

When a law enforcement officer is killed in the line of duty, it is the responsibility of the employing agency to file a claim for benefits with the **Public Safety Officers Benefits Program**, Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. If approved as a line of duty death according to Federal government criteria, a Federal death payment is made to the survivors. As of October 1, 2009, **the benefit amount is \$311,810**. Call the PSOB office at 1-888-744-6513. http://www.ojp.usdoj.gov/BJA/grant/psob/psob_main.html (Chaplains are covered effective September 11, 2001. Hometown Heroes Survivors Benefits Act of 2003 (HHA) amends the PSOB Act to include heart attack or stroke under certain conditions.)

ELIGIBLE SURVIVORS

Once the U.S. Department of Justice approves a claim for death benefits, the benefit will be paid in a lump sum as follows:

- (1) if there is no surviving child of such officer, to the surviving spouse;
- (2) if there is a surviving child or children and a surviving spouse, one-half to the surviving child or children in equal shares and one-half to the surviving spouse;
- (3) if there is no surviving spouse, to the child or children of such officer in equal shares;
- (4) if there is no surviving spouse or surviving child, to the individual designated by such officer as beneficiary under such officer's most recently executed life insurance policy on file with the officer's agency.
- (5) if none of the above, to the parent or parents of such officer in equal shares.

*"Child" is defined as any natural, illegitimate, adopted, or posthumous child or stepchild of a deceased public safety officer who, at the time of the officer's death, is either 18 years old or under, or between 19 and 22 and a full-time student, or who is incapable of self-support due to a physical or mental disability.

** Beneficiaries to receive the Public Safety Officers' Benefits death payment for line-of-duty death were changed by the "Mychal Judge Police and Fire Chaplains Public Safety Officer's Benefit Act of 2002. If the officer is divorced, has not remarried and has no eligible children, the former spouse could receive the benefit if she is still listed as a beneficiary on paperwork the officer failed to revise. **IT CANNOT BE STRESSED ENOUGH HOW IMPORTANT IT IS TO KEEP YOUR LIFE INSURANCE BENEFICIARY INFORMATION UP-TO-DATE!!** Public safety officers *cannot* name their own beneficiaries under the Act.

State Of Louisiana Death Benefits:

To obtain certified copies of registered personal documents, contact Vital Records, P. O. Box 60630, New Orleans, LA 70160, phone (504) 568-5152.

This benefit is provided by the state of Louisiana.

(R.S. 33:2201 In any case in which a law enforcement officer suffers death as a result of any injury arising out of and in the course of the performance of his official duties as such officer, or arising out of any activity, while on or off duty, in his capacity as a law enforcement officer, in the protection of life or property, the sum of **two hundred fifty thousand dollars shall be paid to the surviving spouse** of each officer or, if not survived by a spouse, the sum of **two hundred fifty thousand dollars shall be paid to the surviving child or children** or, if not survived by a spouse nor a child or children, then the sum of **two hundred fifty thousand dollars shall be paid to the named beneficiary** listed on the officer's beneficiary designation form or, if there is no designation form at the time of the officer's death, and no surviving spouse nor a child or children, then the sum of **two hundred fifty thousand dollars shall be paid to the officer's estate**. Each officer shall complete a beneficiary designation form. In addition, if the officer is survived by dependent child or children, the sum of **twenty-five thousand dollars shall be paid for each of the dependent children**, such sums to be paid to the duly appointed and qualified tutor or the legal representative of the child or children. **Contact the Law Enforcement Officers and Firemen's Survivor Benefit Review Board through the Attorney General's office (225) 326-6127.**

STATE PENSION BENEFITS:

Pensions to survivors of Public Safety Officers are handled through **various pension systems**. Some municipalities have their own pension plans while other departments pay only into Social Security.

Approximately 250 police departments pay into the **Municipal Police Employees Retirement System (MPERS)**. When an active member is killed as a result of injuries sustained in the line of duty, the surviving spouse shall receive **a benefit equal to 100% of the deceased member's final average compensation less any survivor benefits payable to a child or children. Minor children may draw up to \$200 a month.** A surviving spouse continues to draw their pension **until death.** **7722 OFFICE PARK BOULEVARD - SUITE 200 BATON ROUGE, LOUISIANA 70809-7601**
800-443-4248 OR (225) 929-7411, www.lampers.org.

All Louisiana State Troopers pay into the **Louisiana State Police Retirement System**. Benefits under this plan provide **a surviving spouse to draw 75% of the troopers salary**. If there is no surviving spouse, the minor children, will receive the benefit.
3100 Brentwood Drive, Suite B, Baton Rouge LA 70809.
(225) 925-4878 or (800) 256-5210, <http://www.lsprs.state.la.us>.

