

Bergen Community College
Division of Business, Social Science and Criminal Justice and Homeland Security
Department of Criminal Justice and Homeland Security
Master Course Syllabus

Course Title:

HSE -103 Legal Aspects of Homeland Security and Emergency Management

Prerequisites: None

Credit Hours: 3 lectures, 3 hours

Instructors:

Office Location:

Office Telephone:

Department Secretary: (optional)

Office Hours:

Email Address:

Course Description:

Legal Aspects of Homeland Security and Emergency Management is an introduction to the legal and policy framework for emergency management and response to natural and technological hazards and disasters. The course addresses the role of local, state and federal governments in an emergency or disaster response. The duty to act, liability and negligence, the use of volunteer resources and the role of counsel in emergency management is examined.

Student Learning Objectives: As a result of meeting the requirements in this course, students will be able to:

- 1- To provide a basic foundation for the student's understanding of the law and policies related to homeland security and emergency management.
- 2- Develop a working understanding of the legal and policy principles of the profession
- 3- Understand local, state and federal relationships when it comes to introducing and implementing new laws and regulations
- 4- Be able to describe examples of when crisis management and consequence management policy has evolved gradually and when it has evolved suddenly in response to events
- 5- Recognize the critical role of court decisions in clarifying the practical application of legislation and executive directives
- 6- Obtain a working knowledge of privacy concerns and Constitutional protections related to governmental information gathering; and
- 7- Understand potential tort liability situations and the basics components of governmental tort immunity.

Required Textbook:

Nicholson, Wm C., Homeland Security Law and Policy, C. C. Thomas Publisher,
Springfield, IL, ISBN: 0-398-07583-2
Other Required Materials: Selected readings from the library and the Internet

Means of Assessment:

1. Demonstrated ability of student to discuss reading topics with fellow learners and the course instructor.
2. Ability of student to raise thoughtful opinions and engage in intellectual dialogue with fellow learners and the course instructor.
3. Apply learned knowledge through researching and submission of research paper on a Homeland Security Law and another paper on an emergency management topic related to law and policy.
4. Successful demonstration of knowledge through the assessment of tests and quizzes.

Course Content

- Students will, through completion of a set of FEMA disaster management scenarios, the course text, referenced directed readings, guided discussions, assignments and exercises, gain the ability to understand the current disaster management legal doctrine and its inherent limitations.
- Students will also be able to identify and classify the types of natural and man-made risks and be able to complete a risk assessment and analysis of their respective communities.
- Students will also be proficient in the application and process of mitigation strategies to enhance the health, safety and environmental security of their community, its critical infrastructures and commercial and residential buildings meeting with federal, state and local legal policy and laws.

Special Features of the Course

Power Point Presentations,
Internet Application Resources,
Video Presentations, and
Scenario Model Design Problems for Students to Complete and Discuss.

Course Requirements and Evaluation:

Research, Thinking, Writing and or Examination Requirements

Students are required to complete four written test evaluations, essay assignments, and a community research project addressing legal aspects of terrorism and disasters

Grading Policy

Final Course Grade:

Examinations Four = 50 percent of final grade 50%

Two Papers = 30 percent of final grade 30%

One class presentation = 10 percent of final grade 10%

Class participation = 10 percent of final grade 10%

Total = 100 per cent of final grade 100%

Note:

Student class participation, attitude and observed effort will be considered in determining the students final grade. All absences affect class participation grade. One (10 point will be deducted for each absence.

Bergen Community College Grading Scale:

A 4.0(90-100%)	B+ 3.6(86-89%)	B 3.0(80-85%)
C+ 2.6(76-79%)	C 2.0(70-75%)	D 1.0(60-69%)

Attendance Policy

Students are expected to attend all scheduled course dates and meeting times punctually. Attendance is generally reflected in a students overall class performance. Students, who regularly miss classes absent mitigating circumstances, will have difficulty completing the course with a satisfactory grade.

A maximum of 10% will credited toward the final course grade for reasonable continuous attendance and class participation. Student class participation, attitude and observed effort will be considered in determining the students final grade. All absences affect class participation grade. One (10 point will be deducted for each absence

Class Sessions:

This course will be a lecture-based course by the instructors and guest lecturers with class discussion, cases studies and other media presentations. Participation in the discussions based on a response to the readings and lecture materials is an important part of the course.

Other College, Divisional and or Department Policy Statements

See the master college catalog and student handbook for student responsibilities pertaining to:

- Code of Student Conduct
- Civility
- ADA Statement
- Sexual Harassment Statement
- Statement on Plagiarism and Academic Dishonesty
- Statement on Acceptable use of College Technology
- Statement on the Purpose and Value of Faculty Office Hours

Student and Faculty Support Services

The distance Learning Office-for any problems you may have accessing your online courses	Room C-334	201-612-5581 psimms@bergen.edu
Smart thinking Tutorial Service	On Line at:	www.bergen.edu/library/learning/tutor/smart/index.asp
The Tutoring Center	Room L-125	201-447-7908
The Writing Center	Room L-125	201-447-7908
The Online Writing Lab (OWL)	On Line at:	www.bergen.edu/owl
The Office of Specialized Services (for Students with Disabilities)	Room S-131	201-612-5270 www.bergen.edu/oss
The Sidney Silverman Library	Room L-226	201-447-7436

Course Schedule:

