

A Guide to Survivor Benefits

*when Connecticut Police Officers are
Killed in the Line of Duty*

Presented by:



The Connecticut Police Chiefs Association
Survivor Benefits Committee

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Introduction:

This guide has been written to assist Police departments who experience one of the greatest tragedies one could ever imagine, losing an officer in the line of duty.

While this information may do little to ease the emotional pain of such a loss, this guide will help to make your department aware of the benefits available to the family of the fallen first responder. Often survivors of these tragedies are numb with grief and are not clearly focused on what the future holds for them. Gradually they often come to realize that they need both moral support and financial assistance. Unfortunately they are sometimes at a loss when trying to determine where to start. At that point, and even before, the fallen officer's department becomes a critical source of support and information.

It is our hope that this guide will offer your department the knowledge and information necessary to remain that critical source of support. In addition, we hope what we have offered allows you to begin the healing process and assist the surviving family members as best you can.

If you have any questions concerning the described benefits, or need any assistance, please contact the current president of the Connecticut Chief's of Police Association, or the CPCA office at 1-860-586-7506, or info@cpcanet.org.

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1. Publications from C.O.P.S. (Concerns of Police Survivors)

These three publications will provide you with most of the information you will need to deal with the tragedy of a line-of-duty death. *Dealing with Line of duty Deaths*, *Support Services to Surviving Families of Line of Duty Deaths* and *Benefits to Surviving Families of Connecticut of Connecticut Law Enforcement Officers Killed in the Line of Duty*. First hand experience with this website has provided information on how to deal with the family in a critical time and provided suggestions and thoughts for the process of dealing with the surviving family in the future which is just as important. For all information, visit the Concerns of Police Survivors website at www.nationalcops.org. For the Connecticut representative of the New England Chapter contact Lee Tager at 860-989-9293 cell or email at ctfopchaplain@comcast.net.

2. Sample Line-of-Duty Death Policies

Sample line of duty death policies are available for your agency to obtain. These will serve as an aid for your agency to write your own which will be of a great benefit if your agency were to experience a line of duty death. To obtain sample model polices visit the Concerns of Police Survivors www.nationalcops.org or the International Association of Chief's of Police websites www.theiacp.org.

3. Connecticut State Police Funeral Liaison Detail

In the event a department has an officer killed in the line of duty, the Connecticut State Police will assist the affected department with the operational coordination of the officer's funeral. The contact person for the Connecticut State Police currently is:

Lt. Col Warren Hyatt

(860) 685-8090 - Main Office # (daytime hours)
(860) 685-8190 - Message Center 24/7 (can page Lt. Col)
(203) 530-7715 - Cell # (after hours)

4. Surviving Spouses Liaison Group

There are several surviving spouses who are excellent at communicating with the spouse of a fallen officer and informing them of what to expect and potential benefit issues. It will be beneficial to bring the surviving spouse on board as soon as the individual situation allows and meet with your department's survivor. Contact Lee Tager, the Connecticut representative of the New England Chapter of C.O.P.S. at 860-989-9293 cell.

5. Employee Assistance Programs Contact Information

It is critical that you bring your employee assistance program on board as soon as possible after a line of duty death. If a line-of-duty death happens in your department, you should hold a de-briefing session immediately to allow the emotion and feelings to be discussed and come to the surface. If you do not have an employee assistance program in place, Employee Assistance Programs that serve police departments are:

Public Safety EAP – North Haven	(888) 327-1060
Behavioral Health Consultants, LLC – Hamden	(800) 864-2742
Solutions EAP – Meriden	(800) 526-3485
Lexington Group – Burlington	(800) 571-0197

6. The Connecticut 100 Club Benefit Information

The Connecticut Hundred Club is a non-profit organization that will greatly benefit the surviving spouse of your fallen officer. The Hundred Club should be contacted as soon as possible after a line of duty death as they may be able to provide assistance with funeral and burial expenses. In addition they will provide follow up funding in the areas of education and day-to-day expenses. For additional information visit the Connecticut Hundred Club website at www.hundredclubofct.org, or call at 1-860- 633-8357.

