

BENEFIT GUIDE for the Families of our Fallen

The Colorado State Patrol Family Foundation would like to express our sincerest gratitude to Mrs. Amy Modén, widow of Master Trooper William Modén, and to Sergeant Chris Augustine for their hours of effort creating this document. Without these two individuals this Benefit Guide would not exist.

Disclaimer: The Colorado State Patrol Family Foundation actively works to keep this document up-to-date and accurate, however, information identified in this document is likely to change without notice. The purpose of this document is to present a general idea of what may be available to the successor(s) of a fallen officer. The Colorado State Patrol Family Foundation makes no guarantees that benefits identified in this document will be awarded or, if awarded, in what amount.

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INTRODUCTION

This guide has been developed to provide successors of fallen officers with general guidance related to the various benefits that are available after a law enforcement professional makes the ultimate sacrifice in the service to others.

Presented here are the most commonly encountered entities with which a successor may have dealings. A general explanation of benefits, administrative direction, and contact information has been provided to help answer questions and direct you to the proper resources. Working through the benefits process can seem daunting, so it is important to remember that your law enforcement agency, the Colorado State Patrol Family Foundation, and the Colorado Fallen Hero Foundation are here to support and assist you. Since legal issues may arise, retaining legal counsel to represent you may be worth considering, but please know that, through compassionate commitment to you, the previously mentioned entities will provide you with assistance and advice whenever possible.

IMPORTANT DOCUMENTS

In preparing to navigate the various benefits systems there are a number of important documents that will be needed. Some providers will need originals, while others will require certified or regular copies, based on their independent guidelines. Documents to collect and have available include:

- Death certificate
- Certified copies of Death certificate
- Birth certificates for:
 - Employee
 - Spouse
 - Children
- Social Security cards for:
 - Employee
 - Spouse
 - Children
 - Other Dependents
- Marriage certificate(s)
- Divorce decree(s)
- Last will and testament
- Most recent tax returns
- Employee's last Form W-2
- Banking information



STATE BENEFITS

State Workers' Compensation

You will receive a letter from the Department of Labor and Employment, Division of Workers' Compensation asking you to complete the Dependent's Notice and Claim for Compensation form.

- Please be warned, filling out this form can be very emotional, as you are required to provide details surrounding the death of your loved one
 - We strongly encourage you to ask for support when completing this form; your agency's Command Staff or Victims' Advocate representatives are more than happy to help you through this process
- Part of the form asks you to calculate your loved one's Average Weekly Wage
 - Do your best here, but do not stress if you are unable to complete this portion; the Human Resources department from your agency and the Colorado Department of Labor and Employment offices will help you complete this calculation
- If you need an electronic copy of this form, you can find it here: <u>https://codwc.app.box.com/v/wc18-dependent-notice-claim</u>

You will also receive a letter from the Colorado Attorney General, asking for your signature giving consent for the Colorado Attorney General to speak with the Social Security Administration about your benefits.

• If Social Security benefits are going to affect your Workers' Compensation benefits, the Colorado Attorney General will speak with you about this

Please also be aware that if you, the successor, receive <u>any</u> funds from a lawsuit related to the death of your loved one, your Workers' Compensation benefit will also be reduced. We strongly suggest you retain legal counsel to help you navigate this process and negotiate your benefits with the Colorado Attorney General.

Salary

In accordance with the 2009 Colorado Workers' Compensation Act, death benefits and death from injury benefits are calculated and paid at predefined rates as detailed in Colorado Revised Statutes (8-42-114 and 8-42-115 CRS). A representative from your agency's Workers' Compensation provider will be assigned to assist you and will be the primary contact for information specific to this process.

Workers' Compensation will provide tax-free, weekly benefits, paid directly to the spouse, on a biweekly basis. These checks are mailed to you, not direct deposited. This benefit is 2/3 (66.66%) of the employee's average weekly wages. Benefits are reduced if the spouse also receives death benefits from Social Security. The deduction amount varies depending on Social Security contribution amount, age, etc. The Colorado Attorney General works on this calculation to determine how much, if any, the Workers' Compensation benefit may be reduced.

Burial Expenses

Colorado Workers' Compensation law (8-42-123 CRS) provides for burial expenses for an employee who died in the course of their regular duties. By working with the agency, and in coordination with your agency's Workers' Compensation provider, arrangements will be made. You are welcome to follow-up with your agency's Human Resources office to ensure benefits are received.

The actual law, listed on the next page, stipulates an amount not to exceed twelve-thousand five hundred dollars (\$12,500) that can be paid directly to the service providers or to the person(s) who has paid the funeral and burial costs.



When, as a proximate result of an injury, death occurs to an injured employee, there shall be paid in one lump sum within thirty days after death a sum not to exceed twelve thousand five hundred dollars for funeral and burial expenses. Said sum may be paid to the person providing funeral or burial services, or any other person who has paid the funeral and burial costs. If the employee leaves no dependents, compensation is limited to said sum and the compensation, that may have accrued or been paid to the deceased employee during the deceased employee's lifetime for disability; medical, surgical, and hospital expenses provided in articles 40to 47 of title 8; and any amount or payment due under section 8-46-101. If the deceased employee leaves dependents, said sum shall be paid in addition to all other sums of compensation provided for in article 42. (Colorado Workers' Compensation Act, p. 33).

In most instances, your agency, with assistance from the Colorado Fallen Hero Foundation, will handle all planning aspects of the fallen officer's funeral service. If the family would like to hold an additional, private funeral service for family and friends only, we encourage you to speak with Command Staff and your assigned Victim's Advocate.

If interested, Wilbert Funeral Services, Inc. will donate a customized Wilbert Stainless Steel Triune burial vault or urn, at no cost to the family. To coordinate this donation:

- WFSI is notified by the respective first responder organization about the line-of-duty death
- The organization also notifies the family about the Commemorating First Responders program and learns which funeral home will be serving the family
- WFSI, or the local Wilbert Licensee, contacts the funeral home to coordinate the free vault or cremation option
- The funeral professional helps the family choose options and arrange the service

Colorado Division of Workers' Compensation can be reached at:

633 17th Street, Suite 400 Denver, CO. 80202-3660 www.colorado.gov/pacific/cdle/dwc 303-318-8700

Wilbert Funeral Services, Inc. can be reached at:

2913 Gardner Road Broadview, IL 60155-4402 <u>https://www.wilbert.com/commemorating-first-responders/about-the-program/</u> 800-323-7188

Crime Victim Compensation

You may be eligible to receive compensation for financial losses if you or your family are victims of a violent crime in Colorado. For further assistance, please reach out to your victim's advocate or visit the Colorado Division of Criminal Justice website at https://dcj.colorado.gov/dcj-offices/victims-programs/crime-victim-compensation.



