Hamdan Military Attorney
Lauded for Courageous Advocacy
at CHHS 9/11 Commemoration

Lt. Cmdr. Charles D. Swift, the military attorney whose representation of Osama bin Laden’s personal driver led to the Supreme Court’s ruling in *Hamdan v. Rumsfeld* (that the special military tribunals used by the Department of Defense to try detainees held at Guantanamo Bay were illegal), was praised as “a model” for his “courage” prior to his speech at UMB’s Sixth Annual Commemoration of Sept. 11, organized by CHHS. The First Commemoration was held shortly after the terrorist attacks of Sept. 11, 2001.

“To be part of an institution, and agree to take the institution on, especially the military, is the height of courage,” said CHHS Director Michael Greenberger, J.D., when he introduced Lt. Cmdr. Swift who

Continued on page 3
This summer and fall CHHS has substantially expanded its impact. Our staff attended NATO meetings on international public health crisis management in Skopje, Macedonia and bilateral emergency responder meetings in Jalisco, Mexico. During this time, our staff also provided training and did speaking on crisis planning in Los Angeles, San Francisco, New Orleans, Baton Rouge, Boston, Charlottesville, Seattle, Miami, Anniston (AL), and our home base in Baltimore.

At a recent meeting of industry, government and academic representatives from six Mid-Atlantic States (the Mid-Atlantic All Hazards Forum), CHHS staff planned important public-private sector meetings on cyber security and critical infrastructure protection. They also spoke on panels focused on cyber security, pandemic flu and Continuity of Operations (COOP) planning. That set of meetings was extremely gratifying for me as government and industry officials working on homeland security and public health issues time and again approached me to tell me what a major impact CHHS is having in developing effective policy in this area.

As a result of all this activity, CHHS is growing at a rapid rate. We now have 23 professional staff and, as I write, we are interviewing for five additional positions. Among our staff are lawyers, public health experts, and experienced emergency first responders, including personnel with fire and policing emergency responder experience. We have also hired our first Media Relations Specialist, who is helping us deal with the media's substantial interest in our work.

With the support of the University of Maryland School of Law, we have been fortunate to have six Research Assistants and two Externs working with us, all of whom are earning professional degrees on campus and each of whom we view as rising stars in the emergency response arena.

We opened a new office in September 2005, which we are already outgrowing. Our board chair, David J. Ramsay, DM, DPhil, President of the University of Maryland, Baltimore, is on the hunt for badly needed additional CHHS office space within the University.

We just signed a two year consulting contract with the Administrative Office of the Maryland Courts to embark upon a planning process to develop Continuity of Operations (COOP) plans for the Maryland Court of Appeals, the Maryland Court of Special Appeals, the Administrative Office of the Courts and for each of the Maryland courthouses across the state. Five of our staff will be working on this project this year and we will expand that staff to nine in the second year of the contract.

As this newsletter went to press, we were pleased to learn that the McCormick Tribune Foundation awarded us a grant to organize a symposium with leading national experts on the topic of emergency preparedness for vulnerable populations. The conference will be held at the McCormick estate in suburban Chicago, Illinois. CHHS has been interested in the preparation of vulnerable populations for catastrophic public health emergencies since our founding in May 2002. Our interest in this area was heightened by the tragic events in New Orleans during Hurricane Katrina. We are gratified that our work in this area has been recognized by such a prominent funder.

Enjoy the newsletter!

Michael Greenberger, J.D.
CHHS Director & Law School Professor
Military Attorney Stresses Rights

Continued from cover

spoke at the University of Maryland School of Law on Sept. 6, 2006.

In turn, Lt. Cmdr. Swift said he found courage in the words of founding father Thomas Paine, who said societies defend liberty when they protect the rule of law. Swift also acknowledged the courage of his wife, a pilot instructor, who, in the days after the attacks, defended her Arabic student after he was forced to land and detained face-down on the runway even though he had broken no laws and committed no flying violations.

“We, unlike our enemies, are a nation of laws,” Lt. Cmdr. Swift said. Even in a time of war, he added, “I don’t think we have to violate the law to win.”

In his speech to more than 200 law students and professors, Lt. Cmdr. Swift decried the lack of progress in crafting clear, Constitutional rules for the military tribunals. “To date, there really have been no changes in the rules I read three years ago,” he said. The system, he added, looked as absurd to him as “a Monty Python movie.”

In any fair trial, he continued, the defendant needs to have a jury of his peers—that is, citizens who are equally subject to the same laws. Without such a system, in Lt. Cmdr. Swift’s view, it would be comparable to the old Star Chamber, a royal court of England that met in secret and offered no rights of appeal, as well as to the Salem witch trials of Colonial America.
CHHS Analyst Presents at NATO Conference in Macedonia

Senior Law and Policy Analyst Krista Horochena, J.D., traveled to Skopje, Republic of Macedonia to make a presentation at the NATO Advanced Study Institute conference, “Strengthening National Public Health Preparedness and Response for Chemical, Biological and Radiological Agent Threats,” held from June 19 - June 29, 2006. Her presentation, entitled “Using the Law to Prepare for and Respond to Public Health Emergencies,” dealt with government legal authority needed to manage the public health response to emergencies, and specifically discussed the legal powers used by foreign governments in response to SARS and by federal and state government in response to Hurricane Katrina. In addition to this presentation, Horochena was one of two representatives from the United States that sat on a six person health policy panel. Each country representative discussed some of the current public health preparedness issues of concern facing their country.

Held as part of NATO’s Security Through Science Program, the Advanced Study Institute is a high-level tutorial conference of approximately two weeks’ duration where a subject is treated in depth by lecturers of international standing. Presentations were made to about 50 scientists and research students already specialized in the field, or with an advanced general scientific background. The following countries were represented at the conference: United States, Republic of Macedonia, Italy, Ukraine, Russia, Lithuania, Republic of Georgia, Bulgaria, Canada, Poland, and Turkey.