7. **The Police Association of Connecticut Benefit Information**

Currently, the PAC provides a one-time \$15,000 death benefit to the surviving family in the event an officer is killed in the line of duty. The CPCA Survivor Benefits Committee is attempting to increase that benefit. In order to be eligible to receive the benefit, the officer involved must be a member of the Connecticut PAC. To find information about how you can join the Police Association of Connecticut and a description of the available benefits visit their website at www.ctpac.com.

8. **Bureau of Justice Benefit Information (PSOB)**

This is a Federal benefit that will pay the family of your fallen officer approximately \$330,000. There is an application process and if you need assistance, contact one of our United State's Senators' staff. This benefit will take approximately one year to receive and the process is labor intensive. It requires, among other things, birth and marriage certificates. For complete information, including the current benefit amount, and application forms visit the website at www.ojp.usdoj.gov/BJA (Public Safety Officers Benefits Program).

9. **State of Connecticut Education Assistance Information**

Using the Connecticut General Statutes index, see "Education". You will find applicable statutes under Police officers killed in the line of duty. The statute numbers are: 10a-77(d), 10a-99(d), and 10a-105(e). In addition the Connecticut Hundred Club and the Bureau of Justice may supply supplemental education assistance.

10. **Worker's Compensation Pension Benefit Information**

Using the Connecticut General Statutes index, see "Municipal Police and Fire Protection". You will find applicable statutes under **Police and Firemen Survivors' Benefit Fund**. The main statute numbers are: 7-297, 7-308, 7-314, 7-323, and 7-433. Workers Compensation death benefits are often paid after consideration of what, if any, pension payment the officer is entitled to from his/her own municipality.

11. **International Association of Chief's of Police Education Benefits**

The International Association of Chief's of Police has instituted their SELECT (Survivors' Education Law enforcement Trust) Program. This program may provide scholarship money and information concerning college education opportunities and resources to the families of law enforcement officers killed or permanently disabled in the line of duty. To obtain more information about this program, visit the IACP website at: www.theiacp.org

12. **CT Fraternal Order of Police**

The FOP will provide financial assistance to survivors. Information can be obtained at www.ctstatefop.org, or call 1-860-225-2675.

13. **CT Office of Victim Services**

This department will provide financial assistance and survivor advocacy throughout a criminal process. The office can be contacted at 1-800-822-8428.

14. **Sample Municipal Ordinance for Property Tax Relief**

A sample property tax relief ordinance from the Town of Berlin is attached as Appendix One.

15. **Public Act 07-161 An Act Concerning Survivor Benefits**

Public Act 07-161 replaces Section 7-433b of the general statutes in regards to the ability of survivors to re-marry without penalty. The Act is attached as Appendix Two

16. **Sample Language to Eliminate Spousal Remarriage Penalty**

As stated above, Public Act 07-161 removes the re-marriage penalty for survivors of police officers or firefighters killed in the line of duty. Attached in Appendix Three is the current language from the Town of New Canaan Pension Plan regarding line of duty deaths and spousal re-marriage, as well as proposed language.

Appendix 1 – Sample Tax Abatement Ordinance

07-05 TAX ABATEMENT FOR SURVIVING SPOUSES OF POLICE OFFICERS AND FIREFIGHTERS

The Town Council of the Town of Berlin (“the Town”) finds and determines as follows:

