



SOUTH MIAMI POLICE DEPARTMENT

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CFA STANDARD: SUBJECT: Law Enforcement Role and Authority- LINE OF DUTY DEATHS	NEW () RESCINDS () AMENDS (x) OTHER ()		By Order Of: <p style="text-align: center;"><i>Rene Landa,</i> CHIEF OF POLICE</p>

**CFA STANDARDS:
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RESCINDS: All existing orders in conflict.

PURPOSE: The purpose of this General Order/Policy is to establish procedures and conduct guidelines for all officers involved in preparing the Department for the event of an officer's death in the line-of-duty, and to direct the Department in providing proper emotional care for a deceased officer's family through contingency plans and procedures.

SCOPE: All department personnel.

POLICY: The South Miami Police Department places significantly greater value on the preservation of life than on the protection of property. It is the policy of the South Miami Police Department that the department has the responsibility to provide liaison assistance to the immediate survivors of an officer who dies in the line-of-duty. This responsibility provides tangible and intangible emotional support for the surviving family during this traumatic period of readjustment. A comprehensive list of survivors' benefits with clarification should be provided to the family as well as continued emotional support for the family.

SMPD may have little time to organize an event of the magnitude of a police funeral. Police funerals can draw thousands of people, giant motorcades of motorcycles and police cars, and the media. A funeral may be delayed due to autopsy, or rushed due to family concerns (some religions mandate that the body be buried as soon as possible, some within 48 hours.) Advance preparation is crucial. Advance preparations and funding must be arranged for, with the idea in mind that multiple officers can be killed in a single event.

DEFINITIONS:

BENEFITS COORDINATOR: The officer designated by the Chief of Police responsible to act as coordinator for benefits for the family. It is a distinct honor and grave responsibility to be chosen for this detail.

DEPARTMENT LIAISON: The officer designated by the Chief of Police responsible for making expedient provisions for all department resources and delegation of tasks, and will direct the funeral activities of the department and visiting police agencies, according to the wishes of the family. It is a distinct honor and grave responsibility to be chosen for this detail.

FAMILY SUPPORT ADVOCATE: The officer designated by the Chief of Police responsible for and to act as a long-term liaison with the surviving family. It is a distinct honor and grave responsibility to be chosen for this detail.

FUNERAL LIAISON OFFICER: The officer designated by the Chief of Police responsible for acting as a facilitator between the decedent's family and the department during the wake and funeral. It is a distinct honor and grave responsibility to be chosen for this detail.

GREAT BODILY HARM/SERIOUS PHYSICAL INJURY: Bodily injuries serious enough to either create a substantial risk of death; permanent disability/disfigurement; or long-term loss/impairment of the functioning of any bodily member or organ.

HONOR GUARD COMMANDER: The Honor Guard Commander is a sergeant who is an expert in funerary ceremony. It is a distinct honor and grave responsibility to be chosen for this detail. For further information on the Honor Guard, see policy 18.1.

HOSPITAL LIAISON: The officer designated as the first ranking officer to arrive at the hospital becomes responsible and in command during the arrival of immediate survivors, police officials, the press and others, and is liaison between the Department and the hospital.

LINE-OF-DUTY DEATH: Any action felonious or accidental (automobile accidents, training accidents etc.), which claims the life of a law enforcement officer who was performing police functions while on or off duty. The Chief of Police may put certain parts of this directive into effect in case of a natural death of an officer.

NOTIFICATION OFFICER: The officer designated by the Chief of Police or designee responsible for ensuring that timely notification is made to the surviving family.

SURVIVORS: Include the immediate family members of the deceased officer, spouse, children, parents, siblings, fiancée and/or significant other.

PROCEDURE:

1.4.1 Death Notification

This procedure is followed in case of critically injured officers with poor prognosis or obvious line-of-duty death.

- A. Timeliness takes precedence over protocol in the death notification process. The senior ranking officer on the scene is responsible for ensuring that timely notification is made to the surviving family. Upon confirmation of death, a death notification must be made to the immediate survivors shortly after or coinciding with normal command notifications.
- B. The Chief of Police designates a ranking officer as the notification officer. He/she may assign at least one other officer or personally accompany the notification officer, if circumstances permit. If the Chief of Police or appropriate division commanders are not immediately available to make this designation, responsibility for designating a notification officer remains with the senior ranking officer. In no instance will the staff officer making notification be of a rank of less than Lieutenant.
- C. Notification must always be made in person and never alone. The South Miami Police Chaplain and Chief of Police (or designee) should accompany the informing officer. If a South Miami Police Chaplain is not available, then a Police Chaplain from a neighboring department should be sought out. If these persons are not readily accessible, notification should not be delayed. The surviving family should hear of the death from a department representative first and not from the press, media or other source. *Using*

emergency lights is permitted in this circumstance, but the speed limit should not be exceeded.

