

**OHIO FIRE CHIEFS ASSOCIATION LODD COMMITTEE  
OHIO LAST TEAM  
LINE OF DUTY DEATH AND FIREFIGHTER ASSISTANCE TEAM REPORT  
JULY 2017 TO JULY 2018 REPORT**

The following two Ohio firefighters who died serving their communities will be honored at the 2018 National Fallen Firefighters Memorial in Emmitsburg Maryland.

James J. Benken	DOD 4-14-2017	City of Wyoming Fire & Rescue
David O. Lemponen	DOD 4-28-2017	Austinburg Volunteer Fire Department

To honor these two firefighters, the OFCA LODD Response Team will hold the surviving family reception on Thursday July 12th, 2018 at the Ohio Fire & Rescue Officer Development Conference. Retired Chief Bud Williams will coordinate this reception; in addition, it prepares these families for the National Firefighters Memorial in October. Immediately following this reception, the names of these fallen firefighters will be read at the Memorial Service during the Opening Ceremonies.

Our team has been active with assisting fire departments with firefighter funerals and working with the fire departments and families on all potential benefit claim processes.

With the passing of SB 27 (The Michael Louis Palumbo, Jr. Act) becoming effective April 6<sup>th</sup> 2017, it has become a priority for us to learn Palumbo Act. I have been meeting with other agencies that do rule on line of duty deaths and/or provide a death benefit. As I have learned each agency has their own rules to follow, such as the Public Safety Officers Benefit, PSOB. The PSOB rules I will post with this report. The National Fallen Fighters Foundation, NFFF uses the rules of the Public Safety Officer Benefit when placing the names of and honoring firefighters on the National Fallen Firefighters Memorial Wall at the National Fire Academy. Currently the NFFF is developing a tier system of eligibility to include firefighters who have died of cancer as long as the claim has been approved by a state agency.

It is imperative that we all understand how each agency reviews a death caused by cancer and what is eligible for a death benefit, disability benefit, and honoring the firefighter.

Monetary Donations:

Balance of committee funds by donations \$3,534.73.

I would like to thank the Board of Directors for their strong support for our response team.

Respectfully submitted by;

Deputy Fire Chief Ron Terriaco  
Chair of LODD Response Team Committee  
Concord Township Fire Department

**Public Safety Officers' Benefits (PSOB) Program**  
**Bureau of Justice Assistance**  
**Office of Justice Programs**  
**U.S. Department of Justice**

**34 USC Subtitle I, CHAPTER 101, SUBCHAPTER XI: PUBLIC SAFETY OFFICERS' DEATH BENEFITS**  
**§10281. Payment of death benefits**  
**(a) Amount; recipients**

In any case in which the Bureau of Justice Assistance (hereinafter in this subchapter referred to as the "Bureau") determines, under regulations issued pursuant to this subchapter, that a public safety officer has died as the direct and proximate result of a personal injury sustained in the line of duty, the Bureau shall pay a benefit of \$250,000, adjusted in accordance with subsection (h), as follows (if the payee indicated is living on the date on which the determination is made)—

- (1) if there is no child who survived the public safety officer, to the surviving spouse of the public safety officer;
- (2) if there is at least 1 child who survived the public safety officer and a surviving spouse of the public safety officer, 50 percent to the surviving child (or children, in equal shares) and 50 percent to the surviving spouse;
- (3) if there is no surviving spouse of the public safety officer, to the surviving child (or children, in equal shares);
- (4) if there is no surviving spouse of the public safety officer and no surviving child—
  - (A) to the surviving individual (or individuals, in shares per the designation, or, otherwise, in equal shares) designated by the public safety officer to receive benefits under this subsection in the most recently executed designation of beneficiary of the public safety officer on file at the time of death with the public safety agency, organization, or unit; or
  - (B) if there is no individual qualifying under subparagraph (A), to the surviving individual (or individuals, in equal shares) designated by the public safety officer to receive benefits under the most recently executed life insurance policy of the public safety officer on file at the time of death with the public safety agency, organization, or unit;
- (5) if there is no individual qualifying under paragraph (1), (2), (3), or (4), to the surviving parent (or parents, in equal shares) of the public safety officer; or
- (6) if there is no individual qualifying under paragraph (1), (2), (3), (4), or (5), to the surviving individual (or individuals, in equal shares) who would qualify under the definition of the term "child" under section 10284 of this title but for age.

The PSOB Program works closely with public safety agencies nationwide to obtain documentation to determine whether a public safety officer has died as the direct and proximate result of an injury sustained in the line of duty. PSOB claims for diverse "medical conditions" can be complex and

challenging, as the evidence must establish that the officer's death is the *direct and proximate result of a line-of-duty injury*.