The goal of the conference was to offer technical assistance to NATO partner countries in the process of enhancing their national preparedness and emergency response plans for chemical, biological, and radiological agents. “This conference provided an excellent opportunity to improve and strengthen international relations among the participating countries while collaborating on the best practices for managing global health security issues,” Horochena said.

During the trip, faculty from the conference also toured Macedonia’s Republic Institute for Health Protection and one of Skopje’s top hospitals.

CHHS Analyst Published Article In WIIS Issue Brief

An article by Senior Law and Policy Analyst Krista Horochena, J.D., titled, “Quarantine in America - Do we trust our government to protect us?” was published in the Women in International Security (WIIS) Issue Brief during the Summer of 2006. To read the article, visit http://wiis.georgetown.edu/publications/Summer2006.pdf.
In July 2006, Mark Boyer, a CHHS Senior Policy Analyst, began working as the Chief of Staff to the Homeland Security Senior Policy Group (SPG) of the National Capital Region (NCR). The NCR encompasses the District of Columbia and parts of the states of Maryland and Virginia, including the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park; the counties of Arlington, Fairfax, Loudoun, and Prince William in Virginia; the counties of Montgomery and Prince George’s in Maryland; and the municipalities of Bowie, College Park, Gaithersburg, Greenbelt, Rockville, and Takoma Park. As Chief of Staff for the SPG, Boyer works with the six principal homeland security and emergency management directors for the District of Columbia, Maryland, and Virginia, as well as the director for the Office for National Capital Region Coordination in the U.S. Department of Homeland Security (DHS). Boyer’s primary responsibility is to manage the day-to-day business of the SPG and to advance the group’s processes and initiatives. He also develops NCR’s specific homeland security policies; coordinates the implementation of the region’s homeland security strategic plans; coordinates governmental affairs for NCR; and advises on the progress and effectiveness of NCR’s various homeland security grants, as well as the allocation of NCR grant funding.

Boyer’s full bio is available on page 15. He began his work in the field of homeland security following the events of September 11, 2001 while he was working at Cisco Systems. Prior to Sept. 11, Boyer focused on transformational government and e-government applications as director of Cisco Systems’ Internet Business Solutions Global Public Sector Group. In this position, he used Internet technology to transform routine government business transactions from paper based to electronic based environments. Following Sept. 11, Boyer took on a role on the product team, addressing homeland security solutions, particularly focusing on communications interoperability at Cisco. After leaving Cisco, and prior to joining CHHS and NCR, Boyer worked at Packet Hop, a start-up company that develops software to create mobile mesh networks and applications to create situational awareness at an incident and manage communications among first responders.

“Mark’s extensive experience in all levels of state government and industry make him the ideal candidate to assist Maryland, Virginia, and D.C. with coordination of their homeland security efforts. I have already received extensive positive feedback from both DHS and the states on his extraordinary efforts. CHHS is proud to have Mark on our team,” said CHHS Director Michael Greenberger, J.D.

Mark Boyer

Center Highlighted in Maryland Bar Journal

CHHS and Director Michael Greenberger, J.D., are the focus of a story titled, “Disaster Planning - It Can Happen to You!” in the November/December issue of The Maryland Bar Journal.
Symposium on Avian Flu Threat Held in January

More than 250 scientists, lawyers, first-responders, and other individuals concerned about the possibilities of an influenza pandemic filled Westminster Hall at UMB on Jan. 13, 2006 for a CHHS organized, day-long symposium “Avian Flu: What Can We Do?”

“The nation is now bracing for what may be the most serious public health threat in decades—with comparisons being made to the 1918 ‘Spanish Flu’ pandemic that is estimated to have caused approximately 50 million deaths worldwide and 500,000 nationally,” said CHHS Director Michael Greenberger, J.D.

The symposium brought together more than 23 national avian flu experts to discuss problems related to the avian flu and to create partnerships to fight the threat of a pandemic flu outbreak. Panel discussions included the basic science of influenza, vaccine development, quarantine and isolation, antivirals, the role of institutions, the role of government, and the role of practitioners.

Organized by CHHS, other sponsors of the symposium included the School of Law’s Law and Health Care Program; the Baltimore City Health Department; the School of Medicine; the School of Medicine’s Department of Epidemiology and Preventive Medicine; the School of Medicine’s Center for Vaccine Development; the School of Pharmacy; MedChi, the Maryland State Medical Society; the Middle Atlantic Regional Center of Excellence for Biodefense and Emerging Infectious Diseases Research; and the School of Law’s Intellectual Property Resource Center.

Howard County Avian Flu Summit

On May 16, 2006, the Horizon Foundation and the Howard County Community Emergency Response Network (CERN) sponsored a day long summit on pandemic flu preparedness. Over 300 attendees representing Howard County and Maryland responder agencies discussed strategies for preparing Howard County for the potential onset of a pandemic.

CHHS Director, Michael Greenberger, J.D., gave a key presentation examining the best and worst case scenarios should a pandemic hit Howard County.

Above: Transmission electron micrograph of avian influenza H5N1 virus.

Professor Greenberger’s talk was based on the empirical research data included in a paper he co-authored with CHHS Consultant, Darren P. Mareiniss, M.D., J.D., M.Be, who also attended the conference. Dr. Mareiniss stated that “In the event of a widespread pandemic, it is unlikely that the federal government will be able to mobilize resources and administer care to all afflicted communities. As a result, local and community health response efforts will likely play a central role in any national pandemic preparedness plan.” He added that “conferences such as the Howard County summit are integral to the planning and organization of such local response efforts and should serve as a model for other communities.”
CHHS Conducts Focus Groups to Advise State Surge Capacity Plan

CHHS began working with the Department of Health and Mental Hygiene (DHMH) and a Governor appointed Surge Technical Advisory Group (Surge TAG) in May 2005 to assist with developing the Maryland Health and Medical Surge Capability Plan. The goal of the plan is to explain how the state’s health care system will respond to a sudden and dramatic increase in demand for services as a result of any type of public health emergency. CHHS has written a concept of operations for the plan, and conducted focus groups and meetings with different health and medical response stakeholders to gather relevant information needed to inform the Surge TAG and the plan.