1. The Town wishes to honor those police officers and firefighters who die while performing their duties as police officers or firefighters.
2. Pursuant to Connecticut General Statutes Section 12-81x, the Town is authorized to provide for an abatement of real property taxes with respect to real property owned and occupied by the surviving spouse of a police officer or firefighter who died while performing his duties. Now therefore be it ordained:
 - a. Definitions
 - i. For the purposes of this Ordinance, “firefighter” is defined as any person who is a duly employed member of a state or municipal fire department and paid for the purpose of performing fire duties on an average of not less than 35 hours per week or any volunteer member of the Town Fire Department.
 - ii. For the purposes of this Ordinance, “police officer” is defined as a duly sworn member of a state or municipal police department, serving in an official capacity, fulltime or part-time, with compensation or a duly sworn member of the Town Police Department serving the Town in an official capacity, full-time or part-time, with or without compensation.
 - iii. For the purposes of this Ordinance, “surviving spouse” is defined as the person who was a resident of the Town and married to the police officer or firefighter at the time of the police officer’s or firefighter’s death.
 - iv. For the purposes of this Ordinance, “fire duties” are defined as duties performed while at fires, while answering alarms of fires, while answering calls for mutual aid assistance, while returning from calls for mutual aid assistance, while directly returning from fires, while at tests or trials of any apparatus or equipment normally used by the fire department, while going to or returning directly from such tests or trials, while instructing or being instructed in fire duties, and any other duty ordered to be performed by a superior or commanding officer in the fire department.
 - v. For the purposes of this Ordinance, “police duties” are defined as any action which an officer is obligated or authorized by law, rule, regulation, or written condition of employment of service to perform during regularly scheduled hours, or other hours that qualify for compensation from a state or local police department.
 - b. In accordance with Connecticut General Statutes Section 12-81x, there is hereby established effective for the Grand List of October 1, 2005 an abatement of 50% of municipal real property taxes due with respect to real property owned by the surviving spouse of a police officer who has died as a result of the performance of police duties or a firefighter who has died as a result of the performance of fire duties.
 - c. The tax abatement will remain in effect so long as the surviving spouse occupies the residence as her primary residence or until the spouse conveys her fee interest in the subject residence. If the spouse subsequently purchases another residence in the Town, and all qualifying criteria remain, then the tax abatement shall apply to the new residence.

Appendix 1 – Sample Tax Abatement Ordinance (continued)

- d. Upon the death of any person entitled to tax relief pursuant to this Ordinance, the tax relief hereunder shall end the following June 30.
- e. If any person who is entitled to a tax abatement hereunder conveys her fee title in the property with respect to which the tax abatement hereunder has been granted, the tax relief shall be suspended as of the date of conveyance and the non-qualifying grantee of such property shall pay the Town a prorated share of taxes thereby due and owing as provided by Connecticut General Statutes Section 12-81a.
- f. The property tax relief provided for in this Ordinance shall, in any case where title to real property is recorded in the name of the qualifying surviving spouse and any other person or persons, be prorated to reflect the fractional portion of such qualifying spouse, or, if such property is a multiple family or multiple use dwelling, such relief be prorated to reflect the fractional portion of such property occupied by the qualifying spouse. A spouse desiring such abatement shall submit an application to the Assessor requesting a determination as to whether such abatement is permitted.
- g. The Tax Collector and Assessor shall prescribe with regard to their respective duties under this Ordinance, such forms and procedures as may be necessary to implement this Ordinance. The Assessor, in addition, shall take such steps necessary to satisfactorily establish the facts as to the qualifying surviving spouse's interest in the property, by requesting such documents as the Assessor deems necessary.
- h. The Tax Collector of the Town shall maintain a record of all taxes abated in accordance with this Ordinance. Upon the request of the Town Council the Tax Collector shall detail the sum of the total monies abated as a result of this Section.
- i. When the context of this Ordinance so requires, the masculine gender shall include the feminine and neuter, and vice-versa and the singular shall include the plural, and the plural, the singular.
- j. This Ordinance shall take effect upon adoption.

This Ordinance was adopted by Town Council **September 6, 2005.**

Appendix 2 - An Act Concerning Survivor Benefits PA 07-161

An Act Concerning Payment in Lieu of Tax Revenue for Electric Generation Facilities, Certain Property Assessment and Tax Exemption Related Forms and Property Tax Abatements for Surviving Spouses of Police Officers and Firefighters.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (d) of section 12-94d of the general statutes is repealed and the following is substituted in lieu thereof.