\*\*In April 2016, a new protocol was announced for determining PSOB claims for public safety officers whose deaths and disabilities are linked to exposure from their September 11, 2001 response efforts. Prior to that time, these claims were pending while medical experts worked to establish a link between the exposure of public safety officers to chemical and toxins at the 9/11 sites and the injuries, in many cases different forms of cancer, which caused the officers' deaths. Through the dedicated work of the medical experts at the World Trade Center Health Program (WTCHP), following the enactment of the James Zadroga 9/11 Health and Compensation Act of 2010, WTCHP developed a methodology to determine whether exposure to hazards and toxins resulting from the attacks was substantially likely to have been a significant factor in aggravating, contributing to, or causing many serious medical conditions suffered by the nation's public safety officers to assist in rescue, recovery, and clean-up efforts. This methodology is also used by the September 11<sup>th</sup> Victim Compensation Fund (VCF).

Working in close collaboration with the WTCHP and VCF, BJA developed a process which enables it to rely on the WTCHP's methodology to determine PSOB 9/11 exposure claims based on the WTCHP medical certifications and VCF determinations. The ability to access and rely on the public agency findings of WTCHP and VCF has allowed BJA to process PSOB claims filed for deaths and disabilities related to 9/11 exposure. Until the WTCHP methodology was established, no medical and legal framework was available to link the 9/11 exposure with the wide range of serious medical conditions now accepted by the WTCHP as causally linked to the attacks. BJA is also coordinating 9/11 payments with the VCF because, by law, any PSOB death or disability payment is required to be reduced by the amount of a VCF award.

\*The amount of the PSOB benefit is \$350,079.00 for eligible deaths and disabilities occurring on or after October 1, 2017. Additional information regarding the PSOB Program is available at [www.psob.gov](http://www.psob.gov).

\*\*\*Since 1981 the National Fallen Firefighters Foundation has honored Ohio firefighters at the Memorial. This means that the firefighters name is on the Memorial Wall and was honored at the Memorial. Those names are listed below.

Name	Deceased Date	Organization Relation Organization Name
Edward Carey		Cleveland Fire Department
Lawrence D. Savage		South Zanesville Volunteer Fire Department
Earl R. Shelton		Elyria Fire Department
Eugene F. Jankowski	1981	Parma Fire Department
Lawrence J. Hauserman	1/18/1981	Cincinnati Fire/Rescue Department
Richard A. Eierdam	3/30/1981	Parma Fire Department
Donnie G. Cathcart	5/19/1981	Toledo Department of Fire and Rescue
Richard L. Yarman	7/5/1981	College Township Volunteer Fire Department
Frank I. McMannes	9/10/1982	Jefferson Volunteer Fire Department
Maurice Gates	9/15/1982	Columbus Fire Department, Ohio
Phillips S. Kibler	12/10/1982	Boardman Township Fire Department, Ohio
Dale F. Eyerdom	3/3/1983	Granger Township Fire Department
Robert W. Raitz	4/8/1983	Holland Fire Department
Richard D. Shively	4/19/1983	Findlay Fire Department

