

Name:	<i>Political and Legal Foundations of Fire Protection</i>
Course Description:	This course examines the legal, political, and social aspects of government's role in public safety, including the American legal system, fire department operations, employment and personnel issues, fire officials' roles and legislative and political influence.
Objectives:	<p>Unit 1: The Nature of Law</p> <p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • identify the three sources of law; • explain in writing the difference between law and morality; • explain the importance of the rule of law in a democracy; • identify the three functions of law; • describe four problems posed by the rule of law; • explain the difference between the law in action and the law on the books; and • explain how public opinion and political culture affect law enforcement. <p>Unit 2: The Types of Law</p> <p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • state the principal differences between the Anglo-American and European systems of law; • explain how common law differs from equity; • list the categories of public and private law; • explain the importance of the due process clause of the Fourteenth Amendment to the fire service; • distinguish between criminal and civil law; • explain the importance of contract law to the fire service; • list what should be included in a mutual aid agreement; and • describe and differentiate sources of law in the U.S. legal system, including the difference between statutory law and common law. <p>Unit 3: The Institutions of Law</p> <p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • describe the role of the police, prosecutors, and attorneys in the administration of justice; • describe a model State trial and appellate court system; • describe the Federal trial and appellate court system; • explain the concept of jurisdiction; • explain the relationship between the State and Federal judicial systems; • explain why court decisions in one State do not apply to other States; • sketch the organization of State and local courts in your jurisdiction; • explain what a regulatory agency is; and • describe the quasi-judicial function of regulatory agencies.

Objectives:	Unit 4: Civil and Criminal Trials
	<p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • explain the adversarial system; • contrast the adversarial method of trying cases with the inquisitorial method; • differentiate the functions of the petit and grand juries; • sketch the steps of a civil and criminal trial; and • explain how one act can lead to both Federal and State trials and to both civil and criminal trials.
	Unit 5: Warrants and Alternatives to Trials
	<p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • define criminal and administrative warrants; • discuss the circumstances requiring a criminal warrant; • outline the process for obtaining a criminal warrant; • discuss the circumstances requiring an administrative warrant; • outline the process for obtaining an administrative warrant; • explain where and how to obtain an administrative warrant in your jurisdiction; • explain the exceptions to the requirement for a warrant; • discuss plea bargaining and explain why more than 90 percent of criminal cases end in a plea of guilty; • explain why more than 90 percent of civil suits are settled out of court; • explain the difference among negotiation, mediation, arbitration, and adjudication; and • evaluate the various methods for resolving disputes.
	Unit 6: Constitutional Law and Employment and Personnel Issues
	<p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • discuss U.S. constitutional law as it affects employment and personnel issues in the fire service; • list the significant contribution of each century, from 1600 through 1900, to the evolution of personnel and employment laws; • define "doctrine of law" and list the four doctrines that have had an impact on personnel and employment laws; and • explain the impact of the First, Fourth, Fifth, and Fourteenth Amendments on personnel and employment laws.
	Unit 7: Federal Law and Employment and Personnel Issues
	<p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • describe Federal law and cases and list some specific effects on personnel and employment issues in the fire service; and • identify those Federal laws that apply to your fire department and explain how they apply.

Objectives:	Unit 8: State and Local Law and Employment and Personnel Issues
	<p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • list some typical actions the fire official may take that are affected by Federal law; and • identify State and local cases and laws that affect employment in your fire department.
	Unit 9: Operational and Managerial Issues, Part I
	<p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • describe U.S. constitutional law as it affects operational and managerial issues in the fire service; • describe Federal law and cases and list some specific impacts on operational and managerial issues in the fire service; and • identify local and State cases and laws that affect operational and managerial issues in your fire department.
	Unit 10: Operational and Managerial Issues, Part II
	<p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • identify those Federal laws that apply to your organization and explain how they apply; • list some typical actions that the fire official may take that are affected by this area of law; and • explain legal issues in the acquisition of resources.
	Unit 11: The Fire Official as Rule Maker and Enforcer
	<p>By the end of this unit, you will be able to:</p> <ul style="list-style-type: none"> • describe the legal standards for developing policies and procedures; • describe legal issues that define and affect the enforcer's role; and • describe procedures for enforcing the fire prevention code in your jurisdiction.
	Unit 12: Politics in Action
	<p>By the end of the unit, you will be able to:</p> <ul style="list-style-type: none"> • identify steps in making a law; • identify allies and adversaries in the legislative process as it affects fire service interests; and • conduct a policy analysis of a proposed or existing law
	Unit 13: Politics and Budgeting
	<p>By the end of the unit, you will be able to:</p> <ul style="list-style-type: none"> • describe ways the fire official can effectively influence the budgeting process.
Required Text:	<p><i>Political and Legal Foundations of Fire Protection Course Guide</i>, National Fire Academy</p> <p><i>Legal Aspects of the Fire Service</i>, Lawrence Hogan, Amlex, Inc.</p>

Supporting References/ Research for Faculty and Students	<p>U. S. Fire Administration</p> <p><u>Publications</u> :</p> <p>http://www.usfa.fema.gov/applications/publications/pubs_main.cfm</p> <p>See Fire Protection, Fire Administration, Fire Service Operations, Wildfire</p> <p><u>Applied Research</u>:</p> <p>http://www.usfa.fema.gov/dhtml/inside-usfa/research.cfm</p> <p><u>Research Reports</u>:</p> <p>http://www.usfa.fema.gov/dhtml/inside-usfa/r_reports.cfm</p> <p><u>Technical Reports</u>:</p> <p>http://www.usfa.fema.gov/applications/publications/techreps.cfm</p> <p><u>Topical Fire Research Series</u>:</p> <p>http://www.usfa.fema.gov/dhtml/inside-usfa/tfrs.cfm</p> <p>Learning Resource Center:</p> <p>http://www.usfa.fema.gov/dhtml/inside-usfa/lrc.cfm</p> <p>National Institute for Standards and Technology</p> <p>http://www.fire.nist.gov: Fire Tests/Data, Software/Models, Publications, FIREDOC (under Publications)</p> <p>Current Events/News</p> <p>http://www.firehouse.com/</p> <p>http://www.fireengineering.com/</p> <p>http://www.withthecommand.com/</p>	
Assessment:	Students will be evaluated for mastery of learning objectives by methods of evaluation to be determined by the instructor.	
NFPA Standards Addressed:	Unit(s)	Description
1021-3-1.1	12	Law-making process
Chief Fire Officer Designation Competencies Addressed:	<p>www.cfainet.org</p> <p>This course provides partial fulfillment of CFOD:</p> <p>Competency #3 Organizational Structure</p> <p>Competency #7 Administrative Policies</p>	
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