



**SURVIVORS GUIDE TO  
IN-THE-LINE-OF-DUTY  
BENEFITS**

CALIFORNIA PEACE OFFICERS' MEMORIAL FOUNDATION  
640 BERKUT DRIVE, SACRAMENTO CA 95811 ♦ [WWW.CAMEMORIAL.ORG](http://WWW.CAMEMORIAL.ORG)

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# **SURVIVOR’S GUIDE TO IN-THE-LINE-OF-DUTY BENEFITS**

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# INTRODUCTION

This Survivors Guide booklet is offered as a general guide of benefits that may be available to the family members and dependents of a California Peace Officer who has laid down his or her life in the line of duty. We offer this resource in the spirit of compassionate and experienced assistance.

Due to the ever-changing nature of benefits available, it is important that you confirm the information provided herein. No attempt has been made to present the full text of existing law, administrative guidelines, or other criteria to pursue the rights/benefits available and we do not guarantee any particular outcome. With this in mind, we recommend the following:

- Contact your loved one's association for information and assistance. Many POA/DSA/Bargaining Units provide a dedicated representative for support and guidance for their members' families and dependents; including, providing information regarding applicable survivor benefits, fundraisers, and/or scholarships.
- Contact the fallen officer's employing agency/department. The employing agency/department should offer information surrounding available benefits through their specific agency/department.
- Contact with peer support groups, such as Concern of Police Survivors (C.O.P.S.) who have three (3) chapters within the State of California. The C.O.P.S. support group is comprised solely of police survivors who have experienced the trauma you now face. A C.O.P.S. representative will offer their support and help.
- There may be additional professional law enforcement associations/organizations (local, state, and federal) that can and will offer their substantive help. In searching for additional resources, please be cognizant of what you read on the internet and/or second-hand information. Although unintentional, relying upon incorrect or speculative information can delay available benefits.
- Lastly, due to the complexity of pursuing your benefits and the legal maze you may be required to wade through, we urge you to consider utilizing experienced competent legal counsel when navigating available benefits and exercising your rights. Virtually all law enforcement associations in the State of California have knowledgeable attorneys and firms who focus in the area that concerns you.

Respectfully,

Board of Directors  
**CALIFORNIA PEACE OFFICERS  
MEMORIAL FOUNDATION**

# California Peace Officers' Memorial Foundation

On behalf of the CPOMF's Board of Directors, comprised of active duty and retired peace officers and survivors from across the state, we extend our deepest condolences to the families and colleagues of California's fallen officers who made the ultimate sacrifice **In the Line of Duty** serving the people and communities of our great state.

Each year in May, the CPOMF sponsors the statewide California Peace Officers' Memorial Ceremonies in Sacramento. The ceremonies serve to formally enroll peace officers who have died in the line of duty the preceding year – adding their names in bronze to the Memorial Monument. We host their families, and welcome past-year honored families and department personnel from every jurisdiction in our state to pay tribute to the over 1,680 officers enshrined on the monument, ensuring they know their loved one will never be forgotten.

Upon approval for enrollment on the California Peace Officers' Memorial Monument, the CPOMF provides the following benefits to the surviving family:

- **Immediate Financial Assistance**

The CPOMF provides a financial grant of up to \$10,000 to the primary survivor of California Peace Officers who are killed in the line duty, as soon as possible following the tragic loss of the officer.

At this writing, the CPOMF has provided over \$1 million in immediate financial grants to our honored families.

- **Scholarship Program**

The CPOMF awards annual scholarships to children and spouses of California Peace Officers killed in the line of duty. The current annual scholarship award is \$5,000 for attendance at an accredited trade school, two-year college, four-year college or university, or graduate program for a maximum of six years.

To date, the CPOMF has provided over \$1.2 million to the children and spouses of California Peace Officers killed in the line of duty.

For more information visit <http://camemorial.org/scholarship.php> or contact Michelle Gray, Scholarship Committee Chair, or Michelle Mendoza, Deputy Director, via email at [cpomf@camemorial.org](mailto:cpomf@camemorial.org).