Medical Bills

Approximately one month after the incident, you may start receiving medical bills, which Workers' Compensation should cover. Any medical bills you receive should be forwarded to Workers' Compensation immediately. We highly recommend you keep copies of all medical bills for your own records, as this will help if any issues arise. Make sure to reach out to your Workers' Compensation representative with any questions.

Life Insurance

Most agencies offer a Basic Life and Accidental Death & Dismemberment (AD&D) insurance policy that must have been engaged by the law enforcement officer.

Employees may have also applied for Supplemental Life and AD&D coverage. If supplemental insurance was selected during the benefits enrollment period, the coverage amount will be based on the amount stipulated in the supplemental policy.

In addition to selected coverage, sometimes there are other matching factors in a policy, so a detailed review coordinated through the Human Resources office within your agency is highly advisable.

Please be aware that life insurance claim processing and payouts take time, usually weeks-to-months. If there were any changes to the policy in the recent past, this process will take even longer and will likely require an investigation by the life insurance company. It is our experience that an investigation can take three-to-four months, requires HIPAA release forms for past medical history, etc.

Retirement Accounts

Most retirement accounts provide benefits to qualified survivors, including beneficiary, spouse, children and/or dependent parent(s), based on the individual family dynamics of the employee. Survivors receive benefits based on the retirement eligibility of the employee and other factors such as the age(s) of children. It is important to contact and work closely with the retirement account entity and your agency's Human Resources personnel to obtain the details specific to your situation.

Most agencies will notify the retirement account entity of the employee's passing and the entity will mail the appropriate paperwork to you in approximately two weeks. These forms will need to be completed and sent back to the entity at the address listed on the form. Once the entity has received the completed forms, they will send out additional information on the survivor benefit options that will be available to the successor(s).

We strongly encourage you to speak with a CPA and a Financial Planner to discuss your options before you decide what to do with retirement account funds. Please know this decision may be time-sensitive, so meeting with a CPA and a Financial Planner sooner-than-later is advised.

The Fire and Police Pension Association of Colorado (FPPA) was established January 1, 1980 and administers a statewide multiple employer public employee retirement system providing defined benefit plan coverage (The Statewide Defined Benefit Plan) as well as death and disability coverage (the Statewide Death and Disability Plan) for police officers and firefighters throughout the State of Colorado. The Association also administers local defined benefit pension funds for police officers and firefighters hired prior to April 8, 1978 whose employers have elected to affiliate with the Association and for volunteer fire defined benefit plans. In addition, Colorado police and sheriff departments who participate in Social Security have the option of affiliating for supplemental coverage through the Statewide Defined Benefit Plan and Statewide Death and Disability Plan.



Fire and Police Pension Association of Colorado can be reached at: 5290 DTC Parkway, Suite 100 Greenwood Village, CO 80111-2721 <u>https://www.fppaco.org/index.html</u> 303-770-3772

FEDERAL BENEFITS

Social Security

NOTE: The following Social Security information only pertains to families whose loved one paid into the Social Security system.

We highly recommend you apply to the Social Security Administration (SSA) for survivors' benefits as soon as possible because, in some cases, benefits are paid from the time of application, not the time of the employee's death.

If the decedent's survivor qualifies for benefits immediately, based on age, Social Security benefits will affect Workers' Compensation benefits. The Colorado Attorney General works on this calculation to determine how much, if any, the Workers' Compensation benefit may be reduced.

One-Time Death Payment

There is a one-time payment of \$255 that can be collected if the deceased worked long enough. This payment can be made only to the spouse or child of the deceased, if they meet certain requirements.

Benefit Recipients

- Widow(er) may receive benefits at any age if s/he takes care of the decedent's child who is receiving Social Security benefits and is younger than age 16 or disabled
- Widow(er) may be able to receive full benefits at full retirement age
 - The full retirement age for a survivor is age 66 for people born in 1945-1956 and will gradually increase to age 67 for people born in 1962 or later
 - Reduced widow(er) benefits may be received as early as age 60
 - If the surviving spouse is disabled, benefits may begin as early as age 50
 - For more information on widow(er)s and other survivors, visit <u>https://faq.ssa.gov/en-us/Topic/article/KA-02083</u>
- Unmarried children who are younger than age 18 (or up to age 19 if they are attending elementary or secondary school full time) may also receive benefits
 - Biological children may receive benefits at any age if they were disabled before age 22 and remain disabled
 - Under certain circumstances, benefits may also be paid to stepchildren, grandchildren, stepgrandchildren or adopted children
- Dependent parents may receive benefits if they are age 62 or older
 - For parents to qualify as dependents, they must have received at least one-half of their support from the deceased



Benefit Amounts

The benefit amount is based on the earnings of the person who passed. The more the worker paid into Social Security, the greater the benefit will be.

Social Security uses the deceased worker's basic benefit amount and calculates what percentage survivors are entitled to. The percentage depends on the survivors' ages and relationship to the worker. If the person who passed was receiving reduced benefits, the survivor's benefit is based on that amount. Here are the most typical situations:

- A widow(er), at full retirement age or older, generally receives 100% of the worker's basic benefit amount
- A widow(er), age 60 or older, but under full retirement age, receives about 71-99% of the worker's basic benefit amount
- A widow(er), any age, with a child younger than age 16, receives 75% of the worker's benefit amount
- Children receive 75% of the worker's benefit amount

Maximum Family Benefits

There is a limit to the benefits that can be paid to the survivor and other family members each month. The limit varies but is generally between 150-180% of the deceased's benefit amount.

Pensions from Work Not Covered by Social Security

If a pension exists where Social Security taxes were already paid, that pension will not affect Social Security benefits.

If a pension exists that was not covered by Social Security, such as the federal civil service, some state or local government employment, or work in a foreign country, Social Security benefits may be reduced.