- D. If the opportunity to transport the family to the hospital prior to the death of the officer presents itself, then the family will be transported without waiting for the appropriate Staff to gather. After the death of the officer, if the family wants to go to the hospital they should be transported via police vehicle. *Using emergency lights is permitted in this circumstance, but the speed limit should not be exceeded.* It is highly recommended that the family *NOT* drive themselves to the hospital. Should there be a serious resistance and the family insists on driving, an officer should accompany them in the family vehicle.
- E. The notification officer should be aware that as soon as the family sees the notification group they will know something is wrong. Ask to be admitted in to the house. *Never* make a death notification on the doorstep. Gather everyone in the home and ask them to sit down, inform them slowly and clearly of the information you have on the incident, making sure you use the officers name during the notification.
- F. If the officer has already died, the notification officer shall relay that information using words like “died” and “dead” rather than “gone away” and “passed on”, which spark a false sense of hope.
- G. The notification officer may be seriously affected by the death; showing emotions is perfectly acceptable.
- H. Reactions of the family may include hysteria, anger, fainting, physical violence, or shock.
- I. Officers and dispatchers should be aware that in the event of an on-duty-death, the news media will be monitoring the police frequency. Communications regarding notifications should be restricted to the telephone whenever possible. The name of the deceased officer must never be provided to the media before the immediate survivors living in the region are notified. If the media already has the officer’s name, a staff officer should request they withhold this information, pending notification of the next of kin.
- J. Any notification of immediate survivors beyond Miami-Dade County should be made through personal death notification by the local law enforcement agency in that area. The notification officer will obtain the names of relatives to contact from the immediate survivor. The notification officer will contact that jurisdiction personally by telephone. If no contact by phone is possible, the notification officer will pass this information to the Communications Supervisor who will ensure a teletype message is sent to that jurisdiction requesting *personal* death notification. The notification officer will submit a

written report of all notifications made to the Chief of Police via chain of command.

1.4.2. Assisting the Family at the Hospital

- A. The first ranking officer to arrive at the hospital becomes the hospital liaison. The hospital liaison officer is in command during the arrival of immediate survivors, police officials, the press and others. These responsibilities include: making arrangements with the hospital personnel for appropriate waiting facilities. There should be private areas reserved for immediate survivors, the Chief of Police, the Notification Officer, and others requested by the immediate survivors.
- B. A separate room should be designated for fellow police officers and friends. The hospital liaison should request this from the hospital administrator.
- C. A separate room should be designated for press staging area. The hospital liaison should request this from the hospital administrator.
- D. The hospital liaison should ensure that medical personnel relate pertinent information of the officer's condition to the family first. The hospital liaison should request this from the doctor in charge of the deceased officer's care.
- E. The hospital liaison should notify the appropriate hospital personnel that all billing for medical services shall be directed *only* to the City of South Miami. The family should *not* receive any of these bills at their residence address. This will require the hospital liaison to re-contact the hospital later during normal business hours to ensure proper billing takes place.
- F. The notification officer should arrange transportation for the immediate survivors and others from the hospital back to their residence.

1.4.3 General Guidelines for Officers at the Hospital

- A. Do not be overly protective of the family. This includes the sharing of specific information on how the officer died, as well as allowing the family time with the deceased officer.
- B. Idle promises such as "we'll promote him posthumously", or "we'll retire her badge" should not be made to the family.
- C. Do not suggest a survivor be sedated unless medication is requested by that survivor.

1.4.4 Support for the Family during Wake & Funeral

- A. Within 24 hours of death, the Chief of Police will designate a funeral liaison officer, a benefits coordinator, a family support advocate, and a department liaison. These designations are announced to the department in writing and all referrals are made according to their areas of responsibility.
- B. The Chief of Police personally notifies the surviving family of the designated choices.
- C. The Communications Supervisor may require additional employees or overtime to field incoming phone calls. Callers should be directed to the appropriate liaison, according to their responsibility.
- D. Within 24 hours the Chief of Police or appropriate designee will make appropriate referrals under the Employee Assistance Program for critical incident stress debriefing for officers close to the incident, and referrals for the surviving family if they wish.

1.4.5 Department Liaison

- A. This position is filled by a Lieutenant or higher because of the need to make expedient provisions of all department resources and delegation of tasks, and is chosen by the Chief of Police.
- B. The department liaison will work closely with the funeral liaison officer to ensure the needs and request of the family are fulfilled regarding funeral arrangements.
- C. The department liaison will direct the funeral activities of the department and visiting police agencies, according to the wishes of the family. The department liaison is also responsible for oversight of arrangements for travel, lodging, and airport shuttle for out-of-town family members.
- D. The department liaison will conduct a survey of alternate churches and reception halls with seating large enough to accommodate a law enforcement funeral. This information will be passed on to the family as soon as possible to assist the family in making a decision on a location. The choice remains with the family.
- E. The department liaison will coordinate all official law enforcement communications and arrangements for a law enforcement funeral, including honor guards, pall bearers, traffic control and liaise with all visiting law enforcement agencies.

