

**BEMIDJI POLICE DEPARTMENT  
LINE-OF-DUTY DEATH**

**FUNERAL  
PROTOCOL**

**&**

**BENEFITS SUMMARY**

# **BEMIDJI POLICE DEPARTMENT FUNERAL PROTOCOL & BENEFITS SUMMARY**

APPENDIX #A123.2

## **DEFINITIONS**

- A. Public Safety Officer – A person who serves the Bemidji Police Department in an official capacity, with or without compensation, as a law enforcement officer. Law enforcement officers include but are not limited to police, community service officers, police reserve officers or police explorer members.
  
- B. In the Line of Duty – The public safety officer who suffers a fatal injury or illness and the death is the direct and proximate result of a traumatic injury sustained in the line of duty. It means any action that the public safety officer is authorized or obligated to perform by law, rule, regulation or condition of the employment or service. This includes the death of an officer, caused by felonious or criminal acts committed against them, and to include accidental deaths while the officer is acting in the course and scope of their duties as a peace officer. This does not include deaths from natural causes or death caused by intentional misconduct of the officer with the intent being, to bring about his or her own death.
  
- C. Not In The Line of Duty – A member of the Bemidji Police Department who is actively employed as a public safety officer who suffers a fatal injury, illness or accidental death, while on or off duty and which may or may not be police related. This is intended to include those illnesses and deaths that were not the direct and proximate result of an accident or criminal act committed against the employee, such as deaths by natural causes like chronic, progressive or congenital diseases. This does not include deaths where the officer is involved in felonious activities and is the direct cause of the officers' death.
  
- D. Retired Member Death – The death of a retired member who is in good standing and fully separated through his retirement from the Department. A retiree is defined as:
  - 1. Any sworn or non-sworn member who resigns, having completed at least 20 years of service, regardless of age, or
  - 2. Any sworn or non-sworn member who resigns and who is vested in pension benefits, or
  - 3. Any former sworn or non-sworn member who is receiving a City disability pension.
  
- E. Full Departmental Honors – Full Departmental Honors are the rendering of honors at a funeral of a public safety officer who died in the line-of-duty and was the direct result of a felonious or criminal act committed against them.

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The following Full Departmental Honors will be rendered, upon approval of the family:

1. All flags at the City Hall and/or Police Facilities will be flown at half mast, for the period of time from the death of a member, until immediately following the committal service.
2. All members of the Department with badges, will cover their badge with a black banding, without covering the number, during the following situations:
  - a) The death of any departmental member killed in the line-of-duty. The band will be worn from the time of death until immediately following the committal service.
  - b) When attending the funeral/memorial/committal service of any department member not killed in the line-of-duty or retired member of the Department.
  - c) The death of any officer who is a member of another agency, who was killed in the line-of-duty. The band will be worn until immediately following the committal service.
  - d) Police Officer Memorial Day.
  - e) As authorized by the Chief of Police.
3. An Honor Guard of uniformed officers will be assigned to the deceased member for the period of time from the death of the member, until burial.
4. A departmental uniform will be provided for the burial of the deceased, if the deceased was eligible to wear a uniform, and will consist of the following:
  - a) Long sleeve uniform shirt with appropriate patches
  - b) Uniform trousers
  - c) Waist belt
  - d) Equipment belt, keepers, empty handcuff case and empty holster
  - e) Uniform tie
  - f) BPD collar insignia or insignia of rank for sergeants and above
  - g) Temporary badge, which will be returned to department

(The above items may be retrieved from the deceased's personal belongings and upon family request be removed from the deceased prior to burial.)
5. Two United States flags to drape the casket – one for the spouse/significant other and one for the parents of the deceased.
6. Flag folding ceremonies will be conducted by the Honor Guard Unit.

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7. The flag will be presented to the family by the Chief of Police or his designee.
  8. A 21-gun salute will be performed by the Honor Guard.
  9. Taps will be played at the committal service.
- F. Departmental Honors – Departmental Honors are the rendering of honors at the funeral of a public safety officer where the cause of death was accidental and in the line of duty, or the public safety officers death was not in the line of duty.

