

## **LINE OF DUTY INJURY OR DEATH OCCURRING WITHIN CITY**

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### **PURPOSE**

To report and record line of duty injuries and deaths occurring within the city.

### **DEFINITION**

INVESTIGATING SUPERVISOR - As used in this procedure will be as follows:

- a. The platoon commander, precinct of occurrence, if available, will act as the investigating supervisor and will complete parts "A" and "B" of the **LINE OF DUTY INJURY REPORT (PD429-154)**.
- b. If platoon commander is unavailable, a patrol supervisor, precinct of occurrence, will act as the investigating supervisor and will complete part "B" of the **LINE OF DUTY INJURY REPORT**. The desk officer will designate a second supervisor, assigned to the precinct of occurrence to prepare part "A" of the **REPORT**. If a second supervisor is unavailable, the desk officer will prepare part "A" of the **REPORT**.

Only the platoon commander, precinct of occurrence, may prepare both parts "A" and "B" of a **LINE OF DUTY INJURY REPORT**.

In addition, if the injured member is assigned to other than a precinct command, or the Police Academy, a supervising officer of such member's command, if available, will perform the tasks of the investigating supervisor. If the injured member dies or is likely to die, the precinct commander/duty captain will be the investigating supervisor.

### **PROCEDURE**

Upon receiving an injury in the performance of police duty, whether on or off duty, or arriving at a location where a uniformed member of the service is injured:

#### **UNIFORMED MEMBER OF THE SERVICE**

1. Request patrol supervisor to respond.
2. Notify desk officer of:
  - a. Circumstances of injury
  - b. Names and addresses of witnesses
  - c. Whether reporting sick.
3. Request witnesses to await arrival of supervisor.
4. Remain at scene unless:
  - a. Hospitalization or medical attention is required
  - b. Further police action is necessary.

#### **DESK OFFICER**

5. Notify the investigating supervisor, as indicated in the above "DEFINITION."
6. Notify injured member's command if member is not assigned to precinct of occurrence.
7. Notify precinct commander or duty captain if member dies or is likely to die.
8. Notify borough commander and Operations Unit if member dies.
9. Immediately notify the Sick Desk supervisor (718) 760-7606 or Sick Desk ([718] 760-7600) when any of the following conditions, relating to a line of duty injury exist:

- a. Where the incident causing the injury was NOT specifically witnessed, AND
- b. Injury occurred within any police facility (building, office, etc.), OR
- c. Injury occurred in the immediate vicinity of any police facility (parking lot, perimeter sidewalk, etc.), OR
- d. Injury occurred during the first two (2) hours of a tour.
- e. Any request for line of duty injury designation by an off-duty uniformed member of the service.

**NOTE** See Additional Data for hospital guidelines regarding members seriously injured or killed in line of duty.

**PATROL SUPERVISOR**

10. Respond to scene.
11. Request desk officer to designate a second supervisor, precinct of occurrence, to complete part "A" of **LINE OF DUTY IN JURY REPORT**.
  - a. If a second supervisor is unavailable, the desk officer will complete part "A" of the REPORT.

**DESIGNATED SUPERVISOR**

12. Complete part "A" of **LINE OF DUTY INJURY REPORT**.

**INVESTIGATING SUPERVISOR**

13. Interview injured member and investigate circumstances.
  14. Make initial report to desk officer without delay.
- [I.O. 33 s 04]** 15. Notify the Operations Unit promptly, if the member of the service injured requires hospital treatment.
- a. An additional notification to the Operations Unit is also required before final reports are prepared to update Operations of the status of the injured member of the service.

**NOTE** This notification is in addition to, and does not preclude the requirement for other notifications to Operations as indicated elsewhere in this procedure.

16. Interview witnesses and request them to prepare and sign **WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT (PD429-065)**.
17. Complete part "B" of **LINE OF DUTY INJURY REPORT**.
18. Prepare **Police Accident Report (MV104AN)**, if vehicle accident involved.
19. Direct injured member, or if he is incapacitated assign a member, to prepare an **AIDED REPORT (PD304-152)** if a vehicle is not involved.
20. Instruct injured member to complete part "C" of **LINE OF DUTY INJURY REPORT** if member requests line of duty designation of injury.

**NOTE** Part "C" of **LINE OF DUTY INJURY REPORT** will be completed by precinct commander/duty captain if injured member is unable to do so.

21. Deliver completed reports to desk officer.

**DESK OFFICER**

22. Obtain Sick Desk control number whether injured member reports sick or not.
23. Make entry on **SICK LOG (PD429-143)** if injured member reports sick.
24. Photocopy **LINE OF DUTY INJURY REPORT** and forward direct to Medical Division, attention Line of Duty Desk.

25. Immediately deliver completed **LINE OF DUTY INJURY REPORT** and **WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT** to precinct commander/duty captain.
26. Forward **AIDED REPORT** or **Police Accident Report** in normal manner:
  - a. Forward copy of reports to injured member's command if not assigned to precinct of occurrence
  - b. Have copies of reports forwarded to Police Pension Fund if member is killed in the line of duty or seriously injured and likely to die.

