

**9:01 a.m.** Website news posting announces bombing of Pakistani Embassy in Washington, D.C.

**9:30 a.m.** Television news broadcast reports explosion in downtown Indianapolis

**9:45 a.m.** Website news posting reports that Iran blames Israel for attack on Pakistani Embassy

**10:15 a.m.** Television news broadcast reports that Indianapolis explosion is "dirty bomb"



# Defending the Homeland: COUNTER-TERRORISM and the Law

*10:22 a.m. Website news posting reports that Iranian Ambassador dies enroute to hospital*

*10:30 a.m. Website news posting reports that Israel mobilizes reservists*

*10:45 a.m. Television news broadcast reports that hundreds are fleeing downtown Indianapolis and that radiation levels are being monitored by the Marion County Emergency Management Agency*

At approximately 9:00 a.m. on Friday, October 23, 2009, news reports circulated throughout the law school that the Pakistani Embassy in Washington, D.C. had been bombed. In the Wynne Courtroom, the President of the United States was just coming to terms with this situation when, moments later, it was reported that a “dirty bomb” had exploded in downtown Indianapolis—near Lucas Oil Stadium. The governor and the mayor immediately attempted to obtain more information as they jockeyed for position scheduling press conferences in the press room in the Conour Atrium. In short, it was not “business as usual” at Inlow Hall.

By Jonna Kane MacDougall, '86

THESE NEWS REPORTS AND THE ACTIVITIES SURROUNDING THE AFTERMATH OF THE SIMULATED BOMBINGS WERE PART OF ONE OF THE MOST COMPLEX AND AMBITIOUS EXPERIENTIAL EDUCATIONAL EVENTS EVER UNDERTAKEN AT THE LAW SCHOOL—OR PERHAPS AT ANY LAW SCHOOL. Students in Professor Shawn Boyne’s Seminar in Comparative National Security Law, along with students from the IU School of Public and Environmental Affairs (SPEA), participated in a groundbreaking counter-terrorism simulation that placed them in the vortex of terrorist attacks and in the position of having to develop coordinated and cohesive responses.

Approximately 50 students played various roles from the President, to governmental staffers, to reporters covering the story as it unfolded. With help from realistic news broadcasts, courtesy of Scott Sander at WISH-TV, as well as “top secret”

intelligence injects supplied by Professor Boyne and real-life national security experts, the students were forced to make split-second decisions regarding events as they happened. The story played out in seven distinct areas of Inlow Hall, and all of the action was recorded in each room and broadcast via a simulation “dashboard” that was live on the law school’s website. More than 200 people outside the school followed the events taking place in real time via the website.

“My hope in putting together the simulation was to help students to realize how important it is for government officials to structure their decision-making within the framework of the law,” said Professor Boyne. “In the weeks leading up to the simulation, we discussed key background issues related to counter-terrorism, including how to define terrorism, the motivations of terrorists, the findings of the 9/11 Commission, and how to respond to terrorism within the frameworks of criminal law, as well as the law of armed conflict,” she added.

**11:00 a.m. Website** news posting reports that Hamas fires rockets into Israel and attacks Gaza fence

**11:15 a.m. Television** news broadcast reports that a domestic terrorist group is suspected in Indianapolis dirty bomb attack

**11:20 a.m. Television** news broadcast reports that Emergency National Security Council meeting has been called at the White House

**11:42 a.m. Website** news posting reports bombing of Israeli Embassy in Washington, D.C.



**1-** Dan Cicchini (left) played the role of President of the United States and Will Lawson portrayed the National Intelligence Director. **2-** James Baldwin, as the Governor of Indiana, talks on the phone with the Vice President of the United States. **3-** Indianapolis Mayor Greg Ballard met with his simulation counterpart, Josh McMahan, at Inlow Hall. **4-** Hattie Harmon, who portrayed the U.S. Ambassador to Israel, is shown here with her staff. **5-** Students played the roles of members of the staff of the Mayor of Indianapolis. **6-** Professor Shawn Boyne created the simulation experience for her Seminar in National Security Law.

“Although our nation has made great strides in improving homeland security in the wake of 9/11, substantial problems remain. The most significant is getting immense government bureaucracies with their own distinctive organizational cultures to work together. While students may begin to understand that problem by reading case studies and articles, perhaps the most effective way to learn about organizational challenges is to create a learning environment in which students experience those challenges firsthand,” she said.

**IT WAS “DAUNTING” TO BE THE PRESIDENT**  
Third-year student Daniel Cicchini played the role of President of the United States. “To prepare for the simulation, I read and re-read our assigned material about on-the-ground responses to 9/11 and how state and local governments responded to the attack. Professor Boyne recommended two books that I read over fall break, *Terror Presidency: Law and Judgment Inside the Bush Administration*, and *Essence of Decision: Explaining the Cuban Missile Crisis*. Those books helped me to appreciate different aspects of presidential decision-making and the impact of decisions on broader policy issues,” Cicchini said.

“It was daunting to be the President during a terrorist attack. There were eight people in the ‘White House’ during the simulation and everybody offered me information and advice on all of the issues occurring simultaneously. . . . One of the participants in the White House was the General Counsel to the President, who offered regular reminders regarding the limits of executive authority while we responded.

