



## LINE OF DUTY DEATH SOG

### SCOPE

This guideline shall apply to all members of the Stoney Point Fire Department (SPFD) and shall be adhered to by all members.

### PURPOSE

The purpose of this policy is to outline the responsibilities for following fire department protocol involving a line of duty death. The death of any member of the Stoney Point Fire Department while on duty, or while undergoing medical treatment for any injury or disease resulting from such duty, is considered a line of duty death. This also includes the death of a Fire Department member while traveling in connection with such duty, or while engaged in firefighting or EMS activities off duty.

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### GUIDELINES

This procedure defines the policies 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 a number of members seriously injured.

### ASSIGNED RESPONSIBILITIES

Fire Chief or Deputy/ Assistant Fire Chiefs:

The Fire Chief or other assigned Chief Officers may hold daily briefings in order to communicate activities of all assigned officers.

#### **Duty Chief's Responsibilities:**

In the event of a line of duty death, the on-duty Chief Officer(s) shall:

- Notify the Fire Chief, Deputy Chief, off duty Assistant Fire Chiefs, Police Department or the Cumberland County Sheriff's Office.
- Secure the scene of the incident with the assistance of Law Enforcement personnel.



- Direct the all department personnel and 911 Dispatch Center to withhold release of personal data relating to the members death, pending notification of next of kin.
- Gather all information concerning the incident and circumstances leading to the death.
- Notify the Stoney Point Fire Department Administrative Assistant to assemble as much personal data as possible concerning the deceased. Particular information needed includes: Name, Date of Birth, File Photo, Marital Status, Dependents and Name(s) and Address(s) of next of kin.
- Assign another Chief Officer/Station Captain, as soon as possible, to secure the personal effects of the deceased and deliver them to Fire Administration.
- Assign a Hospital Liaison Officer to go to the hospital where the injured/deceased firefighter(s) are sent.
- Coordinate with other Chief Officers to arrange for other personnel to relieve crews on the scene and provide personnel with counseling if needed.
- Preserve any equipment, turnouts and SCBA used by injured or deceased firefighters for the investigation.
- Preserve all tactical worksheets, video and/or audio tapes for the investigation.

**Hospital Liaison Officer(s)** – goes directly to the receiving hospital(s) and maintains a liaison with the hospital staff, PIOs, SPFD Chief and the Fire Ground Commander or on call Duty Chief.

**Responsibilities – until relieved:**

1. Update Command of any significant information relating to the patient's condition.
2. Assure that no press releases are made.
3. Collect all personal articles of the firefighter, should pronouncement of his/her death occur.
4. Advise the hospital staff or the Medical Examiners staff that an autopsy is required and that blood gases are required to be drawn as soon as possible.

\*Note: Refer to *U.S. Department of Justice-Line of Duty Death* concerning disposition of blood gases. In order for a firefighter's surviving dependents to receive the Federal Public Safety Officer's Benefit, certain tests must be made before death, or at the time of death.

It is necessary to obtain a complete blood toxicology report primarily concerning blood alcohol and Carbon Monoxide levels. In **ANY** death, even those involving a non-traumatic injury, such as a heart attack, it is also necessary to obtain a complete blood toxicology report as stated above. A copy of the autopsy must be provided and if no autopsy was performed, an affidavit stating one was not performed must be provided.

The Fire Chief will assign the responsibilities of Public Information Officer to another officer or member of the department as soon as possible if needed.

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**Responsibilities –**

1. Attempt to collect all the facts of the incident as it occurred.
2. Make contact with 911 Dispatch (**Do not use the radio**):
  - A. Fill them in on the situation.
  - B. Instruct them not to issue any statements to the media or anyone else. All information to the media/public will be released through the Fire Chief or the assigned PIO.
  - C. Advise them they will be receiving a written news release as soon as next of kin have been notified.
3. Begin to collect all pertinent and personal information on the victim(s).
4. Keep in contact with Hospital Liaison Officer(s) on status of injured firefighter(s).
5. Provide the Fire Chief or the assigned Notification Officer with the information needed prior to making contact with the next of kin.
6. Begin to prepare a written press release. (see example below)
7. Under no circumstances should a press release be issued until next of kin notification can be made and the proper authority has been given to issue the news release by the Fire Chief.

