



# LINE OF DUTY DEATH

General Order Number: 45.0

Effective Date: June 16, 2019

## I. PURPOSE

Police work is inherently dangerous. Therefore, while each officer hopes that neither death nor serious injury will occur while on duty, it is still a possibility. The purpose of this policy is to provide direction for the Brookline Police Department to provide appropriate emotional care for the seriously injured, ill or deceased employee and their family.

Although this policy is intended to address the line-of-duty death or injury of police officers, many provisions, including death notification and family assistance, may be applicable to any agency employee regardless of whether or not the death is duty related

## II. POLICY

It shall be the responsibility of the Brookline Police Department to provide liaison assistance to the primary family of an officer who dies in the line-of-duty, or who is hospitalized for an indefinite period of time or requires repeated and/or intermittent hospitalization because of a line-of-duty injury or systemic illness. This assistance shall include, but not limited to, the clarification and comprehensive study of survivor benefits and emotional support during this traumatic period for the surviving family.

It is the responsibility of the subject Officer's Supervisor to notify the Chief of Police of the incident as soon as possible. Immediately upon notification of the incident, the Chief of Police or his/her designee shall appoint an Officer in charge, who coordinate all departmental functions regarding the incident.

## III. DEFINITIONS:

- A. LINE-OF-DUTY DEATH:** Any action, felonious or accidental, which claims the life of a Brookline Police Officer who is performing work related functions either while on or off-duty.
- B. LINE-OF-DUTY INJURY OR ILLNESS:** For the purposes of this policy a line-of-duty injury or illness shall be an injury or systemic illness serious enough that it requires hospitalization or time away from the Department approved through the Chief's Office, for an indefinite period.

**C. SURVIVORS:** Primary family members of the injured or deceased Officer, including spouse, children, grandchildren, parents, grandparents, siblings, fiancé, and/or significant others.

**D. BENEFICIARY:** Those designated by the officer as recipients of specific death benefits.

**E. BENEFITS:** Financial payments made to the family to assist with financial stability following the loss of a loved one.

**F. FUNERAL PAYMENTS:** Financial payments made to the surviving families of an officer killed in the line-of-duty which are specifically earmarked for funeral expenses.

#### **IV. PROCEDURES**

##### **A. OFFICER IN CHARGE (OIC OFFICER)**

1. In order to prevent duplication of efforts, maintain order, and ensure that the process works for the benefit of the officer or his or her family, the Chiefs designee shall coordinate all departmental functions regarding the incident.
2. The OIC shall make assignments of tasks and responsibilities to department personnel, including the Critical Incident Stress Management team (CISM) and any other related personnel that can assist. Department personnel shall not perform incident related tasks without the approval of the OIC, to ensure proper procedures are conducted in a coordinated fashion.
3. OIC should ensure that a debrief is held. Barring any unforeseen circumstances, this meeting should be held within 24-48 hours. Every BPD employee who was working or responded to the events leading to the fatality will be required to attend. Any officer involved in the incident regardless of their Department should also be invited to participate.
4. The OIC and CISM members shall be thoroughly familiar with the concept and procedures of the Honor Guard and other internal and/or external organizations involved in the process, including this specific policy.
5. Personnel assigned to tasks regarding this policy shall be placed on special assignment and not available for routine calls until relieved of duty.
6. In the event the Officer has multiple families and/or an adversarial relationship exists between the families, the OIC will make every effort to assign a separate liaison for each family.