Applying for Benefits

If you are not currently receiving Social Security benefits:

• You can apply by telephone or at any Social Security office. The SSA will need certain information, but <u>do not delay applying</u> even if you do not have everything. The SSA will help you get what you need.

If you are currently receiving Social Security benefits:

• If you are currently receiving benefits as a wife or husband based on your spouse's work, when you report the death to the SSA, the SSA will change your payments to survivors' benefits.

If you are currently receiving benefits based on your own work:

• Call or visit the SSA and they will check to see if you are eligible for more money as a widow(er). If so, you will receive a combination of benefits that equals the higher amount. You will need to complete an application to switch to survivors' benefits, and the SSA will need to see your spouse's death certificate.

The Social Security Administration does require either original documents or copies certified by the agency that issued them in order to process your application.

Information/documents needed to process your Social Security application will include:

- Proof of death either from a funeral home or death certificate
- Your Social Security number
- Deceased's Social Security number



- Your birth certificate
- Your marriage certificate, if you are a widow(er)
- Your divorce decree, if you are applying as a divorced widow(er)
- Dependent children's Social Security numbers, if available
- Dependent children's birth certificates
- Deceased worker's W-2 forms or federal self-employment tax return for the most recent tax year
- Bank/direct deposit information for benefit deposit

Again, we highly recommend you <u>do not delay applying</u>, even if you do not have everything listed above. The SSA will help you get what you need.

Social Security Administration Contact Information

More information is available on the Social Security Administration website on the "Survivors" tab of the home page, or by contacting the SSA directly. Offices are located in most major communities and the website has an office locator based on zip code to provide information for the nearest office.

Your local Social Security office is the recommended starting point for all assistance, but the SSA can also be reached at:

www.ssa.gov 800-772-1213

Public Safety Officers' Benefits Act (PSOB)

The Public Safety Officers' Benefits (PSOB) Act <u>https://bja.ojp.gov/program/psob#menu</u> provides a one-time financial benefit to the eligible survivors of public safety officers whose deaths were the direct and proximate result of a personal injury sustained in the line of duty on or after September 29, 1976. As of December 15, 2003, under the Hometown Heroes Survivors Benefits Act, public safety officer deaths from qualifying heart attacks and strokes are also covered.

Your agency's legal advisor will most likely be your point of contact and should assist you throughout this application process.

42 U.S.C. § 3796 Sec. 1201 - Payment of Death Benefits

The Public Safety Officers' Benefit Act empowers the Bureau of Justice Assistance to provide financial benefits to the spouse and children of law enforcement officers who sustain permanent and total disability or fatal personal injury in the line of duty. The PSOB Act designates the payment of a one-time \$422,035.00 benefit, for fiscal year 2023, to be paid to:

- One half to the surviving spouse and one half to be shared equally between surviving children
- Entirely to the surviving spouse if there are no surviving children
- Shared equally between surviving children if there is no surviving spouse
- To the individual designated by the officer as beneficiary on file with the officer's public safety agency
- Equal shares to the parents of the officer if there is no beneficiary on file

Upon application and showing a need prior to the final action or payment on any claim, an interim benefit payment of up to \$3,000 may be made to the individual entitled to receive the benefit. This interim payment is intended to aid with immediate expenses and will be deducted from any final payment.



42 U.S.C § 3796a Sec. 1202 - Limitations on Benefits

Limitations do exist and no benefit shall be paid if:

- The death or catastrophic injury was caused by intentional misconduct of the officer
- The officer was grossly negligent in the performance of his/her duties at the time of the death or injury
- The officer was voluntarily intoxicated at the time of death or injury
- The death or catastrophic injury was caused by the officer's intent to bring about his/her own death or catastrophic injury
- Any individual who would be entitled to the benefit was a substantial contributing factor in the death or catastrophic injury of the officer

Applying for Benefits

Below is a list of steps required to complete the PSOB application, listed here for your information. Remember that your agency's legal advisor should help you through this process.

PART A: Agency Information

1. Complete the PSOB Report of Public Safety Officer's Death form contained in Appendix A and have it signed by the head of the Law Enforcement Agency.

FOR INCIDENTS OF HEART ATTACK OR STROKE

2. Prepare a statement, on agency letterhead, signed by the agency head, accounting for the 24-hour period prior to the onset of the officer's heart attack or stroke. Ensure the statement notes the hours the officer was on-duty and give detailed information regarding all of the officer's *on-duty actions* during that time.

This is one of the most important pieces of information the PSOB office needs to fully review the claim. The statement you prepare should "tell the story" regarding what happened to the fallen officer and include all unique details or circumstances regarding any non-routine stressful or strenuous physical activity that may have taken place.

- Because the Hometown Heroes Act identifies a 24-hour window to review for actions, this information is critical to a review of claims submitted under the Act.
- For a brief explanation of the Act's requirements [42 U.S.C. 3796(k)], see below:
 - (k) For purposes of this section, if a public safety officer dies as the direct and proximate result of a heart attack or stroke, that officer shall be presumed to have died as the direct and proximate result of a personal injury sustained in the line of duty, if:
 - That officer, while on duty:
 - Engaged in a situation, and such engagement involved non-routine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or



- Participated in a training exercise, and such participation involved non-routine stressful or strenuous physical activity
- That officer died as a result of a heart attack or stroke suffered
- 3. Provide all investigation, incident and/or accident reports for the officer's on-duty activities in the 24-hours prior to his or her heart attack or stroke.
 - These are reports that would have already been prepared and can simply be copied and included in the packet. Make sure that copies are legible, and all pages are provided.
 - Should any of these reports not exist, prepare a brief statement that no such reports were created.
 - Review the reports for any unique expressions or abbreviations that might have been used and provide a key or legend to help the PSOB office more quickly review and understand what is being said in the reports.
- 4. Provide medical documentation related to any response to the heart attack or stroke (such as an ambulance run sheet) and any treatment of the officer prior to his or her death.
 - If no information is available regarding the response or treatment, note and submit this on agency letterhead.
- 5. Include autopsy and toxicology reports, if available. If these reports do not exist, provide a statement signed by the head of the agency (or the medical examiner) explaining that no autopsy and/or toxicology was performed.
 - When no autopsy and/or toxicology was performed, agencies often overlook providing this statement to the PSOB office. Please check twice to ensure that this statement is included.
- 6. Include a copy of the officer's death certificate.
 - While most PSOB claims are submitted with a death certificate, sometimes it is illegible or contains information inconsistent with other documentation submitted. Review the death certificate carefully, and provide any follow up information, if necessary.

