ARKANSAS

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


STATE DEATH BENEFITS

The Arkansas Claims Commission is authorized to hear and determine claims arising as a result of the death of any policeman, firefighter, or other specified governmental employees killed in the line of duty or permanently disabled from continuing to hold the position held when injured. The State shall pay a specified sum upon establishment of proof that either death or disability was attributed directly to employment. The amount paid is subject to legislative change. At present, the sum of $10,000 is being paid for disability claims and $25,000, $100,000 or $125,000 (dependent upon the circumstances of the death) for death claims upon satisfaction that the disability or death occurred in the official line of duty as established by the General Assembly. For more information, contact the Arkansas Claims Commission, 101 E. Capitol AVE, Little Rock, AR, 72201. Office: (501) 682-1619. http://arclaimscommission.arkansas.gov/index.html

Arkansas State Police Commission

When any State police officer loses his or her life in the course of employment the Arkansas State Police Commission, with satisfactory proof of that fact, a death benefit in the sum of $25,000 shall be paid to the spouse or in the case no spouse survives, the death benefit shall be distributed equally among the officer’s children. For more information contact the Arkansas State Police Commission, One State Police Plaza DR, Little Rock, AR 72209. Office: (501) 618-8000. www.asp.state.ar.us

EDUCATIONAL BENEFITS

6-82-503. Entitlement.
These benefits are awarded by the State Claims Commission and administered by the Arkansas State Department of Higher Education. Eligible spouses and children are entitled to tuition, rooms and mandatory fees for an eight semester (8) scholarship without cost, exclusive of books, food, school supplies, materials and dues for fees for extracurricular activities at any state supported college or university of their choice within the state. For the award the contact information is the same as above for the Claims Commission. For administration of the program please call (501) 371-2000.
6-82-505. Limits for scholarship.
No child will be entitled to receive benefits under this subchapter during any semester or quarter when the child has reached the age of twenty-three (23) years on or before the first day of the semester or quarter. No spouse will be eligible for the education benefit if he or she remarries. The benefit will cease at the end of the semester at which the spouse is currently enrolled at the time of the marriage. Scholarships are awarded by the State Claims Commission (see address above) and administered by the Arkansas State Department of Higher Education, 114 E. Capitol Avenue, Little Rock, AR 72201. Office: (501) 371-2000. Visit http://arclaimscommission.arkansas.gov/RulesandRegulations.html and click on “DEATH and DISABILITY BENEFIT CLAIMS” for more information.

**WORKERS’ COMPENSATION**
Workers’ compensation coverage is compulsory for most employers in Arkansas. A spouse receives 35% of the employee’s average weekly wage, and a child receives 15% of the employee’s average weekly wage. Benefits cannot be higher than 66 2/3% of the employee’s average weekly wage or the maximum benefit rate in effect on the date of the injury. To receive workers’ compensation benefits, the surviving spouse or other dependent must take the initiative and file a workers’ compensation claim. For more information contact the Arkansas Workers’ Compensation Commission at 324 Spring Street, PO Box 950, Little Rock, AR 72203. Office: (501) 682-3930. www.awcc.state.ar.us

**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.

**SOCIAL SECURITY ADMINISTRATION (SSA) BENEFITS**
Surviving spouses, unmarried children under age 18 (19 if still in high school), unmarried children at least age 18 who became disabled before age 22 and remain disabled, dependent parent at least 62 years of age, and surviving divorced spouses may be eligible for Social Security Survivor Benefits. Benefits are based on earned credits the spouse received while employed. An application claim may be filed with the local Social Security office either by telephone, mail or in person. A one-time benefit of $225 may also apply.

Contact the Social Security Administration at (800) 772-1213 or visit www.ssa.gov.

**RETIREMENT/PENSION**
State Police Retirement Benefits: If a member has at least 5 years of credited service, with credit for the year immediately preceding death, monthly benefits can be payable...
to his or her spouse, dependent children or dependent parents either immediately or at some future date.

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

**PERSONAL LIFE POLICY-INTESTATE**

“Heritable estate” is intestate’s real and personal property after provision for dower, curtesy, homestead rights and statutory right and allowance of surviving spouse and minor children, refund on joint Federal income tax returns, and administration of estate, if any. (28-9-206). “Heritable estate” passes as follows (each class with living members taking to exclusion of subsequent classes to intestate’s): (1) Surviving children and descendants of deceased children; (2) surviving spouse, but if married to intestate less than three years at death, surviving spouse takes only 50%, other 50% passing as if spouse had not survived in intestate; (3) surviving parents, sharing equally, or to sole surviving parent if only one living; (4) brothers and sisters and descendants of deceased brothers and sisters; (5) surviving grandparents, uncles, and aunts, and descendants of deceased uncles and aunts; (6) surviving great-grandparents, great uncles, and great aunts; (7) surviving spouse, even if married to intestate less than three years; (8) heirs of deceased spouse if marriage not ended by divorce; and (9) county wherein deceased resided at death. (28-9-214-215).

Where persons entitled to take are all of same degree of kindred to decedent they take per capita; otherwise they take per stripes. (28-9-204)

Surviving Spouse - Where intestate leaves no descendants and has been continuously married not less than three years before death, surviving spouse takes all and if continuously married less than three years before death, then only 50%. (28-9-213).

**JURISDICTION OF STATE CLAIMS COMMISSION**

Section 21-5-702.

A. The State Claims Commission is vested with exclusive jurisdiction to administer claims filed against the state under this subchapter.

B. The State Claims Commission shall make a determination as to whether death was or was not in the official line of duty.

**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 for information on a chapter in your area.

The Police & Fire Trust Fund – Private Funds
The fund will reimburse the family of the fallen officer for out of pocket expenses incurred i.e. transportation costs, lodging, meals, etc. Receipts should be retained for reimbursement. Contact Allen Gibson, (501) 748-1030 or (501) 258-5030.

IACP Foundation/TASER Fallen Officer Fund
The IACP Foundation provides financial assistance to the families of fallen officers by awarding a $5,000 gift to the officer’s stated beneficiary. Staff and board members work to contact agency executives immediately upon learning of the death of an officer and will work directly with their agency and the family. Contact the IACP Foundation/Taser Fallen Officer Fund at (703) 836-6767, or http://www.iacp.org/Foundation.

Southern States Police Benevolent Association, Inc.
SOUTHERN STATES POLICE BENEVOLENT ASSOCIATION, INC.
The PBA member’s beneficiary will receive their base salary for one if year they are killed accidentally or intentionally while performing their law enforcement duties (maximum payout: $60,000). The beneficiary will receive $5,000 if it is not an occupational death or if you are a retired or reserve member. Any active Southern States PBA member in good standing and dues current will receive this benefit. For more information contact the Southern States Police Benevolent Association, Inc., 2155 GA-42, McDonough, GA 30252. Office: (770) 389-5391. www.sspba.org.

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 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 or call (800) 323-7188.