We are here to assist the families and colleagues of our fallen brothers and sisters upon the loss of their loved one and beyond. We welcome you to contact us anytime at 916.443.1797 or [cpomf@camemorial.com](mailto:cpomf@camemorial.com)



Juan Viramontes, President  
**CALIFORNIA PEACE OFFICERS  
MEMORIAL FOUNDATION**

# SOCIAL SECURITY BENEFITS

## Applying for Benefits

Before you can receive benefits, a claim must be filed with the Social Security office. Generally, applications can be made by phone, mail, or in person. The office will tell you what documents you need, as there are different types of benefits.

## Eligible Survivors

Monthly survivor benefits are available to the deceased's (regardless of age) following beneficiaries if he/she is insured by Social Security:

- Surviving spouse may be eligible at the age of 60 (or over 50 and is disabled) or at any age if caring for child/children under the age of 16 or disabled who is entitled to benefits.
- Unmarried children under the age of 18, or 19 if still in elementary or secondary school, and those age 18 and over who become disabled before the age of 22 and remain disabled.
- Dependent parents aged 62 or older may be eligible;
- Surviving divorced spouse at age of 60 (or over 50 if disabled) who was married to the deceased for 10 years and who is not eligible for an equal or higher personal benefit; or at any age, if caring for a child under the age of 16 or disabled, who is entitled to benefits on the record.
- The surviving spouse or child may be eligible for a one-time payment of \$255 lump sum. Survivors must apply for this payment within 2 years of the date of death

A surviving spouse's SSA benefits may be modified or eliminated if the surviving spouse remarries. For further information please refer to Social Security rules and publications regarding remarriage and survivor benefits.

Children's benefits stop when they marry or reach the age of 18, or 19 if still in elementary or secondary school. When the last child reaches the age of 16, parents benefits stop, but a surviving spouse or an eligible divorced spouse of a fully insured person can pick up the benefits again with a surviving spouse's benefits upon reaching the age of 60.

For further information related to you specifically please contact the Social Security Administration online at [www.ssa.gov](http://www.ssa.gov) or by telephone at the toll-free number (800) 772-1213.

# FEDERAL BENEFITS

## Public Safety Officers Benefits (PSOB) Act

The PSOB Act provides a financial benefit to the eligible survivor of a public safety officer whose death is the direct result of a traumatic injury sustained in the line of duty. The Act also provides the same benefit to public safety officers who have been permanently and totally disabled as the direct result of a catastrophic personal injury sustained in the line of duty. The injury must permanently prevent the officer from performing any gainful work.

The amount of the 2025 PSOB benefit is \$448,575.00 for eligible deaths and disabilities occurring on or after October 1, 2024. Each October 1<sup>st</sup>, the benefit will be adjusted by the percentage of change in the Consumer Price Index.

## Interim Payment

When the U.S. Department of Justice determines, upon showing of need and prior to taking final action, that a death benefit will probably be paid, an interim payment not exceeding \$3,000 may be made to the eligible survivors.

## Tax Exemption

The Act ensures that the benefit will not be subject to execution or attachment by creditors. The IRS has ruled that the benefit is not subject to federal income tax (Revenue Ruling # 77-235, IRB 1977-28).

## Filing a Claim

The U.S. Department of Justice will make the final determination on whether and to whom a benefit should be paid.

More information regarding current benefit amount, eligibility, benefit guidelines, eligible survivors, limitations and exclusions, and required documents can be found on [www.psob.gov](http://www.psob.gov).

To apply for the Public Safety Officers' Benefits please go to [www.psob.gov](http://www.psob.gov) for complete information and tutorial on how to apply for benefits online or call the Customer Resource Center at 1-888-744-6513.

## WORKERS' COMPENSATION – STATE OF CALIFORNIA

The State of California mandates all employers provide workers' compensation coverage for injured workers; including, coverage for an in the line of duty death. This benefit is provided by the city/county's workers' compensation insurance carrier and is paid to legal **dependents** in all cases where a peace officer has died in the line of duty, as follows:

- One (1) total dependent: up to \$250,000,
- Two (2) total dependents: up to \$290,000,
- Three (3) or more total dependents: up to \$320,000.

Please note these benefit limits may be exceeded if there is a minor child or child of any age with an existing physical or mental incapacity.

