



NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL FUND

MEMORIAL | MUSEUM | OFFICER SAFETY & WELLNESS

CRITERIA FOR INCLUSION ON THE NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL

For the purpose of the National Law Enforcement Officers Memorial, "**law enforcement officer**" means an individual involved in crime control or reduction and who is directly employed on a full-time basis by a local, county, state or federal law enforcement agency of the United States or its territories, with or without compensation, who is duly sworn and has full arrest powers.

A **law enforcement agency** is a governmental agency or subunit thereof having statutory powers of arrest and involved in crime control or reduction. The agency must employ at least one full-time, duly sworn, trained and certified officer with full arrest powers, or the equivalent in part-time officers.

Officers serving with private or state colleges and universities, and railroads will also be included, provided they are recognized as having law enforcement status by state, U.S. or District of Columbia Code, are duly sworn, trained and certified, with full arrest powers.

In addition, **military police officers** will be included but only if, at the time of their death, they were experiencing similar hazards and performing similar duties as those normally experienced and performed by non-military law enforcement personnel. In such cases, eligibility will be determined after a review of several issues, including but not limited to, whether the officer was receiving combat, imminent danger or hazardous pay; job description, whether the officer was responding to a law enforcement violation in their area of jurisdiction, and circumstances of death. Military police officers serving in a combat situation will not be included.

Less than full-time law enforcement officers will also be considered. In such cases, eligibility will be determined after a review of several issues, including but not limited to, job description, training and circumstances of death.

Correctional employees shall be included if they are recognized as having law enforcement status by their employing jurisdiction. Other correctional employees who do not have formal law enforcement status but who do have a primary or limited responsibility for the custody and security of suspected or convicted criminal offenders, and are employed by a local, county, state or federal correctional agency, will also be considered. If law enforcement is not a person's primary function (for example, correctional employees such as Maintenance

Supervisor, Farm Manager, Food Service Instructor and the like), then that person must be engaged in their law enforcement duties when their fatal injury is sustained. In such cases, eligibility will be determined after a review of several issues, including but not limited to, job description; federal, state or local statutes; training, and circumstances of death.

"Line of duty" means any action which an officer is obligated or authorized by law, rule, regulation or written condition of employment service to perform, or for which the officer is compensated by the public agency he or she serves, including actions taken against an officer.

The term **"killed in the line of duty"** means a law enforcement officer has died as a direct and proximate result of a personal injury sustained in the line of duty. This includes victim law enforcement officers who, while in an off-duty capacity, act in response to a law violation. It also includes victim law enforcement officers who, while in an off-duty capacity, are en route to or from a specific emergency or responding to a particular request for assistance; or the officer is, as required or authorized by law or condition of employment, driving his or her employer's vehicle to or from work; or when the officer is, as required by law or condition of employment, driving his or her own personal vehicle at work and is killed while en route to or from work.

Not included under this definition are deaths attributed to natural causes, except when the medical condition arises out of physical exertion, while on duty, that is required by law or condition of employment including, but not limited to, the following:

1. running or other types of exercise being performed as part of training programs administered by the employing agency;
2. fitness tests administered by the employing agency;
3. lifting of heavy objects; or
4. a specific stressful response to a violation of law or an emergency situation causing an officer's death immediately or within 24 hours of violation or emergency situation, or causing his or her death during a continuous period of hospitalization immediately following the specific response to the specific stressful response to the violation of law or emergency situation. Cases occurring outside the 24 hour time period, with extenuating circumstances, may be reviewed by the Committee for inclusion.

Stressful responses include, but are not limited to, the following:

1. a physical struggle with a suspected or convicted criminal;
2. performing a search and rescue mission that requires rigorous physical activity;
3. performing or assisting with emergency medical treatment;
4. responding to a violation of the law or emergency situation that involves a serious injury or death; or
5. a situation that requires either a high speed response or pursuit on foot or in a vehicle.

