# TSA/Federal Incident Project: Outline

**Please reference the Project Instructions and grading rubric before completing this outline. Be sure to answer each question with one or more complete sentences. Each question is applicable to this assignment and the use of “N/A” or “none” is not an acceptable answer. *Do not change the outline.* Explain or describe your answers as if you were giving a briefing to your class about this incident/case.**

## Task

To prepare for your written paper project, construct a descriptive briefing on a TSA or other federal law enforcement case/incident as described in the Project Instructions by researching the specific questions listed in this outline.

A TSA or federal law enforcement incident is an event that is outside the normal course of daily events and represents a violation of law or federal regulations. A “case” is an official investigation that has been initiated into criminal activity for the purpose of prosecution. Such criminal terrorist incidents are often referred to as “threats” (*DHS Risk Lexicon*, p.33. 2008, Retrieved from <https://www.dhs.gov/xlibrary/assets/dhs_risk_lexicon.pdf>) and can be manmade or natural. However, for our purposes only manmade threats that violate federal law are to be selected. A useful overview of this is included in our text (Scheb, 2014, pp. 375-380). \*\*\* DO NOT INCLUDE ANY SSI IN YOUR OUTLINE \*\*\*

## Background – Incident/Case Selection (5 points)

1. Describe the incident or case – which either HAS happened or has yet to be completed. Be specific and provide answers to the Ws (Who, What, Where, When, and How).
Click & type
2. Provide the website (include the actual URL link) to the incident or case, and report where you found it.
Click & type
3. Define the terms “crime”, “terrorism”, and “threat” and provide your source.
Click & type
4. Explain why you selected this incident or case.
Click & type
5. How does this incident/case relate to the course – what chapter or resource?
Click & type

## Step 1: Identify the facts (5 points)

1. Review the scenario and concisely share the facts. Remember, facts are capable of evidentiary proof. They are not opinions or values.
Click & type

## Step 2: Identify relevant offenses (5 points)

Offenses in this context are violations of federal law or regulation. To commit such a violation, there must be a criminal act (*actus reus,* pp. 5, 96, Scheb) and a criminal state of mind (*mens rea,* pp. 5, 96, 101, Scheb). However, some criminal acts can be “strict liability” (see Index, Scheb) crimes not requiring *mens rea*, such as some violations of the Espionage Act; these should be identifiable by the relevant statute. Also, an offense can be criminal yet still incomplete if intent is combined with some affirmative act in furtherance of the intended crime, so inchoate offenses (p. 119, et al, Scheb) are possible as well as common in many terrorist attacks; these are known as “attempts”.

Criminal acts and intent can often be proven by the evidence, whether physical, testamentary or derived by technical means (as long as in an admissible form for court).

1. Identify the relevant evidence in the incident/case.
Click & type
2. Identify relevant legal concepts, from perspectives of all the parties to the incident/case; these may also be those of the United States Attorney.
Click & type

## Step 3: Identify all possible laws/regulations violated for each perpetrator (5 points)

Start from the offenses you have identified, and apply federal laws that are relevant. Some web searching may be useful to identify types of crimes that the acts/offenses are, as some can be technical and not well known, and list/discuss them in this section.

1. Identify possible offenses for the perpetrator(s).
Click & type
2. Identify statutes relating to the offenses.
Click & type

## Step 4: Identify the Constitutional issues involved (5 points)

Constitutional issues, or problems, always affect court cases and often not to the benefit of the public or the enforcement agencies entrusted to protect them. Be sure to list and discuss the constitutional issues that were asserted by defense counsel, and/or raised or decided upon by the court in your case/incident. Examples might be the Fourth Amendment’s search and seizure clause, the Fifth and Fourteenth Amendment’s due process clauses, or even the issue of jurisdiction.

1. Identify and explain the relevant constitutional issues in the case/incident.
Click & type
2. Describe how these affected, or might affect, the outcome of this case/incident. Be sure to critique any court ruling on these that might have occurred in your case/incident.
Click & type

## Step 5: Apply a possible and preferable judicial punishment for the offenses you have identified (5 points)

Research the possible penalties for *each* offense you have identified and describe them fully. Then, taking all of the facts in (be sure to include potential victims), state what penalty was imposed, if any, or what can be imposed and decide on the best penalty according to your own opinions informed by ethics and the law. If you note constitutional problems, be sure to discuss these as these are important.

1. Research and discuss the relevant penalties for each offense.
Click & type
2. Explain what penalty was imposed, if any, and what penalties the law allows.
Click & type
3. Then, as described above, provide the penalty you believe to be fair in your case and explain why (remember to relate it to an ethical system).
Click & type

## References[[1]](#footnote-1) – (5 points)

Your references should be carefully selected and written according to APA style. When citing a case—such as a Supreme Court case such as *Miranda*—be sure to use the legal citation for the case even if it was found in the secondary source, i.e., *Miranda v. Arizona*, 384 U.S. 436 (1966). Note that court case names are always *italicized*. Thus, if you use that case to discuss the Exclusionary Rule, using a quote that you found in our text, the in-text citation would be thus after the quote:

“The *Miranda* decision essentially established an exclusionary rule applicable to statements made by suspects during custodial interrogation. (*Miranda v. Arizona*, 384 U.S. 436 (1966)” (Scheb et al., 2014, p. 540).

For this example, in the References section at the end, reference only the text by Scheb in which you found the quote/information.

Remember to include page numbers so your source for a claim can be found – these are essential in the citation unless unobtainable due to a source being Web-based and therefore not having them. An APA Style Guide can be found online.

Remember, the [DMACC Library](https://dmacc.edu/library/Pages/welcome.aspx) is always online and always open. Start your research with the [Research Basics page](https://libguides.dmacc.edu/researchbasics). There are many resources available at your fingertips.

**Find and use a minimum of four quality, academic sources and list them in APA format.**

Click & type

1. REMINDER: Please remember that Wikipedia and other similar sites provide summaries of information, which are not suitable as research citations and references. This type of information is similar to the legal concept of hearsay and is not reliable. Research is based on the original source of the information, and not a third party’s summary of it. It is okay to use Wikipedia to find additional resources for your assignment (e.g., look at the list of sources at the bottom of the Wiki article), but Wikipedia itself should not be used as a reference for cited sources. [↑](#footnote-ref-1)