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Pennsylvania's COVID-19 Response through the Homeland Security Frameworks and Research Lens – Lessons Learned

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Pennsylvania's COVID-19 Response through the Homeland Security Frameworks and Research Lens – Lessons Learned

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BLUF

- Although typically framed as a pandemic owned by the public health sector, the COVID-19 response falls directly within the homeland security mission space, whose core missions include “Ensuring Resilience to Disasters” (QHSR 2014).
- In some aspects PA’s COVID-19 response is in line with security research.
- In other dimensions, it is neither in line with what research would recommend nor with what the National Preparedness System would foresee.
- The Keystone State has yet to fully make the step from disaster to catastrophe as the characteristic challenge to U.S. emergency management in our century.
- Role of homeland security studies in COVID-19:



Homeland security “requires an ongoing process of reflection, dialogue, and adjustment that embraces complexity and ambiguity” and should constitute “[a]n ongoing, iterative process of reflection that attends to the process of securing the homeland as it relates to the people engaged in and affected by the process, [and] the consequences of short-term strategies”.

Annette D. Beresford, "Homeland Security as an American Ideology: Implications for U.S. Policy and Action," *Journal of Homeland Security and Emergency Management* 1(3) (2004), Article 301, p. 18.

SOTA Reference Summary

- Enrico L. Quarantelli, “A Half Century of Social Science Disaster Research: Selected Major Findings And Their Applicability,” *University of Delaware, Disaster Research Center*, 2003, <http://udspace.udel.edu/handle/19716/297>
- Mike Bourne, *Understanding Security*. New York: Palgrave Macmillan, 2014.
“Homeland security first and foremost seeks to secure not just survival but ways of life.” (p. 88)
- Richard T. Sylves, *Disaster Policy and Politics: Emergency Management and Homeland Security*, 2nd ed. Thousand Oaks, CA: Sage, 2015 (now 3rd ed).
“The ethos of U.S. emergency management” includes an “emphasis on grassroots local emergency management in emergencies and disasters with overhead governments providing help but not taking command or control of local emergency response and recovery operations.” (pp. 37-38)
- Claire B. Rubin and Susan L. Cutter, eds., *U.S. Emergency Management in the 21st Century: From Disaster to Catastrophe*. New York: Routledge, 2020.
→ *Thesis: Pennsylvania has yet to fully make the step from disaster to catastrophe as the characteristic challenge to U.S. emergency management in our century: response to a catastrophic crisis cannot be chopped into separate silos of responsibility.*

Timeline of Defining Events

- *February 1, 2020* PA Department of Health activates its Department Operations Center at the Pennsylvania Emergency Management Agency's (PEMA)
- *March 4* PEMA activates its Commonwealth Response Coordination Center
- *March 6* Governor Tom Wolf issues a "Proclamation of Disaster Emergency"
- *March 12* Governor Tom Wolf's operational response begins -- in Montgomery County, that had seen an uptick in cases -- with school closures and the request for non-essential businesses to close and residents to limit travel.
- As the situation evolves, the Governor uses what he refers to as a "data-driven" county-per-county approach to lockdown (stay-at-home orders) and reopening, based on infection trends and additional metrics such as contact tracing capability.
- *March 23* First counties are shut down.
- *April 1* Governor Wolf orders a state-wide shut-down.
- *May 8* The "Process to Reopen Pennsylvania" starts, based on metrics including but not limited to the infection rate trend. A traffic light-like color scheme is used.
- *May 9-10* Showdown between Governor Wolf and several counties of the Commonwealth that unilaterally announce to defy the governor's extended COVID-19 stay-at-home order and to decide themselves when they were going to open. Several local law-enforcement agencies declare they would not continue to enforce certain business closure orders, and some local leaders say they would not let township police enforce the Governor's order without their expressive approval.
- Governor Wolf issues a remarkably harsh response using the budget stick as well as martial language. He accuses certain state senators and county commissioners of acting "cowardly" and "choosing to desert in the face of the enemy." Most of the counties back down and one approach now taken is to establish a local reopening commission that operate within the gubernational guidance.
- *May 15* Protesters rally around the Pennsylvania State Capitol in Harrisburg, PA.
- *Early July* Some cities, such as Philadelphia, construct their own "modified green" phase, to complete confusion.
- *By mid-July* All counties have formally moved to the "green" phase. Since then, an increase in COVID-19 cases has been seen. Already on July 1, Health Secretary Rachel Levine had issued an order requiring all Pennsylvanians to wear masks whenever they leave home.
- *July 15* The Governor and the Health Secretary additionally issued "Targeted Mitigation" orders, reprimanding irresponsible behavior of some parts of the public and among other things putting occupancy limitations on bars and nightclubs as well as requiring teleworking wherever possible.