Week	Lecture Points	Homework/Readings	Topics Include
Week One	Introductions, Distribution of Syllabus,	Overview of Homeland Security and Emergency Management and Course	US Patriot Act
Week Two	Duty to Act	Readings: Read Chapter and study key pages Nicholson, Chapter 1, pages 5-15; Section 5-1-1,	Sources of law and other authority: U.S. Constitution, Legislative Acts, International Law, Courts Treaties, and Executive agreements.
Week Three	Training Accidents	Readings: Read Chapter and study keys pages Nicholson, Read Chapter 2, pages 17-30.	Legal aspects and issues of Terrorism: Applying Constitutional principles to international Investigations
Week Four	FEMA's Place in Policy, Law, and Management Hazardous Materials Issues: Hot Pursuit, Vehicle Accident, Criminal Liability for Vehicle Accident Test One	Readings: Nicholson, Read Chapter and study keys pages Chapter 3, pages 33-57; NJ Law Enforcement Safe Pursuit Act,	Legal aspects and issues of Terrorism: Applying Constitutional principles to international Investigations
Week Five	FEMA'S Changing Priorities since 9/11The Shape of Emergency Response and Emergency Management in the Aftermath of the Homeland Security Act of 2002: National Response Plan (NRP) National Incident Management System (NIMS) Vehicle Dispatch Issues Public Safety	Readings: Nicholson, Read Chapter and study keys pages Chapter 4, pages 59-69; Training Telecommunicator Minimum Standards of Training	The USA Patriot Act and its progeny

	Telecommunicator Issues		
Week Six	Law Immunity Issues Good Samaritan Specific Statutes Review Homeland Security from the Local Perspective	Week 6 -Readings: Nicholson, Read Chapter and study keys pages Chapter 5, pages 71-99; Good Samaritan Issues	Recent cases and controversies in U.S. Courts.
Week Seven	Managing a Response Homeland Security Initiatives and Emergency Management in Metro Areas: The Pennsylvania Perspective Examination Review	Readings: Nicholson, Read Chapter and study keys pages Chapter 6, pages 101- 134; Internet review of both Homeland Security Directive National Response Plan (NRP); National Incident Management System (NIMS);	Jurisdiction issues in matters regarding terrorism.
Week Eight	Week 8- Mid-Term Exam New Partnerships for Homeland Security, Policy Development, and Application: Government, Private Sector, and Higher Education	Reading Read Chapter and study key pages Chapter Seven Page 137-147 New Partnerships for Homeland Security, Policy Development, and Application: Government, Private Sector, and Higher Education	Partnership Consideration and relations before and after incidents
Week Nine	Public Health Emergency Preparedness/Hazardous Materials Incidents Partnering with the Department of Defense for Improved Homeland Security	Readings: Nicholson, Read Chapter and study keys pages Chapter 7, pages 137- 157; NJ Emergency Code NORTHCOM	Religion, Culture, Power and Politics
Week Ten	Using Volunteer Resources Federal Volunteer Protection Act of 1997, 42 USC Sections 14501, et seq.;	Readings: Nicholson, Read Chapter and study keys pages Chapter 8, pages 159-174; Emergency Management Assistance Compact (Pub. L. 104-321 –	Religion, Culture, Power and Politics

		Student Presentations	
Week Eleven	<p>Recovery by Responders: The Rescue Doctrine and the Fireman's Rule Civil Rights Issues</p> <p>Insatiable Appetite: The Government's Demand for New and Unnecessary Powers After September 11</p> <p>The USA Patriot Act, Money Laundering, and Suspicious Activity Reports from Financial Institutions</p>	<p>Readings: Nicholson, Read Chapter and study keys pages Chapter 9, pages 177-185</p> <p>Student Presentations</p>	<p>Influence of Religion, Culture, Power and Politics</p> <p>Demands of finance institution and The Patriot Act</p>
Week Twelve	<p>Lessons Learned from 9/11 for Emergency Responders and Emergency Managers</p> <p>Test Three</p> <p>Antiterrorism Investigations and the Fourth Amendment After September 11, 2001</p>	<p>Readings: Nicholson, Read Chapter and study keys pages Chapter 10, pages 187-201; Chapter 16, pages 313-319</p> <p>Student Presentations</p>	<p>Free Speech, Academic Freedom and "Un-American" Criticisms of Homeland Security.</p>
Week Thirteen	<p>Week 13- Powers of the Governor – Federal, State and Local Responsibilities</p> <p>Mass Transit and Homeland Security: Policy Issues</p> <p>Post-9-11 Challenges for Aviation Security</p>	<p>Readings: Nicholson, Read Chapters and study keys pages Nicholson, Chapter 12, pages 221-232; Nicholson, Chapter 13, pages 235-258;</p> <p>Student Presentations</p>	<p>Futuristic Technology in Homeland Security.</p>
Week Fourteen	<p>Week 14 –Negligence Liability in Emergency Management</p> <p>Natural Disasters and Weapons of Mass Destruction: Policy Issues and Implications</p> <p>Bioterrorism Defense: Current Components and Continuing Challenges</p>	<p>Readings: Nicholson, Read Chapter and study keys pages Chapter 15, pages 289-311; Chapter 17, pages 321-327.</p> <p>Student Presentations</p>	<p>Effective Reciprocal Aid Agreements between Government Entities.</p>
Week Fifteen	Review / Final Exam	Student Presentations	Contemporary Issues Review

Note to students: This course outline and calendar is tentative and subject to change, depending upon the progress of the class.

Department of Criminal Justice and Homeland Security

Catalog Course Description:

This course is an introduction to the legal and policy framework for emergency management and response to natural and technological hazards and disasters. This course will introduce students to a broad spectrum of legal issues related to emergency management and homeland security. The role of local, state and federal governments in an emergency or disaster response will be examined in light of events such as 9/11, SARS and hurricanes. Legal issues covered will include the duty to act, dispatch issues, legal liability and negligence, managing a response from a first responder and management perspective, the use of volunteer resources and the role of legal counsel in emergency management.