##### **B. DEATH OR LIFE THREATENING INJURY NOTIFICATION**

1. The name of the injured or deceased officer will be released by the Chief of Police or his/her designee, only after notification of the primary family members is made. The OIC will ensure proper coordination and communication of pertinent information is done between the OIC, Public Information Officer/CSD and the Chief of Police.
2. Every BPD Officer will have the opportunity to file an Emergency Notification Information Form. The completed form will be kept in a confidential file. The form will include information such as emergency notification, next of kin and any other pertinent information that the employee would like memorialized, in case they are seriously injured or killed in the line of duty. In addition, to the above mentioned information the officers blood type, religion and any other personal request they may have will be documented.
3. If there is knowledge of a medical condition with a primary survivor, medical personnel may be dispatched to the residence to coincide with the notification along with the notifying personnel.
4. Notification will always be made by two or more persons. The Chief of Police or designee, including the OIC will assign this important function to the appropriate personnel if not themselves. No other personnel shall attempt to do so individually (such as texts, phone calls or unauthorized visit to the home of such Officer). It is important for this step to be followed properly as it will have a lasting effect to those notified and the way to how it was conducted. However, if time is of the essence and notification needs to be made prior, the CO or highest ranking Officer on duty shall make the determination as to who will make this notification.
5. The opportunity to get the family to the hospital prior to the passing of the officer is significantly more important than who delivers the notification. If the family wishes to go to the hospital, they may be transported via Department vehicle. It is recommended that the family not drive themselves to the hospital.
6. If the primary survivors are not in close proximity to Brookline, the OIC shall request personal notification from a public safety agency from the jurisdiction where the survivors are. All avenues to have Brookline Personnel do the notifications should be looked at. This may include Off Duty personnel along with the Police Department of that jurisdiction (if not in Brookline).
7. While doing notifications, it should be noted that:
  - a. As soon as a law enforcement family sees you, they will know something is wrong.
  - b. Ask to be admitted to the house. Do not make a notification on the doorstep.

- c. Gather everyone appropriate to the matter, in the home and ask them to sit down.
- d. Inform them slowly and clearly of the information you have regarding the incident.
- e. It is important to use the officer's name during the notification.
- f. If the officer has already died, relay that information. Do not give the family a false sense of hope.
- g. Notifying personnel must be prepared for unexpected responses from survivors to include hysteria and possible verbal, physical attack, anger, fainting or shock, etc.
- h. Notifying personnel must be reassuring to the survivors. The most acceptable comment to newly bereaved people is something such as "I'm so sorry this has happened" and "The Brookline Police Department family share your loss and pain and we will do everything we can to help you through this"

### **C. ASSISTING THE FAMILY AT THE HOSPITAL**

- 1. Arrangements regarding appropriate waiting facilities for the family and fellow police officers are outlined in the appendixes of the Line of Duty Death and Injury Policy.
- 2. An Emergency Department Liaison (EDL) will be appointed by the OIC to act as the information liaison for medical personnel to the family of the officer and fellow police officers. It is recommended that the EDL be an agency individual who has a rapport with emergency department personnel and practices.
- 3. The duties of the EDL include but are not limited to the following:
  - a. The EDL will ensure the family is updated as soon as they arrive at the hospital.
  - b. The EDL will insure that pertinent information on the officer's condition is relayed on a timely basis. He or she shall also make the family and fellow police officers aware of hospital policy about visitation with the injured officer and/or visitation with the body following the passing, and explain why involvement of the Medical Examiner's Office is necessary.
  - c. The EDL should prepare the family for what they might see and accompany them to the hospital emergency department.

- d. The EDL will be responsible for notifying the emergency admitting personnel that all medical bills relating to the care and treatment of the officer should be forwarded to the Brookline Police Department.
  - i. This will require the EDL to have essential information regarding the officer. The officer's residence address and next of kin information should be omitted on the admitting form.
  - ii. Do not ask a family member to sign as guarantor of payment for treatment.
  - iii. Do not request any insurance information.
4. If the injuries to the officer are likely fatal and it is possible for the family to visit their officer prior to death, they should be afforded the opportunity. There is definite need to touch and hold the body while there is still life, and being present when death occurs can be comforting to the family.
5. CISM members will be present the entire time the family is at the hospital and should arrange whatever assistance the family may need in cooperation with the EDL.
6. The personnel who made the initial notification should be among those at the hospital.
7. CISM members will make arrangements for transportation of the family back to their residence or other desired reasonable destination.