Appendix 3 - An Act Concerning Survivor Benefits PA 07-161

AN ACT CONCERNING SURVIVOR BENEFITS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 7-433b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(a) Notwithstanding the provisions of any general statute, charter or special act to the contrary affecting the noncontributory or contributory retirement systems of any municipality of the state, or any special act providing for a police benefit fund or other retirement system, the survivors of any uniformed or regular member of a paid fire department or any regular member of a paid police department whose death has been suffered in the line of duty shall be eligible to receive such survivor benefits as are provided for in the Workers' Compensation Act, and, in addition, they shall receive such survivor benefits as may be provided for in the retirement system in which such department member was a participant at the time of his death; provided such pension benefits (1) shall not terminate upon the remarriage of the spouse of such member, and (2) shall be adjusted so that the total weekly benefits received by such survivors shall not exceed one hundred per cent of the weekly compensation being paid, during their compensable period, to members of such department [in] at the maximum rate for the same position which was held by such deceased at the time of his or her death. Nothing contained [herein] in this subsection shall prevent any town, city or borough from paying money from its general fund to any such survivors, provided total weekly benefits paid shall not exceed said one hundred per cent of the weekly compensation.

(b) Notwithstanding the provisions of any general statute, charter or special act to the contrary affecting the noncontributory or contributory retirement systems of any municipality of the state, or any special act providing for a police or firemen benefit fund or other retirement system, the cumulative payments, not including payments for medical care, for compensation and retirement or survivors benefits under section 7-433c shall be adjusted so that the total of such cumulative payments received by such member or his dependents or survivors shall not exceed one hundred per cent of the weekly compensation being paid, during their compensable period, to members of such department in the same position which was held by such member at the time of his death or retirement. Nothing contained [herein] in this subsection shall prevent any town, city or borough from paying money from its general fund to any such member or his dependents or survivors, provided the total of such cumulative payments shall not exceed said one hundred per cent of the weekly compensation.

Approved June 19, 2007

Appendix 4 - Sample Survivor Re-marriage Language

Current Language

The death benefit set forth above shall commence to be paid on the first day of the month next following the Member's death and shall cease on the first day of the month next preceding (i) the date of death or remarriage of the Spouse or (ii) the date of death of the Dependent or date such Dependent turns eighteen (18).

Proposed Language

The death benefit set forth above shall commence to be paid on the first day of the month next following the Member's death and shall cease on the first day of the month next preceding (i) the date of death of the Spouse or (ii) the date of death of the Dependent or date such Dependent turns eighteen (18).

(In the event the Surviving Spouse chooses to remarry, the death benefit will continue to be paid. However, upon the death of the Surviving Spouse, the Member's death benefit will only be transferable to Dependent children as described above. – New Language)

Appendix 5 - Suggested Timeline for Managing a LODD

Prior to Incident – The plan you hope you never have to use

Departments should have a documented plan for managing a line of duty death. The plan should include forms, assignment sheets, notification protocols, funeral arrangements and grief support plans for department personnel and surviving families. The importance of pre-planning cannot be stressed enough. A comprehensive plan will minimize frustration, anger and resentment that can develop during the most stressful and grief ridden time a department can experience.

First 24 Hours

1. **Notification** – assign personnel to notify the family and department personnel.
 - a. Family Notification – the senior most officer, preferably the Chief, should notify the family along with the designated department liaison who will remain posted with the family. Other people to have available for the family (if they wish) would be the department chaplain and an EAP counselor. If an investigation is ongoing, the family should be kept informed prior to or concurrent with department personnel notification.
 - b. Department Personnel – a call-tree should be established and utilized. Factual and current information should be given and kept brief. Personnel who are off-duty may respond to the department. Determine if they will be assigned or given an area to await information.