All dependency benefits are paid at a rate according to the deceased earnings at the time of death. Generally, benefits are paid at \$1,619.15 per week until the entire amount is fully paid.

In addition to any dependency benefit, up to \$10,000 may be provided or reimbursed for burial expenses.

### Who qualifies as a dependent?

California has a broad interpretation of legal dependency. California recognizes two (2) types of legal dependents: "total" or "partial."

A "total" dependent is a minor child or spouse earning less than \$30,000 in the preceding 12 months from the time of death. Evidence including a marriage certificate, birth certificate and/or tax return information will be necessary.

In circumstances involving a minor child, dependency benefits are paid until that child reaches eighteen (18) years old or can extend to nineteen (19) years old, if that child is attending high school.

In circumstances with a child, of any age, with physical or mental incapacity, dependency benefits may be provided for the remainder of that child's life. Medical evidence of physical or mental incapacity will be necessary.

A "partial" dependent is an individual who does not meet the threshold of a "total" dependent;" however, was reliant upon the deceased for support. Evidence of existing financial support will be necessary. A "partial" dependent benefit is equal to eight (8) times the annual support received, not to exceed \$250,000.

**Dependents must make an application for these benefits.** The employing agency may facilitate in providing needed information or documentation; however, dependents are entitled to seek legal representation for these benefits.

## WORKERS' COMPENSATION – FEDERAL

### Office of Workers' Compensation Programs (OWCP)

Benefits are provided for any non-federal law enforcement officer who is injured, sustains disease or is killed under one of the following conditions:

- 1) While engaged in the apprehension or attempted apprehension of any person:
  - (a) Who has committed a crime against the United States, or
  - (b) Who at the time was sought by a law enforcement authority of the U.S. for the commission of a crime against the U.S., or
  - (c) Who at the time was sought as a material witness in a criminal proceeding instituted by the U.S.; or
  
- 2) While engaging in protecting or guarding a person held for the commission of a crime against the U.S. or as a material witness in connection with such a crime; or
  
- 3) While engaged in the lawful prevention of, or lawful attempt to prevent, the commission of a crime against the U.S.

The officer or survivors must claim benefits within five years from the date of injury or death.

**IMPORTANT:** Form CA-721 can be obtained by writing to the Office of Workers' Compensation Programs. In certain jurisdictions, a supply also is available in the agency's administrative office or personnel office. If death occurs, request should be made for CA-722.

#### More Information:

U.S. Dept. Of Labor/OWCP  
1240 E. 9<sup>th</sup> St., Room 851  
Cleveland, Ohio 44199  
Attn: Special Claims



# STATE, COUNTY, AND CITY PENSION BENEFITS

## Retirement Systems

In the State of California there are basically three systems that apply to peace officers:

- 1) State: Public Employees Retirement System (PERS); covering
  - a) State-employed peace officers
  - b) Most cities and counties on an individual contractual basis
- 2) County: 1937 Act retirement system  
Individual retirement systems negotiated per county. Please contact individual departments or associations.
- 3) City: Independent local pension systems  
Individual chartered cities, i.e., the cities of Los Angeles, San Diego, and Oakland. Please contact the specific agency or association.

Due to the fact there are three distinct retirement systems within the state of California, with several different options available in each system, it is recommended that the survivor rely on the deceased officer's employing agency and his/her local law enforcement association for assistance in filing and pursuing a claim.

# EDUCATIONAL BENEFITS AND SCHOLARSHIPS

## Alan Pattee Scholarship Act

In 1970, Assembly Bill 338 was passed. Known as the Alan Pattee Scholarship Act, this legislation amended Section 6811 of the California Education Code.

Under this act **no fees or tuition of any kind** shall be required of or collected by the regents of the University of California (68120) or the Trustees of the California State University (68121) from any surviving child, natural or adopted, of any resident of the state of California who was killed in the performance of his/her duties as a law enforcement officer/firefighter in the State of California.

The waiver of fees and tuition is handled by the state-supported college or university the surviving child plans to attend. When applying, the student must make the college or university aware of the fact that he or she is a surviving child of a law enforcement officer killed in the line of duty and qualified for tuition-free education under Section 68121 of the Education Code known as the Alan Pattee Scholarship Act.

