

Line-of-Duty Death

1036.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the necessary guidelines and protocol for a line-of-duty death.

The death of any department member while on-duty, while traveling in connection with such duty or while engaged in firefighting or Emergency Medical Services (EMS) activities off-duty, is considered a line-of-duty death. The death of any department member while undergoing medical treatment for any injury or disease potentially resulting from a job duty may be medically determined to be a line-of-duty death and for purposes of this policy may be handled as a line-of-duty death.

This policy defines and describes the guidelines and responsibilities to be followed in the event of a line-of-duty death and can be escalated in the event of multiple deaths or when a number of department members are seriously injured.

1036.2 POLICY

It is the policy of the New York State Master Fire Department to assist and support the family members and coworkers of fallen members to the extent reasonably practicable, while also investigating the cause of death, making appropriate notifications and fielding press inquiries.

1036.3 RESPONSIBILITIES

1036.3.1 FIRE CHIEF

In the event of being notified of a line-of-duty death, the Fire Chief or the authorized designee should:

- (a) Conduct briefings in order to communicate activities to the assigned officers.
- (b) Make an announcement to the Department at the appropriate time. Immediately after the announcement, all flags at fire stations and other department facilities should be lowered to half-staff and all badges should be shrouded. Flags should remain at half-staff and badges shrouded for a specified time, but in no event should that be for longer than 14 days.
- (c) Request that the Administration Division assemble personal data, such as date of birth, file photograph, marital status, dependents and names of next of kin to facilitate the application for state and federal line-of-duty death benefits.
- (d) Assign a chief officer to act as the auditing officer to secure the personal effects of the deceased and deliver them to the Administration Division.
- (e) Assign a Family Support Liaison to facilitate communication between the deceased member's family and the Department.

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- (f) Document all actions, contacts, requests and other pertinent data.
- (g) Provide briefing to labor representatives regarding the incident and the deceased member only as is necessary to initiate labor organization benefits and honors.
- (h) Preserve any equipment, turnouts and breathing apparatus used by the deceased firefighter for the investigation.

The Fire Chief should determine the need to request outside resources to assist in the staffing or investigation of the incident, as needed.

1036.3.2 CAPTAIN

In the event of a line-of-duty death, the Captain or the authorized designee shall:

- (a) Secure the scene of the incident with the assistance of the Incident Commander, fire prevention personnel and local law enforcement.
- (b) Immediately notify the Deputy Fire Chief and the Fire Chief.
- (c) Preserve any equipment, turnouts and breathing apparatus used by the deceased firefighter for the investigation.
- (d) Preserve all tactical worksheets, video and/or audiotapes for the investigation.
- (e) Gather all available information concerning the incident and circumstances leading to the death.
- (f) Consider the need for members at the incident to have access to Critical Incident Stress Debriefing (CISD) services.

1036.3.3 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the Public Information Officer (PIO) shall:

- (a) Collect facts of the incident from the Captain or the authorized designee and keep in contact to maintain available current information and direction on what information should be released.
- (b) Withhold any release of personal information relating to the member's death pending notification of next of kin and until approval is given by the Fire Chief or the authorized designee.
- (c) Instruct the involved incident crews that they shall not release any statements to the media or anyone else and should direct any inquiries to the PIO.
- (d) Prepare a written press release.
- (e) Ensure that the release of any member medical information complies with the Health Insurance Portability and Accountability Act (HIPAA) and the Patient Medical Record Security and Privacy Policy in this manual.

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1036.3.4 AUDITING OFFICER

The auditing officer is responsible for ensuring the security and proper disposition of the personal effects of a member in the event of his/her line-of-duty death. Personal effects include all property owned by the deceased member that is kept on department property, as well as personal items on the person of the member once those items have been released by investigators, in accordance with the Line-of-Duty Death and Serious Injury Investigations Policy.

In the event of a member's line-of-duty death, whether on- or off-duty, the following steps shall be followed in gathering and disposing of his/her personal effects:

- (a) All personal effects at the station shall be taken to the Administration Division to be kept in a secure location.
- (b) The deceased member's vehicle will be secured at the work site and the keys forwarded to the Administration Division and secured.
- (c) A designee from the Administration Division should conduct an inventory of all personal items received and make a written report.
- (d) The next of kin will be given priority consideration to receive the member's property. Care should be exercised in selecting a tactful time for the delivery of personal effects to the next of kin. Documentation is required indicating the date, time and location of the disposition of the property. The name and the relationship of the individual accepting the property will also be noted. The documentation will be forwarded to the Administration Division for placement in the deceased member's personnel file.

1036.3.5 ADMINISTRATION DIVISION

The Administration Division will have the following responsibilities:

- (a) Receive, inventory and secure the deceased member's personal belongings and hold them until such time as the investigation team approves their release.
- (b) Establish the deceased member's survivor benefits (e.g., workers' compensation, life insurance, unused medical leave, retirement benefits, other salary pay, vacation pay).
- (c) Review the Public Safety Officers' Benefit Act to determine benefits and process for securing benefits for surviving next of kin.
- (d) Assist and coordinate with the next of kin in the process of securing all of the benefits to which the survivor is entitled.

1036.4 FAMILY SUPPORT LIAISON

The appointed Family Support Liaison should conduct all duties in accordance with the Family Support Liaison Policy.

1036.5 FUNERAL ARRANGEMENTS

Funeral arrangements should be made in accordance with the Funerals Policy.

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1036.6 LINE-OF-DUTY DEATH INVESTIGATIONS

For line-of-duty death investigation procedures, see the Line-of-Duty Death and Serious Injury Investigations Policy.