The CHHS surge team, made up of Associate Director Kate Christensen, J.D., Senior Law and Policy Analyst Krista Horochena, J.D., and Staff Attorney Michelle Daley, J.D., have met with or spoken to representatives from the Office of the Chief Medical Examiner (OCME), the Maryland Emergency Management Agency (MEMA), the Maryland Institute for Emergency Medical Services Systems (MIEMSS), Regional Administrators, the State Emergency Medical Services Jurisdictional Advisory Group, the DHMH State Health Care Facilities, the Maryland Hospital Association Disaster Task Force, the Maryland Association of County Health Officers, the National Capital Poison Center, and the State Medical Society (MedChi). In addition to these meetings, CHHS submitted surveys to the state’s core service agencies who are responsible for providing needed mental health services to each community.

The goal of these meetings was to gain a better understanding of the stakeholders’ roles and responsibilities during an emergency, the status of their emergency planning, how each group operates and communicates with others during emergencies, the resources needed to respond and the resources that could be provided to others during an emergency, and the unique issues and obstacles that each stakeholder faces in preparing for and responding to events that result in medical surge.

At the end of August of 2006, CHHS provided a report to DHMH and the Surge TAG of its findings from these focus groups. This information was incorporated in the next stages of planning, as CHHS and the Surge TAG began to develop the specifics of the final plan this fall. These findings should also improve the state’s ability to provide a coordinated and effective response to public health emergencies and disasters.

Christensen Recognized

On February 20, 2006, CHHS Associate Director, Kate Christensen, J.D., was recognized by the Office of the Secretary of State and the Governor’s Subcabinet for International Affairs for her work on the Jalisco Security Subcommittee as an Outstanding Education Liaison and ambassador for international programs in the state of Maryland. This was for the Maryland Sisters States Program. Maryland has been a Sister State to Jalisco since 1993. Jalisco is one of Maryland’s eight official Sister States. Christensen was one of nineteen people recognized in Maryland for their support of international programs.
CHHS to Release Updated Maryland Public Health Emergency Preparedness Legal Handbook

In September, 2005, CHHS, in conjunction with the Office of the Attorney General for the Maryland Department of Health and Mental Hygiene (DHMH), created the *Maryland Public Health Emergency Preparedness Legal Handbook* (“the Handbook”). The Handbook is a comprehensive guide to the relevant statutes and regulations pertaining to emergency response, particularly a catastrophic health emergency. The Handbook has been a valuable tool for local and state officials, and CHHS is currently working on an updated version, expanding the content of the first edition to include pending legislation and information that became especially relevant after the Gulf Coast hurricanes. CHHS Research Assistant Taren Savage has been the Chief Editor of the Handbook, working closely with CHHS Staff Attorney Erin Hahn, J.D., M.P.A., to complete the updates. The new edition is scheduled for release by the end of 2006.

CHHS Works with Baltimore City Health Department on Legal Issues Regarding a Catastrophic Health Emergency

CHHS is working with the Baltimore City Health Department to identify and address the legal intricacies involved in responding to a large scale disaster. As an emergency situation unfolds, city officials will be required to make decisions rapidly, and many of the issues present unique legal questions. CHHS is drafting a comprehensive Memorandum aimed at improving the city’s level of legal preparedness, thereby advancing its response coordination capabilities. The Memorandum covers issues including tools needed to respond to a catastrophic health emergency, coordination of emergency response among area hospitals, and important relationships with county, state, and federal government institutions. Part of the project includes drafting legal orders for use by Baltimore City when exercising certain emergency powers, such as quarantine, curfew, and vaccination.

CHHS Staff Attorney Erin Hahn, J.D., M.P.A., along with Research Assistants Adam Hyman and Michael Bowers, has been preparing a draft of the memo. “The memo is designed to help the city anticipate some of the legal issues that may arise should the city choose to exercise its powers in order to mitigate the effects of a catastrophic health emergency,” Hahn said.
MDOT Participates in Transit Security Grant Program

On July 7, 2005, the world was shocked when terrorists struck London’s public transport system. Fifty-two people were killed in the attack and more than 700 others were injured. After the bombings, the United States Congress called on the Administration to act promptly to strengthen our nation’s rail and mass transit systems to prevent such an attack from happening on American soil. The July 11, 2006 bombings on the Indian Commuter Rail in Mumbai provided further evidence that the threat to mass transit everywhere continues to be very real and very palpable.

The state of Maryland hosts one of the nation’s top fifty largest transit agencies, the Maryland Transit Administration (MTA). One of the main components of MTA is the MARC commuter rail system. MARC is a 201-mile system presently serving forty-two stations on three routes: the Camden, Penn, and Brunswick lines. With a span reaching from West Virginia, to Maryland, to the District of Columbia, the MARC trains present an obvious target of terrorists.

To reinforce Maryland’s mass transit system, the state is participating in a transit security grant program entitled Coordination Across Organizations (Con-Ops). The project seeks to enhance emergency response coordination between the Maryland Transit Administration (MTA) Police, the Maryland Transportation Authority (MdTA) Police, and the regional/local and state police agencies through which Maryland’s rail service travels. Agencies include state, county, city, town and other municipal law enforcement departments from West Virginia, Maryland, and the District of Columbia. The project follows the guidelines of the U.S. Department of Homeland Security’s (DHS) National Response Plan (NRP) with a specific focus on enhancing communications, information sharing, preventive patrols and emergency response capabilities for an Improvised Explosive Device (IED) or other incident in the Washington/Baltimore Regional Transit Area.

CHHS Law and Policy Analyst Christina Herrmann, J.D., worked for the MTA Police as the Task Manager on the Con-Ops project beginning in January 2006. Upon Herrmann’s departure from CHHS for a new position, Adrian Wilairat, J.D., took over this responsibility.