Department Honors are the rendering of honors at the funeral of a retired member of the Department. The following Departmental Honors will be rendered, upon request of the family:

1. All members of the Department will cover their badges while attending the funeral services and until immediately following the committal service.
2. A Departmental Uniform will be provided for the burial of the deceased, if the deceased was eligible to wear a uniform and will consist of the following:
  - a) Long sleeve uniform shirt with appropriate patches
  - b) Uniform trousers
  - c) Waist belt
  - d) Equipment belt, keepers, empty handcuff case and empty holster
  - e) Uniform tie
  - f) BPD collar insignia or rank for sergeants and above
  - g) Temporary badge, which will be returned to the Department

(The above items may be retrieved from the member's personal belongings and may be given back to the family if they so desire.)

3. Two Minnesota State flags will be provided to drape the casket – one for spouse/significant other and one for the parents of deceased.
4. Flag folding ceremony will be conducted.
5. The flag will be presented to the family.
6. Taps will be played at the committal service.

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G. Ceremonial Honors – Ceremonial Honors are the rendering of honors on, but not limited to the following occasions.

1. The funeral of another Law Enforcement Agency, where the death of the officer took place in the line of duty and the death occurred in Bemidji and/or the funeral of committal service will take place in Bemidji.
2. The funeral of a person who the Department wishes to honor.
3. National Police Week and Police Officer Memorial Day ceremonies.

Ceremonial Honors can include some or all of the honors rendered as part of the Full Departmental Honors or Departmental Honors. All Ceremonial Honors must have the prior approval of the Chief of Police.

H. Official Department Burial Flags.

The United States flag or the Minnesota State flag are the only flags permitted to drape the casket at a service where the Department is rendering Full Departmental Honors, Departmental Honors or Ceremonial Honors. This does not limit the use of a pall by the Roman Catholic Church or other churches, but nothing may be placed on top of the flag. The flag must be removed before the casket is covered with the pall.

(Flag Notes: It is recommended that the burial flag be 5 feet by 9 ½ feet in dimension and that it may be cotton. Nylon and other synthetic fabrics tend to be slick, causing them to readily slide off of a casket. Both flags should be pressed or ironed. One flag will be placed on the casket immediately, while the second should be pre-folded and presented to the parents of the deceased at the funeral services, after the actual casket flag would be folded during the funeral ceremony and given to the spouse/family members/significant others.)

I. Police Family Members may include:

Spouse, children, mother, father, step-parents, significant others or others as requested by the family.

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# **Bemidji Police Department Line-of-Duty Death**

## **Benefits Summary....**

**The death of a peace officer is a tragic experience, tragic not only for the family and friends of the slain officer, but also for those the officer worked with each day. The emotional state of those responsible for tending to related affairs could easily allow for omission or error in important areas.**

**The following information has been compiled to serve as an information base for such unfortunate circumstances.**

## **BENEFITS SUMMARY**

**Bemidji Police Department**

### **I. GOVERNMENTAL BENEFITS**

**MN CRIME VICTIMS REPARATIONS BOARD**

The Minnesota Crime Victims Reparations Board may be a source of support for funeral expense reimbursement in the case where a peace officer is feloniously killed.

Correspond with:

Crime Victims Reparations Board

445 Minnesota St., Suite 2300

Saint Paul, MN 55101-1515

Phone (651) 296-5787

[Email: DPS Justice Programs](mailto:DPSJusticePrograms@state.mn.us)

For help completing a form or to request an application, call:

**651-201-7300 or 1-888-622-8799**

**MN STATE DEFERRED COMPENSATION PLAN**

The Minnesota State Deferred Compensation Plan has three Product Providers (GREAT-WEST, MINNESOTA MUTUAL, and the SUPPLEMENTAL INVESTMENT FUND.)

Please e-mail all inquires to [mndcp.msrs@state.mn.us](mailto:mndcp.msrs@state.mn.us)

To provide you the best service, in addition to our main office in St. Paul, we have offices in Greater Minnesota.

**St. Paul Office**

60 Empire Dr., Suite 300

St. Paul, M 55103-3000

MNDCP

General

Toll-free: 1-877-457-6466

Toll-free: 1-800-657-5757

Local: 651-284-7723

Local: 651-296-2761

Fax: 651-297-5238

Fax: 651-297-5238

**Detroit Lakes Office**

111 Highway 10 East

Detroit Lakes, MN 56501



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Telephone: 218-846-0462

Fax: 218-846-0460

If the officer came to the B.P.D. from another agency, also contact:

National Benefits, Inc.