**PRECINCT COMMANDING OFFICER, DUTY CAPTAIN**

27. Review **LINE OF DUTY INJURY REPORT** and **WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT**, indicate approval or disapproval, and sign.
  - a. If disapproved, indicate reason on rear of original **LINE OF DUTY INJURY REPORT**.

**NOTE** See *Additional Data* for further information regarding line of duty designations by Medical Division.

28. Prepare a comprehensive report on **Typed Letterhead** addressed to the Commanding Officer, Medical Division detailing the circumstances of the injury when the injured member of the service is a Probationary Police Officer.
29. Prepare unusual occurrence report for line of duty death or serious injury and likely to die and forward as indicated in *P.G. 212-09, "Unusual Occurrence Reports"*.
30. Forward **LINE OF DUTY INJURY REPORT** per directions on form with **WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT** and comprehensive report on **Typed Letterhead**, if applicable, attached.
  - a. Have copies of these reports forwarded to Police Pension Fund if line of duty death or serious injury and likely to die.
31. Comply with the pertinent provisions of the Trauma Counseling Program as indicated in *P.G. 205-08, "Trauma Counseling Program"*.

**ADDITIONAL DATA**

*When a member of the service is treated at a hospital for a line of duty injury, the following information, ONLY, is to be entered in hospital records pertaining to address and telephone number of injured member:*

- ◆ *Police Department, City of New York, Medical Division, 1 Lefrak City Plaza, 59-17 Junction Boulevard, Corona, New York 11368, Room 1524; telephone number (718) 760-7573, Monday - Friday, 0900-1700 hours; (718) 760-7600, all other hours.*

*Member's command, home address and telephone number will not be disclosed to hospital authorities or anyone else unless authorized supervisory officer determines requesting person is entitled to the information.*

*When a uniformed member of the service is struck by a bullet on a protective vest and is apparently uninjured, the member must be examined by a doctor to ascertain if a blunt body trauma or internal injury has occurred. When an injured member is hospitalized or dies, the patrol supervisor will ensure that firearms, Department property (shield, identification card, nameplate, etc.), and personal effects of member are removed and safeguarded.*

*Medical Division will make final determination of APPROVAL/ DISAPPROVAL of ALL applications for line of duty injury/illness designation and will notify the commanding officer of member concerned of final designation. Uniformed members of the service may request verification of the final designation from the commanding officer.*

**NOTE** Retired uniformed members of the service may request verification of the final designation, in writing, to the Medical Division, 1 Lefrak City Plaza, 59-17 Junction Boulevard, Corona, New York.

*HOSPITAL GUIDELINES REGARDING UNIFORMED MEMBERS OF THE SERVICE SERIOUSLY INJURED OR KILLED IN THE LINE OF DUTY:*

*When a uniformed member of the service is seriously injured or killed in the line of duty, the Operations Unit will notify the following members of the service to respond to the hospital:*

- a. Police Commissioner*
- b. First Deputy Commissioner (if Police Commissioner is not available)*
- c. Chief of Department*
- d. Chief of Detectives (to supervise investigation)*
- e. Bureau chief of the injured or deceased member*
- f. Deputy Commissioner-Public Information*
- g. Supervising Chief Surgeon*
- h. Department Chaplain*
- i. Commanding Officer, Employee Relations Section*
- j. Lieutenant-Employee Relations Section, borough concerned*
- k. Patrol borough commanding officer*
- l. Patrol borough executive officer (if borough commanding officer is not available)*
- m. Duty inspector (to supervise and control access to emergency room and adjacent areas by responding members of the service)*
- n. Patrol borough operations commander (if duty inspector not available)*
- o. Commanding officer/duty captain (will prepare the Unusual Occurrence Report)*
- p. Detective borough commander*
- q. Detective assigned to investigate the case*
- r. Crime Scene Unit detective or technician*
- s. Policewomen's Endowment Association representative if a female police officer is the victim*
- t. Line organization representative*

*The following members of the service will be permitted to speak to the injured member or view the body of the deceased member:*

- a. Police Commissioner*
- b. First Deputy Commissioner*
- c. Chief of Department*
- d. Bureau chief concerned*
- e. Patrol borough commanding officer (or representative)*

**ADDITIONAL DATA (continued)**

- f. Detective assigned to the case
- g. Crime Scene Unit detective or technician
- h. Union representative
- i. Policewomen's Endowment Association representative if a female police officer is the victim
- j. Department Chaplain

*The hospital guidelines also apply to uniformed member of the service seriously injured or killed in the line of duty within residence counties.*

*Uniformed members of the service and/or their families may be entitled to both medical and financial benefits under the Federal Employees Compensation Act (F.E.C.A.), if a Federal Statute was violated and the injury occurred while apprehending or attempting to apprehend an individual who violated such statute. Therefore, the investigating supervisor will make an entry on the **LINE OF DUTY INJURY REPORT (PD429-154)**, in box captioned "Patrol Command Supervisors Report of Injury," indicating whether the injury comes under F.E.C.A. or whether F.E.C.A. does not apply in this case. If the injury comes under F.E.C.A., the member's commanding officer will forward the following items to Medical Division, (attn. Federal Compensation Liaison Officer), 1 Lefrak City Plaza, within ninety (90) days of occurrence:*

- a. Copy of **LINE OF DUTY INJURY REPORT** and **WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT (PD429-065)**, if prepared.
- b. Copy of **Unusual Occurrence Report**, if prepared.
- c. Copy of perpetrator's arrest history (rap sheet), if an arrest is effected.
- d. Copy of criminal court complaint, if arrest is effected.
- e. Copy of firearms trace, if weapon involved.
- f. Copy of a fully completed United States Department of Labor form BEC-721a entitled, "Notice of Law Enforcement Officer's Injury or Occupational Disease." (Form may be obtained from Federal Compensation Liaison Office).