Effective August 2003, non-California residents who are California survivors may attend a California school at the **in-state** tuition rate and apply for both the Alan Pattee Scholarship and LEPD Grant.

Effective January 1, 2001, Governor Davis signed AB1850, which provides surviving spouses the same benefit that their (surviving) children receive. This consists of tuition-free education throughout the University of California, Hastings College of Law and California State University systems.

## American Police Hall of Fame and Museum

College scholarships (\$1,500 per year for four years) are provided to the children of an officer killed in the line of duty. For more information contact:

American Police Hall of Fame and Museum  
6350 Horizon Dr.  
Titusville, FL 32780  
(321) 264-0911 [www.aphf.org/scholarships.html](http://www.aphf.org/scholarships.html)

## The Knights of Columbus-Catholic Organization

The Matthews and Swift Educational Trust Fund provides tuition-only scholarships to Catholic colleges up to \$25,000 per year for children of members in good standing who are full-time law enforcement officers while in the lawful performance of their duties, are killed in the line of duty as a result of criminal violence directed at them.

To be eligible, applicants must be under 26 years old, be admitted to a Catholic college, and have the approval of the Knights of Columbus Board of Directors. Applications must be submitted within two years of the death or disability.

Contact Director of Scholarship Aid, Knights of Columbus, P.O. Box Drawer 1670 New Haven CT. 06507 (203)772-2130. Also sponsors a loan program. Or online at [www.kofc.org/forms/deputy/benefits](http://www.kofc.org/forms/deputy/benefits).

### **Law Enforcement Personnel Dependents Grant Program (LEPD)**

This program is administered by the California Student Aid Commission, based on financial need. For more information contact:

Student Aid Commission  
Office of Special Programs/LEPD Grants  
PO Box 419029  
Rancho Cordova, CA 95741-9029  
(888) 224-7268 # 3  
[www.csac.cagov/faforfirst](http://www.csac.cagov/faforfirst)

### **The Military of the Order of the Purple Heart**

The Purple Heart Scholarship Program is a competitive program that awards scholarships to Purple Heart recipients and their spouses, children, and grandchildren each year. For more information and requirements please visit [www.purpleheart.org/ScholarshipProgram](http://www.purpleheart.org/ScholarshipProgram)

### **National C.O.P.S. scholarship program**

C.O.P.S. scholarships provide financial assistance to surviving children and spouses of law enforcement officers killed in the line of duty, according to Federal government criteria, who wish to pursue a course of study beyond high school. Scholarships are not awarded for post-graduate study. ***Scholarships are not awarded to survivors who are entitled to a tuition-free education as a state death benefit, such as the Alan Pattee Scholarship Act in California.***

Applicants seeking financial assistance for education purposes are limited to the receipt of not more than \$1,500 per semester, and total scholarship awards shall not exceed \$12,000 maximum lifetime.

C.O.P.S. scholarships are awarded three times annually: Fall/Winter semester (begins late August or early September), Winter/Spring semester (begins late December or early January), and summer semester (begins May or June). A completed application is required for consideration for each semester, and the awarding of a scholarship for any one semester does not guarantee a scholarship for any future semesters.

Scholarship recipients are determined by an independent Scholarship Committee drawn from the outside community and comprised of persons knowledgeable about education and the law enforcement profession. The National Board of C.O.P.S. determines the amount of funding that will be set aside for educational scholarships each year.

Scholarships are paid directly to the institution of higher learning on behalf of the scholarship recipient and may be expended only for tuition, required texts, and associated fees (not room and board charges). Any unused amount is returned to C.O.P.S

### **Peace Officers Research Association of California (PORAC)**

PORAC offers a scholarship program that includes family members of officers killed in the line of duty. For more information call PORAC at (800) 937-6722 or 916.921.0660, or visit [scholarships@porac.org](mailto:scholarships@porac.org), or [www.porac.org](http://www.porac.org).

### **Vantagepoint Public Employee Memorial Scholarship Fund**

ICMA-RC founded the Vantagepoint Public Employee Memorial Scholarship Fund in 2001 to honor the lives of our Nation's police officers, firefighters, and other local and state government employees who have died in the line of duty.