**EXAMPLE PRESS RELEASE:**

*"The Fire Chief regrets to announce the death of (rank), (name) who died in the line of duty." A brief description of the circumstances will follow.*

Notification Officer(s) – All notification of Line of Duty Deaths (LOD's) or serious injuries of fire Department members while on duty will be made by the Fire Chief, the Deputy Fire Chief in his absence or an assigned Chief Officers, will be responsible for the notification of the next of kin. Other Officer(s) including the SPFD Chaplain may be assigned to assist with the notification; the specific assignment of this duty will be made by the Fire Chief.

Prompt and judicious notification of the next of kin is the utmost importance in the case of a line of duty death.

Again, notification shall be made by the Fire Chief, Deputy Chief or other assigned Chief Officer (Duty Chief) of the Fire Department through personal contact if possible. The official notification serves to assure the next of kin of the validity of the information and to provide a knowledgeable source of information concerning the death.

**Responsibilities –**

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The Notification Officer is responsible for making contact with the next of kin. This shall be done in person whenever possible. This official notification must be made before any details of a death are released to the news media.

The Notification Officer should be prepared to assist the next of kin with the immediate emotional trauma associated with the notification. The SPFD Chaplain, a friend of the family or other clergy members may be of valuable assistance at this time. The Notification Officer should be prepared to stay with the next of kin until a family member or friend arrives, or as long as requested.

The Notification Officer **Shall:**

1. Wear department uniform (if time permits) and have official SPFD ID Card in their possession.
2. Assign a Fire Department member to accompany him/her, also in uniform.
3. Familiarize themselves with the **factual** circumstances of the death and the personal data concerning the deceased before making the notification. (Contact PIO).
4. Determine if the family has a particular person, specifically a close family member and/or department member, to act as Family Liaison Officer.
5. Once notification has been made, the Notification Officer will advise the Fire Chief or the chain of command, Incident Commander, and the Public Information Officer if one has been appointed. An official announcement may then be made and details may be released to the news media as approved by the Fire Chief.

**Family Liaison Officer:** The Fire Chief will appoint a Family Liaison Officer(s) to work in conjunction with the family providing liaison 24 hours a day as a logistical contact and maintain constant communication with the Fire Chief or his representative.

To provide a sense of continuity and familiarity for the surviving family, it may be advantageous in some cases for the Notification Officer to assume the duties of the Family Liaison Officer. The Family Liaison Officer is a special staff assignment. As a direct representative of the Fire Chief, the Family Liaison Officer will receive the full cooperation of the entire Fire Department. The Family Liaison Officer will report directly to the Fire Chief or his representative.

The Family Liaison Officer is responsible for the management of several important activities. The principle concern is the ongoing welfare of the next of kin. The Family Liaison Officer will render whatever assistance is necessary to settle the personal affairs of the deceased member and assist the next of kin and immediate family through the crisis. In incidents involving multiple deaths, more than one Family Liaison Officer shall be assigned.

**In all cases, the level of Fire Department participation with the funeral arrangements will be at the discretion of the surviving family.** In incidents involving multiple deaths, planning funeral arrangements between the surviving families will require the assignment of more than one officer.

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## PERIOD OF MOURNING

Immediately after the public announcement, all flags at Fire stations will be lowered to half-mast and all badges will be shrouded. Flags will remain at half-mast until the day following the funeral, and badge shrouds will be worn for 30 days after the funeral. The primary entrance doors at both stations will be shrouded with a black drape for 30 days after the funeral. The department's information signs will also be utilized with information.

