

# America's Fallen Firefighter Memorial

## Criteria for Inclusion



### PREAMBLE:

The America's Fallen Firefighter Memorial (AFFM) Steering Committee has established a process to include on the Fallen Firefighter Memorial at the time of Dedication, the names of those who were on memorials of individual jurisdictions. From the time of Dedication onwards, names will be incorporated using the following set of criteria. The criteria for names to be included on the Memorial have been developed taking into account the agreed commemorative purpose and in consultation with the AFFM and all North American fire agencies.

### COMMEMORATIVE INTENT:

*"The America's Fallen Firefighter Memorial commemorates those who have been killed in the line of duty or have died as a result of their duties and recognizes the firefighter contribution to its American Communities. This memorial has been created to honor all firefighter line-of-duty deaths and is not meant to replace or otherwise take the place of any local, state or national firefighter memorial, but to expand the opportunity to honor and recognize their ultimate sacrifice.*

*The Memorial should capture a range of emergency response and life-safety elements including:  
Courage, duty and integrity;*

- The perpetual need to serve the community;
- The unpredictable nature of emergency responses;
- The strength, unity and common purpose of the firefighter brotherhood.

### Definitions

<i>"American Soil"</i>	Means North American Continent and all external Territories administered by the United States Government
<i>"Call out"</i>	A formal or directed call or recall to duty
<i>"Committee"</i>	America's Fallen Firefighter Memorial Executive Committee (AFFMEC)
<i>"Died as a result of"</i>	Means a firefighter died as a direct and conclusive link to a personal injury causing or substantially contributing to the death. An illness or disease may be classed as an injury if arising from an external physical cause or contracted in the course of duty.
<i>"Killed on duty"</i>	Means a firefighter who is killed while on duty
<i>"Memorial"</i>	America's Fallen Firefighter Memorial located in Ogden, Utah which includes the names of firefighters of all American fire agencies (including former fire organizations) who have been killed on duty or have died as a result of their duties on American soils.
<i>"In the Line of Duty"</i>	Means any action taken while acting as a firefighter, while on call-back or on duty.
<i>"Training"</i>	Firefighters undergoing structured and formal operational training.
<i>"Firefighter"</i>	An agency authorized person who is involved in the prevention and suppression of fires, hazmat, and/or explosions; or the enforcement of federal, state, country or municipal laws/codes concerning fire prevention, suppression, or arson; who is employed by or a member of a volunteer, municipal, county, state, federal/military, industrial, or private fire department or brigade, that is duly authorized and empowered to engage in fire suppression and prevention activities.

## CRITERIA:

Consistent with the commemorative purpose statement, members' names will be placed on the Memorial based on those who have been killed in the line of duty or have died as a result of such duties.

Each case will be examined carefully by the Committee before it is accepted. In the case of historical deaths two independent sources of information for verification will be required, except in the case of official records where one source may suffice. Each case will be treated individually and on its own merits and will not be accepted for inclusion on the Memorial wall unless these criteria are satisfied. However, while maintaining the overall principle of the Commemorative Purpose Statement, the Memorial aims to be inclusive rather than exclusive. Where there is doubt about a firefighter's eligibility, for the sake of the firefighter's family and colleagues, the benefit of that doubt will generally go towards their inclusion.

Eligibility requirements for inclusion on the Memorial is based on the following criteria:

- "In the Line of Duty" including "Training". Death is a direct result of the performance of their duties or their occupation as a firefighter whether specifically on duty or off duty.
- The circumstances of the death should be directly related to their fire duties and not incidental to them.
- Dies as a result of their duties, whether on duty or off duty callback.
- On duty means during a tour of duty and comprises all normal lawful actions carried out as part of one's duty as a firefighter including routine responses and/or transports.
- In the line of duty means performing firefighter duties while on or off duty callback.
- It does not include some activities undertaken by choice and not subject to an obligation of duty, for example, playing sports.
- It does not include deaths, determined by the agency or the Committee to be resulting from a firefighter's own gross negligence, misconduct or illegal acts.
- Heart attack or stroke: Deaths meeting the requirements of the Hometown Heroes Survivors Benefit Act of 2003. The law presumes that a **heart attack or stroke** are in the line of duty if the firefighter was engaged in non-routine stressful or strenuous physical activity while on duty and the firefighter becomes ill while on duty or within 24 hours after engaging in such activity. Firefighters will be included on the Memorial if they become ill as the result of a **heart attack or stroke** within 24 hours of a training activity or emergency response. Firefighters who become ill after going off duty where the activities while on duty were limited to non-stressful tasks that did not involve physical exertion such as clerical, administrative, or non-manual in nature, will not be included.

