



DEATH AND DISABILITY BENEFITS FOR SAN ANTONIO POLICE OFFICERS

The death and disability benefits for in the *line of duty* and *off duty* incidents will vary in amount from each agency (i.e., Federal, State, City, Pension, Assoc. and private grants).

Benefits from Federal and State levels will only honor claims that involve "*in the line of duty*" incidents (i.e., disability or death).

Benefits from City, Social Security, Pension, SAPOA and CLEAT will honor claims for "*in the line of duty deaths and/or off duty deaths*" that are considered accidental with allowances for dismemberment. There are existing benefits that would assist any member should they expire as a result of catastrophic illness or heart attack, etc.

Note: Pension plan benefits would be paid to the spouse of the deceased officer at a percentage rate, based on the years paid into the current pension plan and the one year salary from the City (Risk Management).

The following information regarding death and disability benefits are current as of August 2013.

FEDERAL BENEFITS

U.S. DEPARTMENT OF JUSTICESection 1.001

U.S. DEPARTMENT OF LABORSection 1.002

SOCIAL SECURITY ADMINISTRATIONSection 1.003

VETERANS ADMINISTRATIONSection 1.004

FEDERAL BENEFITS
U.S. Department of Justice (PSOB)

Section 1.001

Federal death benefits are provided for survivors of Law Enforcement Officers killed in the line of duty as set forth under the "Public Safety Officers' Benefits Act of 1976."

The intent of this law is to provide benefits to survivors of certain public safety officers who die in the performance of duty, but were not necessarily engaged in the enforcement of a federal law at the time of their death. This law would apply to any law enforcement officer either city, county, state, or federal, or any fireman who is killed in the line of duty during the normal course of his/her duties. Providing such officer's death was not the result of intentional misconduct or gross negligence on the part of the officer, or that voluntary intoxication of the officer was not the proximate cause of the officer's death.

The benefits as set forth by this law is a payment of \$328,612.73 to be given as follows:

If there is a spouse and no child or children, all to the spouse.

If there is a spouse and child or children, one-half to the spouse and one half to the child or children in equal shares.

If no spouse, and children only, all to the child or children in equal shares.

If no spouse or children, then to the individual designated by the officer as beneficiary on file with officer's agency, or if no designation, to the individual designated as the beneficiary on the most recently executed life insurance policy on file with officer's agency.

If none of the above, to the officer's parents in equal shares.

"Child" is defined as any natural, illegitimate, adopted, or posthumous child or stepchild of a deceased public safety officer who, at the time of the officer's death, is either 18 years old or under, or between 19 and 22 and full time student, or who is incapable of self support due to a physical or mental disability.

To apply for benefits, contact:

U.S. Department of Justice
Public Safety Officer's Benefits Program
Washington, D.C. 20531
(202) 307-0635 or 1-888-744-6513
World Wide Web: <http://www.ojp.usdoj.gov/BJA>

FEDERAL BENEFITS
U.S. Department of Labor

Section 1.002

1. For Non-Federal Law Enforcement Officers.
2. If the officer is injured, sustains disease, or is killed in connection with a person(s) wanted by the U.S. Government, committed a crime against the U.S. Government, et., the officer or survivors may qualify.
3. Generally, the benefits provided are as follows:
 - a. Payment of \$800.00 for burial expenses paid directly to the surviving spouse or survivors.
 - b. Surviving spouse is entitled to receive, from the U.S. Government, up to 50% of the officer's base per month until they remarry, if there are no eligible children.
 - c. Surviving spouse is entitled to 45% of the officer's base pay. Each dependant child is entitled to receive, 15% of the officer's base pay until such child reaches the age of 18 years of age and leaves home or marries, or 23 years of age provided the child continues in school.
 - d. The above benefits should be pursued in all cases where firearms caused death. It is possible that there may have been a violation of the Federal Firearms Act. Valuable assistance can be obtained by checking with any Special Agent from Alcohol, Tobacco, and Firearms.