“I learned about the importance of teamwork and being able to rely on that team. My natural reaction was to want to be

involved in everything to best understand and lead, but it was impossible. Delegating tasks to other participants in the White House enabled us to address many more issues much more efficiently. The simulation was a great experience,” he said.

**GOVERNOR DEALS WITH STATE/FEDERAL COMMUNICATION ISSUES**  
Third-year student James Baldwin played the role of the Governor of Indiana. As part of the simulation, he received word that the Lieutenant Governor had been kidnapped. “During the morning, conflict developed between the State of Indiana and the federal government. In one instance, the President announced in his press conference that ‘we’ had rescued the kidnapped Lieutenant Governor. The Vice President had asked me not to tell the press about the Lieutenant Governor’s kidnapping and that the Indiana State Police had rescued her. I had a teleconference with the President where I expressed my extreme unhappiness that he had not mentioned State efforts in his press conference and made the State look dependent on the federal government to keep us safe,” he said.

“The most important thing I learned about decision-making in the executive branch is how much is out of the executive’s control. Conflicting information comes in rapidly, and it is difficult to discern what to act on and when.

“I’m so grateful to have been a part of the simulation. It was probably the most fun I have had in law school, and it is certainly the most memorable event I have participated in thus far.”

**BEING THE MAYOR OF INDIANAPOLIS WAS STRESSFUL**  
Third-year student Joshua McMahan played the role of Mayor of Indianapolis. “To prepare for the role of mayor, I studied the Comprehensive Emergency Management

**11:45 a.m.** Television news broadcast reports that a plume from the bomb in Indianapolis will flow to the northeast part of the city and affect a much larger area than originally thought. The FAA has declared a no-fly zone over the downtown area

**11:46 a.m.** Website news posting reports the Russian Embassy in Washington, D.C. has been bombed

**11:55 a.m.** Website news posting reports the President calls up the National Guard in Washington, D.C.



**7-** Lt. Col. (Res.) David Benjamin, Advocate of the Israel Defense Forces, served on the critique panel following the simulation exercise. Serving on the panel with Lt. Col. Benjamin is (left) Peter Beering, '86, of the Indianapolis Terrorism Response Group. **8-** Kai M. Lohse, Senior Public Prosecutor, Federal Public Prosecutor General of Karlsruhe, Germany, was also a member of the critique panel following the simulation. He also delivered a keynote address to the student participants earlier in the day. He is shown with fellow panelist, Gil Holmes, '99, Interim Director of the ACLU of Indiana.

Plan for Marion County. I tried to understand how the different agencies interact and what my role was in terms of who I needed to contact and what I needed to do to respond. I was mainly concerned with the initial response,” he said.

One of the situations facing McMahan as Mayor of Indianapolis was the aftermath of the dirty bomb attack—and the resulting air and water contamination. “The experience was very stressful because I was being flooded with phone calls and questions. I had to consider issues such as keeping the public calm and spinning the situation in a way that was truthful, yet not conducive to spreading mass panic throughout the city. I have a new level of respect for people who deal with such situations. I also learned that communication and coordination are the most essential aspects of effective response.”

#### U.S. AMBASSADOR INTERACTS WITH OFFICIALS

Third-year student Hattie Harmon was the U.S. Ambassador to Israel. “Prior to the simulation, I studied a great deal of information regarding the role of ambassadors and their function within the State Department. Additionally, I read everything I could find about Israel’s historical and current internal and external relationships. For me, preparing for the simulation was more difficult than preparing for a final examination because the parameters for what we might encounter in the simulation were less defined than they are for a final exam, so I felt the need to study very broadly,” she said.

“It was one thing to imagine what the situation might be like; it was quite another to actually confront such a fluid situation and deal with the other actors in ‘real time.’ As Ambassador, I had to consider the different levels of information that I could share with different people—for instance, I wouldn’t necessarily

want to share the same information with both the Israeli Prime Minister’s representative and the CIA Tel Aviv Station Chief.

“I learned a tremendous amount about the current status of the Arab-Israeli conflict, the actors involved, and the roles of other world states and organizations in the conflict,” she added.

#### PROFESSOR BOYNE PLEASED WITH THE OUTCOME

Professor Boyne praised her students and the fact that they took their roles in the simulation so seriously. “The students did a fantastic job,” she said. “The positive feedback that they received on their performance from our on-site counter-terrorism experts—who came from as far away as Europe and the Middle East—underscores the strong tradition that our law school enjoys in training students to assume leadership positions in government, non-profit organizations and the legal profession.” ■

*The law school would like to thank all of the sponsors and partners who were involved in the planning and execution of the simulation event: The IU School of Public and Environmental Affairs; the Center for the Study of Global Change; the IUPUI Office of Emergency Preparedness; Marion County Emergency Management; the IU School of Liberal Arts Communication Technology Laboratory; IUPUI for its 40th Anniversary Celebration Funding; the IUPUI University Information and Technology Services’ Media Design and Production Office; the IUPUI Multimedia Production Center of the Division of Student Life; the IUPUI Mathematics Assistance Center; WISH-TV, Channel 8; and WFYI Indianapolis.*

**WFYI DOCUMENTARY** A documentary about the simulation exercise has been produced by WFYI in Indianapolis and will air on that station on January 21, 2010 at 7:30 p.m. The law school thanks WFYI for partnering on this project.