## EMERGENCY NOTIFICATION INFORMATION

*The SPFD Individual Fact Sheet Form is a confidential record, completed by members of the Department. The form provides the SPFD with emergency numbers and other information for accidents involving a member of the Department, and will remain confidential for all other purposes.*

*Each member will be asked to complete a form at the time of original employment/membership with the Department. Updates to the information may also be made at any time by sending the revised information to the administration office.*

*Members of the Fire Department should list at least two people to contact in case of emergency. These should include immediate family members, close friends and preferred clergy members, if any. This information should include work addresses and phone numbers where applicable. The form should also contain information of the member's hospital preference and his/her blood type.*

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## Line of Duty Death Investigation

As soon as possible after a line of duty death has occurred, the Fire Chief shall assign an Investigation Team to conduct an investigation of the circumstances of the event. The objective of this team shall be to thoroughly analyze and document the events leading to the death and to make recommendations aimed at preventing similar occurrences in the future. This team will work with the team assigned by the State Fire Marshal's Office (OFSM) and any law enforcement agencies team if assigned. The SPFD Team will be headed by a Chief Officer. The Duty Chief on all call at the time of the incident will not be assigned to the Investigation Team as a Team Leader.

This procedure may also be utilized in the event of a serious accident involving Fire Department personnel that may or may not have resulted in death or injuries.

The principal goal of the Investigation Team shall be to identify the causal factors pertaining to the event and to recommend actions that would prevent or reduce the risk of a similar event.

A secondary objective shall be to obtain, document and secure evidence, which may be a factor in any regulatory actions or litigation resulting from the incident.



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The Investigation Team report shall be separate and distinct from any Fire Cause Investigation. A copy of the Fire Investigation report should be included in the final report package. The Investigation Team report and all related documentation shall be an internal Fire Department administrative report.

The investigation of incidents involving death or serious injury to Fire Department members shall be directed by an officer designated by the Fire Chief. The Investigation Team shall report to the Fire Chief through the designated Team Leader, who shall be responsible for the management of the investigative process.

The Investigative Team shall include as many personnel as may be required by the specific circumstances of the event. All members of the Fire Department shall give their full and complete cooperation to the Investigation Team.

The duties and responsibilities of the Investigation Team shall include:

- Gathering and analysis of all physical evidence relating to the event
- Written interview summaries of all witnesses with direct or indirect knowledge of the circumstances
- Documentation of radio traffic, telephone conversations, witness statements, photographs, film, videotape and related information
- Consultation with persons having special knowledge of the factors involved in the incident, including experts and consultants from the private sector.
- Liaison with other agencies involved in investigation of the incident
- Development of a full written report on the incident, including conclusions and recommendations.

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The Investigation Team Leader shall establish and maintain an ongoing liaison with the appropriate or assigned legal attorney and the department's personnel officer relating to the investigation. The Investigation Team shall coordinate its activities with Fire Investigations to avoid interference in any criminal investigation relating to the incident.

It is the policy of the Fire Department to cooperate fully with all other governmental agencies having legal cause to be involved in the investigation of a Line of Duty Death incident and to cooperate voluntarily with organizations working in the areas of fire service occupational safety and health education and training.

Other governmental agencies that may be involved in an investigation include:

- NC Office of the State Fire Marshal (OSFM)
- United States Fire Administration
- National Institute for Occupational Safety and Health
- Local/State Law Enforcement Agencies
- NC Department of Labor
- Cumberland County Fire Marshal's Office



The participation of these agencies shall be at their own discretion, depending on the circumstances of the particular incident. These agencies may or may not produce their own reports of the incident with recommendations or corrective actions. These reports do not supersede or substitute for the Investigation Team Report.