While at CHHS, Herrmann served as the principal investigator and analyst having overall responsibility for task completion and schedule conformance. Part of the project entails visiting the various MARC stations to pinpoint particular safety concerns for each one. Furthermore, Memoranda of Understanding (MOUs) with regional law enforcement agencies concerning authority, security, incident response, and agency coordination are being reviewed and updated.
CHHS Staff Members Coordinate Private Sector Outreach Program

Approximately 85% of the critical infrastructure/key resources in Maryland is owned by the private sector. As a result, protecting the assets of these private owners represents the first line of defense in preventing terrorist attacks. Accordingly, each state’s state critical infrastructure protection & resilience plans rely heavily upon information being voluntarily provided by the private sector to the public. When government is equipped with a complete understanding of private sector information, the government’s ability to assess risks, protect first responders, make prudent security investments, and take protective actions is substantially enhanced.

Critical infrastructure asset owners in Maryland therefore look to the state as a primary source of security related best practices and threat information, including attack indications, warnings, and sector-level threat assessments.

CHHS Law and Policy Analyst Matt Fuchs, J.D., and Staff Attorney Adam Trister, J.D., have worked extensively to foster collaboration between the state and private sector, in their roles as facilitators of the Anti-Terrorism Council of Maryland’s (ATAC) Private Sector Critical Infrastructure Working Group (PSWG).

The PSWG is a bi-monthly meeting of over fifty executives and security directors representing critical infrastructure asset owners in Maryland, as well as select government officials.

With the assistance of Fuchs and Trister, the workgroup has drafted and ratified a mission statement, key assumptions, and strategic goals. Additionally, Fuchs took the lead in planning an interdependencies workshop sponsored by the Private Sector Workgroup, ATAC, and the All Hazards Forum. This landmark event marked the first step in a state and regional initiative to identify critical infrastructure interdependencies—the complex, multi-layered interconnections among the critical infrastructures and organizations that underpin our economy, public health and safety, and national security.

Studying Gubernatorial Succession in Maryland

CHHS is urging state lawmakers to study gubernatorial succession in Maryland in the event of a catastrophic event. Associate Director of CHHS Kate Christensen, J.D., testified before a Senate committee in Annapolis on Feb. 7, 2006 about Senate Bill 226, which would establish a task force to do just that.

“Unlike many other states, Maryland’s gubernatorial line of succession currently only runs from the Governor to the Lieutenant Governor and then to the President of the Senate,” Christensen told members of the Education, Health, and Environmental Affairs Committee.

Kenneth Masters, Gov. Robert L. Ehrlich Jr.’s Chief Legislative Officer, and Dennis Schrader, Director of the Governor’s Office of Homeland Security, joined Christensen in supporting the bill. The three also testified before the House Health and Government Operations Committee on Feb. 9, 2006 on behalf of a House version of the bill.

Christensen said that the task force must address how Maryland government would be reconstituted in the event of a vacancy in the Governorship or if the Governor becomes incapacitated due to a major emergency.
Recent and Upcoming Presentations, Conferences, Symposia, and Other Events

Associate Director Addresses Marshall Center Leader’s Program
On March 8, 2006, CHHS Associate Director Kate Christensen, J.D., addressed participants in the Marshall Center’s Leaders Program in Advanced Security Studies in Annapolis, Maryland. The talk covered emergency planning at the state and local level and how it relates to homeland security. Secretary of State Mary D. Lane and Adjutant General Bruce F. Tuxill also spoke at the event.

Analyst Delivers Presentation on Project BioShield
On March 27, 2006, CHHS Law and Policy Analyst Catherine Napjus, J.D., delivered a poster presentation at the Third Annual Meeting of the Regional Centers of Excellence in Biodefense and Emerging Infectious Diseases Research in New York City. The title of the presentation was “Project BioShield, Was $5.6 Billion Enough?” It discussed the problems with the implementation of the Project BioShield Act of 2004.

Staff Certified as WMD Instructors
From April 30th-May 5th, 2006 CHHS Senior Law and Policy Analyst Alexandra Podolny, J.D., Law and Policy Analysts Joshua Easton, J.D., M.A., Catherine Napjus, J.D., and Jonathan Minkove, J.D., as well as Associate Director Kate Christensen, J.D., attended a five-day Instructor Training Certification Course at the Center for Domestic Preparedness (CDP) in Anniston, Alabama. After successfully completing the course, the participants were certified as Weapons of Mass Destruction (WMD) Instructors by the U.S. Department of Homeland Security Center for Domestic Preparedness. The CHHS analysts have used the fundamentals learned at CDP to develop the curriculum for Continuity of Operations (COOP) training sessions that they will run over the next year.

Analyst Speaks on Emergency Preparedness for Inner-City Communities
CHHS Staff Attorney Deborah Silver, J.D., gave a presentation about the need to improve efforts regarding emergency preparedness for inner-city communities during a symposium at DePaul University College of Law. On March 31st - April 1st, 2006, DePaul University College of Law’s Center for the Study of Race and Bioethics held its Annual Health Law Institute Symposium. This year’s symposium was entitled: “Shaping a New Direction for Law and Medicine: An International Debate on Culture, Disaster, Biotechnology & Public Health.”