*In unusual circumstances, when a line of duty designation cannot be made expeditiously pending the results of an investigation or other circumstances, the ranking officer responsible for forwarding the **LINE OF DUTY INJURY REPORT** to the Medical Division will have report prepared on **Typed Letterhead**, clearly indicating the reasons for the delay and the approximate time period required to complete the investigation. The **Typed Letterhead** will be forwarded to the Medical Division within sixty (60) days from the date that the initial request for line of duty designation was made. Subsequent reports will be forwarded for each additional sixty (60) day period, if necessary.*

*To provide the Federal Bureau of Investigation (F.B.I.) statistical and descriptive information for use in law enforcement training, the Commanding Officer, Medical Division will provide the Chief of Department Investigation Review Section with copies of **LINE OF DUTY INJURY REPORTS** for shot or stabbed officers.*

**RELATED PROCEDURES**

- Aided Cases-General Procedure (P.G. 206-01)*
- Department Vehicle Involved In An Accident (P.G. 217-06)*
- Unusual Occurrence Reports (P.G. 212-09)*
- Firearms Discharge And Assaults Involving Uniformed Members Of The Service (P.G. 212-29)*
- Reporting Sick (P.G. 205-01)*
- Supervision Of Member Of The Service Receiving Physical Therapy For Line Of Duty Injuries (P.G. 205-09)*
- Exposure Of Members Of The Service To Infectious Diseases (P.G. 205-10)*
- Line Of Duty Injury Or Death From Outside City And Residence Counties (P.G. 205-02)*
- Trauma Counseling Program (P.G. 205-08)*
- Death Of Member Of The Service (P.G. 205-07)*

**FORMS AND REPORTS**

- AIDED REPORT (PD304-152)***
- LINE OF DUTY INJURY REPORT (PD429-154)***
- POLICE ACCIDENT REPORT (MV104AN)***
- SICK LOG (PD429-143)***
- UNUSUAL OCCURRENCE REPORT(PD 370-152)***
- WITNESS STATEMENT - INJURY TO MEMBER OF THE DEPARTMENT (PD429-065)***
- Typed Letterhead***

## LINE OF DUTY INJURY OR DEATH – OUTSIDE CITY IN RESIDENCE COUNTIES

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### PURPOSE

To report a line of duty injury or death incurred by a uniformed member of the service outside the city within residence counties.

### DEFINITIONS

RESIDENCE COUNTIES - The six (6) counties outside New York City wherein uniformed members of the service are permitted to live, i.e., Nassau, Suffolk, Westchester, Rockland, Orange and Putnam.

INJURED IN LINE OF DUTY OUTSIDE NEW YORK CITY - Injured while performing duty that uniformed member was specifically assigned to perform, outside the city, by competent authority within the Department or while taking police action as authorized by Section 140.10 of the Criminal Procedure Law.

### PROCEDURE

When injured in the line of duty in one of the residence counties whether reporting sick or not:

#### UNIFORMED MEMBER OF THE SERVICE

1. Notify local police authorities if appropriate.
2. Telephone Medical Division, Sick Desk (718-760-7600), giving:
  - a. Circumstances
  - b. Names and addresses of witnesses.

**NOTE** *If unable to call Medical Division, Sick Desk, request responsible person to make notification.*

3. Comply with instructions received from Sick Desk personnel.
4. Notify Operations Unit immediately if arrest involved.

#### INVESTIGATING SUPERVISOR

5. Respond to location and conduct investigation as specified in *P.G. 205-05, "Line Of Duty Injury Or Death Occurring Within City."*
  - a. A Department vehicle may be used for this purpose without prior permission being obtained.

#### DESK OFFICER

6. Make entries in Department records and insure that required forms have been prepared.

#### ADDITIONAL DATA

*Uniformed members of the service and/or their families may be entitled to both medical and financial benefits under the Federal Employees Compensation Act (F.E.C.A.), if a Federal Statute was violated and the injury occurred while apprehending or attempting to apprehend an individual who violated such statute. Therefore, the investigating supervisor will make an entry on the **LINE OF DUTY INJURY REPORT (PD429-154)** in box captioned "Patrol Command Supervisor's Report of Injury," indicating whether the injury comes under F.E.C.A. or whether F.E.C.A. does not apply in this case. If the injury comes under F.E.C.A., the member's commanding officer will forward the following items to Medical Division, (Attn. Federal Compensation Liaison Officer), 1 Lefrak City Plaza, within ninety (90) days of occurrence:*