The Fund provides the surviving spouses and children of these employees who have given so much to their community's financial assistance in education as they move forward with their lives.

Scholarships in amounts of up to \$10,000 are awarded to students who plan to attend a two- or four-year accredited college, university, or vocational school full-time.

Applicants must:

- be the child or spouse of local or state government employees who have died in the line of duty;
- attend or plan to attend school full-time at an accredited two- or four-year university, college, or vocational school, or be a high school senior who plans to attend school full time.

Applications are available online: [www.icmarc.org/prebuilt/micro/vantagescholar/apply.html](http://www.icmarc.org/prebuilt/micro/vantagescholar/apply.html)

Vantagepoint Public Employee Memorial Scholarship Fund  
Scholarship Management Services, Scholarship America  
One Scholarship Way, P.O. Box 297  
Saint Peter, MN 56082  
(507) 931-1682

## **Additional Scholarships and Educational Assistance**

Many associations and law enforcement departments – local and statewide – offer a number of scholarships to their own members/personnel. Inquire within your fallen officer's association and department for specific benefits to which you may be entitled.

# ADDITIONAL DEATH BENEFITS

## California Narcotic Officers Association (CNOA)

The CNOA has established a memorial fund providing for the following death benefits:

- For any member of the CNOA killed in the line of duty: \$25,000
- For any non-member killed in the line of duty: \$5,000

An additional \$10,000 in AD&D insurance will be paid for a member of CNOA who is killed in the line of duty. For additional information or to file a claim contact: CNOA at (661) 775- 6960, or online at [www.cnoa.org/smf](http://www.cnoa.org/smf)

## CHP 11-99 Foundation

This is a nonprofit charitable organization that provides benefits and scholarships to CHP families. For more information, please go online to [www.chp11-99.org](http://www.chp11-99.org)

## Military Veterans Benefits

Many law enforcement officers are veterans of the U.S. Armed Forces and a number of survivor's benefits are available to the spouse and children of a deceased veteran. The basic allowances by the Department of Veterans Affairs (VA) are:

- \$300 towards funeral expenses. File VA Form 21-530.
- \$150 towards plot allowance. This benefit is not payable if the veteran is buried in a national cemetery.
- An American flag is available to drape the casket. Flags are issued at any VA regional office, VA cemetery and most local post offices.
- Headstones and markers: Flat bronze, flat granite and upright marble types are available in the style consistent with existing monuments at the place of burial.

Veteran benefits are not automatically paid out. Claims must normally be filed with the VA within two years of the veteran's death. Claims for families in the western half of the nation should send their insurance claims to:

VA Center  
Fort Snelling  
St. Paul, MN 55111

For information or help for veterans benefits, go to [www.va.gov](http://www.va.gov), or write, call or visit a veterans' benefit center at the nearest VA regional office or VA hospital listed in the phone directory under "U.S. Government" or call the toll free number (800) 827-1000.

## **National Guard**

The California National Guard offers several life insurance benefits, including State Sponsored Life Insurance (SSLI). This benefit includes a \$1,000 non-contributory survivor benefit for active members, as well as additional coverage options for members, their spouses, and children. Contact the office of the CA National Guard for additional benefits of which you may be eligible: [calguard.ca.gov/veterans-benefits](http://calguard.ca.gov/veterans-benefits)

## **National Rifle Association (NRA) Law Enforcement Officer Line of Duty Death Benefit**

A \$35,000.00 insurance benefit to the survivors of a public law enforcement officer, who is an NRA Member, who is killed in the line of duty. Coverage is automatic for all law enforcement officers who are NRA members. (This Line of Duty Death Benefit is not available in all states. The NRA must be contacted within 90 days of the officer's death. The contact is: Insurance Administration and Claims at (877) 672-3008 (877) 672-3006. Or online at <https://le.nra.org/law-enforcement-benefits>. You will need the member's name and NRA membership number.

## **National Sheriffs Association**

The National Sheriffs Association provides \$3,000 accidental death or dismemberment for its members. Member need not be on duty at the time of occurrence. Officer may have joined individually or as a covered member of the employing agency.