PART B: Survivor Information

- 1. The survivor/claimant should complete the PSOB Claim for Death Benefits form.
- 2. Provide the officer's current marriage certificate, if applicable. If the officer was divorced, provide divorce decrees for all of the officer's and the current spouse's *previous* marriages, including references to physical custody of any children, if applicable.
 - If any of the officer's and the current spouse's previous marriages ended in death, death certificates for *those* spouses need to be included with the PSOB claim as well.
- 3. Provide birth certificates for all the fallen officer's surviving children and stepchildren, *regardless of age or dependency*, identifying the children's parents, if applicable.



• Survivor information takes time to collect, often involving multiple outreach efforts to obtain. Never hesitate to call the PSOB office with any questions you might have regarding identifying and collecting survivor information.

Because no two PSOB claims are alike, other documentation, including medical records, may be requested.

MILITARY VETERAN BENEFITS

As a service member or military family member, you should be aware of memorial benefits. The following information is presented to assist you in dealing with the loss of a service member or veteran.

In return for the supreme sacrifices that veterans and their families make as part of the Armed Forces, the Department of Veterans Affairs (VA) and Department of Defense (DOD) provide memorial and burial services for eligible active duty, reserve, guard, retired, and veteran members.

Burial benefits include a grave site in any of the 120 national cemeteries with available space, opening and closing of the grave, perpetual care, a government headstone or marker, a burial flag, and a Presidential Memorial Certificate, at no cost to you. Reimbursement payments are also available for transport of remains, as well as a burial allowance. Cremated remains are buried or inurned in national cemeteries in the same manner and with the same honors as casketed remains.

The easiest and most efficient way to determine what benefits are available to you is to call or meet with the Veteran Service Office (VSO) in your county of residence. In Colorado, every county has a VSO, whose job it is to support the VA needs and benefits for all eligible Veterans, at no charge to the Veteran. This service is demanded by Colorado State Statute. Every Veteran Service Officer in the United States accesses the same VA system, so there exists a continuity of service from one VSO to another. You can locate your county's VSO at this link, https://www.colorado.gov/pacific/vets/county-veterans-service-offices.

You can also contact the VA directly, if you'd prefer.

Denver Regional VA Office can be reached at: 155 Van Gordon Street Lakewood, CO 80228-1709 800-827-1000 or 800-827-4833 for TDD

Colorado Department of Military and Veterans' Affairs can be reached at: 6848 South Revere Parkway Centennial, CO 80112-3904 720-250-1500 https://www.colorado.gov/dmva

National Cemeteries

Burial benefits in a VA national cemetery include the gravesite, opening and closing of the grave, and perpetual care. Many national cemeteries have columbaria for the inurnment of cremated remains or special gravesites for the burial of cremated remains. Headstones and markers and their placement are provided at the government's expense.



Veterans and armed forces members who die on active duty are eligible for burial in one of VA's 114 national cemeteries. An eligible veteran must have been discharged or separated from active duty under conditions other than dishonorable and have completed the required period of service. A United States citizen who served in the armed forces of a government allied with the United States in a war may also be eligible. Spouses and dependent, minor children of eligible veterans and of armed forces members may also be buried in a national cemetery.

Burial Expenses

VA burial allowances are partial reimbursements of an eligible veteran's burial and funeral expenses. When the cause of death is not service-related, the reimbursements are generally described as two payments:

- 1. A burial and funeral expense allowance
- 2. A plot interment allowance

Service-Related Death

Generally speaking, the VA will pay up to \$2,000 toward burial and funeral expenses for deaths on or after September 11, 2001. If the veteran is buried in a VA national cemetery, some or all of the cost of transporting the deceased may be reimbursed.

Nonservice-Related Death

Generally speaking, the VA will pay up to \$300 toward burial and funeral expenses, <u>and</u> a \$300 plot-interment allowance.

You may be eligible for a VA burial allowance if:

- A veteran's burial or funeral had previously been paid
- There has been no reimbursement by another government agency or some other source, such as the deceased veteran's employer
- The veteran was discharged under conditions other than dishonorable

In addition, at least one of the following conditions must be met:

- The veteran died because of a service-related disability
- The veteran was receiving VA pension or compensation at the time of death
- The veteran was entitled to receive VA pension or compensation, but decided not to reduce his/her military retirement or disability pay
- The veteran died in a VA hospital, in a nursing home under VA contract, or while in an approved state nursing home

Burial Flags

The VA provides an American flag for services, and a flag to be given to the next of kin or a close associate of the deceased, at no cost, to drape the casket or accompany the urn of a deceased veteran who served honorably in the United States Armed Forces. The American flag is furnished to honor the memory of a veteran's military service to his or her country.

Generally speaking, the flag is given to the next of kin, as a keepsake, after its use during the funeral service. If there is no next of kin, the VA will furnish the flag to a friend making request for it. For those VA national cemeteries with an Avenue of Flags, families of veterans buried in these national cemeteries may donate the burial flags of their loved ones to be flown on patriotic holidays.



Application Process

- You may apply for the flag by completing <u>VA Form 27-2008</u>, Application for United States Flag for Burial Purposes <u>https://www.va.gov/find-forms/about-form-27-2008/</u>
- You may get a flag at any VA regional office or U.S. Post Office
- The funeral director will usually help you obtain a flag

Funeral Honors

Military Funeral Honors have always been provided by Department of Defense, at no cost, whenever possible. However, the law now mandates the rendering of Military Funeral Honors for an eligible veteran if requested by you.

As provided by law, an honor guard detail for the burial of an eligible veteran shall consist of not less than two members of the Armed Forces. One member of the detail shall be a representative of the parent service of the deceased veteran.

The honor detail will, at a minimum, perform a ceremony that includes the folding and presenting of the American flag to the next of kin and the playing of Taps. Taps will be played by a bugler, if available, or by electronic recording. Today, there are so few buglers available that the Military Services often cannot provide one.

Application Process

Military Funeral Honor requests are made through the funeral director. The funeral director will contact the appropriate military service to arrange for the funeral honors detail.