Legal Context



- Governor is “responsible for meeting the dangers to this Commonwealth and people presented by disasters.” *35 Pa. Code § 7301 (a)*
 - Pennsylvania Emergency Management Agency (PEMA) makes recommendation to the governor
 - Governor proclaims “disaster emergency”
- PA Department of Health has no statutory power to declare a public health emergency
- The Commonwealth’s constitution and public health law leads to a distributed and dispersed public health administration structure
 - 2013 report by the Joint State Government Commission of the General Assembly of the Commonwealth of Pennsylvania:
 - Pennsylvania Department of Health shall “determine and employ the most efficient and practical means for the prevention and suppression of disease,” including establishing and enforcing quarantines
 - Fully-service local health departments at the time of the study existed in only six of 67 counties and in only four cities.
 - In the remaining 61 counties and 2,563 municipalities, public health services were implemented through under municipal code, the form of a municipal board, or through the Department of Health using its six district offices and 60 health centers
 - 237 local boards or departments of health operating outside the structure and funding of local health administration law, instead governed by local regulations and ordinances
- As a result, the legal framework basically pre-defines the state response to a pandemic to be a quarantine order (focus on restrictions plus relief funding, with enabling/whole-community action to occur at municipal and local levels



COMMONWEALTH OF PENNSYLVANIA

OFFICE OF THE GOVERNOR

PROCLAMATION OF DISASTER EMERGENCY***March 6, 2020***

WHEREAS, a novel coronavirus (now known as “COVID-19”) emerged in Wuhan, China, began infecting humans in December 2019, and has since spread to 89 countries, including the United States; and

WHEREAS, the World Health Organization and the Centers for Disease Control and Prevention (“CDC”) have declared COVID-19 a “public health emergency of international concern,” and the U.S. Department of Health and Human Services (“HHS”) Secretary has declared that COVID-19 creates a public health emergency; and

WHEREAS, the Commonwealth of Pennsylvania (“Commonwealth”) has been working in collaboration with the CDC, HHS, and local health agencies since December 2019 to monitor and plan for the containment and subsequent mitigation of COVID-19; and

WHEREAS, on February 1, 2020, the Commonwealth’s Department of Health activated its Department Operations Center at the Pennsylvania Emergency Management Agency’s headquarters to conduct public health and medical coordination for COVID-19 throughout the Commonwealth; and

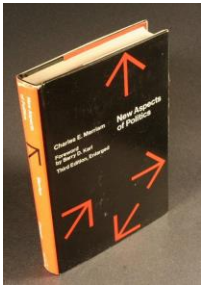
Declared principles for PA’s gubernational COVID-19 response:

- Data-driven
- Research/science-informed

“Scientific Man vs. Power Politics”

COULD/SHOULD Government COVID-19 Response
Even Be Guided by Research?

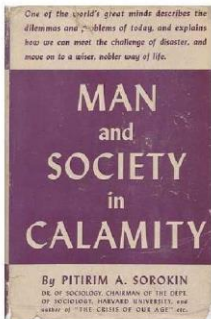
(Morgenthau 1947)



Merriam, *New Aspects of Politics* (1925)

Idealist behaviorism: Political decision-making can, and should, be based on scientific insight. Crisis management by “intelligent social control.”

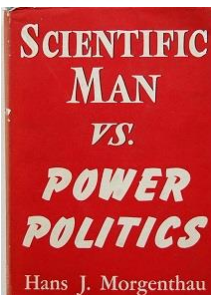
! “Data-driven pandemic response”



Sorokin, *Man and Society in Calamity* (1942)

! “Unprecedented times”

Calamitology: Theoretical study of disaster. Disasters can have different effects on different parts of a society: social diversification goes together with polarization of a disaster's effects (“Sinners and Saints in Calamity”). Disasters reinforce political power as a consequence of the strong need to regulate and control social relationships. “Calamities promote scientific and technological progress also by creating new situations for observation and experimentation.” Focus on case inventory, little focus on scientifically guided preparedness.