To apply for benefits, contact:

U.S. Department of Labor
Office of Workers' Compensation
Federal Employees' Compensation Division
800 N. Capitol Street NW, Room 800
Washington, D. C. 20211
(202) 513-6800

FEDERAL BENEFITS

Social Security Administration

Section 1.003

1. Social Security will pay the following death benefits when a Law Enforcement Officer is killed in the line of duty:
 - a. Up to \$255.00 for funeral expenses paid only to the officer's surviving spouse or minor children.
 - b. A monthly pension to the officer's surviving spouse which is based on the officer's age and amount they have paid into Social Security, as well as the surviving spouse's subsequent earned income, will be paid until the surviving spouse remarries.
 - c. A monthly pension to each surviving child until such child reaches the age of 18 years and completes school, leaves home or marries.

2. This claim must be filed in person at the Social Security Office and the following information will be needed at the time the claim is filed:
 - a. Social Security Number of the deceased.
 - b. Social Security Number of the surviving spouse.
 - c. Social Security Number of each minor child.
 - d. Birth certificate of surviving spouse.
 - e. Birth certificate of each minor child.
 - f. Marriage certificate.
 - g. Certified copy of death certificate
 - h. W-2 forms for the previous year and current year.

To apply for benefits, contact:

Local Social Security Office

FEDERAL BENEFITS

Veterans Administration

Section 1.004

1. If a Law Enforcement Officer is killed in the line of duty, or off duty, and is a veteran of the United States Armed Forces, and is currently receiving compensation from the Veterans Administration, the Officer's survivors are entitled to the following death benefits:
2. The Veterans Administration will pay \$450.00 for burial expenses and grave marker.
3. Provide a burial flag to drape over the casket.
4. Provide burial space in a national cemetery and some transportation expenses.
5. If the gross income of the surviving spouse is less and #3,750.00, they are then entitled to receive a pension from the Veterans Administration. If Social Security is paid, the surviving spouse can deduct 10% of their income from Social Security to arrive at the above figure.
6. Minor children regardless if the deceased officer was receiving any type of compensation from the Veterans Administration, would be entitled to receive a pension of \$61.00 per month. The benefit would continue until he or she reaches the age of 18, marries, or until the age of 23 provided the child is still in school and unmarried.
7. The funeral home handling the burial arrangements will fill out and file the necessary papers to receive burial benefits. The burial benefits will be paid directly to the funeral home and they will need the following information to file the claim:
8. Copy of Discharge papers. (DD-214)

To apply for benefits, contact:

**Veterans Administration
701 Clay Drive
Waco, TX 76799
1-800-827-1000**

★ STATE:

RETIREMENT SYSTEMS OF TEXAS

Death: \$250,000.00 lump sum paid only to surviving spouse. Depending on the number of dependent minor children, the following monthly pay schedule will apply: one minor child, **\$200.00**; two minor children, **\$300.00**; three or more minor children **\$400.00**. **If no surviving spouse or minor children, then the member's surviving natural parent(s) will be awarded the claim** and if none of the aforementioned are living, the member's brother or sister could be awarded the claim upon certified documentation of such dependency.

Disability: None available.

TEXAS HIGHER EDUCATION COORDINATING BOARD

This benefit will allow any surviving child of a deceased or disabled officer or fireman, injured while in the line of duty to attend any State supported college or university at no cost of tuition, books, lab fees and dormitory.

****As per Government Code Chapter 615 (Employees Retirement System of Texas):
Section 615.0225. EDUCATION BENEFITS FOR CERTAIN SURVIVORS. (a) A person is eligible to receive education benefits under this section if the person is:**

(1) a surviving spouse; or

(2) a surviving minor child as defined by Section 615.001.

Update information provided by Family Asst. Officer John Esquivel (Retired).

★ CITY:

RISK MANAGEMENT (INSURANCE)

Death: Survivor will receive one (1) year salary;
(Plus as additional one (1) year salary as a result of an accident)
(updated 11/2007)

Current provider Fort Dearborn Life Insurance Company

Funeral Expense: \$5,000.00 (This benefit will be paid to the

existing beneficiary on the city insurance policy. **(This is in the line of duty death only)**

Death: as a result of catastrophic illness or heart attack will pay one (1) year salary to the surviving beneficiary.

PENSION

Death: 100% of pension paid to surviving spouse and minor children if the death occurred while in the line of duty. If no spouse, minor children will receive **half of the 100%** pension.

Death: as a result of a catastrophic illness or heart attack, the surviving spouse and minor children will receive a percentage based on the number of years paid into the pension.

Disability: Paid upon medical retirement based on the number of years paid into the pension.

