



STATE OF WYOMING

DEATH BENEFITS

IMPORTANT NOTICE: Both Federal and State death benefits MAY be tax exempt.

The IRS Code of the United States states that:

Survivor benefits attributable to service by a public safety officer who is killed in the line of duty:

(1) In General

Gross incomes shall not include any amount paid as a survivor annuity on account of the death of a public safety officer (as such term is defined in section 1204 of the Omnibus Crime Control and Safe Streets Act 1968) killed in the line of duty—

- (A) If such annuity is provided, under a governmental plan which meets the requirements of section 401(a), to the spouse (or a former spouse) of the public safety officer or to a child of such officer; and
- (B) To the extent such annuity is attributable to such officer's service as a public safety officer.

(2) Exceptions

Paragraph (1) shall not apply with respect to the death of any public safety officer if, as determined in accordance with the provisions of the Omnibus Crime Control and Safe Streets Act of 1968—

- (A) The death was caused by the intentional misconduct of the officer or by such officer's intention to bring about such officer's death;
- (B) The officer was voluntarily intoxicated at the time of death;
- (C) The officer was performing such officer's duties in a grossly negligent manner at the time of the death
- (D) The payment is to an individual whose actions were substantial contributing factor to the death of the officer

Learn about line of duty death benefits information for all states and US territories at ODMP.org. Brought to you by Concerns of Police Survivors and the Officer Down Memorial Page.



To obtain certified copies of registered personal documents, contact the Department of Vital Statistics, 230 Capitol AVE, Cheyenne, WY 82002. (307) 777-7591.

STATE DEATH BENEFITS

One-time state **death benefits** are referenced in the **retirement statutes**.

STATE PENSION BENEFITS

Upon the death from **any cause** of any person appointed or selected and sworn as a member in any capacity or rank of the police department of **any city or town** subject to the provisions of this article, the board shall pay a **monthly pension of fifty percent (62.5%)** of the deceased officer's monthly salary out of the funds to his surviving spouse. The pension shall continue during her life or until (s)he **remarries**. In addition, the board shall pay to the surviving spouse out of the fund six percent (**6%**) of the deceased officer's monthly salary per month for the support and maintenance of **each child** of the deceased officer who is under eighteen (18) years of age and was supported by him prior to his death. The payments shall continue until the child becomes **eighteen (18) years of age or marries**. **Not to exceed 100% of salary at the time of death.**

For additional information concerning your specific situation, contact the Wyoming Retirement System, 6101 Yellowstone RD STE 500, Cheyenne, WY 82002. (307) 777-7691.

EDUCATION BENEFITS

Check with the Financial Aid office at the institution.

HEALTH BENEFITS

Health plans vary depending on the department that the officer was an employee of. Most state employees receive health coverages through the Wyoming State Employees & Officials Group Insurance Plan.



WORKERS' COMPENSATION

In the case of death due to work related causes, and if the award computed under paragraph (i), (ii) or (iii) of this subsection is less than eighty percent (80%) of the statewide average monthly wage, the award shall be adjusted to an amount not less than eighty percent (80%) of the statewide average monthly wage or seventy-five percent (75%) of the injured employee's actual monthly earnings at the time of injury, whichever is greater. In no event shall the award exceed two (2) times the statewide average monthly wage for the twelve (12) month period immediately preceding the quarterly period in which the injury occurred as determined pursuant to W.S. 27-14-802;

Workers' Compensation coverage is compulsory for all Wyoming employers engaged in extra hazardous occupations and elective for all other occupations.

The **maximum monthly benefit is \$3,436.33** for a **maximum period of 100 months**.

Children receive benefits **until age 19** or beyond if disabled, not to exceed age 21. Maximum burial allowance is **\$5,000** unless other arrangements exist between employer and employee under agreement.

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 Division of Workers' Compensation, State Department of Employment, 6101 Yellowstone RD STE 500, Cheyenne, WY 82002. (307) 777-5476.

PERSONAL LIFE POLICIES

Descent and Distribution: All property of intestate shall descend and be distributed in parcenary to intestate's kindred, male and female, subject to payment of debts, as follows:

- (1) if intestate leaves husband or wife and children, or descendants of children surviving, then one-half to surviving husband or wife, and residue to surviving children or descendants of children;
- (2) if descendant leaves husband or wife and no child nor descendants of child, then all to surviving husband or wife;
- (3) if intestate leaves no husband or wife, then to intestate's children surviving, and descendants of his children who are dead, descendants collectively taking share which their parents would have taken if living;

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- (4) if intestate leaves no husband or wife, nor any child or descendants of any child, then to intestate's father, mother, brothers, sisters, and to descendants of brothers and sisters who are dead, descendants collectively taking share which their parents would have taken if living, in equal parts; and
- (5) if intestate leaves none of above, then to intestate's grandfather, grandmother, uncles, aunts and their descendants, descendants taking collectively, share of their immediate ancestors, in equal parts.

PEER SUPPORT

Established in 1984, **Concerns of Police Survivors, Inc., (COPS)**, 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. COPS has become a “lifeline” to police survivors nationwide. **Contact the COPS National Office or visit www.nationalcops.org/chap.htm for information on a chapter in your area.**

ADDITIONAL BENEFITS

Wyoming has a program to help if you or a family member is a **victim of violent crime**. Out-of-pocket expenses may be reimbursed after deducting amounts received or available from other sources such as insurance.

- *Maximum award up to \$15,000**
- *Funeral Expenses up to \$5,000**
- *Lost wages limited to \$500 per month**
- *Emergency awards up to \$1,000**

To apply you must file a claim application. **To obtain a form or more information, contact the Wyoming Crime Victims Compensation Commission, 122 West 25th ST, Herschler Bldg, 1st Floor West, Cheyenne, WY 82002. (307) 777-7200.**

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 @ www.dignitymemorial.com and look under Public Servants for details. You may also call 800-344-6489 and speak with a representative.