Also **not included** under this definition are deaths attributed to voluntary alcohol or controlled substance abuse, deaths caused by the intentional misconduct of the officer, and deaths attributed to an officer performing his or her duty in a grossly negligent manner at time of death.

Each death caused by disease shall be reviewed by the Armed Forces Institute of Pathology or by other medical personnel with similar skill and expertise. If it is determined that the officer died as a result of infectious disease contracted while performing official duties, or by exposure to hazardous materials or conditions while performing official duties, that officer is eligible for inclusion on the Memorial.

Notwithstanding the preceding paragraph, any deaths caused by disease and attributed to rescue and/or recovery efforts at any of the sites connected to the September 11, 2001 acts of terrorism will be evaluated according to the standards (and any forthcoming modifications to those standards) set by the World Trade Center Health Program administered by the National Institute for Occupational Health and Safety (NIOSH). Cases not reviewed nor certified by the World Trade Center Program, may be reviewed by the Names Committee when necessary or appropriate, by other medical professionals in the aid of this Names Committee to help determine correlation from cause of death and the incident in question.

An officer shall be included if a department states that the officer died in the line of duty and there is no information to believe otherwise. NLEOMF Research staff shall exhaust all possible means available to verify an officer's eligibility status. NLEOMF will confirm the correct spelling of each officer's name. Efforts will include having the name verified by the law enforcement agency of record and a surviving family member.

(NEW) Deaths by Suicide: Retroactive to January 1, 2019, the NLEOMF's Names Committee may consider a death caused by suicide, following an approval by PSOB, for inclusion on the National Law Enforcement Memorial. No suicide shall be considered unless the officer's death was a result of responding to one or more traumatic events in the line of duty, which was found to be the substantial factor in the officer's death.

The term 'traumatic event' means, in the case of a public safety officer exposed to an event, an event that is— “

- (i) a homicide, suicide, or the violent or gruesome death of another individual (including such a death resulting from a mass casualty event, mass fatality event, or mass shooting);
- (ii) a harrowing circumstance posing an extraordinary and significant danger or threat to the life of or of serious bodily harm to any individual (including such a circumstance as a mass casualty event, mass fatality event, or mass shooting); or
- (iii) an act of criminal sexual violence committed against any individual.

Notwithstanding the Public Safety Support Act of 2022 (P.L. 117-172), when investigating and making decisions regarding inclusion of officers who have died by suicide, the Names Committee may consider the following;

1. The action intended to cause the officer's death occurred within 45 days of exposure to a traumatic event, as defined above, and;
 - The officer's action was *the* direct and proximate cause of the injury,
 - The officer's action was not inconsistent with a psychiatric disorder; or
2. The action intended to cause the officer's death occurred more than 45 days after being exposed to a traumatic event, as defined above, and;
 - The officer's action was *the* direct and proximate cause of the injury, and
 - The exposure was *the* substantial factor in the officer's action.
3. The action leading to the officer's death occurred on or after January 1, 2019;
4. The investigative findings and approval by PSOB;
5. A medical review by a licensed psychologist or psychiatrist, who has demonstrated a significant understanding of the law enforcement profession, and who is contracted by NLEOMF;
6. Medical records and employment records provided by the family and/or agency;
7. NLEOMF data form submitted by the Chief Law Enforcement Officer (or his/her designee) of the officer.
8. Confirmation of classification of "Suicide" as manner of death on the death certificate.

Furthermore, the Names Committee shall gather information to determine if the officer who died by suicide was the subject of any pending administrative investigation(s), internal investigation(s), pending discipline up to and including termination, criminal investigation(s), and/or any other factors that may have contributed to the officer's death, at the time of his/her death. While the presence of an investigation or other factors does not preclude inclusion, the Names committee shall strongly consider that investigation or other factors as being significant in the death of the officer, which may prevent inclusion depending on the nature of the allegation(s), at the discretion of the Names Committee.