WORKERS COMPENSATION

Death: A weekly payment of **\$533.00** will be paid to the surviving spouse and minor children. If the surviving spouse remarries, his/her benefit will cease with his/her portion going to the minor children up to the age of 18 years or have proof of continuing education at an institute of higher learning.

If no surviving spouse or surviving minor children, the member's surviving natural parent(s) would be awarded the benefit, if none of the aforementioned are living, the member's brother or sister could be awarded the benefit upon certified documentation of dependency.

Disability: Benefits vary according to percentage of disability sustained.

★ ASSOCIATION:

S.A.P.O.A. BENEFITS

Death: If the officer is killed while in the line of duty or died as an active member of the police department and was a paying member of the

Police Association, the surviving beneficiary would receive a check for an average of **\$84,000.00** (double-dues from membership). (updated as of 8/19/2011)

Disability: No benefit available.

SAN ANTONIO POLICE BENEVOLENT FUND

In the case where a member is killed in the line of duty, a **\$1,000.00** check would be awarded and presented to the spouse.

CLEAT BENEFITS

Death: If an officer is killed in the line of duty and is a current member of CLEAT, the surviving beneficiary(s) will receive **\$10,000.00**.

Disability: No benefit available.

★ PRIVATE CONTRIBUTIONS:

FLEETWOOD FOUNDATION

Death: If the officer is killed "in the line of duty", the Fleetwood Foundation based in "**Arlington, Texas**", may award a donation from the foundation upon receiving the application of the surviving spouse and/or minor children. (The amount will be decided by the Board of Directors of the foundation and may be from **\$3,000.00** to **\$10,000.00**).

Disability: If the officer is disabled or injured from an "in the line of duty" injury, a donation from the Fleetwood Foundation will be awarded.

ONE HUNDRED CLUB

Death: If an officer is killed "in the line of duty", the "*One Hundred Club of San Antonio*" will award the surviving spouse a cash donation of **\$3,000.00**. In the case where children are involved, a "**College Trust Fund**" is opened by the club.

Disability: No benefit available.

THE TASER FOUNDATION

Specifically, the TASER Foundation will provide support to the families of those who gave their lives while protecting their communities. Immediate family (spouse and/or dependents) of a sworn law enforcement officer whose life was lost in the line of duty are eligible for benefits.

In order to qualify, the immediate cause of loss of life must be duty related. Loss of life from a pre-existing medical condition does not qualify. For example: if an officer working as administrative job suffers a heart attack while on the line of duty, the case would not be eligible.

Grants are available only upon request by the Chiefs of Police and Sheriffs as well as federal law enforcement executives in the name of the officer(s) killed in the line of duty since August 1, 2004 in the United States and Canada. *Update information provided by Family Asst. Officer John Esquivel (Retired).*

SURVIVOR BENEFITS FOR DEATH RESULTING FROM A CATASTROPHIC ILLNESS OR HEART ATTACK

★ CITY:

Final pay off for all accrued days (i.e., vac; sick, etc.).
One (1) year salary.

★ FIREMEN & POLICE PENSION:

Depending on the amount and time invested in the pension, a percentage will be determined for allowance.

★ SAN ANTONIO POLICE BENEVOLENT FUND:

A \$300.00 - \$1,000.00 financial assistance will be awarded to the family.

★ SOCIAL SECURITY:

Spouse and minor children can qualify for assistance depending if the deceased had paid into the program. Claim can be determined at the time of death.

SURVIVOR BENEFITS FOR ACCIDENTAL DEATHS OFF DUTY

★ CITY:

Final pay off for all accrued days (i.e., vac; sick; etc.).
One (1) year salary paid to the beneficiary.
(Plus an additional one (1) year salary as a result of an accident)
(update as of 11/2007)

★ FIREMEN & POLICE PENSION:

Spouse and minor children will receive a percentage of the pension.
If no spouse, the surviving minor children will be eligible for
pension.

★ SAN ANTONIO POLICE OFFICER'S ASSOCIATION MEMBERS:

SAPOA Member double dues (average) **\$84,000.00** (updated
August 2013)

★ SAN ANTONIO POLICE BENEVOLENT FUND:

A **\$300.00 - \$1,000.00** financial assistance will be awarded to the
family.

★ SOCIAL SECURITY:

Spouse and minor children can qualify for assistance depending if the
deceased had paid into the program. Claim can be determined at the
time of death.

All amounts subject to change.