- F. The department liaison will communicate with media rather than the PIO. The Chief of Police / PIO will not be able to take on this task due to other responsibilities. In the unlikely event that the family should decide to accept an interview, an officer should attend and “screen” all questions being presented to the family, so as not to jeopardize upcoming legal proceedings. The PIO will give specific instructions on what information may be released.
- G. The department liaison will arrange for routine residence checks of the survivor’s home for 6-8 weeks following the death. This service is necessary since the survivors may be spending much time away from the home with legal matters. This may require outside liaison with other jurisdictions

1.4.6 Funeral Liaison Officer

- A. The funeral liaison officer may be an Officer, Detective, or Sergeant, and is chosen by the Chief of Police.
- B. The funeral liaison officer acts as a facilitator between the decedent’s family and the department during the wake and funeral. The position requires the officer to have good knowledge of the family relationships, but not be so emotionally involved with the loss, that he/she would become ineffective.
- C. The funeral liaison officer is responsible for meeting with the family and explaining the responsibilities of a funeral liaison officer, including being constantly available to the family throughout the wake and funeral, and ensuring that the needs of the family come before the wishes of the department.
- D. The funeral liaison officer is responsible for meeting with the family and funeral director regarding funeral arrangements. Since most officers have not pre-arranged their wishes for the handling of their own funeral, the family will need to decide *all* aspects of the funeral. The funeral liaison officer should only make the family aware of what the department may offer in the way of assistance and resources.
- E. The funeral liaison officer is responsible for relaying all available information to the surviving family concerning the circumstances of death and any continuing investigation. Police departments traditionally withhold this type of information, particularly in sensitive homicide cases. The funeral liaison officer should coordinate with investigating officers and prosecutors to ensure that the family receives as much information as possibly allowable during the first few days. “Not being kept informed” is a common complaint of surviving families.
- F. The funeral liaison officer is responsible for determining the need for travel

arrangements for out-of-town family members or any other special needs during the funeral, and reporting to the department liaison.

- G. The funeral liaison officer is responsible for briefing the family on law enforcement funeral procedures such as the 21 gun salute, playing of taps, drum and bag pipe corps, and the presentation of the flag.

1.4.7 Benefits Coordinator

The Chief of Police designates a Lieutenant or higher to act as benefits coordinator and have the following responsibilities:

- A. Coordinate filing workman's compensation claims and related paperwork.
- B. Gather information on all benefits/funeral payments available to the family.
- C. Field all phone calls and inquiries regarding the establishment of any trust funds or education funds.
- D. Make a clear distinction between benefits, (which are financial payments made to the family to ensure financial stability following the loss of a loved one) and funeral payments, (which are funds specifically earmarked for funeral expenses).
- E. Prepare a printout or other documentation of the benefits/funeral payments due to the family, listing named beneficiaries, contacts at various benefits offices, and when they can expect to receive the benefit.
- F. File all benefit related paperwork and following through with the family to ensure that these benefits are being received. Private consultants/attorneys should NOT be used for this purpose if they intend to bill the family for their services.
- G. Visit with the surviving family within a few days following the funeral to discuss benefits. The prepared printout and other documentation should be made available to the family at that time.
- H. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the child will be receiving.
- I. Special attention should be paid to problems regarding possible revocation of health benefits. The vast majority of survivors are given a 30 day grace period before being canceled from the coverage or being responsible for monthly

payments for the coverage.

- J. Advise the family of the role of police associations and organizations such as the Fraternal order of Police in making their attorney/financial counselor available to the surviving family for whatever legal/financial counseling is necessary: (i.e. establishing trust funds etc.) This attorney should not be affiliated with the City of South Miami and should work as an avid advocate for the family's interest.