Headstones and Markers

The VA provides headstones and markers for the graves of veterans anywhere in the world and for eligible dependents of veterans buried in national, state veteran, or federal cemeteries. Flat bronze, flat granite, flat marble, and upright marble types are available to mark the grave of a veteran or dependent in the style consistent with existing monuments at the place of burial. Niche markers also are available to mark columbaria used for the inurnment of cremated remains.

When burial is in a national cemetery, military post, or state veterans' cemetery the headstone or marker is ordered through the cemetery, which will place it on the grave. Information regarding style, inscription, shipping, and placement can be obtained from the cemetery.

When burial occurs in a cemetery other than a national cemetery or a state veterans' cemetery, the headstone or marker must be applied for from VA. It is shipped at government expense to the consignee designated on the application. The VA, however, does not pay the cost of placing the headstone or marker on the grave.

Eligibility for a VA headstone or marker is the same as for burial in a national cemetery. The VA cannot issue a headstone or marker for a spouse or dependent buried in a private cemetery. Twenty-year reservists without active-duty service are eligible for a headstone or grave marker, if they are entitled to military retired pay at the time of death.



Application Process

Using the information on the DD-214 and other supporting documents, fill out the application (VA Form 40-1330) as completely as possible. Be sure to include telephone numbers and signatures.

- To ensure you are using the most current version of the application form, visit the following link: <u>https://www.va.gov/vaforms/form_detail.asp?FormNo=40-1330</u>
- If you wish to mail your application, please send it to: Memorial Products Service (41B) Department of Veterans Affairs 5109 Russell Road Quantico, VA 22134-3903
- Forms and assistance are available at county VSO's and regional VA offices
- For information regarding the status of an application, call 800-697-6947

Memorial Benefits Eligibility

The VA national cemetery directors have the primary responsibility to verify eligibility for burial in VA national cemeteries. A determination of eligibility is usually made in response to a request for burial in a VA national cemetery. County VSO's or regional VA offices will also assist in determining eligibility for burial in a VA national cemetery.

Presidential Memorial Certificates

The Presidential Memorial Certificate is a parchment certificate with a calligraphic inscription expressing the nation's grateful recognition of a veteran's service. The veteran's name is inscribed, and the certificate bears the signature of the President.

Certificates are issued in the name of honorably discharged, deceased veterans. Eligible recipients include next of kin, other relatives, and friends.

Application Process

- Complete the VA Form 40-0247, found here: <u>https://www.va.gov/burials-memorials/memorial-items/presidential-memorial-certificates/</u>
- Requests should be accompanied by a copy of a document, such as a discharge, to establish honorable service
- If you would like to request a Presidential Memorial Certificate:
 - Fax your request and all supporting documents (copy of discharge and death certificate) to 800-455-7143, or
 - Mail your request and all supporting documents (copy of discharge and death certificate) to:

Memorial Products Service (41B) Department of Veterans Affairs 5109 Russell Road Quantico, VA 22134-3903



State Cemeteries

Many states have established state veterans' cemeteries. Eligibility is similar to VA national cemeteries but may include residency requirements. Even though state cemeteries may have been established or improved with government funds through the VA's State Cemetery Grants Program, state veterans' cemeteries are run solely by the states. Please contact the specific cemetery for information.

Fort Logan National Cemetery 4400 West Kenyon Avenue Denver, CO 80236-3000 303-761-0117 Fort Lyon National Cemetery 15700 County Road HH Las Animas, CO 81054-9405 719-216-1025

Veteran Support Organizations

American Red Cross

The American Red Cross assists family members of deceased veterans in applying for federal and state benefits. They provide information on other resources, counseling relative to problems arising from the death, and planning to meet financial needs. Local chapters of the American Red Cross serve every community in Colorado.

American Red Cross, Mile High Chapter can be reached at: 444 Sherman Street Denver, CO 80203-4425

www.redcross.org/local/colorado 303-722-7474

Department of Veterans Affairs

Veterans' family members who wish to contact the VA regarding a claim, benefits, or services, may fill out question forms on the website at <u>www.va.gov/new-home-page/</u>, call the VA toll-free at 800-827-1000, or visit their regional VA office.

Qualified Listeners

Qualified Listeners is a Colorado non-profit organization that serves as a hub for Veterans and their families, providing a variety of services and connections. Qualified Listeners can be contacted via their website at www.qualifiedlisteners.org, or by phone at 720-600-0860.

HEALTH INSURANCE

If you are covered by agency insurance benefits you will have the option to continue group medical and dental coverage through COBRA, or to purchase private insurance. A representative from your agency's Human Resource office will contact you to discuss health insurance and assist you with required paperwork.



FINANCIAL DONATIONS

In the event of a line of duty death, you are likely to receive donations to help provide financial assistance in your time of need. Donations come from far and wide and are typically mailed to your agency. There are times when you might receive a donation that is mailed directly to your residence. This will typically occur if an organization reaches out directly to you or the family to obtain your address.

It is important to keep a detailed record of all the money you receive, for tax filing purposes. Making a copy of each check and keeping any letters that were included with the donation, will ensure you have a record of all money being received and deposited.

<u>The Colorado State Patrol Family Foundation strongly suggests you, your family, and friends DO NOT start a</u> <u>GoFundMe or other crowd-funding campaign to raise money.</u> The money raised via crowd-funding sites, such as GoFundMe, is usually taxed as income to the recipient. Instead, we recommend you contact your agency to inquire if there is a 501(c)3, non-profit organization affiliated with the agency that is willing to accept donations on your behalf, which is then granted to you tax-free.

List of Possible Organizations that Donate:

- American Federation of Police & Concerned Citizens Inc.
- Brodie Assistance Fund
- Choir Boys Law Enforcement Motorcycle Club
- Colorado State Patrol Family Foundation
- Jeremy Bitner Fallen Officers Fund
- National Trooper's Coalition
- Personal checks from private citizens sent to the Colorado State Patrol
- Smokin' Guns Motorcycle Club of Colorado
- Sponsored Colorado State Patrol events
- State Police Organizations (similar to the CSPA)
- The One Hundred Club of Denver
- U.S Deputy Sheriffs Association, Inc.
- Verizon/FBI National Academy Associates Fallen Officer Fund
- 10-33 State Trooper Memorial Roping Event

EDUCATION BENEFITS

State Benefits

Under Colorado law, the surviving dependent children of a fallen officer are eligible for free tuition and housing at in-state schools, or to have an equivalent amount applied toward out-of-state school expenses. The below listed statue details the information, and benefits may be coordinated through the financial aid office of the educational institution the dependent child has chosen to attend and the Colorado Commission on Higher Education.