300 Prairie Center Drive – Suite 300

Eden Prairie, MN 55344

Phone 1-800-465-8319

Fax: 786-999-0995

E-Mail: [mail@nationalbenefitsinc.com](mailto:mail@nationalbenefitsinc.com)

## MN PUBLIC SAFETY OFFICERS SURVIVOR BENEFITS FUND

The State of Minnesota has established the Public Safety Officers Survivor Benefits Fund which provides \$100,000 to the spouse and dependent children of peace officers killed in the line of duty. In addition, the benefit program allows the surviving spouse and eligible dependent children to receive educational benefits while enrolled in an undergraduate degree or certificate program at a Minnesota public post-secondary institution or a private, residential two-year or four-year liberal arts, degree granting college or university located in Minnesota. It involves the payment of tuition fees up to a baccalaureate degree. (See below)  
Note: Claims must be filed within two years of the death.

Correspond with:

Minn. Dept. of Public Safety

Central Office, Town Square Building

444 Cedar St.

St. Paul, MN 55101

651-201-7000

## MN PUBLIC SAFETY OFFICERS SURVIVOR GRANT PROGRAM

Education benefits are available to certain dependent children under the age of 23 through the Public Safety Officers Survivor Grant Program. To be eligible enrollment must be for an undergraduate degree or certificate program in a Minnesota public post-secondary institution or a private, residential, two-year or four-year, liberal arts degree granting college or university located in Minnesota.

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Correspond with:

Nancy Reissner

Minn. Dept. of Public Safety

445 Minnesota St., Suite 100 NCL Tower

St. Paul, MN 55101

Tel. (651) 201-7165

E-mail: [nancy.reissner@state.mn.us](mailto:nancy.reissner@state.mn.us)

MN PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

The Public Employees Retirement Association of Minnesota (P.E.R.A.) provides survivor benefits for its peace officer members. Optional benefits include a monthly benefit, 100% Joint & Survivor annuity, under certain conditions, or a refund of all P.E.R.A. contributions with interest compounded at 6 percent annually.

Mailing Address:	Business Hours	Business Hours	Business Hours
60 Empire Dr.	8 AM – 4:30 PM	8 AM – 4:30 PM	7:30 AM – 4 PM
Suite 200	Weekdays	Weekdays	Weekdays
St. Paul, MN	Monday-Friday	Monday-Thursday	Monday-Friday
55103-2088		8 AM-Noon	Friday

SOCIAL SECURITY ACT

Survivors may be eligible for benefits if the deceased peace officer qualified under the Social Security Act. The amount of benefit depends upon the officer's work credits and his/her lifetime earnings. Basically, the higher the earnings, the higher the benefits will be. A claim should be filed with the nearest office of the Social Security Administration.

Correspond with:

Social Security Administration

2900 Hannah Ave. NW

Bemidji, MN 56601

218-751-2904

U. S. DEPARTMENT OF VETERAN'S AFFAIRS

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Some benefits are available to the survivors of United States military veterans through the U. S. Department of Veteran's Affairs. They may include a burial flag, Presidential Memorial Certificate and a headstone. Other benefits may also apply.

Correspond with:

U. S. Department of Veteran's Affairs  
Bishop Henry Whipple Fed. Bldg.  
#1 Federal Drive, Fort Snelling  
Saint Paul, MN 55111  
Phone (800) 827-1000

### U. S. PUBLIC SAFETY OFFICERS BENEFITS (P.S.O.B.)

The U. S. Public Safety Officers Benefits (P.S.O.B.) Acts provides a \$100,000 benefit\* to the eligible survivors of a public safety officer whose death is the direct and proximate result of a traumatic injury sustained in the line of duty. The act also provides the same benefit to a public safety officer who has been permanently and totally disabled as the direct result of a catastrophic personal injury must permanently prevent the officer from performing any gainful work.

\*The original benefit amount was \$100,000. On each October 1<sup>st</sup>, the benefit is adjusted by the percentage of change in the Consumer Price Index.

Correspond with:

Public Safety Officers Benefit Program  
U. S. Department of Justice  
810 Seventh Street NW – 4<sup>th</sup> Floor.  
Washington, D.C. 20531  
Phone 1-888-744-6513

### P. S. O. B. (above) WHILE ENFORCING A FEDERAL LAW

Additional financial benefits could be received if the peace officer lost his/her life or became disabled in the line of duty **while enforcing a federal law**. Although these benefits cannot be paid simultaneously with the P.S.O.B., some benefits may be available to survivors.