Staff Speak at Pre-Conference COOP workshop at the “Restoration 2006” Conference
On May 14, 2006, CHHS Senior Law and Policy Analyst Alexandra Podolny, J.D., and Law and Policy Analysts Catherine Napjus, J.D., Joshua Easton, J.D., M.A., and Jonathan Minkove, J.D., as well as Associate Director Kate Christensen, J.D., traveled to New Orleans to participate in “Restoration 2006,” a conference focusing on economic and community recovery in the wake of a natural or man-made disaster. The CHHS Analysts presented a pre-conference Continuity of Operations workshop; an all-day event aimed at training state and local governments on developing a Continuity of Operations plan.
CHHS Plays a Role in Emergency Preparedness Exercises

On May 20, 2006, CHHS Senior Law and Policy Analyst Krista Horochena, J.D., and Staff Attorney Deborah Silver, J.D., assisted the Airport, Academia, Industry, Military, and State (AAIMS), the Walter Reed Army Medical Center (WRAMC), and the National Disaster Medical System (NDMS), known as the AAIMS Consortium, in the planning for and evaluation of a functional exercise held at the Baltimore Washington International Thurgood Marshall Airport (BWI). The AAIMS exercise was co-sponsored by the University of Maryland National Study Center for Trauma and Emergency Medical Services, Maryland Institute for Emergency Medical Services Systems (MIEMSS), and the Maryland Emergency Management Agency (MEMA). It was a follow-up to two table top exercises conducted to evaluate military and state procedures in response to application of the NDMS. The functional exercise applied incident command structure and resources for Mass Casualty (MASCAL) reception, activation of the NDMS reception plan, and exercised the Mutual Aid Agreement between WRAMC and MIEMSS to access civilian surge capacity beds.

This was the first exercise between the state of Maryland and WRAMC/NDMS Federal Coordinating Center (FCC) in 20 years.

Greenberger Speaks at Health Law Teacher’s Conference

CHHS Director Michael Greenberger, J.D., participated as a panelist in the 30th annual Health Law Teachers Conference held at the University of Maryland School of Law from June 1-3, 2006. He spoke during a panel titled, “Public Health: The Next Pandemic.” The School of Law and the American Society of Law, Medicine & Ethics sponsored the program, which provided participants with updates on issues at the forefront of law and medicine, along with the opportunity to share strategies, ideas, and materials.

Greenberger Discusses Federalism at Mississippi College of Law’s Hurricane Katrina Symposium

CHHS Director Michael Greenberger, J.D., gave a presentation on federalism issues at the Mississippi College Law Review’s Symposium entitled “Hurricane Katrina: A Legal Symposium Examining the Impact of America’s Largest National Disaster from Waveland, Mississippi to Washington, D.C.,” on August 29, 2006, the first anniversary of Hurricane Katrina’s Gulf Coast land fall.

Cyber Security Consensus Conference Held

CHHS Law and Policy Analyst Matt Fuchs, J.D, was a principal organizer of and participant in Maryland’s first Cyber Security Consensus Symposium at the World Trade Center in Baltimore on September 15, 2006. The symposium was sponsored by the Governor’s Office of Homeland Security (GOHS), the Anti-Terrorism Advisory Council of Maryland, and the Mid-Atlantic All-Hazards Consortium. Under the leadership of Governor Robert L. Ehrlich, Jr., the symposium brought together cyber security stakeholders to examine a draft white paper in which GOHS has proposed a cyber framework for Maryland. In the process, the symposium encouraged increased interest among participants in collaborating with GOHS and each other on future cyber security projects. Dennis Schrader, Director of the GOHS, delivered opening remarks at the event.

Greenberger Speaks at Boston University School of Law Conference

CHHS Participates in All Hazards Conference
On October 10, 2006, CHHS Law and Policy Analyst Matt Fuchs, J.D. and Staff Attorney Adam Trister, J.D. conducted an interdependency workshop as part of The Mid-Atlantic All Hazards Forum (AHF) held October 10th-12th, 2006 at the Baltimore Convention Center. The annual AHF event brings together both public and private stakeholders to share information from a regional perspective, build relationships, provide training, and collectively produce the annual All Hazards Forum Report, which serves as the key deliverable of the forum. Fuchs was the Governor’s Office project manager for the interdependencies workshop and served as a speaker on two panels: “The Role of State Government: Confronting Cyber Threats” and “Initial Meeting of the Cyber Security Community of Interest.” Trister participated as a panelist on the interdependencies debriefing. CHHS Director Michael Greenberger, J.D., also moderated a panel at the interdependencies workshop.

Prof. Greenberger was also the principal facilitator for a session entitled: “Mid-Atlantic Preparations for a Regional Pandemic.” This session addressed what the states are doing to prepare for avian flu. It included discussions of vaccine and antiviral availability, and non-medical countermeasures that need to be planned for and employed.

UPCOMING EVENTS

COOP Training Programs 2006-2007
CHHS, in conjunction with the United States Department of Homeland Security Office of Grants and Training and the Maryland Emergency Management Agency (MEMA), have been conducting training programs geared towards state and local emergency planners throughout the United States on Continuity of Operations (COOP) planning. DHS has provided a $1.484 million grant for this project.

The goals of COOP include ensuring the continuous performance of essential functions during an emergency; protecting essential facilities, equipment, records, and other assets; reducing or mitigating injury, loss of life and property damage; and achieving a timely and orderly recovery from an emergency and resumption of full service.

The CHHS COOP team has already conducted the pilot trips in Seattle, San Francisco, and Baltimore. The full training programs will be held throughout the 10 different FEMA regions beginning with Region IV in Miami (December 4-6). Below is the tentative schedule for these training programs. To register for training, visit http://www.umaryland.edu/dhsoop.

Training Calendar
December 4-6, 2006 ........................................... Miami, Florida (Region IV)
January 8-10, 2007 ........................................ Honolulu, Hawaii (Region IX)
February 12-14, 2007 ....................... New Orleans, Louisiana (Region VI)
March 14-16, 2007 ........................................... Chicago, Illinois (Region V)
April 17-19, 2007 .............................. Denver, Colorado (Region VIII)
May 21-23, 2007 .............................. St. Louis, Missouri (Region VII)
June 18-20, 2007 .............................. Boston, Massachusetts (Region I)
August 20-22, 2007 .............................. Portland, Oregon (Region X)
September 17-19, 2007 .............................. New York, NY (Region II)
Recent and Upcoming Presentations, Conferences, Symposia, and Other Events (continued)

e.g., recommended sanitary etiquette, school and business closings, and voluntary quarantine. The session also reviewed local response capabilities and their impact on the community as a whole. Associate Director Kate Christensen, J.D., was a panelist in a session titled “Continuity of Operations Planning: What Are Private Businesses Doing to Prepare?” This session emphasized the importance of Continuity of Operations (COOP) planning for private businesses.