Morgenthau, *Scientific Man vs. Power Politics* (1947)

! Crisis mgt by Exec Order

Liberal rationalism: Emphasis on science and reason as routes to peace [→conflict resolution, crisis management] means that states are losing touch with historic traditions of statecraft. Science deals with probabilities but politics [→politics of crisis management] require prudent leadership. Demonstrates the risk in the belief that science is unpolitical and enables salvation. *Animus dominandi:* crisis power risks becoming an end in itself.

The Preparedness Gap

- If the COVID-19 response is research-based, it cannot claim to have been unexpectedly confronted with the unprecedented, as the “Reopen Pennsylvania” campaign does.
- COVID-19 is neither beyond imagination nor beyond expectation: “As with famines and hunger, however, major epidemics and pandemics (international epidemics) of diseases represent only dramatic periodic escalations of an underlying and persistent threat.” (Hough, “Health and Security,” in *International Security Studies: Theory and Practice*, 2015, pp. 254-66).
 - *National Biodefense Strategy* of 2018, Goal : “[T]he United States will build risk awareness at the strategic level, through analyses and research efforts to characterize deliberate, accidental, and natural biological risks” to “ensure decision-making is informed by intelligence, forecasting, and risk assessment.”
 - *National Planning Scenarios* of 2005, “Scenario 3: Biological Disease Outbreak—Pandemic Influenza,” casualty figures within COVID-19 dimension as of summer 2020.
 - Rockefeller Foundation’s “*Lock Step*” scenario of 2010, where a new influenza virus kills 8 million people worldwide and some governments’ overbroad response starts to threaten civil liberties and democratic values, evoking mass protest.
 - *Pandemic influenza preparedness study* of 2007 by the National Infrastructure Simulation and Analysis Center (NISAC), founded in 1999 and incorporated by the Patriot Act into the new Department of Homeland Security: A catastrophic pandemic overwhelms the nation’s healthcare capabilities in seven to ten weeks, with the healthcare sector going out of capacity and having to reject 3 to 4 million patients.

PA Response Characteristics

- Governor Wolf and Secretary of Health Levine led the Commonwealth's response, with little to no visible involvement of county and local-level emergency management agencies.
- The narrative centered on the "flatten the curve" slogan, with the rationale changing over time from a flattened curve buying time to prevent the health sector from being overwhelmed with an influx of COVID-19 patients to a flattened curve actually reducing the total number of infected people and saving lives.
- A characteristic of the response was, as also evident elsewhere in the U.S. as well at the federal level, that the Department of Health quickly assumed ownership of the crisis and developed from the coordinating agency (in line with Emergency Support Function [ESF] 8 according to the *National Response Framework*) to the lead agency.
- As has been the case in the United States' COVID-19 response overall, public health sector leadership was vociferous early on with its claims and interest in massive protection of its own sector of critical infrastructure, preferring a total disaster risk reduction approach over the risk management approach that characterizes homeland security policy and strategy (Bullock, Haddow & Coppola, *Introduction to Homeland Security. Principles of All-Hazards Risk Management*, 5th ed., 2015)

PA Response Assessment

- Giving the public “clues” to make sense of the situation and appreciate the real threat posed by an invisible hazard
 - The challenge of concurrently responding to the evolving and fluctuating COVID-19 situation and maintaining a fair civic discourse about whole-community response can lead into a dilemma Pennsylvania has been leaning to resolving it by prioritizing state-level public health response that it believes is evidence-based and asking the rest of the community to follow
 - Seeking objective legitimization for emergency response measures
 - Following the Lenny Kravitz principle in emergency management: “It Ain’t Over ‘til It’s Over”
 - Establishing one single crisis communicator, the Secretary of Health (who however is a stakeholder in the public COVID-19 response conflict)
- Heavy politics of crisis management, gubernational response suggests a pre-election political agenda
 - Anthropomorphizing the virus and using of martial metaphors in public crisis communication
 - unuseful impact on public risk perception
 - militarization of homeland security and emergency management
 - sacrificing the whole-community approach
 - Governor had not established himself as a credible crisis communicator during the “normal phase”
 - Not well calibrated public communication and sending of logically contradicting messages, e.g. flatten the curve to buy time (area under curve does not change) vs. lockdown to save lives
 - Pennsylvania Governor’s Office does official review of external research and data, selling expectations from modeling-based research as scientific evidence of already proven facts.