The Investigation Team shall utilize the resources of individuals and agencies outside the Fire Department to assist in the investigation and/or provide technical consultation when necessary. These resources include:

- National Fire Protection Association
- NC Firemen's Association
- NC Association of Fire Chief's
- NC State Bureau of Investigation Crime Lab
- Consultants

#### **DOCUMENTATION**

The Investigation Team shall ensure that the scene of the incident is fully documented, including diagrams, photographs and observations.

When feasible, all witness interviews shall be recorded and/or transcribed. When recording and/or transcription is not feasible, the investigator's notes of the interview shall be filed.

#### **THE INVESTIGATION TEAM SHALL**

1. Obtain and secure tapes and printouts of telephone and radio conversations and CAD transactions relating to the incident. The pertinent aspects of the radio and telephone tapes shall be transcribed.
2. Gather and document any physical evidence relating to the incident. Physical evidence shall be secured and labeled.
3. Obtain, examine and secure all protective clothing and equipment used by the personnel involved in the incident. The performance of the protective clothing and equipment shall be included in the report of the incident.
4. Review and comment on the application of standard operating procedures to the incident, the observance of procedures, their effect on the situation and recommendations for changes, additions or deletions.
5. Attempt to obtain any photographs, videotape or other information relating to the incident from news media or other sources. Such evidence shall be obtained with the agreement that it is to be used only for investigative and educational purposes.

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6. Interact and cooperate with Fire Investigations and law enforcement personnel in their activities related to the incident.
7. When feasible, the Investigation Team shall obtain copies of autopsy reports, medical treatment records, injury reports and other information relating to the members involved in the incident.
8. The Fire Chief shall determine the schedule and method of presentation for the final report of the Investigation Team.

#### **NOTIFICATION LIST**

U.S. FIRE ADMINISTRATION/NATIONAL FIRE ACADEMY Notify the U. S. Administration (USFA) and the National Fire Academy (NFA) by telephone in the event of a firefighter "Line of Duty Death" so they may lower the flags over the Fallen Firefighters' Memorial in respect.

- USFA 301-447-1272 8:30 – 5:00 EST Monday – Friday - Or
- NFA 301-447-1123 8:30 – 5:00 EST Monday – Friday - Or
- 301-447-1000 (Security Office) after working hours.

A. U.S. DEPARTMENT OF JUSTICE - Line of Duty Death.

Call with the following information:

1. Deceased Name, Occupation and Title
2. Widow/widowers name
3. Names and DOB of Children
4. Widow/Widowers mailing address
5. Fire Chief's Name
6. Name and Address of Contact Person
7. Description of Incident

*Public Safety Officers' Benefit Program*

*Bureau of Justice Assistance*

*Washington, D.C. 20531*

*202-307-0635 or Toll Free 888-744-6513 (8:30 to 5:00 Monday – Friday EST)*

Upon receipt of the above information by the Department of Justice, forms will be forwarded to the Fire Department for completion.

In order for a firefighter's surviving dependents to receive the Federal Public Safety Officer's Benefit Act, certain tests must be made before death, or at the time of death. The PSOB Act pays \$318,111.64 as of Oct. 1, 2010 (This amount is adjusted each October and is based on the Consumer Price Index) *if the death is the direct and proximate result of a traumatic injury sustained in the line of duty.*

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1. It is necessary to obtain a complete blood toxicology report primarily concerning blood alcohol and Carbon Monoxide levels.
2. In cases involving a non-traumatic injury, such as a heart attack, it is also necessary to obtain a complete blood toxicology report as stated above. It is imperative that they receive an accurate toxicology report to complete benefit payments.
3. A copy of the autopsy must be provided and if no autopsy was performed, an affidavit stating one was not performed must be provided. If a firefighter is injured to the point of permanent disability, he/she is eligible for a one time lump sum payment equal to the current benefit listed above provided they meet the following criteria:
  - They are totally disabled and will never be able to hold another job.
  - They receive the maximum benefit from their primary workmen's compensation claim.
  - They are released from the Fire Department.

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