For more information go to <https://www.sheriffs.org/membership-center>  
To check membership or begin the claim you may call (800) -424-7827 or write to National Sheriffs Association, 1450 Duke St. Alexandria Virginia, 22314. You will need a copy of the death certificate and an incident report from the investigating agency.

## **Taser Foundation**

The Taser Foundation was established to support the families of Law Enforcement Officers who gave their lives while protecting their communities. Immediate family (spouse and/or dependents) of a sworn law enforcement officer who was killed in the line of duty are eligible for the benefits. To qualify, the immediate cause of death must be duty-related. Loss of life from a pre-existing medical condition does not qualify. For example, if an officer who is working an administrative job suffers a heart attack while on duty the case would not be eligible

When a department in the United States or Canada suffers the loss of an officer in the line of duty, the agency can apply to the TASER Foundation on behalf of the officer's family. The application is available at the TASER Foundation website. Completed applications can be faxed to the TASER Foundation at 480-905-2035.

The TASER Foundation will usually be able to issue a check to the family within 48 hours upon verification of the request.

For More Information: Contact Gerry Anderson, Executive Director the TASER Foundation at Gerry@TASER.com or 480-905-2090. Tax ID 74-3133654. The TASER Foundation 17800 N. 85th Street Scottsdale, AZ 85255 www.TASERFoundation.org 480-905-2090 FAX 480-905-2035

### **Victim's Assistance Program**

California has a Victim Assistance Program/Victim Compensation Board. The California Victim Compensation Board (CalVCB) is the payor of last resort. CalVCB provides compensation after all available reimbursement and recovery sources are used, including medical insurance, disability insurance, employer benefits and civil suits.

This program can only be utilized if all other insurances, coverage, and money have been exhausted. For more information contact:

800-777-9229

Email [info@victims.ca.gov](mailto:info@victims.ca.gov)

Mailing Address:

CalVCB

P.O. Box 3036

Sacramento, CA 95812-3036



## LIFE INSURANCE

In addition to any personal life insurance in force, most law enforcement associations offer low-cost term life insurance to their members with an enhanced AD&D clause with little or no additional cost.

Survivors should contact all associations, fraternal orders, etc., that the deceased may have been affiliated with to determine whether a death benefit applies.

## HEALTH BENEFITS

Effective October 1996, all employers are required to continue to provide health benefits to the spouse and dependents of peace officers and firefighters who are killed in the line of duty. This benefit is not to cease upon remarriage. Minor dependents may continue to receive the benefits under the coverage provided to the surviving spouse, or, if there is no surviving spouse, until 21 to 26 years of age. Check with your individual department for length of coverage, as your department may be following the ACA Federal guidelines of coverage until 26 years of age for dependents. Ref. Labor Code §4856, below.

The spouse may not add a new spouse or stepchildren as family members under the continued health benefits coverage of the surviving spouse. This benefit comes under Assembly Bill 3478.

### **Labor Code §4856 Language:**

4856. (a) Whenever any local employee who is a firefighter, or peace officer as described in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or a Sheriff's Special Officer of the County of Orange, is killed in the performance of his or her duty or dies as a result of an accident or injury caused by external violence or physical force incurred in the performance of his or her duty, the employer shall continue providing health benefits to the deceased employee's spouse under the same terms and conditions provided prior to the death, or prior to the accident or injury that caused the death, of the employee unless the surviving spouse elects to receive a lump-sum survivors benefit in lieu of monthly benefits. Minor dependents shall continue to receive benefits under the coverage provided the surviving spouse or, if there is no surviving spouse, until the age of 21 years. However, pursuant to Section 22822 of the Government Code, the surviving spouse may not add the new spouse or stepchildren as family members under the continued health benefits coverage of the surviving spouse. (b) Subdivision (a) also applies to the employer of any local employee who is a firefighter, or peace officer as described in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who was killed in the performance of his or her duty or who died as a result of an accident or injury caused by external violence or physical force incurred in the performance of his or her duty prior to September 30, 1996. (Amended by Stats. 2012, Ch. 819, Sec. 2. (AB 2069) Effective January 1, 2013.)

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