Yellow Tape Phenomenon

Pennsylvania's COVID-19 response has been quite directional, putting the public on the receiving end: they were advised to follow orders and only be acknowledged as part of the response by boilerplate truths like “My Mask Protects You, Your Mask Protects Me.”

- Known in disaster research as the “yellow tape” phenomenon (stay out of the emergency, sit still, leave it to the experts), such an approach may limit response capabilities.
- Members of the public are able to bring in very helpful volunteerism as well as applicable subject-matter expertise based on their educational and professional backgrounds.
- Opportunities for involvement however can improve compliance.
- Example: City of Chicago “Keep Moving” campaign.



The Public: The Partner or the Problem in COVID-19 Response

Yellow Tape Phenomenon as seen in Middletown, PA vs. Encouragement of Whole-Community Crisis Ownership as seen in New York, NY



The public health sector must not be yellow-taped area of experts but include cross-agency training and communication, community involvement, with response building on pre-disaster routine.

Allen, "Public Health Readiness," in Kemp (ed.): *Homeland Security: Best Practices for Local Government* (2010), p. 116-120 (p. 120)

COVID-19 Security Culture

INTELLIGENCE / LAW ENFORCEMENT / TRUST / INDUSTRY / RESILIENCE / HOODING / LIBERTY / FREEDOM / INFRASTRUCTURE / POLICY / SOCIETY / VIOLENCE / BORDER / FEAR / CYBERSECURITY / ORGANIZATIONS / COMMUNITY / MILITARY / DEFENSE / INTELLIGENCE / LAW ENFORCEMENT / PREPAREDNESS / CITIZENS / GOVERNMENT / MASS SHOOTING / LIBERTY / FREEDOM / VALUES / WAY OF LIFE / EXTREMISM / TERRORISM / VIOLENCE / BORDER

HOMELAND

ENHANCING VALUES

SECURITY

WHILE FOSTERING RESILIENCE

CULTURES

INTELLIGENCE / LAW ENFORCEMENT / TRUST / INDUSTRY / RESILIENCE / HOODING / LIBERTY / FREEDOM / INFRASTRUCTURE / POLICY / SOCIETY / VIOLENCE / BORDER / FEAR / CYBERSECURITY / ORGANIZATIONS / COMMUNITY / MILITARY / DEFENSE / INTELLIGENCE / LAW ENFORCEMENT

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AND ANDREA JERKOVIĆ

TRUST / INDUSTRY / RESILIENCE / PREPAREDNESS / CITIZENS / GOVERNMENT / INFRASTRUCTURE / POLICY / SOCIETY / VALUES / WAY OF LIFE / EXTREMISM / TERRORISM / VIOLENCE / BORDER

Andrea Jerković: “Homeland Security Cultures to Foster a Resilient Nation while Safeguarding the ‘Blessings of Liberty’” (Ch. 15)

Four descriptors for security cultures:

- Knowledge and interpretation
- Common symbols
- Action repertoires
- Normative values

“Since the foundation of the American nation, finding and maintaining the balance between union and federalism and between security and liberty has been a cultural marker. As George Washington, then President of the Federal Convention, indicated in his Letter of Transmission of the United States’ Constitution to the President of Congress in 1787, finding the right balance between security and liberty is a cultural accomplishment: since a written constitution itself cannot set a perennial standard for a republic and democracy to maintain equilibrium between the two guiding values of security and liberty [...]:

It is obviously impracticable in the Federal Government of these States to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be preserved; and, on the present occasion, this difficulty was increased by a difference among the several States as to their situation, extent, habits, and particular interests.”

