ARIZONA

Death Benefits Available to the Surviving Families of Law Enforcement Officers Killed in the Line of Duty

To obtain certified copies of registered personal documents, contact the Bureau of Vital Statistics: Submit written request to 150 N 18th AVE, Phoenix, AZ 85007. Office: (602) 542-1025. www.azdhs.gov/vital-records

STATE DEATH BENEFITS

Death benefits

A. In case of an injury causing death, the compensation therefore shall be known as a death benefit and shall be payable in the amount, for the period, and to and for the benefit of the following:

1. Burial expenses, not to exceed five thousand dollars, in addition to the compensation.

2. To the surviving spouse, if there are no children, sixty-six and two-thirds per cent of the average monthly wage of the deceased, to be paid until such spouse’s death or remarriage, with two years’ compensation in one sum upon remarriage. To the surviving spouse if there are surviving children, thirty-five per cent of the average monthly wage of the deceased, to be paid until such spouse’s death or remarriage with two years’ compensation in one sum upon remarriage, and to the surviving children, an additional thirty-one and two-thirds per cent of the average monthly wage, to be divided equally among them until the age of eighteen years, until the age of twenty-two years if the child is enrolled as a full-time student in any accredited educational institution, or if over eighteen years and incapable of self-support when the child becomes capable of self-support. When all surviving children are no longer eligible for benefits, the surviving spouse’s benefits shall be paid as if there were no children. In the event of the subsequent death or remarriage of the surviving spouse, the surviving child’s or children’s benefits shall be computed pursuant to paragraph 3.

3. To a single surviving child, in the case of the subsequent death or remarriage of a surviving husband or wife, or if there is no surviving husband or wife, sixty-six and two-thirds per cent of the average monthly wage of the deceased, or if there is more than one surviving child, sixty-six and two-thirds per cent to be divided equally among the surviving children. Compensation to any such child shall cease upon death, upon marriage or upon reaching the age of eighteen years, except, if over eighteen years and incapable of self-support, when he
becomes capable of self-support, or if over eighteen years of age and enrolled as a full-time student in any accredited educational institution, when the child reaches age twenty-two.

4. To a parent, if there is no surviving husband, wife or child under the age of eighteen years, if wholly dependent for support upon the deceased employee at the time of his death, twenty-five per cent of the average monthly wage of the deceased during dependency, with an added allowance of fifteen per cent if two dependent parents survive, and, if neither parent is wholly dependent, but one or both partly dependent, fifteen per cent divided between them share and share alike.

5. To brothers or sisters under the age of eighteen years, if there is no surviving husband or wife, dependent children under the age of eighteen years or dependent parent, the following shall govern:
   (a) If one of the brothers or sisters is wholly dependent upon the deceased employee for support at the time of injury causing death, twenty-five per cent of the average monthly wage until the age of eighteen years.
   (b) If more than one brother or sister is wholly dependent, thirty-five per cent of the average monthly wage at the time of injury causing death, divided among such dependents share and share alike.
   (c) If none of the brothers or sisters is wholly dependent, but one or more are partly dependent, fifteen per cent divided among such dependents share and share alike.

B. If the deceased employee leaves dependents only partially dependent upon his earnings for support at the time of the injury, the monthly compensation shall be equal to such proportion of the monthly payments for the benefit of persons totally dependent as the amount contributed by the employee to such partial dependents bears to the average wage of the deceased at the time of the injury resulting in his death. The duration of compensation to partial dependents shall be fixed by the commission in accordance with the facts shown, and in accordance with the provisions of section 23-1047, but shall in no case exceed compensation for one hundred months.

C. In the event of death of a dependent before expiration of the time named in the award, the funeral expenses of such person, not to exceed eight hundred dollars, shall be paid.
EDUCATIONAL BENEFITS
Tuition waiver for child or spouse of peace officer, correctional officer, fire fighter, emergency paramedic, national guard member or member of the United States armed forces killed in the line of duty; disabled national guard member; disabled United States armed forces member; definitions