Correspond with:

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Chief, Branch of Special Claims  
Employee Standards Administration Personnel Office  
U. S. Department of Labor  
200 Constitution Ave. N. W.  
Washington, D. C. 20210  
Phone (202) 219-9064

## **II. PRIVATE ORGANIZATION BENEFITS**

- CONCERNS OF POLICE SURVIVORS, INC. (C.O.P.S.)**  
COPS is a national non-profit organization ministering to the needs of survivors of law enforcement officers killed in the line of duty. COPS scholarships are awarded to survivors who are not receiving a tuition-free education as a death benefit.

Correspond with:

Concerns of Police Survivors, Inc.  
PO Box 3199  
N. Highway 5  
Camdenton, MO 65020  
Phone (800) 784-COPS  
Fax (573) 346-1414

- MN 100 CLUB**  
Peace officer survivors are eligible to receive a financial benefit from the Minnesota 100 Club.

Correspond with:

Minnesota 100 Club  
201 Lowry Avenue NE  
Minneapolis, MN 55418  
Phone (612) 482-7882

- MN LAW ENFORCEMENT MEMORIAL ASSOCIATION (L.E.M.A.)**

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Survivors and children who are determined to be ineligible for the educational benefits provided by the state may be eligible for partial funding from the Minnesota Law Enforcement Memorial Association.

Correspond with:

Minnesota Law Enforcement Memorial Association  
P. O. Box 2735  
Minneapolis, MN 55427  
Phone (612) 757-5954

### **III. MEMBERSHIP ORGANIZATIONS BENEFITS**

**MN POLICE & PEACE OFFICERS ASSOCIATION**

If the peace officer was a member of the Minnesota Police and Peace Officers Association, the survivors may be eligible for a cash benefit.

Correspond with:

Minnesota Police and Peace Officers Association  
327 York Ave  
Saint Paul, MN 55130  
Phone (651) 291-1119  
Fax (651) 291-0227  
Web [www.mppoa.com](http://www.mppoa.com)

#### **NATIONAL RIFLE ASSOCIATION OF AMERICA**

If the peace officer was a member of the National Rifle Association of America and was feloniously killed in the line of duty, an insurance benefit is available to the survivors. A \$1,000 per year scholarship award for up to four years is available to the sons and daughters of any peace officer killed in the line of duty regardless of their membership in the N.R.A.

Correspond with:

National Rifle Association of America  
112 S Waples Mill road  
Fairfax, VA 22030  
Phone (800) 868-3672

# BEMIDJI POLICE DEPARTMENT FUNERAL PROTOCOL & BENEFITS SUMMARY

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## IV. WORKER'S COMPENSATION BENEFITS

### MN WORKER'S COMPENSATION LAW

Under Minnesota Worker's Compensation Law, a surviving spouse and dependent children are entitled to death benefits. In many cases, these benefits can be significant and could continue for ten years beyond the legal dependency of minor children. Because of the complexity of the law, and the expertise needed in determining the appropriate benefits, it is strongly recommended that the survivor consult with an attorney that specializes in the Worker's Compensation Law.

MN Police & Peace Officers Association

Group Legal Services Plan

Mansur, O'Leary & Gabriel, P. A.

175 W Lafayette Frontage Road – Suite 200

Saint Paul, MN 55107

Phone (651) 222-2731

(800) 537-1299

### U. S. WORKER'S COMPENSATION PROGRAMS

Benefits for non-federal law enforcement officers are available under certain conditions through the U. S. Department of Labor, Office of Worker's Compensation Programs. This would probably only involve officers TDY to federal agencies (Example: Federal Task Force).

Office of Worker's Compensation Programs

U. S. Department of Labor

P. O. Box 37117

Washington, D. C. 20013-7117

Phone (312) 353-5656

## V. LEGAL REMEDIES

### LIABILITY

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The survivor of a peace officer who was killed in the line of duty should consult with a private attorney to discuss the feasibility of initiating a law suit against persons who were responsible for the officer's death, and to determine if there was third party liability involved. The attorney selected should have expertise in this area of law.

