CRITERIA FOR INCLUSION ON THE NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL

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

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

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

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

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

Correctional employees shall be included if they are recognized as having law enforcement status by their employing jurisdiction. Other correctional employees who do not have formal law enforcement status but who do have a primary or limited responsibility for the custody and security of suspected or convicted criminal offenders, and are employed by a local, county, state or federal correctional agency will also be considered. If law enforcement is not a person's primary function (e.g. correctional employee, such as Maintenance Supervisor, Farm Manager, Food Service Instructor, etc.), then that person must be engaged in their law enforcement duties when their fatal injury is sustained. In such cases, eligibility will be determined after a review of several issues, including but not limited to job description, federal, state or local statutes, training and circumstances of death.

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

The term "killed in the line of duty" means a law enforcement officer has died as a direct and proximate result of a personal injury sustained in the line of duty. This includes victim law enforcement officers who, while in an off-duty capacity, act in response to a law violation.

This includes victim law enforcement officers who, while in an off-duty capacity, are actually en route to or from a specific emergency or responding to a particular request for assistance; or the officer is, as required or authorized by law or condition of employment, driving his employer's vehicle to or from work; or when the officer is, as required by law or condition of employment, to drive his own personal vehicle at work and is killed while en route to or from work.

Not included under this definition are deaths attributed to natural causes, except when the medical condition arises out of physical exertion, while on duty, that is required by law or condition of employment including but not limited to: (1) running or other types of exercise being performed as part of training programs administered by the employing agency; (2) fitness tests administered by the employing agency; (3) lifting of heavy objects; or (4) a specific stressful response to a violation of law or an emergency situation causing an officer's death immediately or within 24 hours of violation or emergency situation, or causing his/her death during a continuous period of hospitalization immediately following the specific response to the specific stressful response to the violation of law or emergency situation. Stressful responses include, but are not limited to, the following: (1) a physical struggle with a suspected or convicted criminal; (2) performing a search and rescue mission that requires rigorous physical activity; (3) performing or assisting with emergency medical treatment: (4) responding to a violation of the law or emergency situation that involves a serious injury or death; or (5) a situation that requires either a high speed response or pursuit on foot or in a vehicle. Also not included under this definition are deaths attributed to voluntary alcohol or controlled substance abuse, deaths caused by the intentional misconduct of the officer, deaths caused by the officer's intention to bring about his or her own death and deaths attributed to an officer performing his/her duty in a grossly negligent manner at time of death.

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

An officer shall be included if a department states that the officer died in the line of duty and there is no information to believe otherwise. The NLEOMF staff shall exhaust all possible

means available to verify an officer's eligibility status, and the correct spelling of the name. Efforts will include having the name verified by the law enforcement agency of record and a surviving family member.

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