Focusing on all three phases of a hazard (readiness, response, and recovery), the forum’s mission is to help build communication and forge relationships between states in the Mid-Atlantic region.

**Analysts Trained at CDP**

**Greenberger Speaks at MARCE Meeting**
On October 18, 2006, CHHS Director Michael Greenberger, J.D., spoke during the Middle Atlantic Regional Center of Excellence in Biodefense and Emerging Infectious Diseases Research (MARCE) fall meeting at the University of Virginia in Charlottesville. His presentation was on BioShield and commercialization issues.

**Director Speaks on Warrantless Wiretapping Program**
The CHHS Director was a panelist for a session titled, “The Bush Administration’s Warrantless Wiretapping Program.” The session took place during an event held by the Legal Affairs Committee at the Cosmos Club in Washington, D.C. on the evening of November 1, 2006.

**Greenberger Speaks at Public Health Partners Breakfast**
CHHS Director Michael Greenberger, J.D., spoke during a session titled, “Using Legal Preparedness to Build Partnerships with the Private Sector,” at the Public Health Partners Breakfast on Nov. 6, 2006 at the annual meeting of the American Public Health Association (APHA) in Boston.

**Director Speaks at Bar Event**
The CHHS Director spoke during a pre-conference session held as part of the 8th Annual Solo & Small Firm Practice Conference at The BWI Marriott. The Director’s talk took place at 8:30 a.m. on November 10, 2006. His talk was titled, “Disasters: The Big Picture and Their Real Impact.” The event was sponsored by The Maryland State Bar Association Solo & Small Firm Practice Section & the Maryland Institute for Continuing Professional Education of Lawyers, Inc. (MICPEL).
CHHS Staff Updates

New Staff Members

A.J. Bellido de Luna, J.D., joined CHHS in August 2006 as a Senior Law and Policy Analyst. He is a lawyer, former Marine, and 20 year police veteran. At CHHS, Bellido de Luna is a member of a team working under a grant from the U.S. Department of Homeland Security, which involves developing a curriculum to train state, local, and tribal emergency planners in Continuity of Operations (COOP) planning, and delivering this curriculum nationwide. His background as a first responder brings particular expertise in communications and the Incident Command System to the team. Bellido de Luna holds a B.S. in Management from The Johns Hopkins University (2000) and a J.D. from the University of Maryland School of Law (2004). While in law school, Bellido de Luna was a member of the National Trial Team, and President of both the Student Bar Association and the Latino Law Students Association. He is admitted to practice law in Maryland. Bellido de Luna is also a Community Justice Teaching Fellow at the University of Maryland School of Law, the Travel Coach for the law school’s National Trial Team, “Of Counsel” to the law firm of G. Russell Donaldson, and a Special Assistant State’s Attorney for Baltimore city.

Mark Boyer joined CHHS as a Senior Policy Analyst in July 2006 upon assuming the position of Chief of Staff to the Homeland Security Senior Policy Group (SPG) for the Office of the National Capital Region (NCR) Coordination within the Department of Homeland Security. Boyer brings to CHHS over thirty years of experience in successfully leading public and private organizations. Most recently, he held the position of Director of Government Affairs and Strategic Initiatives for Packet Hop Inc., where he was responsible for building relationships and creating awareness of Packet Hop and its solutions with U.S. Congressional policy makers, including developing a strategy to educate members of Congress on Packet Hop’s interoperable communications system. Prior to Packet Hop, Boyer served as Director of Cisco System’s Internet Business Solutions Global Public Sector Group, a consulting group focused on change management and transformational government. Boyer has extensive experience in the state and local government legislative and executive management environment, which he gained as a Commissioner for the Department of Administration; and Chief Information Officer for the State of Alaska, and as City Manager of Fairbanks, Alaska. He also served three terms in the Alaska State House of Representatives as the Chair of the Appropriations Subcommittee for the Department of Health and Social Services; Department of Administration; Department of Law; Department of Natural Resources; and the Department of Labor, and was Vice-Chair of the Full Committee. Boyer holds a B.A. from the University of Alaska-Anchorage (1975).

David Brummett, J.D., joined CHHS in April 2006. Brummett is working with the Maryland Governor’s Office of Homeland Security in Annapolis on the support and advancement of Governor Ehrlich’s homeland security program. Brummett is a graduate of the University of Massachusetts (2000) and the University of Maryland School of Law (2005) where he received a certificate in health law. Brummett is licensed to practice law in Maryland.

CHHS staff celebrate completion of instructor training certification at the Center for Domestic Preparedness in Anniston, Alabama.
CHHS Staff Updates (continued)

Meghan Butasek, M.P.H., joined CHHS in September 2006, as a Law and Policy Analyst. Butasek will be working on emergency planning issues for first responders. She is currently pursuing a J.D. with a health law certificate in the evening program of the University of Maryland School of Law. Butasek is a graduate of University of Virginia with a bachelor’s degree in Foreign Affairs and Latin American Studies (2003) and a master’s degree in Public Health (2005). Ms. Butasek has six years of experience as a volunteer and professional firefighter and emergency medical technician in Virginia. In her M.P.H. studies, she focused on occupational health in the fire service and emergency service/ public safety outreach with Spanish speakers. She has worked as an Association for Prevention Teaching and Research Fellow with the National Institute for Occupational Safety and Health/Centers for Disease Control and Prevention (NIOSH/CDC) in the cardiovascular component of the Firefighter Fatality Investigation and Prevention Program, and in Health Hazard Evaluations.

She is certified through the Virginia Department of Fire Programs as a Firefighter I & II, and Firefighter Instructor; through the Virginia Department of Emergency Medical Services as an EMT; as well as through the American Red Cross as a CPR/ First Aid Instructor in the Spanish curriculum.