2. **Employee Assistance Program (EAP)**

A supervisor should be designated beforehand as the EAP liaison responsible for insuring EAP is called as soon as possible. This EAP liaison should also be authorized to make decisions for the department regarding EAP deployment. The EAP liaison and the EAP will confer to determine the appropriate level of response and the number of responders required and to which locations (hospital, family home, PD, on-scene) depending on the situation.

3. **Information Dissemination**
 - a. Public Information Officer – the PIO has specific responsibilities regarding statements to the media and the community. Only the PIO, Chief and other designated personnel should speak to the media and reminders to personnel are suggested. When appropriate, media statements may be shared with the family prior to release.
 - b. Roll-Call briefings (preferably done by the Chief or XO or both) – provide updated information not relayed through the call tree. Statements being released to the media can be read. Extra time should be allowed for questions.
 - c. Additional information briefings may need to be held on the release of the medical examiners report.

(excerpt from Line of Duty Death – Managing the Unthinkable – by Public Safety EAP – copyright 2008)

Timeline – page two

Next 24 Hours – First Week

1. Calling Hours and Funeral Arrangements

This is an extensive and involved process much of which will be determined by the family's wishes. Details and assignments should be separated by each event and then broken down into tasks. It's important to spread the responsibilities rather than leave arrangements to only one or two individuals. Department personnel want to participate and show support and are less stressed if kept busy and given specific tasks to perform. Having a pre-incident plan will make this process much less stressful for everyone at the department and for the family.

2. EAP – an EAP representative (preferably already introduced to the family) should be present at the wake and funeral as support for the family. It's also helpful to officers to see the support person at the most sorrowful times to establish trust and confidence in the EAP in case of future need.
3. Family Liaison – it's important to keep tabs on the family liaison to insure against burn out. Depending on the situation, two officers may be assigned so they can spell each other. Or the liaison can be relieved by other personnel designated to be with the family. It's important to defer to family wishes if they require some alone time without officers present.

Second Week

1. Employee Assistance Program

- a. Debriefing dates should be set for 24-48 hours after the funeral for on-scene personnel only. It's preferred that one session should be conducted for all involved including dispatchers. The department should decide whether or not to invite other agency responders who were on-scene.
- b. Grief support sessions should be arranged to follow the debriefings and open to all department personnel. Enough sessions should be scheduled to include all shifts and time off schedules.
- c. An EAP counselor should be offered to the family again if they didn't take advantage of EAP the day of the incident.

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Timeline – page three

First Month – First Year

1. Family follow up – A plan should be devised in which someone from the department is in contact with the family at least monthly beyond procedural (benefits) meetings. Numerous officers may want to participate in the follow up with the family. Special dates should be noted on the follow-up calendar – birthday, wedding anniversary, children’s birthdays, holidays and anniversary of the death. These will be particularly difficult times in the first year.
2. Department personnel follow up – dates that are significant to the family will also be important to personnel. A reference at roll-call may be made if it seems appropriate. Or a card can be circulated to send to the family. Periodic reminders about EAP are helpful.

Some personnel may feel that too much or too frequent mention of the fallen officer keeps the grief too fresh and prohibits “moving on”. This is a normal reaction. A reminder may be helpful to personnel that everyone grieves differently and that some people have a need for remembrances while others do not and neither preference is right or wrong

3. Observances - It’s important ahead of time to determine how long bunting will be left up and when and if the deceased officer’s locker and/or badge number will be reissued. Again, if listed in the general orders prior to the incident, resentment and frustration can be avoided. It’s also important to keep tabs on the rank and file in regards to their attitude about reminders of their fallen brother or sister.
4. EAP – The EAP should be kept posted about any events that occur that could impact the deceased’s family or department personnel. Follow up support sessions may be appropriate.

(excerpt from Line of Duty Death – Managing the Unthinkable – by Public Safety EAP – copyright 2008)