**D. SUPPORT FOR THE FAMILY DURING A WAKE OR FUNERAL:** The following services will be offered to and provided for the family unless they request otherwise:

1. CISM members will act as the Liaison for the Family, assigned by the OIC. Although the CISM Team Leader should know the deceased Officer and be aware of the familial relationships, the CISM Team Leader should not be so emotionally involved with the loss that he or she would become ineffective. The duties of the CISM Team Leader shall include but not limited to the following:
  - A. Ensure the needs of the family come before the wishes of the Department.
  - B. Meet with the family and relate the duties of the Liaison or allow the family to designate the person, if appropriate, they wish to perform the tasks.
  - C. Meet with the family regarding funeral arrangements.

2. Since many Officers will not have prearranged their wishes for the handling of their own funeral, the family will most likely need to decide all aspects of the funeral. The department should only make the family aware of what they can offer in the way of assistance if the family decides to have a Line-Of-Duty funeral.
3. The liaison should become familiar with all information concerning the death and the continuing investigation in order to answer family questions.
4. The liaison will be available to the family throughout this traumatic process.
5. The liaison will ensure surviving parents or surrogate parents are afforded recognition and will have proper placement arranged for them during the funeral and funeral procession.
6. If the funeral is a Line-Of-Duty funeral, the liaison will ensure the family is briefed on the funeral procedure including the 21 gun salute, presenting the flag, playing of taps, etc. The family has the option of excluding any portion of the funeral procedure.
7. The OIC will coordinate with the **PUBLIC INFORMATION OFFICER** to handle the media throughout this traumatic ordeal. In the event the family should decide to grant an interview, this officer would attend and offer to screen all questions presented to the family to guard against jeopardizing upcoming legal proceedings.
8. In the event of a line-of-duty death, CISM members will ensure the home is prepared for the influx of visitors following the funeral. Food and babysitting will be provided by the Brookline Police Department community.
9. In the event of a line-of-duty death, CISM members will offer to remain at the home and screen telephone calls.
10. In the event of a of line-of-duty death, the CISM will provide a list of churches with seating capacities large enough to accommodate attendance at the funeral.
11. In the event of a line-of-duty death, department vehicles and drivers will be made available to the family if they desire transportation to and from the funeral home.
12. In the event of line-of-duty death, CISM members will be responsible for providing the family access to other public safety survivors or other support groups.
13. The Brookline Police Department will send CISM members or other officers on routine residence checks by the Officer's or survivors' home for as long as is reasonable following the incident. Officers conducting the residence checks will

also inquire if any harassing telephone calls are being received. A CISM member or police officer will be assigned to remain at the residence continually during the time that survivors are attending the funeral and related functions.

**V. PROVIDING INFORMATION AND ASSISTANCE REGARDING BENEFITS TO THE SURVIVING FAMILY IN THE EVENT OF A LINE-OF-DUTY DEATH:**

- I.** A Benefits Officer will gather information regarding all department, association, and Federal benefits available to the surviving family and ensure the department's full support pursuing these benefits. The benefits officer member is responsible for filing appropriate paperwork and following through with the surviving family to ensure benefits are being received.
- II.** A benefits officer should visit with the surviving family to discuss the benefits within a few days following the funeral. A prepared printout of the benefit payments due the family, listing named beneficiaries, contacts at various benefit offices, and when they can expect to receive the benefit should be given to the family. This same explanation procedure should be repeated within a month following the funeral since the initial contact is clouded by the emotional numbness of the family during the first benefits meeting. A follow up will be made every six months until the surviving family receives every possible benefit.
- III.** If there are surviving children from a former marriage, the guardian of those children should also receive a printout of benefits to which the child or children are entitled.
- IV.** A benefits officer should pay special attention to the problems with possible revocation of health benefits to the surviving family. The Town of Brookline may require survivors to contact the Human Resource Department within thirty (30) days if they wish to continue coverage.
- V.** Providing Departmental Support During Criminal Legal Proceedings
  1. If criminal violations surround the death, the family will be informed of all developments prior to any press release.
  2. If there are not any court proceedings surrounding the circumstances of the Officer's death the department will relay that information to the surviving family as soon as it becomes known.