A. The board of regents, after verification by the Arizona peace officers memorial board, by the Arizona fire fighters and emergency paramedics memorial board, by the adjutant general of the national guard or by the Arizona department of veterans' services that a person is a child or a spouse of a peace officer, correctional officer, fire fighter, emergency paramedic, national guard member or member of the United States armed forces who was a resident of the state of Arizona or stationed in Arizona and who was killed in the line of duty or who died from injuries suffered in the line of duty while traveling to or from duty, shall provide the person who qualifies under subsection B of this section and who otherwise meets the qualifications for admission with a tuition waiver scholarship at any university under the jurisdiction of the board. A district as defined in section 15-1401, after verification by the Arizona peace officers memorial board, by the Arizona fire fighters and emergency paramedics memorial board, by the adjutant general of the national guard or by the Arizona department of veterans' services that a person is a child or a spouse of a peace officer, correctional officer, fire fighter, emergency paramedic, national guard member or member of the United States armed forces who was a resident of Arizona or stationed in Arizona and who was killed in the line of duty or who died from injuries suffered in the line of duty while traveling to or from duty, shall provide the person who qualifies under subsection B of this section and who otherwise meets the qualifications for admission with a tuition waiver scholarship at any community college under the jurisdiction of the district.

B. The tuition waiver scholarships shall be limited to children who are thirty years of age or younger or a spouse who has not remarried and shall be limited for a spouse or for any one child to no more than sixty-four credit hours at Arizona community colleges and a total number of credits including any transfer credits from an Arizona community college equal to the number of credits required for a baccalaureate degree at Arizona universities for that student's initially declared course of study.

C. A member of the Arizona national guard who received a purple heart citation on or after September 11, 2001 or a former member of the Arizona national guard who was medically discharged from the Arizona national guard due to an injury or disability suffered during status under title 10, United States Code, in weekend training status, in annual training status or in response to a state of
emergency declared by the governor is eligible for a tuition waiver scholarship provided for in this section.

D. The board of regents, after verification by the Arizona department of veterans' services that a person is a member or former member of the United States armed forces who received a purple heart citation, who was a resident of the state of Arizona or was stationed in Arizona at the time of the injury that resulted in the purple heart citation and whose disability rating determined by the United States department of veterans affairs is fifty per cent or more, shall provide the person who otherwise meets the qualifications for admission with a tuition waiver scholarship at any university under the jurisdiction of the board. A district as defined in section 15-1401, after verification by the Arizona department of veterans' services that a person is a member or former member of the United States armed forces who received a purple heart citation, who was a resident of the state of Arizona or was stationed in Arizona at the time of the injury that resulted in the purple heart citation and whose disability rating determined by the United States department of veterans affairs is fifty per cent or more, shall provide the person who otherwise meets the qualifications for admission with a tuition waiver scholarship at any community college under the jurisdiction of the district. A person who is convicted of a felony is ineligible for a tuition waiver scholarship provided for in this subsection.

E. For the purposes of this section:
1. "Correctional officer" means a person, other than an elected official, who is employed by this state or a county, city or town and who is responsible for the supervision, protection, care, custody or control of inmates in a state, county or municipal correctional institution, including counselors but excluding secretarial, clerical and professionally trained personnel.
2. "Emergency paramedic" means a person who has been trained in an emergency paramedic training program certified by the director of the department of health services or in an equivalent training program and who is certified by the director of the department of health services to render services pursuant to section 36-2205.
3. "Fire fighter" means a professional fire fighter who is a member of a state, federal, tribal, city, county, district or private fire department.
4. "Peace officers" means sheriffs of counties, constables, marshals, police officers of cities and towns, commissioned personnel of the department of public safety and police officers appointed by community college district governing boards or the Arizona board of regents who have received a certificate from the Arizona peace officer standards and training board, and other state, federal, tribal, city or
Information on Arizona educational benefits for children and spouses may be obtained by contacting Arizona Peace Officers Memorial Board at www.azag.gov

**WORKERS' COMPENSATION**

Workers' compensation is a "no fault" system in which injured workers receive medical and compensation benefits no matter who causes the job-related accident. If an illness or injury is job-related, the injured worker (also known as a claimant or applicant) receives medical benefits and may receive temporary compensation, if eligibility requirements are met. In some cases, a claimant may also receive permanent compensation benefits and "job retraining." Workers' Compensation coverage is compulsory for employers in Arizona; however, waivers are permitted.

23-1021.01. **Peace officers; fire fighters; employment status**

A. A peace officer or fire fighter as defined in section 1-215 who is injured or killed while traveling directly to or from work as a peace officer shall be considered in the course and scope of employment solely for the purposes of eligibility for workers' compensation benefits, provided that the peace officer or fire fighter is not engaged in criminal activity.