1.4.8 Family Support Advocate

The family support advocate acts as a long-term liaison with the surviving family. The family support advocate should have extensive experience in dealing with police victims and witnesses. The notification or the funeral liaison officer may also serve as family support advocate. This officer should not be a principle witness in the criminal trial. This officer's responsibilities include:

- A. Maintain contact with the surviving family to keep them abreast of criminal proceedings. The family should never learn of developments of the case from the press prior to learning them from the department.
- B. Accompany the family to any criminal proceedings. Introducing them to prosecutors, and answering any questions they may have during the criminal trial.
- C. Cooperate with outside peer support groups.
- D. Ensure that the surviving family does not feel totally isolated from the department.
- E. Encourage others to make visits or help with family needs of the surviving family. Care should be used that idle promises are not made to the surviving family.
- F. Invite the surviving family to the POAT Miami Dade Police Memorial Day ceremonies.
- G. Realize that the family support advocate should not set time limitations on when the family should "recover" from this traumatic event. The grief process has no timetable. Survivors may experience a complicated grief process.
- H. Realize that survivors should continue to feel a part of the "police family" for which the officer gave his/her life. The family support advocate should keep in touch with the family with monthly phone calls through the first year,

dwindling off as necessary. The needs of the survivors usually dictate the frequency of contact.

- I. Ensure that the anniversary date of the officer's death is observed with a note to the family and/or flowers sent to the grave; and that adequate support is given to the family during holidays, particularly during the first year.
- J. Work with community groups and government leaders towards the establishment of any appropriate memorials, plaques or memorabilia and considers surviving parents with any presentations. The surviving family continues to receive support and invitations from the Chief of Police to appropriate department social activities.

1.4.9 Ceremonial Guidelines

The following are the guidelines developed to assist in the Ceremonial preparations common for law enforcement funeral procedure.

- A. All department members are strongly encouraged to proudly display their uniform while in attendance of all formal ceremonies, even if not currently in a uniform assignment. All personnel attending such ceremonies in uniform will wear formal Class A issued attire (long sleeves and tie) unless otherwise authorized by the Chief of Police and present a neatly groomed appearance.
- B. It will be the policy of this department that all members who suffer a line-of-duty death will be posthumously awarded the Department's "Dan Schultz Gold Medal of Valor" in reverence for their service. This award should be presented during the funeral ceremony to the decedent's immediate survivor; however if circumstances prevent this, then the award should be presented at a future appropriate police memorial service.
- C. Law enforcement honors are intended for the decedent's family as well as the extended law enforcement family. Law enforcement honors are also intended to demonstrate to the family and community, the high esteem held for the decedent officer by his agency and profession.
- D. It is important that this intent be conveyed to the decedent's survivors by the funeral liaison officer and family support advocate, understanding that the ultimate decisions concerning various ceremonial aspects remain with the family.
- E. An initial "support team" meeting should be scheduled the day following the death to bring all key individuals together to review progress to that point, communication needs, and coordinate plans. At least one other coordination meeting should be scheduled prior to the funeral or memorial ceremonies to confirm progress and identify any shortcomings.

- F. As soon as the funeral arrangements have been made by the family through the funeral director, it is paramount that these be communicated by the agency, via the funeral liaison officer to maximize planning time.
- G. It will be the responsibility of the Communications Supervisor to insure that all notification of arrangements to other agencies be accomplished in a timely manner for planning purposes, and be updated as needed with more specific information as such develops. Teletype will be used for outside agency updates, noting capabilities of fax machines to send detailed messages such as memorial notices with instructions for outside agency participation and relevant maps.
- H. The PIO will be responsible for all public notifications as well as the development of a "memorial notice". This is a single page description of the decedent's employment summary, or other relevant activities or accomplishments, birth history and family survivors, services information regarding wake and funeral information. This should be an attractively computer-designed product with a photograph, preferably one that can be photocopied for mass distribution.
- I. Much of the same personal and professional history, along with a short line-of-duty death description should comprise an award certificate/letter noting the decedent being awarded the Department's "Dan Schultz Gold Medal of Valor". This certificate affixed with the Chief's signature should be presented with the actual medal to the appropriate survivor at the funeral/memorial.
- J. Roll Call Briefings will continuously update department personnel on developments, and facilitate an exchange of information. All department personnel are encouraged to attend Roll Call briefings during this period. The ceremonial briefing given to all attending department personnel in the hours just prior to the funeral/memorial service will involve a large number of attendees and should therefore be scheduled in a large room and may necessitate use of the Commission Chambers.

Wake or Viewing:

- A. The Honor Guard will be posted throughout viewing periods. The Honor Guard Commander should be consulted as an expert in funerary ceremony. This commander should be a Sergeant.
- B. Motor officers should handle any desired escorts. Additional motor officers will be culled from area police departments. Coordination of the Motor Officers will be made via a Patrol Lieutenant.
- C. Pallbearers should be selected by the family no later than this point, and these individuals should survey the site(s) of the memorial and /or funeral service prior

to the last viewing, working closely with representatives from these locations to plan various logistics of escorting the casket. During this same timeframe, appointed ushers, Honor Guard Supervisor(s) and individual site supervisor(s) should also survey the selected sites for planning respective responsibilities (from parking, to staging, to seating, and ceremonial formations) and prepare diagramed plans. Sufficient personnel should also be appointed to ensure effective implementation of these plans when they occur (ushers and parking attendants.)