MN Police & Peace Officers Association  
Group Legal Services Plan  
Mansur, O'Leary & Gabriel, P. A.  
175 W Lafayette Frontage Road – Suite 200  
Saint Paul, MN 55107  
Phone (651) 222-2731  
(800) 537-1299

## **VI. SUPPORT SERVICES/AWARDS**

### AMERICAN POLICE HALL OF FAME

National Association of Chiefs of Police  
3801 Biscayne Boulevard  
Miami, FL 33137  
Phone (305) 573-0070  
Fax (305) 573-9819

### CONCERNS OF POLICE SURVIVORS, INC. (C.O.P.S.) P. O. Box 3199

N. Highway 5  
Camdenton, MO 65020  
Phone (800) 784-COPS  
Fax (573) 346-1414

### MEDAL OF HONOR AWARD

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MN Chief of Police Association

1220 South Concord Street

South Saint Paul, MN 55075

Phone (651) 457-0677

Fax (651) 475-5665

- MN PUBLIC SAFETY SERVICE AWARDS ANNUAL DINNER

3300 N 772 Oakdale Avenue

Robbinsdale, MN 55422

Phone (612) 520-5026

- NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL FUND, INC.

605 "E" Street NW

Washington, D. C. 20004

Phone (202) 737-3400

Fax (202) 737-3405

- POLICE OFFICER OF THE YEAR

International Association of Chiefs of Police

515 N Washington Street

Alexandria, VA 22314-2357

Phone (703) 836-6767

- POLICE OFFICER OF THE YEAR

MN Police & Peace Officers Association



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375 Selby Avenue

Saint Paul, MN 55102

Phone (651) 291-1119

Fax (651) 291-0227

- TOP COPS AWARD  
National Association of Police Organizations

750 1<sup>st</sup> Street NE, Suite 1020  
Washington, D. C. 20002-4241

Phone (202) 842-4420

Minnesota Teamsters Public & Law Enforcement Employees' Union

Local 320

3001 University Avenue S.E.

Suite 500

Minneapolis, MN 55414

Phone (612) 378-8700

Fax (612) 331-8948

**STATE OF MINNESOTA  
DEATH BENEFITS**

To obtain certified copies of registered personal documents, contact Vital Statistics, 717 Delaware Street SE, P. O. Box 9441, Minneapolis, MN 55440, phone (612) 612-5121.

**STATE DEATH BENEFITS**

**LAWS OF MINNESOTA FOR 1990 Sec. 4(299A.44)**

On certification to the governor by the commissioner of public safety that a public safety officer employed within this state has been in the line of duty, **leaving a spouse or one or more eligible dependents**, the Commissioner of Safety shall pay **\$100,000(+)** from the public safety officer's benefit account, as follows:

- (1) To the **spouse** if there is **no dependent child**;

**"Dependent child"** means a person who is **unmarried** and who was either living with or was receiving support contributions from the public safety officer at the time of death, including a child by birth, a stepchild, an adopted child, or a posthumous child, and who is:

\*under 18years of age; or

\*over 18years of age and incapable of self-support because of physical or mental disability; or

\*over 18 years of age and a student as defined by United States Code, title 5, section 8101.

- (2) If there is no spouse, to the dependent **child or children** in equal shares;
- (3) If there are both a spouse and one or more dependent children, **one-half to the spouse and one-half to the child or children**, in equal shares; or
- (4) If there is no surviving spouse or dependent child or children or children, to **the parent or parents dependent for support on the decedent**, in equal shares; or
- (5) If there is no surviving spouse, dependent child, or dependent parent, then **no payment may be made** from the public safety officer's benefit fund.

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+As of August, 1995, the Minnesota State Legislature amended this Law to reflect an annual change in the death benefit based on a percentage of the consumer price index. As of **January, 1996, this benefit is \$102,600**. "Killed in the line of duty" **does not include** deaths from natural causes. In the case of a peace officer, "killed in the line of duty" includes the death of an officer caused by **accidental means** while the peace officer is acting in the course and scope of duties as a peace officer.

**For information, contact The Minnesota Department of Public Safety, Office of the Commissioner, 445 Minnesota Street, North Central Life Tower, Suite 1000, St. Paul, MN 55101-2128, telephone (651) 296-6642.**

## STATE PENSION BENEFITS

**There are provisions within police pension funds to provide a monthly annuity** to the survivors of public safety officers killed in the line of duty. The benefit would terminate in most cases when the dependent child reaches 18, or between the ages of 18 and 23, if a full-time student. The family's combined monthly benefit can be **as much as 70%** of the average salary, while the **minimum benefit is 50%** of that salary.

Immediate benefits are available to the surviving spouse of (1) a **currently employed** member, (2) a member on an **approved leave of absence**, (3) a recipient of a **disability benefit** who dies before reaching age 55. Deferred benefits are also available to the surviving spouse of a former member who had at least 3 years of service.