Duane P. Dress	12/9/1983	Put-In-Bay Fire Department
Bruce E. Mettler	12/9/1983	Put-In-Bay Fire Department
Michael L. Sweeney	12/9/1983	Put-In-Bay Fire Department
Raymond C. Hickman	12/24/1983	New Bloomington Fire Department
Robert G. Chilcote	1/18/1984	South Tuscarawas Fire Department
James B. Daniels	2/13/1984	Middleport Fire Department
John W. Walsh	3/5/1984	Youngstown Fire Department
Edward L. Brillhart	8/27/1985	Marshallville Fire Department
Robert K. Galehouse	8/27/1985	Marshallville Fire Department
Tommy J. Ware	8/27/1985	Marshallville Fire Department
Daniel R. Pescatrice	12/31/1985	Cleveland Fire Department
Albert P. Dingle	1/27/1986	Madison Fire District
Harold W. Seek	3/29/1986	Liberty Twp. Volunteer Fire Department
Ray E. Scott	3/30/1986	Liberty Twp. Volunteer Fire Department
Edgar J. Schneider	4/2/1986	Evendale Fire Department
Arthur J. Girty	5/13/1986	Mount Healthy Fire Department
William B. Gray	6/2/1986	Fairfield Twp. Fire Department
James N. Eddy	7/17/1986	Berkey-Richfield Twp. Fire Department
Orval J. Steele	12/25/1986	Chillicothe Fire Department, Ohio
John W. Nance	7/25/1987	Columbus Fire Department, Ohio
Raymond D. Holtz	11/25/1987	Wellston Fire Department
Frank E. McGaffick	1/7/1988	Lexington Township Fire Department
Arnold E. Weaver	4/2/1988	Negley Volunteer Fire Department
James E. Harvey	8/18/1988	Bellevue Fire Department
Patrick E. Yahle	11/10/1988	Dayton Fire Department
Robert W. Leas	12/17/1988	Coventry Township Fire Department
Ricke E. Phillips	3/27/1989	Ohio Division of Forestry
John A. Rozzi	11/22/1989	Lowellville Fire Department
John J. Meyer	7/27/1990	Craig Beach Village Fire Department
Jennifer L. Kibbey	3/13/1991	Hilliar Township - Centerburg Volunteer Fire Department
Brooks Cowgill	4/4/1991	Plain Township Fire Department
Arthur R. Denny	9/28/1991	Franklin Township Fire Department
Kinnison F. Cribbley	12/13/1991	Oregon Fire Department
Thomas E. Coyne	12/18/1991	Brooklyn Fire Department
Roy J. Swinehart	4/21/1992	Carroll County Volunteer Fire Department
Arthur E. Schumacher	12/31/1992	Valley City-Liverpool Fire Department
Brian E. Metts	2/27/1993	North Georgetown Fire Department
Donald C. Cottrell	3/8/1993	Toronto Fire Department
Frederick A. Coates	7/14/1993	Lafayette-Jackson Township Fire Department
Walter E. Wade	3/6/1994	Miami Township Fire Department
Michael P. Shaughnessy	7/23/1994	Cleveland Fire Department
Earl G. Detty	9/3/1994	Union Township, Ohio Fire Department
Timothy S. Shiltz	9/5/1994	Toledo Department of Fire and Rescue
Dale E. Nelboeck	11/28/1994	Mayfield Heights Fire Department
Ronald Fogel	5/31/1995	Montpelier Fire Department
John McCroden	9/13/1995	Geneva Ohio Fire Department
Terry Leasher	4/10/1996	Harlan Township Fire and Rescue
Jeffery K. Renner	9/18/1996	Baltic Fire and Rescue Department
Henry L. Scott	9/18/1996	Springdale Fire Department
Arthur R. Ebert	1/14/1997	Fort Morrow Fire District

James H. Johnson	6/5/1997		New Bloomington Fire Department
Robert D. Good	6/6/1997		Battle Run Fire Department
Charles A. Rudd	6/6/1997		New Bloomington Fire Department
Kathryn A. Mayfield	10/26/1997		Crooksville Volunteer Fire Department
Robert J. O'Toole	1/12/1998		Washington Township Fire Department
Stephen D. Carletti	2/5/1998		Crooksville Volunteer Fire Department
David P. Theisen	2/5/1998		Crooksville Volunteer Fire Department
Paul L. Haislop	3/23/1999		Centerville Volunteer Fire Department
Michael E. Cupp	8/6/1999		Cygnets Volunteer Fire Department
Kenneth Cashman	9/13/1999		Auglaize Township Volunteer Fire Department
Brad A. Michener	12/3/1999		Scipio-Republic Fire Department
Gregory E. Rodgers	12/13/1999		Dresden Volunteer Fire Department
Lee A. Purdy	1/8/2000		Spencerville Invincible Fire Company
James D. Geiger	2/19/2000		City of Defiance Fire and Rescue
Michael R. Baughn	4/11/2000		Washington Fire/Rescue
Daniel H. Yaklin	9/4/2000		United States Marine Corps Air Station, Yuma, AZ
William A. Ellison	3/20/2001		Miami Township Fire Department
Cynthia J. Verburg	7/10/2001		Clayton Fire Department
James H. Hanson	11/10/2001		Chauncey-Dover Volunteer Fire Department
Dustin "Dusty" M. Schwendeman	1/22/2002		Dunham Township Volunteer Fire Department
Leo L. Swank	3/16/2002	Mr.	Jefferson Township - Bellville Fire Department
Lawrence J. Sweetnich	3/15/2003		West Iron County Fire Department
Oscar Armstrong	3/21/2003		Cincinnati Fire/Rescue Department
Richard A. Long	4/3/2003		Gallipolis Fire Department
John A. Garman	10/1/2003		New Bremen - German Township Fire Department
Kenneth J. Jutte	10/1/2003		New Bremen - German Township Fire Department
Edward P. Conricote	2/23/2004		Liberty Township Fire Department
Donald E. Ward	3/14/2004		Columbus Fire Department, Ohio
Robert E. Woolf	8/25/2004		Phillipsburg Fire Department
Allan H. Anderson	6/22/2006		Wellington Community Fire Department
Rose A. Woodbridge	7/28/2006	Mrs.	Hanover Township Fire Department
Paul R. Montavon	8/13/2006		Whitewater Township Fire Department
Jeffrey M. Murray	2/13/2007	Firefighter	Sharon Township Fire Department
Eddy G. Ivers	3/13/2007	Chief	Concord-Greene Township Volunteer Fire Department
Steve Olinik	3/30/2007	Firefighter	Rome Volunteer Fire Department
Sammy R. Smith	7/20/2007	Firefighter/Driver	Village of Antwerp
Jon C. Trainer	7/24/2007	Firefighter	Mechanicsburg Fire Department
Jared W. Zimmerly	9/9/2007	Firefighter	Prarie Township Fire Department
Paul W. Swander	2/2/2008	Chief	Ohio City Fire Department
Brian W. Schira	4/4/2008	Firefighter - EMT	Colerain Township Department of Fire and EMS
Robin M. Zang-Broxterman	4/4/2008	Captain	Colerain Township Department of Fire and EMS
Gary L. Studer	6/28/2008	Captain	Whitehouse Fire Company, Inc.
Gregory A. Northup	9/3/2008	Firefighter	Gallipolis Fire Department
Harold M. Sparks	1/17/2009	Firefighter	United States Air Force, Wright-Patterson Air Force Base
Michael J. Darrington	2/27/2009	Firefighter/Paramedic	Toledo Fire and Rescue Department
James M. Hall	5/30/2009	Firefighter/EMT	Greentown Fire Department
Conrad A. Mansfield	6/14/2009	Firefighter	Delaware Township Volunteer Fire Department
Joseph McCafferty	1/16/2010	Lieutenant	Lancaster Fire Department
Edward D. Teare	3/31/2010	Lieutenant	Independence Fire Department
Leo A. Powell	4/3/2010	Firefighter	Morgan Township Volunteer Fire Department