Sabrina Elisabeth Chase, J.D., joined CHHS in May 2006 as a Law and Policy Analyst. Currently, Chase is working with the Maryland Emergency Management Agency (MEMA) on Continuity of Operations (COOP) planning in the event of a natural disaster or terrorist attack. Chase is a graduate of Towson University (2001), and the University of Maryland School of Law (2004). During law school, Chase acted as student liaison for the American Health Law Association and judicial intern for Judge Paul Alpert of the Baltimore City Circuit Court. She graduated law school with a health law certificate. Prior to joining CHHS, Chase clerked for the seven District Court judges of Howard and Carroll County, and acted as a coordinator and legal facilitator for the District Courts Mediation Program.

Brooke Courtney, J.D., M.P.H., joined CHHS in September 2006 as a Law and Policy Analyst. Courtney works on surge capacity issues at CHHS. She is a Phi Beta Kappa graduate of the University of Colorado, Boulder (1996), and a graduate of the University of Maryland School of Law (2006), where she received a certificate in health law. In 1999, Courtney earned her Master’s degree in Public Health in health policy and international health from Yale University. Prior to law school, Courtney worked for the American Red Cross on international humanitarian law and disaster relief issues, the Maryland Health Care Commission, and Pfizer, Inc. In law school, Courtney worked on tobacco control, obesity, and health disparities issues, served as a fellow in the law school’s Writing Center, and worked with the U.S. Senate Committee on Health, Education, Labor, and Pensions. Courtney was also a Research Assistant with CHHS and assisted in organizing the recent “Avian Flu: What Can We Do?” Symposium. She is the Interim Editor of the Public Health Law Association newsletter.

Joshua Easton, J.D., M.A., joined CHHS in January 2006 as a Law and Policy Analyst. Easton is currently working under a grant from the Department of Homeland Security, which involves traveling nationwide to train state and local emergency planners in Continuity of Operations (COOP) planning. Under this grant, he has developed a curriculum and conducted training sessions on COOP planning to state and local emergency managers and planners across the country. In preparation for this training program, Easton was certified as a Weapons of Mass Destruction (WMD) Instructor at the U.S. Department of Homeland Security Center for Domestic Preparedness. Easton is a graduate of the University of Louisville (1997) and the Tulane University Law School (2002). He is admitted to practice in New York and Maryland.
to joining CHHS, Easton clerked for the Hon. Thomas H. Fulton (bankruptcy judge) in Louisville, Kentucky; the Hon. W. Richard Lee (bankruptcy judge) in Fresno, CA; and also for several Maryland Circuit Court judges in Howard County, Maryland.

Matthew Fuchs, J.D., joined CHHS as a Law and Policy Analyst, in January 2006 after working at a Medicaid law firm in Baltimore. Fuchs works with the Governor’s Office of Homeland Security (GOHS) and the Maryland Emergency Management Agency (MEMA) to identify and protect critical infrastructure for the state of Maryland, as well as the National Capital Region. He is the Project Manager of GOHS’s Cyber Security division and is the lead coordinator for planning the GOHS-sponsored regional critical infrastructure inter-dependencies workshop. Fuchs is a Phi Beta Kappa graduate of Johns Hopkins University (2001) and the University of Maryland School of Law (2005). While in law school, he served as Articles Editor for the Journal of Health Care Law & Policy, and published three articles in law review journals about health care and constitutional law.

Judith Heiger joined CHHS as a Media Relations Specialist in July 2006. Heiger previously worked for the University as a Media Relations Specialist for the School of Law from 2002-2005. Prior to her work at the University, Heiger worked as a Marketing and Communications Manager for the American Cancer Society. Her responsibilities at the American Cancer Society focused on media relations for Maryland, Delaware, and part of West Virginia and serving as spokesperson for the Society in these areas. Heiger also has experience working in a public relations agency and a market research firm. She is a Phi Beta Kappa graduate of Goucher College (1995), with honors in her major. She also received a certificate in marketing communications and public relations from Goucher.

Darren P. Mareiniss, M.D., J.D., M.Be, joined CHHS as a Senior Law and Medical Consultant in April 2006. Mareiniss is a cum laude graduate of Dartmouth College (A.B., 1994) and received his J.D. (2005), and M.Be. (Masters in Bioethics–2005) from the University of Pennsylvania. Prior to receiving these degrees, Mareiniss earned his M.D. (1999) from the New York University School of Medicine, where he was an Alpha Omega Alpha (AOA) graduate. AOA is a medical honor society. Subsequently, he pursued training in categorical general surgery and completed his internship in surgery at NYU Medical Center/Bellevue Hospital. After this, Mareiniss continued his surgical training at the University of Texas Southwestern Medical Center at Dallas/Parkland Hospital. He has been primary surgeon for over 250 surgical cases and has extensive experience with trauma, burn, and ICU care.

Mareiniss is certified as an Advanced Trauma and Life Support (ATLS) instructor. He is a member of numerous professional associations including the AOA Honor Medical Society, the American Medical Association, the North Texas Bioethics Network and the AAPS. Additionally, as a Fellow of the American College of Legal Medicine, he is a member of the Publication and Ethics Committees. Mareiniss holds licenses to practice medicine in New York and New Jersey and is licensed to practice law in the state of Texas.

Mareiniss has published on medico-legal issues, bioethics and basic science topics in numerous journals including The New England Journal of Medicine, Academic Medicine, The Journal of Legal Medicine, Spine Line and Biology of the Cell. In addition, he recently co-authored a book chapter on bioethics to be included in a palliative care textbook pending publication by Elsevier. Mareiniss also co-authored the ACLM’s amicus brief to the United States Supreme Court in Oregon v.
Gonzales. He is the deputy editor of the ACLM’s *Legal Medicine Perspectives* and lectures regularly on medico-legal and bioethics issues. Mareiniss is currently an associate at Bickle & Brewer in Dallas, Texas and advises CHHS on issues involving health and bioethics. Most recently, he assisted CHHS in organizing and preparing a presentation on avian influenza for the Howard County Pandemic Flu Summit in May 2006.

