



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

Policy No. DOC 1.3.54	Subject: PUBLIC SAFETY OFFICER DEATH
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 3
Section 3: Human Resources	Effective Date: 05/10/2016
Signature: /s/ Mike Batista, Director	Revised:

I. POLICY

The Department of Corrections will provide assistance and support to the immediate survivors of a Department public safety officer who dies in the line of duty, as well as demonstrating fidelity to all public safety officers for off-duty deaths, retired officer's death, or line of duty death of an officer from a different jurisdiction.

II. APPLICABILITY

All divisions, facilities, and programs Department-owned.

III. DEFINITIONS

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division, facility or program operation and management.

Benefits Coordinator – An employee of the Office of Human Resources assigned to coordinate the obtaining State benefits for the employee's survivors in case of an employee death.

Family Support Officer – The family support officer is assigned by the director or administrator to stay with the survivors/family of the officer and give emotional support and act as an immediate liaison between the family and the Department. This employee ideally should have a good knowledge of the family relationship in order to effectively serve as a facilitator between the family and the Department during memorial services or hospitalization.

Line of Duty Death – The death of an active or reserve public safety or peace officer that occurs accidentally or feloniously while performing work-related functions either on or off duty.

Mourning Band – A solid black band that will fit tightly around a Department badge, used to symbolize support following the death of a public safety officer.

Off Duty Death – The death of an active or reserve public safety or peace officer that occurs as a result of personal injury outside the performance of work-related functions or from natural causes.

Paid Time – Time for which a Department employee is compensated as regular hours.

Public Safety Officer – Any corrections officers, detention officers, peace officers, law enforcement officers, probation and parole officers, as defined in *44-4-401 MCA*.

Survivors – The deceased officer's spouse, children, parents, siblings, fiancé, or significant other.

Policy No. DOC 1.3.	Chapter 1: Administration and Management	Page 2 of 3
Subject: PUBLIC SAFETY OFFICER DEATH		

IV. DEPARTMENT DIRECTIVES

A. Death of a Department Public Safety Officer

1. In all circumstances the family support officer will notify the union representative of the officer's death and will be responsible for obtaining all the officer's personal belongings at the Department and returning them to the family, and obtaining all Department-issued equipment for return to the Department.
2. For line of duty deaths, the family support officer initially will assist as needed with the officer's family in the planning of memorial services, including offering assistance to the family in meeting their transportation or lodging needs for additional family who may be attending memorial services.
3. For line of duty deaths, the family support officer will keep the family informed on all new developments relating to press releases, trial proceedings, and investigative findings as well as remind and accompany the family members to all court proceedings relating to the officer's death or serious injury including parole and probation hearings if applicable.
4. In all circumstances the benefits coordinator is responsible for coordinating and assisting the officer's survivors in obtaining benefits in a timely manner.

B. Mourning Band Protocol

1. The mourning band should be worn straight across the center of the badge. For star badges, the mourning band should be worn from 11 to 5, as if looking at the face of a clock. The width of the black band should not exceed ½ inch. A mourning band may not cover a badge number.
2. Upon the line of duty death of a Department public safety officer, the mourning band should be worn as indicated:
 - a. Officers at the same facility/location should wear the mourning band from the time of death until 2400 hours 30 days following the death or at the discretion of the administrator.
 - b. Officers at other facilities/locations should wear the mourning band from the time of death until 2400 hours the day of the memorial service.
3. For off duty death of a Department public safety officer, including retirees, the mourning band should be worn while attending the memorial service and removed at the conclusion of the memorial service.
4. The day of any memorial service the Department observes honoring officers who have died in the line of duty the mourning band should be worn from 0000 to 2400 hours.

C. Memorial Service Attendance

1. The Department director or administrator may approve any number of current employees to attend a memorial service for an on duty death of a Department public safety officer during paid time while balancing the need for security and continued operations.

Subject: **PUBLIC SAFETY OFFICER DEATH**

2. Other employees may request to attend the memorial service, using annual leave or comp time by following the standard request procedures.

D. Line of Duty Death of a Public Safety Officer from another Jurisdiction

1. Upon the line of duty death of a public safety officer from another jurisdiction, the mourning band should be worn from the date of death and removed at the conclusion of the day of burial.
2. At the discretion of the Department director or the administrator up to two Department public safety officers may be designated to represent the Montana Department of Corrections on paid time to attend the memorial service of a line of duty death of a public safety officer from another jurisdiction.

V. CLOSING

Provisions of this policy not required by statute will be followed unless the provisions conflict with negotiated labor contracts, which will take precedence to the extent possible.

Questions concerning this policy should be directed to the Office of Human Resources.

VI. REFERENCES

A. *44-4-401; 53-1-203, MCA*

VII. ATTACHMENTS

None