In the execution of their duty *while off duty callback* may include incidents involving:

- Saving life or attempting a rescue.
- Performing such firefighter duties where a 'need to act' is performed.

As a result of duty may include:

- Death occurring some time after the event from the effects of an injury on duty;
- An injury received after retirement but on account of previous status as a firefighter.
- Generally travel to and from work is excluded except where a firefighter is responding to a "call out" or places themselves "on duty"
- Ordinarily, driving to and from duty does not warrant inclusion on the America's Fallen Firefighter Memorial, however, applications will be considered on an individual case as submitted by the relevant agency. The burden of proof is on the jurisdiction that the firefighter was 'killed on duty' or 'died as a result of their duties'.

### Recalled to Duty

- Firefighter's recalled to duty for a special purpose are effectively on duty as soon as they leave home and such cases will be classed as actually on duty rather than traveling (for example, attending an incident).
- Firefighter's who are killed or die as a result of injuries after being the target of criminal activity, because of their role or previous role with a police service (ie retribution/vengeance), will be included regardless if they are serving or former (including retired) firefighters.

### Retired Firefighter

- A retired firefighter may be included if the injuries causing their death were as a result of an "on duty" incident.
- The death of a retired member must have a direct and conclusive link to a personal injury causing or substantially contributing to their death.

### Ineligibility

- Cases of suicide.
  - As a general rule where the death of a firefighter was as result of being involved in criminal activity, they would not be included, however, being inclusive rather than exclusive, the benefit of the doubt may go towards the inclusion of a firefighter.
  - Alcohol or substance abuse, and other abuses.

### Unknown cause of death or open finding of death by Coroner

- Death occurring on duty but the evidence does not fully disclose how the cause of death arose resulting in an inquest returning an open verdict is not an automatic exclusion from the Memorial.

### Unconfirmed and Historical Cases

- In circumstances where a firefighter died of unnatural causes while serving and death *may* have occurred in the line of duty but the facts are unconfirmed. This may be due to the date of death or name of the deceased being unknown, or lack of corroboration of a reported death, or it is not known if it occurred on or as a result of duty. It would be incumbent on the relevant jurisdiction to provide information as to the circumstances of the death and details of the firefighter(s) involved.
- In cases where the firefighter survived the initial line of duty trauma, illness or exposure, but later succumbed to long term complications from that line of duty trauma, illness or exposure, a determination from the attending physician indicating a direct relationship between the immediate cause of death and the line of duty trauma, illness or exposure must be provided.
- A copy of the firefighter's death certificate, clearly indicating the cause(s) of death must be provided.
- For historical cases, AFFM will recognize a line of duty death whereas the incumbent has previously been inducted as a line of duty death by a local, state, or national memorial.

### Natural causes

- Sudden death from natural causes and deaths from illness or disease are included where the performance of a particular duty directly contributed to the death, for example, a collapse or heart attack brought on by physical exertion involving:
  - An emergency response.
  - The protection of life or property

Compulsory physical training.

- Deaths from illness or disease directly relating to an accidental injury in close proximity to it may be shown under this classification.
- Sudden death on non-operational duties is not automatically included, but in being inclusive rather than exclusive, the benefit of the doubt may go towards the inclusion of any sudden death on duty.

Names withheld from inclusion

- Where an agency has withheld a name from inclusion on the Memorial for any reason, the name may be included at a later date provided they meet the criteria.

## **NAME REMOVAL FROM THE MEMORIAL:**

Where information is provided to the AFFMEC under the following conditions a name may be removed from the Memorial:

- The death was as a result of proven criminal activity
- The death did not occur
- The death was not as a result of injuries sustained.

Reinstating name on the Memorial

- Where information is provided to the AFFMEC in relation to a name that has been removed or not placed on the Memorial, that name may be reinstated under the following circumstances:
- Withdrawal of criminal charges
- Evidence death was found not be a result of criminal activity
- Other evidence or information which provides the Committee with the ability to reinstate the name.

NOTE: Nothing in this criteria is meant to interfere with the current jurisdictional criteria for State, National or International based Memorials.

The Committee notes that from time to time an agency may be required to adjudicate on the death of an official member where the criteria may appear to not define the circumstance. Such deaths should not preclude the agency from putting forward the name and full details of circumstances of death for the AFFMEC to determine inclusion or otherwise.