If the member who had selected the **single life payment** was **under age 55** at death and had **at least 3 years** of service, the **spouse** is entitled to:

- (A) A benefit equal to **50% of the members "5-high year"** average monthly salary until the member would have been age 55. This benefit payment would **cease if the spouse remarries** but would resume if the marriage terminates.
- (B) When the member would have reached age 55, the spouse may elect the **Option I annuity** or **continue to receive the 50% benefit** or the **Option I benefit**, whichever is **larger**. Remarriage after the member would have reached age 55 does not affect the benefit.

If the employed member was **over the age of 55** at death and had credit for **at least 3 years** of service, the spouse is entitled to either the **50% benefit** or the **Option I benefit**, whichever is **larger**. Remarriage does not affect this benefit.

If the member **under age 55** had credit for **less than 3 years of service** and dies, the spouse is entitled to **the 50% benefit**. If the spouse **remarries**, this **benefit will stop** but resume if the marriage terminates.

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If the former member who had **at least 3 years of service** dies, the spouse is entitled to an **Option I annuity** commencing at the time the deceased former member would have **reached age 55**, provided the spouse **has not remarried prior to the date**.

**Surviving spouse** is defined in law to mean “an association member’s or former member’s legally married wife or husband residing with him at the time of his death and who was married to him, for a period **of at least one year**, while or prior to the time he was a member of the association.”

If no monthly benefits are payable, **the estate receives a refund of the accumulated retirement deductions plus interest**. Interest is at the rate of 6% per year, compounded annually.

## Remarriage

Surviving spouses of both Basic and Police and Fire members who died **while active employees** may now remarry without losing their survivor benefits. This restriction was removed effective June 5, 1991, for all marriages on or after that date. Despite PERA’s lobbying, this benefit improvement was not made retroactive. This law will not reinstate benefits for surviving spouses who remarried prior to June 5. However, suspended benefits do resume if the subsequent marriage ends because of death or dissolution.

## SURVIVOR BENEFITS, DEPENDENT CHILDREN

**For each dependent child, the surviving spouse or legal guardian** receives an amount equal to **10% of the former member’s “5-high year” average monthly salary**. In addition, the Fund pays **\$20 per month**, prorated equally between the dependent children. The **monthly family benefits** payable for a surviving spouse and any number of children **may not exceed 70%** of average monthly salary.

Submitting certified copies of your spouse’s and children’s birth records and your marriage record now would save your survivors some inconvenience in the event of your death prior to retirement.

Members of the Public Employees Retirement Association of Minnesota may obtain additional information by contacting **PERA, 514 St. Peter Street, Suite 200, Skyway Level, St. Paul, MN 55102, telephone (651) 296-7460 or (800) 652-9026**.

Members of the Minnesota State Retirement System may obtain additional information by writing or calling **MSRS, 529 Jackson Street at 10<sup>th</sup> Street, St. Paul, MN 55101; (651) 296-2761**.

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Some pension benefits in Minnesota are tax-exempt. Check with your Pension Fund Administrator and your tax preparer.

## EDUCATION BENEFITS

Minnesota **does have** an educational benefit for **dependent children less than 23** years of age and the **surviving spouse** of a public safety officer killed in the line of duty **on or after January, 1973**. They are eligible to receive **up to a baccalaureate degree** at a Minnesota public post-secondary institution, or a private college or university located in Minnesota. The amount of the award is the **actual tuition and fees at public institutions**, and for private institutions, the lessor of (i) the actual tuition and fees charged by the institution or (ii) the highest tuition and fees charged by a public institution in Minnesota.

This benefit **does not extend to colleges outside of Minnesota**.

If a public safety officer is killed in the line of duty in Minnesota, and the spouse or dependents leave the state, there is nothing that would prevent any of them from returning to Minnesota to attend a public or private college within the state.

**Contact the Minnesota Higher Education Coordinating Board, Suite 400, Capitol Square, 550 Cedar Street, St. Paul, MN 55101, telephone (651) 296-3974 ext. 3032.**

Surviving spouses and children of law enforcement officers killed in the line of duty may also apply for scholarships through the **Minnesota Law Enforcement Memorial Association, Education and Training Scholarship program, PO Box 27352, Minneapolis, MN 55427**.

## HEALTH BENEFITS

Varied depending upon **Police Department benefits**.