Dependent's tuition assistance is available through the Colorado Commission on Higher Education. Any dependent of a person who died or was permanently disabled while on state active duty, federalized active duty, or authorized training duty as a Colorado National Guardsman or any dependent of any person who has been permanently disabled or killed while acting to preserve the public peace, health,



and safety in the capacity of police officer, sheriff, or other law enforcement officer or firefighter or any dependent of a person, including a volunteer, who died or was permanently disabled while engaged in backcountry search and rescue activities, as defined in section 33-1-102 (1.3), upon being accepted for enrollment into any state institution, shall be permitted to pursue studies leading toward his or her first bachelor's degree or certificate of completion, free of tuition and free of room and board charges of the institution, for so long as said dependent achieves and maintains a cumulative grade point average of 2.5 or above based upon a 4.0 scale, but said benefits shall not be extended beyond six years from the date of enrollment. Such dependents pursuing studies at a nonpublic institution of higher education within the state of Colorado shall be eligible for assistance not to exceed the average cost of undergraduate instruction calculated for a full-time equivalent student at a comparable state institution for the previous year, and the average cost of room and board calculated for a full-time equivalent student at all state institutions for the previous year. Such dependents pursuing studies at an out-of-state institution of higher education shall be eligible for assistance not to exceed the average cost of undergraduate instruction calculated for a full-time equivalent student at a comparable state institution for the previous year. The commission shall provide tuition and, if appropriate, room and board assistance to such qualified students from appropriated student financial assistance funds.

Colorado Commission on Higher Education can be reached at:

1560 Broadway, Suite 1600 Denver, CO 80202-6000 303-866-2723

Federal Benefits

The Public Safety Officers' Education Assistance (PSOEA) Program provides financial assistance, for the purpose of seeking higher education, to the spouses and eligible children of local police, fire, and emergency public safety officers who have been killed or permanently disabled in the line of duty.

Educational assistance through the PSOEA Program is available after the Public Safety Officers' Benefit (PSOB) death or disability claim process has been completed and benefits have been awarded. A PSOB specialist works with each PSOEA applicant to confirm that the parent's or spouse's disability or death claim has previously been approved by the PSOB Office and that, in cases regarding an officer's death, the applicant has received at least a portion of the PSOB benefits.

The spouse of a public safety officer is eligible to receive PSOEA funds for educational expenses at any time during his or her lifetime. However, for a child of the deceased or disabled officer, eligibility is limited to educational expenses that occur prior to his or her 27th birthday. Also, a spouse or child is eligible to receive PSOEA funds for a period no greater than 45 months of full-time education or a proportionate period of a part-time program. Benefits may be coordinated through the financial aid office of the educational institution and the PSOB office.

Public Safety Officers' Benefits office can be reached at: 888-744-6513 <u>AskPSOB@usdoj.gov</u>

Additional Scholarships

National Fraternal Order of Police

The National Fraternal Order of Police offers scholarships for spouses and dependent children of fallen officers. Benefits may be coordinated through the National FOP office.



National FOP office can be reached at: 888-590-9009 <u>Online@EGCCFreeCollege.org</u>

National Rifle Association

Named for the late Columbus, Ohio police officer, shooting champion, and NRA Director, the Jeanne E. Bray Memorial Scholarship program offers college scholarships of up to \$2,500 per semester (up to \$5,000 per year, for a maximum of four years) to dependent children of any public law enforcement officer killed in the line of duty who was an NRA member at the time of death. Information may be found at and benefits may be coordinated through the NRA office.

National Rifle Association can be reached at:

11250 Waples Mill Road Fairfax, VA 22030-7550 <u>www.nra.org</u> 800-672-3888

IMCA-RC Public Employee Memorial Scholarship Fund

The ICMA-RC Public Employee Memorial Scholarship Fund was founded in 2001 to honor the lives of our nation's police officers, firefighters, and other local and state government employees who have made the ultimate sacrifice. The fund provides financial assistance to the surviving spouses and children of employees who have died in the line of duty and are planning to attend an accredited two-year community college, four-year accredited university, or vocational school full-time. Each year, scholarships are awarded to selected students. Information may be found at and benefits may be coordinated through the ICMA-RC office.

IMCA-RC office can be reached at:

1 Scholarship Way St. Peter, MN 56082-1693 https://www.icmarc.org/prebuilt/micro/vantagescholar/index.html 202-962-8067

The Pinnacol Foundation

Provides scholarships to the natural child, adopted child, stepchild or full dependent of a worker who was injured or killed in a compensable work-related accident during the course and scope of employment with a Colorado-based employer and was entitled to receive benefits under the Colorado Workers' Compensation Act. It doesn't matter which insurance company covered the parent's claim. Applicants must be between the ages of 16 and 25.

Pinnacol Foundation can be reached at:

7501 E. Lowry Blvd. Denver, CO 80230 <u>https://www.pinnacolfoundation.org/apply-for-a-scholarship</u> 303-361-4000



OTHER BENEFIT ORGANIZATIONS

Colorado State Lodge FOP

Many Colorado law enforcement officers are members of the FOP. If your spouse was a member of the Colorado FOP, contact the Colorado State Lodge FOP for information about member benefits.

Colorado State Lodge FOP can be reached at:

www.coloradofop.org/contact-us

Colorado State Patrol Family Foundation

The Family Foundation will donate \$7,500 to the survivor of a level one Colorado peace officer who is killed in the line of duty.

Colorado State Patrol Family Foundation can be reached at:

55 Wadsworth Boulevard Lakewood, CO 80226-1501 <u>www.cspff.net</u> <u>info@cspff.net</u> 720-269-4046

Concerns of Police Survivors (C.O.P.S.) - Colorado Chapter

Colorado C.O.P.S. is a non-profit organization which provides resources to assist in the rebuilding of the lives of surviving families of law enforcement officers killed in the line of duty, as determined by Federal criteria. Colorado C.O.P.S. serves all of Colorado in providing emotional and financial support, as well as legal assistance to survivors of fallen officers.