HOMELAND
ENHANCING VALUES
SECURITY
WHILE FOSTERING RESILIENCE
CULTURES

Culture as a security domain/ securitization factor

“Cognitive standards”

Katzenstein, ed., *The Culture of National Security* (1996)

Culture as a factor in the perception/definition of threat

Constitutive norms - Searle, *Speech Acts* (1969)

Knowledge and interpretation

Geertz, *The Interpretation of Cultures* (1973)
 Douglas & Wildavsky, *Risk and Culture* (1983)

- Attribute meaning to COVID-19
- Cultural selection of risk
- Clash of competing worldviews in pandemic response
- Normative struggle and “normative arbitrariness”
 Luhmann, *Social Systems* (1996)

Culture as a security governance/ operationalization factor

“Evaluative standards”

Katzenstein, ed., *The Culture of National Security* (1996)

Common symbols

Wuthnow et al., *Cultural Analysis* (1984)
 Wuthnow, *Be Very Afraid: The Cultural Response to Terror, Pandemics, Environmental Devastation, Nuclear Annihilation, and Other Threats* (2010)

- Security culture as shared symbols on which the whole community orient their action
- Problematic anthropomorphization of “the virus” that we need to “combat” and “defeat”
- Understand COVID-19 response as a public good, provided for in joint responsibility of all members of the security community
- Focus on observable facts regarding security needs of society, as opposed to bureaucratic and political construction or reality
- Use symbols that represent a nation’s founding values

Culture as a factor in the response to threat

Regulative norms - Searle, *Speech Acts* (1969)

Action repertories

Swidler, “Culture in Action” (1986)
 Johnston, “Strategic Culture” (1995)
 Sylves, *Disaster Policy and Politics: Emergency Management and Homeland Security* (3rd ed., 2019)

- Existing strategies and courses of action determine which policy goals are developed in addressing COVID-19
- Security cultures are fragmented and contested
- A national preparedness goal is unrealistic
- Implementation may differ across security cultures
- Security strategies may create or reproduce uneven distribution of security in society

Normative values (including affective commitments)

Almond & Verba, *The Civic Culture* (1963)
 Wolfers, “‘National Security’ as an Ambiguous Symbol” (1952)

- COVID-19 response as safeguarding society’s commonly acquired values
- Analysis focused on factors that shape the normative arena in which homeland security takes place, reducing decision-making complexity
- Homeland security response to threats may be more focused of saving traditional values than responding to present threats
- Balance security with other societal values, such as liberty and freedom., nurturing security cultures rooted in a view of the citizens being the ultimate owners of homeland security, vested with inalienable democratic rights

Take-Home Message, Literally

- Good homeland security cultures reflect an ability to see the world in the eyes of one's partners and identify shared perspectives that can lead to common goals and shared objectives.



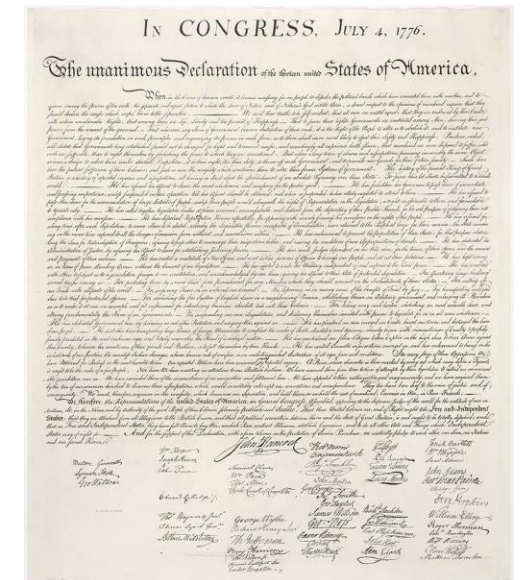
- The “sentimentalization of local differences” never makes sense in an era where peoples and their governments around the world are presented with similar challenges

Lasswell, *Politics: Who Get What, When, How?* (1958), p. 162.

- COVID-19 challenge to the Homeland Security Vision (QHSR 2014):

$$V_{HSE} = (\text{Nation}_{S(\text{afe})+S(\text{ecure})+R(\text{esilient})}) \times A W o L_{D o I}$$

$$= L(\text{ife})+L(\text{iberty})+P(\text{ursuit of Happiness})$$



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