## WORKER'S COMPENSATION

Worker's Compensation coverage is compulsory for employers in Minnesota.

Benefit for spouse only is **50%** of employee's wage and **66 2/3%** for spouse with child(ren) with a **minimum weekly benefit** payable but not statutorily prescribed and a **maximum weekly benefit of \$508.20**. Benefits are subject to Social Security benefit offsets. There is a **maximum burial allowance of \$7,500**.

Surviving spouse with no child (ren) will receive benefits **for 10 years**. Surviving spouse with child (ren) receives benefits **until last child is no longer dependent plus 10 years**. Children receive benefits until **age 18** or beyond age 18 if disabled or until **age 25** if full-time students.

# BEMIDJI POLICE DEPARTMENT FUNERAL PROTOCOL & BENEFITS SUMMARY

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To receive worker's compensation benefits, the surviving spouse **must take the initiative** and file a worker's compensation claim through a **worker's compensation attorney** to receive any compensation. The determination as to whether the claim will be paid will be determined by the **Worker's Compensation Appeals Board**.

**Contact Worker's Compensation Division of the State Department of labor and Industry, 443 Lafayette Road, St. Paul, MN 55155, telephone (651) 296-6107.**

## PERSONAL LIFE POLICY – INTESTATE

**Subject to allowance provided for surviving spouse or minor children** and to payment of expenses of administration, expenses of last illness and funeral, taxes and debts, all real estate of intestate decedent, except cemetery lot and homestead, and all personal estate of such decedent, or if there be surviving spouse, excess of such real and personal estate over share of such surviving spouse, **descends and is distributed as follows**, each class of which a member is living taking to exclusion of subsequent classes. (524.2-101 ET seq; for estates of decedents dying before January 1, 1987, see 525.13 ET seq).

(1) Children and/or issue of deceased children; (2) parents or surviving parent; (3) brothers, sisters and/or issue of deceased brothers or sisters; (4) next of kin of equal degree, except that those claiming through nearest ancestor take to exclusion of others of equal degree claiming through more remote ancestor. Degrees of kinship computed according to civil law rules.

Issue of deceased children take per stirpes even though there is no surviving child. Members of class (3) take equally if all of same degree of kindred to decedent, otherwise estate is divided into as many shares as there are living heirs in nearest degrees of kinship and deceased persons in same degree who left issue then surviving. In class (3), each living heir of nearest degree receives one share per stirpes.

**Surviving spouse takes entire estate if interstate left no issue surviving.** If all of surviving issue are also issue of surviving spouse, surviving spouse takes first **\$70,000 plus one-half of balance** of intestate estate. If one or more surviving issue are not issue of surviving spouse, surviving spouse takes one-half of intestate estate.

Rights of surviving spouse as to real estate transferred or sold by judicial partition proceedings or appropriated to payment of intestate's debts by execution or judicial sale, by general assignment for benefit of creditors or by insolvency or bankruptcy proceedings.

## ADDITIONAL BENEFITS

### MPPOA

The Minnesota Police and Peace Officers Association pay a \$5,000 death benefit for members who die in the line of duty. **Contact MPPOA, 327 York Avenue, St. Paul, MN 55130.**

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**CRIME VICTIMS REPARATIONS BOARD**

Minnesota does have a Crime Victim Reparations Board that **will provide benefits** to victimized public safety officers. Such benefits **will vary** from claim to claim, but might include reasonable expenses for funeral, burial or cremation, medical bills, contributions of money, etc. Claims would be filed with the **Crime Victim Reparations Board** and would be reviewed for possible payments. **Contact the Crime Victim's Reparation Board, 444 Cedar Street, Town Square, Suite 100-C, St. Paul, MN 55101-2156.**

**100 CLUB**

There is a statewide private organization called the **Minnesota 100 Club**. This organization of private citizens provides an **immediate contribution of \$1,000** to the family of a public safety officer killed in the line of duty. This donation is usually delivered within 24 to 48 hours of the tragedy. The Minnesota 100 Club has been known to provide the same benefit to public safety officers who have been seriously injured and disabled in the line of duty. **Contact the Minnesota 100 Club, 201 Lowry Avenue NE, Minneapolis, MN 55418.**

**STATE MEMORIAL**

The State Memorial for officers who have lost their lives in the line of duty is located in St. Paul at the State Capitol grounds. For further information contact the **Minnesota Law Enforcement memorial Association, PO Box 27352, Minneapolis, MN 55427.**