Ryan N. Seitz	9/24/2010	Firefighter	McArthur Fire Department
Daniel C. Wilson	10/23/2010	Firefighter	Jerusalem Township Fire Department
Randy D. Boley	4/12/2011	Captain	Clinton Township Fire Department
Robert J. Tieche	5/28/2011	Chief	Cardinal Joint Fire District
Charlotte R. Adair	10/28/2011	Firefighter	Richfield Township Fire and Rescue
Gregory S. Baker	11/20/2011	Chief	Lewisville & Community Volunteer Fire Department
Rocky E. Dunkin	7/1/2012	Lieutenant	Niles Township Volunteer Fire Department
Michael Burgan	8/10/2012	Capt.	Sugarcreek Fire Department
Leroy E. Murphy	10/20/2013	Firefighter	Gettysburg Fire Department
Terry R. Guss	12/15/2013	Firefighter	South Zanesville Volunteer Fire Department
John J. Wayman	12/15/2013	Chief	Jefferson Volunteer Fire Department
James A. Dickman	1/26/2014	Firefighter	Toledo Fire and Rescue Department
Stephen A. Machcinski	1/26/2014	Firefighter	Toledo Fire and Rescue Department
Bruce A. Stayner	2/4/2014	Lieutenant	Scioto Township Fire Department
Steven J. Knaus	2/28/2014	Firefighter	Willowick Fire Department
Kevin J. Ollier	9/5/2014	Firefighter	Anderson Township Fire & Rescue Department
James T. Rhamey	11/28/2014	Firefighter Fire Apparatus	Western Holmes County Fire and EMS
Daryl E. Gordon	3/26/2015	Operator	Cincinnati Fire/Rescue Department
David C. Knapke	6/5/2015	Lieutenant	Williamsburg Township Emergency Services
Charles H. Horning	10/13/2015	Captain	Townsend Township Fire Department
Patrick R. Wolterman	12/28/2015	Firefighter	Hamilton Fire Department
Kenny Ray	3/20/2016	Fire Technician	TimkenSteel Fire & Security
John R. Fritz	6/27/2016	Firefighter	Austintown Fire Department
Adam L. Long	10/31/2016	Firefighter	Defense Supply Center Columbus Fire and Emergency Services
Reuben E. Mast	12/19/2016	Firefighter	Wayne Township Volunteer Fire Department
James J. Benken	4/14/2017	District Chief/Medic	City of Wyoming Fire and EMS
David O. Lemponen	4/28/2017	Firefighter	Austinburg Volunteer Fire Department
Rodney Baker Jr.	3/16/2018	Assistant Chief	Madison Township-Kunkle Fire Department

DCRT