



STATE OF WEST VIRGINIA

DEATH BENEFITS

To obtain certified copies of registered personal documents, contact the Vital Registration Office, State Office Building No. 3, Charleston, WV 25305, telephone (304) 348-2931.

STATE DEATH BENEFITS

No one-time state death benefit is currently available.

STATE PENSION BENEFITS

Surviving spouse:

Equal monthly benefit derived from the following: **the greater of an amount equal to 5 1/2% of the total salary which would have been earned during 25 years of service or the sum of \$6,000.**

Surviving children:

\$100 per month. 25% of spouse entitlement goes to child(ren) upon death of the sole surviving parent.

Dependent parents:

May receive 25% of benefit if no surviving spouse or child(ren). One surviving parent receives 12 1/2%.

Depending on the retirement plan your law enforcement officer was a member of, **contact The Public Safety Retirement Board or the Consolidated Retirement Board, Mr. Jim Sims, Executive Director, Bldg. 5, Room 1000, 1900 Kanawha Blvd. East, Charleston, WV 25305-0720.**

EDUCATION BENEFITS

Children and spouses of law enforcement officers killed in the line of duty of are eligible to attend **West Virginia colleges.** For specific details **contact the Board of Regents of the appropriate institution.**



HEALTH BENEFITS

Health benefits vary from agency to agency. Check with your local departmental benefits specialist to determine what health benefits you and your dependents may be eligible to receive.

WORKERS' COMPENSATION

Workers' Compensation coverage is compulsory for employers in West Virginia. **Members of the West Virginia State Police are not covered by Workers Compensation** because the department has statutory authority to pay wages and medical costs for work related injuries and/or disabilities.

Benefit is **70%** of employee's wage for a spouse only or a spouse with child(ren) with a **minimum weekly benefit of \$140.11 and a maximum weekly benefit of \$420.33**. Benefits for spouse cease upon **remarriage**. Children receive benefits **until age 18 or beyond age 18 if disabled, or until age 25 if full-time students**. Maximum burial allowance is **\$3,500**.

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 Bureau of Employment Programs, Workers' Compensation Division, Department of Commerce Labor and Environmental Resources, 601 Morris Street, Charleston, WV 25301, telephone (304) 558-1580.

PERSONAL LIFE POLICIES

Descent and Distribution: Descent. - Any part of decedent's estate not effectively disposed of by will passes by intestate succession to decedent's heirs in following course, except as modified by decedent's will:

- (1) Entire estate to surviving spouse if decedent has no surviving parent or descendant, or surviving descendants of decedents are also descendants of surviving spouse;
- (2) Three-fourths of estate to surviving spouse if decedent has no surviving descendants but has surviving parent;
- (3) Three-fifths of estate to surviving spouse if decedent left



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- descendants by surviving spouse, but surviving spouse also has descendants by different partner;
- (4) One-half of estate to surviving spouse if decedent left descendants by different partner.

Any part of intestate estate not passing to surviving spouse, or entire estate if no surviving spouse, passes to the following individuals in following course:

- (1) to decedent's descendants by representation;
- (2) to surviving parents equally, or to surviving parent;
- (3) descendants of decedent's parents by representation;
- (4) half of estate to surviving paternal grandparents equally, or to surviving paternal grandparent or to their descendants by representation if both deceased; and other half to decedent's maternal relatives in same matter; but if no surviving grandparent or descendant of grandparent on either paternal or maternal side, entire estate passes to decedent's relatives on other side in same manner as half.

Distribution of personality is according to same rules as descent of realty.

Surviving spouse - For rights, see two preceding paragraphs. Rights of surviving spouse are barred for same causes as will bar dower and also upon conviction of felonious killing of, or conspiracy to kill, spouse. Surviving spouse may elect to take intestate share against will.

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

The **Crime Victims Compensation Act** will make a **\$50,000** payment for felonious deaths, and a **\$35,000** payment will be made for serious injury for criminal acts.

A West Virginia Police Memorial is located on the **State Capitol Complex in Charleston, West Virginia**. Name submission forms may be obtained by calling or writing to **West**



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Virginia Court of Claims, State Capitol Building, Charleston, WV 25305; (304) 348-3471.

The **West Virginia Troopers' Association** will pay a **\$5,000** life insurance benefit to the beneficiaries of its members.

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. **Contact: Southern States Police Benevolent Association, Inc., 1900 Brannan Road, McDonough, GA 30253-4310, telephone 1-800-233-3506, or visit www.sspba.org.**