- D. A pair of boots owned and worn by the deceased officer should be obtained from the family, by the funeral liaison officer, for display in a military style. If these cannot be obtained, a pair of boots should be obtained from the services division.
- E. Funeral/memorial processions - Depending on the various religious beliefs and personal wishes of the decedent's family, a church, cemetery, or hall may or may not be utilized for a ceremony and range from a full funeral including burial, to a memorial service only. At least one procession will be involved for any ceremony, starting with the removal of the decedent from the funeral home.
- F. A police motorcade will accompany all processions, with motors encouraged to handle any and all traffic posts so as the department personnel can remain as part of the procession. Department marked units will follow immediately behind the motorcade, hearse and family vehicles. Unmarked vehicles will then be placed after marked units to conclude the procession (with the exception of high ranking officials who can be placed near the front/family).
- G. It is encouraged that a drive-by the SMPD Police Headquarters be included in the route. This will be conducted with all vehicles appropriately staged at pre-determined locations in front of the station, with all lights activated and all personnel lined up between their vehicles at the position of "attention" prior to the arrival of the motorcade.
- H. All on-duty department personnel working within the station, unless staffing a critical function, will be authorized to also line up to pay final respects to the decedent and his/her family. Arrangements should be made to switch all calls to Miami Dade Police Kendall District for a minimum period of time to facilitate this. This will be coordinated by a Police Major.
- I. Six or eight honor guard members shall bear the pall, as appropriate.
- J. The Casket Guard should be changed every 15 minutes. The replacement guard will march slowly to the casket, salute, and relieve the guard. The Casket Guard will then come to "reverent arms". Four appropriate rifles shall be used by the Casket Guard.

- K. The Chief of Police and City Manager act as dignitaries and usually do not participate, except to eulogize the dead if desired.
- L. When a cemetery is involved, where large numbers of attendees proceed from a previous, separate location (church or hall) and have to re-stage at a grave site, a “stalling tactic” for the family procession is important to allow time for this staging without the grieving family having to wait in their vehicles for an extended time period. A small motorcade escorting the hearse and the family through an additional route that may be significant or symbolic to the decedent is further recommended.

Funeral/memorial services

The following are traditional elements for a law enforcement funeral ceremony. These can take place in varied sequence, at varied locations, and may or may not be inclusive depending on the final wishes of the family. As such, the following listing is presented as an aid to planning:

A. Commands to Personnel

- 1. Command and ceremonial sequence upon personnel staging just prior to casket arrival:

With 2 echoes

- “Attention.”
- “At close interval, dress right dress; ready front.”
- “Parade rest.”
- “Attention.”
- “Present arms.”

- 2. Casket & family approach with motorcade

With 2 echoes

- “Order arms.”
- “Parade rest.”
- “Dismiss.” (officers file in)

- 3. Religious services
(officers file out and fall in line)

- “Attention.”
- “Dress right dress, ready front.”
- “Present arms”

4. Casket & family exits
 - “Order arms”
 5. Procession to cemetery
 - “Present arms.” (upon arrival of hearse)
 - “Order arms.”
 6. Honor guard delivers 21 gun volley and “missing man formation” fly over
 - “Present arms.”
 7. Taps - The old military tradition of a second or an “echo bugler” may be used if desired.
 - “Order arms.”
 8. Bag pipes - “Amazing Grace”
 - folding of flag during bag pipes
 - presentation of flag by Honor Guard Commander to the Chief
 - presentation of flag by the Chief
 9. Radio “Attention all units: South Miami (Unit Number). South Miami (Unit Number). South Miami (Unit Number) 06”. By Miami Dade Police Department Dispatch over all listening stations.
- B. The funeral liaison officer will insure that a notice is prepared prior to the ceremony, noting the sequence of ceremonial events approved by the family, for distribution to personnel prior to the ceremony.
- C. A riderless black horse with formal boots turned backwards is led by a member of the mounted patrol. This detail can be obtained from the Miami Police Department or Broward Sherriff’s Office by the department liaison.
- D. On top of the casket there are normally four items: the American Flag, the formal hat or headgear of the officer, the badge, and the decorations that officer earned throughout his career.
- E. The honor guard members will, at the conclusion of the remarks, and prior to burial, approach the coffin. One honor guard member will be at the head, and one

at the foot. The member at the head will gather the badge, decorations, and hat from the casket, and give them to a third honor guard member.