**Daniel A. McBride, J.D.,** joined CHHS in October 2006 as a Law and Policy Analyst. Currently, McBride is working on Continuity of Operations (COOP) planning for the Maryland Court System. He is also admitted to practice law in Maryland. Prior to joining CHHS, McBride worked at the American Health Lawyers Association in Washington, D.C., where he covered health care law and policy developments for the association’s member publications. McBride also worked as a law clerk for the Maryland Attorney General’s Medicaid Fraud Control Unit and for AARP’s Health and Long-Term Care Litigation Group. McBride is a graduate of the University of Maryland at College Park (1997) and the University of Maryland School of Law (2002). While in law school, he served as the Assistant Managing Editor of the *Journal of Health Care Law & Policy*, worked as a student-attorney in the school’s health and elder law clinic, and earned a certificate in health law.

**Jonathan Minkove, J.D.,** joined CHHS in January 2006 as a Law and Policy Analyst. Minkove is currently assisting Professor Greenberger with academic writing on constitutional law issues relating to homeland security as well as on pandemic flu preparedness. He previously worked on curriculum development for the Department of Homeland Security grant on Continuity of Operations (COOP) planning that will serve state and local governments throughout the United States. Minkove was also certified as a Weapons of Mass Destruction (WMD) Instructor at the U.S. Department of Homeland Security Center for Domestic Preparedness. Minkove is a graduate of Yeshiva University (2002) and the University of Maryland School of Law (2005). While in law school, Minkove worked as a summer law clerk at the office of the New York State Attorney General. He also served as an Associate Editor for the *University of Maryland Law Journal of Race, Religion, Gender & Class.*

**Ulka Patel, J.D.,** joined CHHS in May 2006 as a Law and Policy Analyst. Currently, Patel is working with the Maryland Emergency Management Agency (MEMA) on Continuity of Operations (COOP) planning for state and local agencies in Maryland. Patel is a graduate of the University of North Carolina at Chapel Hill (1999) and the University of Maryland School of Law (2005). She is admitted to practice law in the state of Maryland. During law school, she was a law clerk in the Air Enforcement Division at the U.S. Environmental Protection Agency. Immediately prior to joining CHHS, Patel worked at an environmental non-profit organization in Washington D.C.

**Jessica Pitts, J.D.,** joined CHHS in September 2006 as a Law and Policy Analyst. Pitts will be working on establishing a Continuity of Operations (COOP) plan for the Maryland courts. Pitts holds a B.A. in Psychology from the University of Southern California and a J.D. from Tulane University (2006).

**Adrian Wilairat, J.D.,** joined CHHS in August 2006 as a Staff Attorney. Wilairat is working on a mass transit/rail Con-Ops security project, which seeks to enhance emergency response coordination among the Maryland Transit Administration (MTA) Police, Maryland Transportation Authority (MdTA) Police, and regional/local state police.
A specific focus of the project relates to potential IED, chem/bio/radio-logical, and nuclear incidents. Wilairat also participates in the Transportation Security Administration (TSA) Mass Transit Information group, which is developing a pilot for transit/rail intelligence sharing for the Washington, D.C. metro area. Wilairat is a cum laude graduate of Tufts University (2001) and the University of Maryland School of Law (2006). While in law school, he was Editor-in-Chief of the *Journal of Health Care Law & Policy* and published an article on the Anabolic Steroid Control Act of 2004. Wilairat also served as a member of the Moot Court Board, Vice President of the School’s chapter of the American Constitution Society, and as a judicial intern for the Honorable Lynne A. Battaglia of the Court of Appeals of Maryland. He is a recipient of the William P. Cunningham Award in recognition of exceptional achievements and service to the law school. During the summer of 2005, he interned in Sarajevo at the War Crimes Chamber Project of the Court of Bosnia & Herzegovina.

**Summer Research Assistants**

Michael Bowers, Robin Clark, Adam Hyman, Michael J. McKeefery, Taren Savage, and Anthony Villa are all current law students at the University of Maryland School of Law who spent this summer as Research Assistants. Their work included: researching issues pertaining to inner-city disaster preparedness and biodefense contracts made through Project BioShield, updating the Center’s *Maryland Public Health Emergency Legal Handbook* for re-issue by the end of 2006 and researching the Executive’s use of state secrets privilege to defend against challenges to the legality of the CIA rendition and NSA warrantless electronic surveillance programs.

**Moving On…**

Michael Beland finished his fellowship at CHHS in January 2006. He then joined the Critical Infrastructure Protection (CIP) Practice at the Touchstone Consulting Group, the strategic consulting arm of SRA International, Inc. The CIP Practice includes lawyers focused on creating critical infrastructure protection strategies at all levels of government and the private sector and bridging gaps between both sectors. Currently, Beland is writing a law review article to be published at the beginning of next year regarding information transfer between the public and private sectors as well as how financial incentives can improve the private sector’s approach to homeland security. Beland is also studying nonproliferation issues for a Washington, D.C.-based think tank.

Christina Herrmann finished her fellowship at CHHS in August 2006 and is currently clerking for Judge Albert J. Snite, Jr. at the Court of Common Pleas in Philadelphia, Pennsylvania.

Jason Rheinstein finished his fellowship at CHHS in June 2006 and joined the Governor’s Office as a Special Assistant to the Deputy Chief of Staff and the Director of the Governor’s Office of Homeland Security (GOHS). As a law fellow Rheinstein worked with GOHS to advance a project management initiative. In his current role, Rheinstein continues to work on this initiative. He also works on other special projects at GOHS and in the Office of the Deputy Chief of Staff including coordinating preparation of the 2006 Governor’s Annual Report on Homeland Security. In July 2006, he worked to provide travel assistance to repatriates from Lebanon arriving at BWI Airport on flights chartered by the U.S. Department of State. Rheinstein received an award from the U.S. Department of Health and Human Services’ Administration for Children and Families for this work.
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