



ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-24

Effective: 12/24/19 Review: 12/24/20 Replaces: 01/15/16

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

Related SOP(s): None

3-24-1 Purpose

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

3-24-2 Policy

Dealing with casualties is an important function of command. Commanders at all levels must give the In the Line of Duty Death/Causality Services program their personal attention. The program's primary goals are prompt and accurate reporting; dignified and humane notification; and efficient, thorough, and compassionate assistance to the next of kin (NOK).

It is the policy of the Albuquerque Police Department to ensure that all In-the-Line-of-Duty death notifications are conducted with the aforementioned care and diligence.

The Department will appoint a Casualty Assistance Representative (CAR) who will be the point of contact for all families who may have to go through this traumatic experience. The CAR will be the rank of Commander or above. The CAR will be the direct line resource to the Department and its chain of command up to the Chief of Police. Should any litigation arise from the Line of Duty Death, the CAR will keep the NOK reasonably notified of the adjudication process as the case makes its way through the justice system and information regarding any relevant legislation that arose from that case.

3-24-3 Definitions

A. In-the Line-of-Duty Death

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

B. Next of Kin

1. The person designated by the employee as NOK or if no designation exists, the most closely related to the casualty is considered primary NOK for disposition of remains, personal effects, and the release of records to secondary NOK and third



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parties. Absent the designation by the employee, the surviving spouse (if applicable) is primary NOK, other NOK and interested parties are recognized in the following order:

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

C. Beneficiary

1. Those designated pursuant to the New Mexico Uniform Probate Code, §§ 45-1-101 et seq. as the recipients of specific death benefits for the deceased.

D. Benefits

1. Financial payments that may be made to the beneficiary to ensure financial stability following an in-the-Line-of-Duty Death.

E. Public Safety Officer

1. A sworn law enforcement officer.



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3-24-4 Procedures

A. Death Notification will be made as follows:

- 6 1. Notification will be made by the Chief of Police or Deputy Chief along with the involved officers' chain of command. A police chaplain and/or a personal acquaintance will be utilized if possible. This notification will be made in person. Arrangements will be made for personal notification even if the survivor lives far away.
2. Notification will be made as soon as possible, with relevant, available facts.
3. All command staff personnel will have access to an online directory of employees for notification purposes, containing NOK names, addresses, and contact information. It will be incumbent upon all personnel to confirm names and addresses once at the bid and once at the midpoint of the bid.
- 6 4. A CAR will be appointed before going to the NOK's residence. If necessary, the CAR will stay at the residence with any children while the adults proceed to hospital, until other family members or designated guardians can respond to the residence.
5. Notification will not be made on the doorstep of the residence; instead, ask to come in, gather the family, including children, and request everyone to be seated. In providing notification:
 - a. Avoid vague expressions like "passed away." Use "died" or "killed";
 - b. Speak slowly and carefully and inform them that "Officer's" first name responded to (the type of call and what happened); and
 - c. Do not drag out the details, but do not rush through them either.
6. Call the deceased by name- rather than utilizing generalized terms such as, but not limited to, "the body."
7. Patiently answer questions about the death, location of the officer, etc.; if the information is unknown or unavailable, inform the individuals of this and provide that information as soon as possible.
- 4 8. The media will not be made aware of the officer's name until the immediate family has been notified.



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6

B. CAR Responsibilities

1. Arrange for a secluded waiting area at the hospital away from media and public.
2. Point of contact for all Department communication to the family.
3. Transportation needs for family members from the hospital back to the residence.
4. Arrange for medical bills to be sent to the Department, not the residence.
5. Coordinate with family for funeral arrangements.
6. Provide access to the Department psychologist and staff for family.
7. Coordination of officer presence at the residence until ten (10) days after funeral service.
8. Provide information on benefits assistance to the designated beneficiary or beneficiaries from the following resources:
 - a. Albuquerque Police Officers Association
 - b. 100 Club of New Mexico
 - c. City Insurance and Benefits
 - i. Health Insurance Benefits
 - ii. Worker's Compensation
 - iii. Retirement Pension
 - d. Statutory benefits through the State of New Mexico, including but not limited to the Peace Officers', New Mexico Mounted Patrol Members' and Reserve Police Officers' Survivors Supplemental Benefits Act, NMSA 1978, § 29-4a-1 et seq. and the Fire Fighter and Peace Officer Survivors Scholarship Act, NMSA 1975, § 21-21F-1 et seq.;
 - e. Federal statutory benefits, including but not limited to Federal Public Safety Officers' Benefits (PSOB) Programs.

C. Honorary Upgrade

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



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