- F. The members at the head and foot will take up the flag by the corners, and raise it about a foot to two feet above the casket. They will then sidestep so that they are now in front of the casket. The members then fold the flag lengthwise in fourths, so that the union now shows all around. Then flag is then folded into a triangle, with the union showing all around, to symbolize the tricorne hats worn by our patriot forefathers. The member will then present the flag to the Chief of Police, who will present it to the chief mourner, the wife or husband of the fallen, or the mother, if the fallen officer is unmarried, or the oldest child if the officer has predeceased the spouse and there is no mother in attendance. The Chief then says words to the effect of “On behalf of a grateful nation, community, and department, we present you this flag, with our condolences.” An Honor Guard member then presents the badge, commendations, and headgear to the chief mourner. The casket is never lowered into the ground with these items or the flag.
- G. A separate police radio channel should be utilized for ceremonial coordination (i.e. timing of the flyover, funeral liaison officer dispatch of “attention all units message”, etc.) to avoid such communications being audible during the ceremony while awaiting the “attention all units message”.

Post Ceremonial response:

- A. A post ceremonial debriefing meeting should be scheduled within one week after the funeral with all individuals involved in the planning of various activities in attendance. The primary purpose is to critique what went well and what could be improved upon, insure continued response as outlined in this policy, and assist the below remaining communications.
- B. As it is difficult to often times identify all agencies represented at the various ceremonies. SMPD does not wish to offend any agency through omission. An “all agencies teletype” message should be prepared by the communications supervisor and sent with the approval of the Chief of Police, generically thanking all agencies who “participated, extended their condolences and offered their support”.
- C. Letters of appreciation from the Department should be prepared by a Major in a timely manner, for the Chief’s signature. These letters should be sent to those individuals and organizations who provided special assistance to the decedent’s family, or the departments efforts while preparing the ceremonies and/or dealing with the loss of the decedent.
- D. A department memorandum should be prepared and disseminated from the Chief to all personnel, offering a message of appreciation for the professionalism of all

members involved in the various activities during a period of such professional and personal loss and grief; offering a healing message of encouragement.

1.4.10 Line of Duty Death and Serious Injury Benefits

The following is a list of benefits available to survivors of law enforcement officers killed in the line of duty; it is recommended that officers familiarize themselves with this list and give a copy to both family members and the family attorney.

A. The Federal Bureau of Justice Assistance, Office of Justice Programs, Public Safety Officers' Benefits Program Offers the following benefits:

1. **Death** - PSOB provides a one-time benefit to eligible survivors of public safety officers whose deaths were the direct and proximate result of an injury sustained in the line of duty on or after September 29, 1976. For the current death benefit amount, visit the PSOB web site at www.psob.gov.
2. **Disability** - PSOB provides a one-time benefit to eligible public safety officers who were permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty on or after November 29, 1990. Injuries must permanently prevent officers from performing any gainful work in the future. For the current disability benefit amount, visit www.psob.gov.
3. **Education** - PSOB provides support for higher education to eligible spouses and children of public safety officers who died in the line of duty on or after January 1, 1978, or that were catastrophically disabled in the line of duty on or after October 3, 1996. For the current maximum educational assistance amount per month, visit www.psob.gov.
4. The following checklist is provided to streamline the PSOB filing process for the fallen officer's survivors. Call the PSOB Office for assistance with part of the PSOB claim.

Collect the following information regarding the officer's line of duty death from your agency records.

- a) PSOB Report of Public Safety Officer's Death form completed and signed by the head of the police agency or designee.
- b) Detailed Statement of Circumstances from the initiation of the incident to the pronouncement of the officer's death.
- c) Investigation, Incident, and Accident Reports, if any.

- d) Death Certificate.
- e) Autopsy, Toxicology Report, or a statement signed by the head of the public safety agency or designee explaining that none were performed.

Collect the following information regarding the officer's survivors/beneficiaries. Please e-mail (preferred), fax, or mail the above information to the PSOB Office, keeping a complete copy for your records.

- a) PSOB Claim for Death Benefits form completed and signed by the survivor/ claimant.
- b) Officer's current Marriage Certificate, *if applicable*.
- c) Divorce Decrees for the officer's and current spouse's previous marriages, including references to physical custody of any children, *if applicable*.
- d) Death Certificates for the officer's and current spouse's previous marriages, if any of the marriages ended in death, *if applicable*.
- e) Birth Certificates for all the officer's surviving children and step-children, regardless of age or dependency, identifying the children's parents, *if applicable*.

Contact Public Safety Officers' Benefits Office, Bureau of Justice Assistance, Office of Justice Programs, at 810 Seventh Street NW. Fourth Floor Washington, DC 20531 Phone: 202-307-0635 Toll-free: 1-888-744-6513 E-mail: AskPSOB@usdoj.gov PSOB web site: www.psob.gov

B. Law Enforcement Officers who are NRA members, killed in the line of duty, will have \$25,000 in life insurance coverage. E-mail to membership@nrahq.org. Contact the NRA via mail at the following address: National Rifle Association of America, 11250 Waples Mill Road, Fairfax, VA 22030. Contact the NRA via phone at: NRA Member Programs, 1-800-672-3888.