B. Nothing in this section shall create any liability on the part of the peace officer's or fire fighter's employer for any civil damages occurring through the peace officer's or fire fighter's negligent or intentional conduct while traveling to or from work as a peace officer.

To receive workers' compensation benefits the surviving spouse must take the initiative and file a workers compensation claim through a workers' compensation attorney to receive any compensation. The determination as to whether the claim will be paid will be determined by the Workers' Compensation Appeals Board.

Contact the Industrial Commission, 800 W. Washington Street, Phoenix, AZ 85007, telephone (602) 542-4661. Arizona's State Compensation Fund oversees Workers’ Compensation in the State. Office: (800)231-1363. www.ica.state.az.us

For specific information on pension or worker's compensation benefits, the survivor should contact the agency for whom the officer worked at the time of his death. For tuition waiver or Memorial information, the survivors should contact the Attorney General’s Office as listed above. For private organizations, they should contact the
organizations directly. They might also check with other fraternal or labor organization that is appropriate for further information on benefits.

**HEALTH BENEFITS**

Health benefits vary depending upon police department benefits. Spouses of state and county officers may elect to continue to participate in the same benefit program in effect at the time of the officer's death. Contact the Benefits Coordinator at your agency.

**RETIREMENT/PENSION**

Individual cities and municipalities are responsible for providing retirement and pension plans for law enforcement officers. Contact your local agency’s Benefits Assistance Officer.

**BENEFIT TAXATION**

38-852. Taxation of benefits; exemption of contributions and securities

The employer contributions and the securities in the several funds provided for in this article shall be exempt from state, county and municipal taxes. Employee and employer contributions that are withdrawn from the system after December 31, 1974 by a public officer or employee from the accounts of the system and not received as benefits there from and benefits, annuities and pensions received by a public officer or employee from the system after December 31, 1988 shall be subject to tax pursuant to title 43.


**ADDITIONAL BENEFITS**

**PEER SUPPORT ORGANIZATION**

Established in 1984, Concerns of Police Survivors, Inc., (C.O.P.S.), is a national, non-profit organization that works with law enforcement agencies, police organizations, mental health professional, and local peer-support organizations to provide assistance to surviving families of law enforcement officers killed in the line of duty. C.O.P.S. has become a “lifeline” to police survivors nationwide. Contact the C.O.P.S. National Office at (573) 346-4911 or visit [https://www.nationalcops.org/localchapters.html](https://www.nationalcops.org/localchapters.html) for information on a chapter in your area.

*The 100 Club of Arizona* provides financial assistance to officers and firefighters killed in the line of duty in the state of Arizona, including city, county, state, federal & tribal agencies. The 100 Club provides a one-time death benefit of $15,000 and up to $6,000 for officers or firefighters seriously injured in the line of duty. The 100 Club additionally acts as a support organization and a clearinghouse for helpful information.
Contact your agency’s Benefits Assistance Officer for help with these benefits. Or contact the 100 Club of Arizona, 5033 N 19th. Ave. Suite 123 • Phoenix, AZ 85015 • Phone: (602) 485-0100; • Tucson: (520) 248-7626; • info@100club.org. The Arizona State FOP pays $1,000 to the beneficiary of an FOP member. They also give the family a Bible. The FOP can be reached at (602)881-4244.

There are two programs that are coordinated in the office of the Arizona Criminal Justice Commission. They are The Crime Victim Assistance Program and the Crime Victim Compensation Program. These Programs are established by A.C.J.C. Rules. Survivors should initially contact A.C.J.C. at the State level. They will likely be referred to a county level organization charged with implementing the programs locally. The telephone number is (602) 542-1928. The Wesley Bolin Memorial Plaza is located at 1700 West Washington, Phoenix, AZ, adjacent to the Arizona State Capitol.

FUNERAL AND CREMATION BENEFITS

**Dignity Memorial** funeral, cremation and cemetery providers created the Public Servants Program for emergency service personnel. This program provides dignified and honorable tributes, at no cost, for career and volunteer law enforcement officers who fall in the line of duty. Visit their website for complete information at their website: [www.dignitymemorial.com](http://www.dignitymemorial.com) and look under Public Servants for details. You may also call (800) 343-4464 and speak with a representative 24/7.

**Wilbert Funeral Services, Inc.** provides complimentary burial vaults and related services for fallen law enforcement officers. For more information, visit [www.wilbert.com](http://www.wilbert.com) or call (800) 323-7188.