Colorado C.O.P.S. can be reached at: P.O. Box 631522 Littleton, CO 80163-1522 <u>www.coloradocops.org</u> <u>coconcernsofpolicesurvivors@gmail.com</u> 720-515-8122

Credit Union of Colorado

Formerly known as Colorado State Employees Credit Union; membership with the Credit Union of Colorado has an associated life insurance policy as part of membership. If you or your spouse have an active account with the credit union, contact the credit union for information about the policy and policy amounts.

Credit Union of Colorado can be reached at:

1390 Logan Street Denver, CO 80203-2309 <u>www.cuofco.org</u> 303-832-4816



National Rifle Association

For police officers who are killed in the line of duty, who are also active members of the National Rifle Association, their spouse or family are entitled to a \$35,000 death benefit. The NRA must be contacted within 90 days of the officer's death to file a claim.

National Rifle Association can be reached at:

Insurance Administration and Claims 11250 Waples Mill Road Fairfax, VA 22030-7550 www.nra.org 800-672-3888

Tunnel to Towers Foundation

The Tunnel to Towers Foundation is committed to ensuring we never forget the events of 9/11 and the sacrifices that were made and continue to be made by our first responders in the line of duty. Through the Fallen First Responder Home Program, Tunnel to Towers aims to pay off the mortgages of fallen law enforcement officers and firefighters killed in the line of duty who leave behind young children. The Foundation's goal is to ensure stability and security to these families facing sudden, tragic loss.

Tunnel to Towers Foundation can be reached at:

2361 Hylan Boulevard Staten Island, NY 10306-3159 www.tunnel2towers.org 718-987-1931

FALLEN OFFICER MEMORIALS

National Law Enforcement Officers Memorial

The National Law Enforcement Officers Memorial is the nation's monument to law enforcement officers who have died in the line of duty. Dedicated on October 15, 1991, the Memorial honors federal, state and local law enforcement officers who have made the ultimate sacrifice for the safety and protection of our nation and its people.

The Memorial features two curving, 304-foot-long blue-gray marble walls. Carved on these walls are the names of more than 21,000 officers who have been killed in the line of duty throughout U.S. history, dating back to the first known death in 1786. Unlike many other memorials in Washington, DC, the National Law Enforcement Officers Memorial is ever-changing: new names of fallen officers are added to the monument each spring, in conjunction with National Police Week.

Representatives from your agency and Colorado C.O.P.S. will contact you to coordinate travel and hotel for you and your immediate family to travel to Washington, DC during National Police Week to honor your loved one, typically at no cost to you.

Please know that not all line of duty deaths will automatically qualify. A confirmation process will take place, which the Colorado State Patrol and your Victim's Advocate will work with you to complete.



Colorado Law Enforcement Memorial

The Colorado Law Enforcement Memorial is located in a small grove of trees at the Colorado State Patrol Academy, located in Golden, CO. The Memorial was erected in 1979 as a tribute to Colorado's fallen peace officers.

Each May, in conjunction with National Police Week, a ceremony is held to honor the officers listed on the memorial and to add any new names from the previous calendar year. A representative from your agency will contact you to coordinate you and your family's attendance at this annual event.

Please know that not all line of duty deaths automatically qualify. A confirmation process will take place, which your agency and your Victim's Advocate will work with you to complete.

Other Local Memorials

It is likely that other agencies, organizations, etc. will plan and/or host memorial tributes for your loved one. In this scenario, the host entity will work with your agency to plan the event. Your agency will communicate with you to coordinate you and your family's involvement.

HELPFUL SUGGESTIONS

- 1. Be sure to request multiple original death certificates
- 2. Create a contact list of all your resources (Victim Advocate, HR and Benefits Representative, Assigned Command Staff, Workers' Compensation Representative, etc.)
- 3. Make copies of any signed documents related to the death of your loved one
- 4. Beware that some documents can be emotional to complete, so reach out for support from your Victims Advocate to help you work through the needed information on the forms
- 5. Protect yourself from credit fraud
 - a. Run a credit report on yourself and deceased loved one
 - b. Contact credit bureaus to report deceased loved one
 - i. Experian
 - ii. TransUnion
 - iii. Equifax
- 6. Cancel driver's license of deceased loved one to prevent identity theft (go online or call DMV for instructions)
- 7. Contact your local Social Security Office regarding death benefit
- 8. Contact PERA regarding retirement plans
- 9. Contact a Financial Planner (if needed)
- 10. Contact a Lawyer (if needed)
 - a. Civil
 - b. Estate documents
- 11. Contact all Creditors to update personal information and ownership:
 - a. Mortgage Company, Property Deed, and HOA
 - b. Insurance (Home and Auto)
 - c. Credit Card Companies
 - d. Auto Loans
 - e. Vehicle Titles



- f. Utility Services
- g. Cell Phones
- h. Cable and Entertainment Services (including gaming systems)
- 12. Change Beneficiaries:
 - a. Bank Accounts
 - b. Life Insurance
 - c. Retirement Plans
 - d. Investment Portfolios
 - e. Last Will and Testament
- 13. Memorialize or cancel any social media accounts
- 14. Close email accounts
- 15. Seek Mental Health Support (therapist to help work through your grief and trauma)
- 16. Apply for benefits through the Victim Compensation Fund in your judicial district to help assist you and your family with work and therapy
 - a. Speak with your Victims' Advocate to determine eligibility
- 17. Contact a CPA at the end of the year to assist with taxes

TRUSTED PROFESSIONALS

Below is a list of trusted professionals that you may find helpful:

Certified Public Accountants (CPA)

Clifton Larson Allen, LLP Claire Pearson, CPA 370 Interlocken Boulevard, Suite 500 Broomfield, CO, 80021-8009 303-439-6007 claire.pearson@claconnect.com

Ondrish & Associates Frank & Patti Ondrish 1600 Stout Street, Suite 1800 Denver, CO 80202-3160 303-298-7262 contact@ondrishcpa.com Horizon Accounting, Inc. Michelle Rod P.O. Box 23939 Silverthorne, CO 80498-3939 970-390-5266 michellerodcpa@gmail.com