C. Police Benevolent Association - The PBA offers a cash donation to families of PBA members killed in the line of duty. For more information or to check on a donation contact The Dade County Police Benevolent Association Love Fund, 10680 PBA Memorial Blvd., (NW 25th St.), Miami, FL 33172. Phone: **(305) 593-0044**. Fax: **(305) 593-1901** Legal Department Fax: **305-436-0142**

D. Police Officers Assistance Trust (POAT) - Educational Assistance is granted to spouses and children of officers killed or disabled in the line of duty. This assistance provides funds for undergraduate studies at a college or university or training at a vocational or technical school. POAT provides assistance to law enforcement officers and their families in times of crisis or critical need. Contact POAT at 1030 NW 111 Avenue, Miami, FL 33172. Office: 305.594.6662. FAX: 305.594.0997. Email: poatoffice@msn.com.

E. City of South Miami provides certain death and pension benefits pursuant to the PBA contract and the City Employee Manual.

F. The State of Florida pursuant to F.S. 112.19 pays to the beneficiary designated by officer during life and delivered by state.

1. \$59,694.46 if death is accidental.
2. \$59,694.46 if death is accidental and officer was in "fresh pursuit" or responding to an emergency.
3. \$179,083.29 if unlawfully and intentionally killed.

G. The State of Florida pursuant to F.S. 112.193 provides that:

1. Upon the death of law enforcement officer, the employer may present to the spouse or other beneficiary of the officer, upon request, one complete uniform, including the badge worn by the officer. However, if law enforcement officer is killed in the line of duty, the employer may present, upon request, to the spouse or other beneficiary of the officer the officer's service-issued handgun, if one was issued as part of the officer's equipment.
2. If the employer is not in possession of the service-issued handgun, the employer may, within its discretion, and upon written request of the spouse or other beneficiary, present a similar handgun.

H. Workers Compensation

The State of Florida pursuant to F.S.440.16 pays compensation for death, if death results from the accident within 1 year thereafter or follows continuous disability and results from the accident within 5 years thereafter, the employer shall pay: (a) Within 14 days after receiving the bill, actual funeral expenses not to exceed \$7,500.

The State of Florida pursuant to F.S.440.16 (b) pays compensation, in addition to the above, in the following percentages of the average weekly wages to the following persons entitled thereto on account of dependency upon the deceased,

and in the following order of preference, subject to the limitation provided in subparagraph 2., but such compensation shall be subject to the limits provided in F.S. 440.12(2), shall not exceed \$150,000, and may be less than, but shall not exceed, for all dependents or persons entitled to compensation, $\frac{66}{3}$ percent of the average wage:

1. To the spouse, if there is no child, 50 percent of the average weekly wage, such compensation to cease upon the spouse's death.
2. To the spouse, if there is a child or children, the compensation payable under subparagraph 1. and, in addition, $\frac{16}{3}$ percent on account of the child or children. However, when the deceased is survived by a spouse and also a child or children, whether such child or children are the product of the union existing at the time of death or of a former marriage or marriages, the judge of compensation claims may provide for the payment of compensation in such manner as may appear to the judge of compensation claims just and proper and for the best interests of the respective parties and, in so doing, may provide for the entire compensation to be paid exclusively to the child or children; and, in the case of death of such spouse, $\frac{33}{3}$ percent for each child. However, upon the surviving spouse's remarriage, the spouse shall be entitled to a lump-sum payment equal to 26 weeks of compensation at the rate of 50 percent of the average weekly wage as provided in s. 440.12(2), unless the \$150,000 limit provided in this paragraph is exceeded, in which case the surviving spouse shall receive a lump-sum payment equal to the remaining available benefits in lieu of any further indemnity benefits. In no case shall a surviving spouse's acceptance of a lump-sum payment affect payment of death benefits to other dependents.
3. To the child or children, if there is no spouse, $\frac{33}{3}$ percent for each child.
4. To the parents, 25 percent to each, such compensation to be paid during the continuance of dependency.
5. To the brothers, sisters, and grandchildren, 15 percent for each brother, sister, or grandchild.

