief of Police, OIC, funeral home director, clergy member, and cemetery director; review the accuracy of the itinerary and memorial program.
6. Obtain an American flag if survivors desire a flag presentation.
7. Arrange for stand-by medical personnel during the funeral, if necessary.
8. Arrange Department vehicles and drivers for survivors if they desire transportation to and from the funeral home.
9. Maintain a roster of all law enforcement agencies sending personnel to the funeral; arrange refreshments and a gathering place for these officers on the day of the funeral.

F. The Media Liaison will be the point of contact for media and citizen inquiries regarding the employee's line of duty death, and will:

1. Generate all official notifications and press releases, including the traditional teletype message to other agencies providing information concerning the death and the funeral arrangements, to include specific directions to the staging area, funeral home, cemetery, and so on.
 - a. The name of the deceased employee will be released only after survivor notification.
 - b. When practical, survivors will be informed of press releases prior to distribution.
2. Assist survivors with media inquiries and, should survivors decide to grant an interview, attend and offer to screen all questions to prevent future legal proceedings from being jeopardized.
3. Coordinate news conferences or other media related events, such as interviews or remote broadcasts.
4. Collect newspaper articles and obtain copies of television broadcasts concerning the employee's death. This material will be stored with the deceased employee's personnel file; copies may be provided to survivors at any time upon their request.

G. The Benefits Liaison position will be filled by the Personnel Sergeant. Duties will include:

1. In Conjunction with City of Olathe Human Resources and Risk Management staff, meeting with survivors after the funeral to discuss available benefits, current and future needs, and the services offered by survivor support organizations such as the Concerns of Police Survivors, Compassionate Friends, Survivors of Homicide Victims, and Parents of Murdered Children.
2. Coordinating with City of Olathe Human Resources staff to ensure all benefits/payments arising from the employee's death are applied for and received.
 - a. Special attention should be given to possible revocation of health benefits. The City of Olathe requires survivors to contact Human Resources within sixty days if they wish to continue coverage per the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).
3. Completing all reports required by the Department of Justice, other federal agencies, and the State of Kansas.

4. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of contributions.
5. Bi-annually updating the Family Benefits Guide, this contains a listing of benefits available from city, state, and federal governments, agencies, and associations.

VIII. Ongoing Support

A. Employees must remain sensitive to the needs of survivors long after the death occurrence. Every effort shall be made to keep survivors in the “police family,” and to invite survivors to Department activities to ensure continued contact. Employees are encouraged to visit with survivors from time to time, for as long as survivors desire to have these visits.

IX. Line of Duty Death Recognition

- A. Consistent with Department policy, *Awards and Recognition*, a posthumous award may be given following a line of duty death. The Chief of Police may also consider retiring the deceased employee’s badge and badge number.
- B. At the discretion of the Chief of Police, black mourning bands may be worn on badges for up to one month after a line of duty death.
- C. The Chief of Police is encouraged to observe the anniversary of the employee’s death with a letter or card to survivors; arranging for flowers to be placed on the grave (or other memorial tribute); and, if appropriate, arranging for wreaths to be placed at the State of Kansas Law Enforcement and National Law Enforcement Memorials.

X. Exemptions

The procedures for performing many of the tasks in this policy include direction that is most effective during “ideal” situations. However, it is understood that the times and circumstances these tasks are performed are seldom ideal, and it may be necessary for those involved to adjust or improvise under the constraints of time and/or the situation.

Steve Menke
Chief of Police