Estate Planning & Trusts

Kottke & Brantz, LLC David Brantz, Esq 2975 Valmont Road, Suite 240 Boulder, CO, 80301-1361 303-449-6161 x 111 david@kottkeandbrantz.com Sherman & Howard Christopher Cole 633 17th Street, Suite 3000 Denver, CO 80202-3160 303-299-8492



Financial Planners

Heirloom Wealth Management Mike Euston & Mike Miller 8400 East Prentice Avenue, Suite 1115 Greenwood Village, CO 80111-2912 720-328-2877 heirloominfo@heirloomwm.com

Ascent Wealth Partners Frank Caccavallo & Thomas Garcia 1155 Canyon Blvd, Suite 210 Boulder, CO, 80302 303-441-0669 <u>frank.caccavallo@ascent-wp.com</u> Parsonex Tim Keeton (Retired CSP Major) 8310 South Valley Highway, Suite 110 Englewood, CO 80112-5812 720-244-1375 tim@parsonex.com

Lawyers

Hoffman, Sheffield, & Sauseda, PLLC Chris Hoffman 600 Grant Street, Suite 450 Denver, CO 80206-3525 303-332-2200

Therapists

Buffer Zone Counseling, LLC Deanna McGrath, RN, LPC, NCC 7220 West Jefferson Avenue, Suite 320 Lakewood, CO 80235-2031 303-506-6619 <u>deanna@bufferzonecounseling.com</u> **EMDR Certified**

Palmer & Associates, LLC Dr. Libby Palmer 7220 West Jefferson Avenue, Suite 320 Lakewood, CO 80235-2031 303-565-7434 palmerandassociates@comcast.net Metier Law Firm, LLC Bryan Doran 4828 South College Avenue Fort Collins, CO 80525 425-786-5725 bryan@metierlaw.com

Code 4 Counseling Dr. Sara Metz 9362 Teddy Lane, Suite 106 Lone Tree, CO 80124-2870 303-517-1516 sara.metz@code4counseling.com

EMDR Available **FREE for spouse/children of officers killed in the line of duty**

Joan Rieger, MA, LPC 1365 Forest Park Circle, Suite 202 Lafayette, CO 80026-3194 303-548-6901 joanriegertherapy@gmail.com



Realtors & Loan Officers

Coldwell Banker Kris Hansen, Realtor 303-956-6068 kris.hansen@coloradohomes.com

MX Connections Real Estate Erin Donahue-Paynter, Realtor 303-877-1026 erin@mxcrealestate.com Keller Williams Janine Ruscetta, Realtor 720-670-9428 jruscetta@kw.com

Guardian Mortgage Mike Vorderstrasse, Loan Officer 720-203-0144 <u>mikev@gmc-inc.com</u>

Foundation 1023

Foundation 1023 is committed to supporting the emotional and mental wellness of First Responders and their support network who are experiencing illness, loss, or stressful life events, by providing confidential funding for emotional and mental wellness services. Family members can apply for financial aid through the Foundation 1023 website at www.foundation1023.org.

PO Box 1023 Conifer, CO 80433-1023 720-432-0020 support@foundation1023.org

CONTACT DIRECTORY

American Red Cross, Mile High Chapter 444 Sherman Street Denver, CO 80203-4425 <u>www.redcross.org/local/colorado</u> 303-722-7474

Colorado Commission on Higher Education 1560 Broadway, Suite 1600 Denver, CO 80202-6000 303-866-2723

Colorado State Lodge FOP www.coloradofop.org/contact-us

Colorado C.O.P.S. P.O. Box 631522 Littleton, CO 80163-1522 www.coloradocops.org coconcernsofpolicesurvivors@gmail.com 720-515-8122 Colorado Department of Military & Veterans' Affairs 6848 South Revere Parkway Centennial, CO 80112-3904 <u>https://www.colorado.gov/dmva</u> 720-250-1500

Colorado Division of Workers' Compensation 633 17th Street, Suite 400 Denver, CO. 80202-3660 <u>www.colorado.gov/pacific/cdle/dwc</u> 303-318-8700

Colorado Fallen Hero Foundation 2770 Arapahoe Road, Suite #132-143 Lafayette, CO 80026 www.cofallenhero.org 720-772-1131



Colorado State Patrol Family Foundation 55 Wadsworth Boulevard Lakewood, CO 80226-1501 www.cspff.net info@cspff.net 720-269-4046

Credit Union of Colorado 1390 Logan Street Denver, CO 80203-2309 www.cuofco.org 303-832-4816

Denver Regional VA Office 155 Van Gordon Street Lakewood, CO 80228-1709 800-827-1000

Fire and Police Pension Association of Colorado 5290 DTC Parkway, Suite 100 Greenwood Village, CO 80111-2721 <u>https://www.fppaco.org/index.html</u> 303-770-3772

IMCA-RC Office 1 Scholarship Way St. Peter, MN 56082-1693 https://www.icmarc.org/prebuilt/micro/vantageschol ar/index.html 202-962-8067

Tunnel to Towers Foundation 2361 Hylan Boulevard Staten Island, NY 10306-3159 <u>www.tunnel2towers.org</u> 718-987-1931

Veteran Service Offices https://www.colorado.gov/pacific/vets/county-veterans-service-offices

Wilbert Funeral Services, Inc. 2913 Gardner Road Broadview, IL 60155-4402 <u>https://www.wilbert.com/commemorating-first-responders/about-the-program/</u> 800-323-7188



National FOP Office 888-590-9009 <u>Online@EGCCFreeCollege.org</u> 800-827-1000 or 800-827-4833 for TDD

National Rifle Association 11250 Waples Mill Road Fairfax, VA 22030-7550 www.nra.org 800-672-3888

Pinnacol Foundation 7501 E. Lowry Blvd. Denver, CO 80230 https://www.pinnacolfoundation.org/apply-for-ascholarship 303-361-4000

Public Safety Officers' Benefits Office 888-744-6513 AskPSOB@usdoj.gov

Qualified Listeners www.qualifiedlisteners.org 720-600-0860



Disclaimer: The Colorado State Patrol Family Foundation actively works to keep this document up-to-date and accurate, however, information identified in this document is likely to change without notice. The purpose of this document is to present a general idea of what may be available to the successor(s) of a fallen officer. The Colorado State Patrol Family Foundation makes no guarantees that benefits identified in this document will be awarded or, if awarded, in what amount.