Contact the Division of Workers Compensation: Division of Workers' Compensation Assessments Unit, 200 East Gaines Street, Tallahassee, FL 32399-4221, (800) 219-8953

I. Educational Benefits

1. The State of Florida pursuant to F.S. 112.19 2(3) states that if a law enforcement officer is accidentally killed or unlawfully and intentionally killed, the state shall waive certain educational expenses that the child or spouse of the deceased officer incurs while obtaining a career certificate, an undergraduate education, or a postgraduate education.
2. The amount waived by the state shall be an amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours. The child or spouse may attend a state career center, a state community college, or a state university. The child or spouse may attend any or all of the institutions specified in this subsection, on either a full-time or part-time basis.
3. The benefits provided to a child under this subsection shall continue until the child's 25th birthday. The benefits provided to a spouse under this subsection must commence within 5 years after the death occurs, and entitlement thereto shall continue until the 10th anniversary of that death. The waiver can be obtained from the registrar of the school the child attends.
4. The State of Florida pursuant to F.S. 440.16 (c) pays to the surviving spouse, payment of postsecondary student fees for instruction at any career center up to 1,800 classroom hours or payment of student fees at any community college established under part III of chapter 1004 for up to 80 semester hours. The spouse of a deceased state employee shall be entitled to a full waiver of such fees. The benefits provided for in this paragraph shall be in addition to other benefits provided for in this section and shall terminate 7 years after the death of the deceased employee, or when the total payment in eligible compensation under paragraph (b) has been received.
5. To qualify for the educational benefit under this paragraph, the spouse shall be required to meet and maintain the regular admission requirements of, and be registered at, such career center or community college, and make satisfactory academic progress as defined by the educational institution in which the student is enrolled.
6. The dependence of a child, except a child physically or mentally incapacitated from earning a livelihood, shall terminate with the attainment of 18 years of age, with the attainment of 22 years of age if a full-time student in an accredited educational institution, or upon marriage.

J. Health Benefits

The State of Florida pursuant to F.S. 112.19(h)1.provides that any employer who employs a full-time law enforcement officer who suffers a catastrophic injury, in the line of duty shall pay the entire premium of the employer's health insurance plan for the injured employee, the injured employee's spouse, and for each dependent child of the injured employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if the child continues to be dependent for support, or the child is a full-time or part-time student and is dependent for support. The term "health insurance plan" does not include supplemental benefits that are not part of the basic group health insurance plan. If the injured employee subsequently dies, the employer shall continue to pay the entire health insurance premium for the surviving spouse until remarried, and for the dependent children, under the conditions outlined in this paragraph.

K. Funeral and Cremation Benefits

Dignity Memorial Funeral, Cremation And Cemetery Providers created the Public Servants Program for emergency service personnel. This program provides dignified and honorable tributes, at no cost, for career and volunteer law enforcement officers who fall in the line of duty. Visit their website for complete information at www.dignitymemorial.com and look under Public Servants for details. Call 800-344-6489.

1.4.11 Death within 90 Days of Retirement

In the event a sworn SMPD law enforcement officer dies within 90 days after taking retirement, said retirement shall re-age so that the date of retirement shall be shown as the day of death, so as to afford any and all benefits possible to the family of the officer.

1.4.12 Concerns of Police Survivors, Inc., (COPS)

COPS is a national, non-profit organization that works with law enforcement agencies, police organizations, mental health professionals, and local peer-support organizations to provide assistance to surviving families of law enforcement officers killed in the line of duty. COPS has become a “lifeline” to police survivors nationwide. Contact the COPS National Office at www.nationalcops.org/chap.htm or at P.O. Box 3199, 3096 S. State Highway 5, Camdenton, MO 65020. Phone: 573-346-4911. Fax: 573-346-1414. South Florida Chapter Website: <http://www.soflocops.com/>

1.4.13 Covering of Police Badge

The covering of the police badge is a mark of respect for officers who have died in the line of duty, and is appropriate in those cases where an officer has been killed in the line of duty or has died while on duty. The police badge will be covered for any South Miami Police Officer killed in the line of duty or who dies while on duty. The mourning band is to be worn from the time of death to the conclusion of police honors.

For other law enforcement officers serving Miami Dade, Broward or Monroe County who are killed in the line of duty the mourning band is to be worn from the time of death to the conclusion of police honors.

For any memorial service honoring law enforcement officers killed in the line of duty, the mourning band is to be worn during the duration of the service.

The Laverne “Daniel” Schulz monument shall be draped in black material approximating a mourning band, on the anniversary of his end of watch, November 27, 1987. An appropriate ceremony shall be observed, and the US flag shall be flown at half-mast for a 24 hour period. This ceremony shall be observed for the death of any South Miami Police Officer, and on the anniversary of that death. The Mourning band is to be draped from the time of death to the conclusion of police honors.

1.4.14 Budget for Funerals

The Administrative Captain, when preparing the annual budget, shall budget sufficient funds to prepare, plan, and execute a police funeral in the manner prescribed above.

1.4.15 Annual Review

The Operations Captain shall review these plans as necessary to ensure that the Department is ready in case of a line of duty death.