

Course Outline

COURSE: LAWS 3209-A – Canadian Correctional Policies in Historical Perspective

TERM: Fall 2015

PREREQUISITES: LAWS 2301 and LAWS 2302.

CLASS: **Day & Time:** Tuesdays, 1805 – 2055

Room: Please check with Carleton Central for current room location

INSTRUCTOR: Leo S. Russomanno
(CONTRACT)

CONTACT: **Office:** Contract Instructor's Office – B442 Loeb
 Office Hrs: By appointment
 Telephone: (613) 296-2551
 Email: leo@agpllp.ca

Academic Accommodations:

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be

drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:

<http://www.carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

COURSE DESCRIPTION

In this course we examine corrections policy from a historical perspective. We begin the course by discussing philosophies of punishment. We then examine a series of important moments in the historical development of corrections policy in Canada, including the expansion of alternatives to prison after WWII, the abolition of the death penalty, the entrenchment of the *Canadian Charter of Rights and Freedoms*, and the enactment of the *Corrections and Conditional Release Act*. Along the way, we discuss the criminological debates that are at the heart of corrections policy.

REQUIRED TEXTS

All readings will be posted on the course website on cuLearn.

EVALUATION

Please note that all components of the course must be completed in order to get a passing grade.

A student's final grade in this course is determined by the course instructor subject to the approval of the Department and the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

40% - Paper - 10 page limit – topic to be announced in class.

60% - Final exam (date TBA – exam will take place during exam period December 9-21)

Paper

The paper will be due at the start of class on November 3, 2015. Please submit your assignment in hard copy format. Your paper should use 12 point Times New Roman font, double spaced, with one inch margins on all sides. Failure to adhere to these guidelines will result in a grade penalty.

Please note that assignments must be handed in on time. 10 percentage points will be deducted per 24 hours of tardiness. At the start of every 24 hour lateness period, in other words, you will be deducted 10%.

You will be evaluated on your writing (20 points), the substance (40 points), and the quality of your argument (40 points).

Exam

The exam will consist of long answer questions. This will be a two hour closed book exam.

Your mark on the exam will be based on your ability to reflect the principles and concepts discussed in class. Attendance is crucial to your ability to your understanding of the course materials.

SCHEDULE (subject to modification)

WEEK 1 – September 8th:

Review of course outline

Expectations of students

Structure of class

No readings

WEEK 2 – September 15th: The Philosophy of Punishment Pt. 1

Selected readings from Jeremy Bentham, *The Rationale for Punishment*

Selected readings from Immanuel Kant, *Justice and Punishment*

Selected readings from Michel Foucault, *Discipline and Punish*

WEEK 3 – September 22nd: The Philosophy of Punishment Pt. 2

Selected readings from Angela Davis, *Are Prisons Obsolete?*

S. Lamble, “Transforming Carceral Logics: 10 Reasons to Dismantle the Prison Industrial Complex Using a Queer/Trans Analysis”

Selected readings from Mumia Abu-Jamal, “Live from Death Row”

WEEK 4 – September 29th: Historical Overview of Corrections in Canada Pt. 1

Mary Campbell, “Revolution and Counter-revolution in Canadian Prisoners’ Rights”

Selected readings from Norval Morris and David Rothman, eds, *The Oxford History of the Prison*

WEEK 5 – October 6th: Historical Overview of Corrections in Canada Pt. 2

Ivan Zinger, “Celebrating 50 Years of Human Rights: Milestones in Federal Corrections”

WEEK 6 – October 13th: Law and Policy in the Prison

Selected Readings from Michael Jackson, *Justice Behind the Walls*

May v Ferndale Institution

Lisa Kerr, “The Origins of Unlawful Prison Policies”

BREAK – October 26th – 30th (no class)

WEEK 7 – November 3rd: Prisoners’ Rights: The Charter in the Correctional Setting, Part I

Debra Parkes, “A Prisoners' Charter? Reflections on Prisoner Litigation Under the *Canadian Charter of Rights and Freedoms*”

WEEK 8 – November 10th: Prisoners’ Rights: The Charter in the Correctional Setting, Part II

Lisa Kerr, “The Chronic Failure to Control Prisoner Isolation in US and Canadian Law”

Documents from the British Columbia Civil Liberties Association constitutional challenge to solitary confinement

WEEK 9 – November 17th: Women in the Correctional System

Selected readings from Hon. Louise Arbour, “Commission of Inquiry into Certain Events at the Prison for Women in Kingston”

Gayle Horii, Debra Parkes & Kim Pate, “Are Women’s Rights Worth the Paper They’re Written On? Collaborating to Enforce the Human Rights of Criminalized Women”

WEEK 10 – November 24th: Aboriginal People in the Correctional System

Office of the Correctional Investigator, “Spirit Matters: Aboriginal People and the *Corrections and Conditional Release Act*”

WEEK 11 – December 1st: Mental Health and the Use of Segregation

John Howard Society, “Unlocking Change: Decriminalizing Mental Health Issues in Ontario”

Selected readings from the Inquest into the Death of Ashley Smith