**VI. PROVIDING EXTENDED AND FOLLOW-UP SUPPORT**

1. CISM personnel will encourage and assist the family with obtaining peer support and/or professional counseling services.

2. It is of paramount importance to help the primary surviving family maintain a relationship with the agency if they desire. To that end, the following suggestions are made.
  - a. CISM personnel should schedule follow-up visits with the primary surviving family for at least two years following the line-of-duty death, to include monthly phone calls and greeting cards on special occasions and holidays.
  - b. CISM personnel will ensure primary family members are invited to all memorial services or other agency functions deemed appropriate.
  - c. CISM personnel will provide the primary family members with information from organizations such as Concerns of Police Survivors (COPS) and other recognized police survivor organizations.

## **VII. LINE-OF-DUTY DEATHS IN OTHER MASSACHUSETTS AGENCIES**

- A.** When any member of the BPD becomes aware of a law enforcement line-of-duty death within the Commonwealth of Massachusetts, they should immediately notify the Office of the Chief of Police or his/her designee. If he/she is not available after normal business hours, including weekends or holidays, the highest ranking on-duty supervisor should be notified.
- B.** As soon as practical after notification of a law enforcement line-of-duty death, notification is to be made to all BPD personnel. The notification should include an order to lower the department flags to half-staff and for personnel to wear mourning ribbons.
- C.** Flags shall be lowered to half-staff and mourning ribbons worn until after the funeral of the involved officer.
- D.** The Chief of Police or his/her designee may order observances as deemed appropriate on a case by case basis in the event of unusual line-of-duty death circumstances occurring within the Commonwealth of Massachusetts, or occurring outside of the state.
- E.** Mourning ribbons will be worn on badges for period of 7 days from the time of the Officer's burial.

## **VIII. DEATH OR SERIOUS INJURY OCCURRING TO A DEPARTMENT MEMBER-NON-SWORN:**

In the event of a death or serious injury of a non-sworn employee occur, the Chief of Police or his or her designee shall be notified immediately. The Chief of Police or their designee shall notify the Commanding Officer - Platoon on Duty to take charge and have the following procedures, at a minimum, followed:

- A.** Notify family member(s) in a timely and personal manner.



- B. Assist the family in getting to the hospital and assisting as needed at the hospital.
- C. Obtain assistance from clergy or relatives as needed.
- D. Deaths resulting from accidents or non-accident situations will be treated in the same manner.
- E. These procedures should also be followed when notification requests are initiated by other agencies.

## **IX. MOURNING BANDS**

A mourning band is a solid black band that tightly fits around a police badge. The mourning band will be placed horizontally around the badge, covering the Town's seal, but should not cover the badge number, or in the case of a supervisor's badge it should not cover the rank. Black mourning bands shall be worn on a Brookline Police badge ONLY in the following circumstances:

- A. Upon the line of duty death of an active Brookline Police Officer. The mourning band shall be worn for a period of thirty (30) days, starting on the date of the PO's death.
- B. Upon the death of an active Brookline Police Officer that is NOT categorized as "in the line of duty". The mourning band shall be worn for a period of two (2) weeks (or 14 days) from the date of the PO's death.
- C. When a Brookline Police Officer attends the funeral or public viewing of any active Police Officer. Upon the completion of the funeral the mourning band shall be removed that day by 2400 hours.
- D. When attending the public viewing and/or funeral of a retired Brookline Police Officer. The mourning band shall be removed upon the completion of said services.
- E. At the direction of the Chief of Police, or his/her designee, when a neighboring department has an active Officer killed in the line of duty, mourning bands shall be worn for a period of one (1) week (or 7 days) from the date of the Officer's death, or until the completion of the funeral, the mourning band shall be removed that day by 2400 hours.
- F. While attending Memorial Services at National Police Week in Washington D.C. and/or National Peace Officers Memorial Day (May 15th).
- G. The day of any memorial service Brookline has when honoring Brookline Officers who have been killed in the line of duty.
- H. At the Chief of Police or his/her designee's discretion.