All sheriff departments in the state pay into the **Louisiana Sheriff's Pension and Relief Fund**. This system provides that **a surviving spouse draws a benefit of no less than 50% and no more than 80% of the members salary**. Spouses continue to draw this pension **for life**. In the event there is no surviving spouse, surviving children may receive 15% of the members salary per child, not to exceed 60%. This system also provides **parents who were dependent** upon the member for support, to draw **\$100 a month.** **225-219-0500, 1225 Nicholson Drive Baton Rouge, LA 70802, <http://www.lsprf.com>**

EDUCATIONAL BENEFITS:

Any child of a commissioned, full-time police officer who was or is killed or permanently disabled after January 1, 1973, in the course and scope of the performance of his duties, which child is otherwise eligible and meets all of the entrance requirements of a state supported college or university **without payment of any fees for tuition, books or other charges, including room and board charges**, as long as such child meets the academic standards and complies with the rules and regulations of such college or university required for attendance therein as a full-time student. **In no event shall such scholarship exceed eight semesters for any one child.** Further information and application procedures regarding special scholarships can be obtained from the **admission's/registrar's office of the college or university and/or the Louisiana Department of Education.**

HEALTH BENEFITS: Varied. Check with your local police department benefits package.

WORKERS' COMPENSATION:

To receive workers' compensation benefits the surviving spouse must **take the initiative** and file a workers' compensation claim through a **workers' compensation attorney** to receive any compensation. **Contact the Office of Workers' Compensation Administration, Louisiana Department of Labor, 1001 N. 23rd Street, Baton Rouge, LA 70802 (mailing address P. O. Box 94040, Baton Rouge, LA 70804-9040), telephone (504) 342-7555.**

PERSONAL LIFE POLICY – INTESTATE:

Descent and Distribution - When a person dies and leaves no will, property descends to various persons by law depending upon classification of property as community or separate property of deceased. **Community property of deceased is inherited by his descendants or if he leaves no descendants, by his surviving spouse in full ownership.**

PEER SUPPORT:

Established in 1984, **Concerns of Police Survivors, Inc. (COPS)**, is a national, non-profit organization that works with law enforcement agencies, police organizations, mental health professional, 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 Louisiana COPS, James Cook, President, 2215 Pitre St, Westlake, LA 70669, (337)842-8680, cops@la-cops.org or visit www.la-cops.org.** Information on scholarships and other benefits is available from the National C.O.P.S. office. (800) 784-2677

Additional Benefits:

NRA Law Enforcement Officer Felonious Death Benefits A \$25,000.00 insurance benefit to the widow or survivors of any NRA-member law enforcement officer who is feloniously killed in the line of duty. Coverage is automatic for all law enforcement officers who are NRA members.

Funeral Services:

Dignity Memorial Public Servants Program

Recognizing the courage and selflessness of those who serve the public, Dignity Memorial network providers created the Public Servants Program for emergency service personnel. This program offers dignified and honorable burials, at no cost, for career and volunteer law enforcement officers and firefighters who fall in the line of duty.

Louisiana Fraternal Order of Police:

The Louisiana FOP presents a \$5000 check to the primary survivor immediately following the officer's death to be used as needed by the officer's family.

Mission Statement

C.O.P.S. provides resources to assist in the rebuilding of the lives of surviving families and affected co-workers of law enforcement officers killed in the line of duty as determined by Federal criteria.

Furthermore, COPS provides training to law enforcement agencies on survivor victimization issues and educates the public of the need to support the law enforcement profession and its survivors.



Louisiana Chapter of
Concerns of Police Survivors
LA-COPS
2215 Pitre St
Westlake, LA 70669
(337) 842-8680
email: cops@la-cops.org
www.la-cops.org
National COPS 800-784-2677
www.nationalcops.org

*Line-Of-Duty
Death Benefits
for Louisiana
Law-Enforcement*

Line-of-duty death is a possibility that police families must prepare for. The ability of survivors to cope with a line-of-duty death is directly affected by the department's reaction to the tragedy and the knowledge the family has concerning their rights and benefits.

Information on benefits is valuable to law enforcement survivors so they know the benefits available to them and can verify that all benefits claims have been filed. This information is also valuable to law enforcement officers still on the job as well as the benefits assistance personnel within the agencies who might be filing for benefits for a newly-bereaved family.

The purpose of this pamphlet is to provide police families and agencies with general information about benefits to families in the event of a line-of-duty death. The information on the death benefits listed may have been changed through legislation or contract negotiations without our knowledge.

This document is for information only. Visit www.la-cops.org for the latest changes.

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