

CRCJ 3202C: Trans Issues in the Criminal Justice System

Winter 2023

Institute of Criminology and Criminal Justice

Time: Tuesdays, 8:35am-11:25am

Location: Online, Synchronous Format (some scheduled meetings)

Instructor: Leon Laidlaw (he/they)

Office: D781 Loeb Building

Office Hours: Available by appointment only on Tuesdays and Thursdays (12:00pm-3:00pm)

Email: Leonlaidlaw@cunet.carleton.ca

TA: Jeff Bradley

TA Email: JeffreyBradley@email.carleton.ca

*You must use your Carleton email address in all correspondence with the instructor.

Land Acknowledgement, Anishnabe

Ni manàdjiyànànig Màmìwininì Anishinàbeg, ogo kà nàgadawàbandadjig iyo akì eko weshkad. Ako nongom ega wìkàd kì mìgiwewàdj. Ni manàdjiyànànig kakina Anishinàbeg ondaje kaye ogo kakina eniyagizidjig enigokamigàg Kanadàng eji ondàpinangig endàwàdjìn Odàwàng. Ninisidawinawànànig kenawendamòdjig kije kikenindamàwin; weshkinìgidjig kaye kejeyàdizidjig. Nigijeweninmànànig ogo kà nìgànì sòngideyedjig; weshkad, nongom; kaye àyànikàdj.

We pay respect to the Algonquin people, who are the traditional guardians of this land. We acknowledge their longstanding relationship with this territory, which remains unceded. We pay respect to all Indigenous people in this region, from all nations across Canada, who call Ottawa home. We acknowledge the traditional knowledge keepers, both young and old. And we honour their courageous leaders: past, present, and future.

Course Description

This course examines how trans people's engagement with police and prisons is shaped by cisgenderism (anti-trans discrimination). This course approaches the topics of policing and imprisonment through an intersectional and abolitionist framework. We will draw from Black feminist and trans abolitionist theories and Indigenous critiques of settler law to understand the failures of penal reform and explore new ways of thinking about and approaching justice. This course examines collective movements that arise in response to state violence and how transformative justice solutions to harm may be enacted in ways that are separate from the state.

Learning Outcomes

By the end of the course, students will be able to:

- Understand the foundations and fundamental principals of abolition, and be able to distinguish this politic from a reformist position;
- Identify the intersecting systems at power that contribute to anti-trans violence and discrimination;
- Identify the ways in which the penal system (i.e. law, police, prisons) is a site of state violence and oppression against trans people, particular those who are Black, Indigenous, people of colour (BIPOC), low-income, and sex workers.
- Understand what it means to move beyond a state-based framework to think about and pursue justice to an approach that is grounded in the politics of abolition and transformative justice.

Online Synchronous Course Format

This course will alternate between Zoom lectures which you are expected to attend in real time and audio-recorded PowerPoint lectures which will be posted to Brightspace. Pre-recorded lectures will be uploaded to Brightspace before the time of the scheduled class and will be available to you all semester. However, no live lectures will be posted to Brightspace. The Zoom link for the live lectures will be available on Brightspace and will remain the same throughout the semester. Please do not share this link with anyone outside of the class. It is your responsibility to keep up to date with the course schedule and ensure you are in attendance for live lectures as your attendance will be graded. I will also be available for office hours on Zoom by appointment only during the times listed above for those who have questions or need assistance with course material or assignments.

Course Texts

There is no textbook assigned for this course. All required material will be available online via Brightspace.

Evaluation and Deadlines**Attendance (5 x 2% = 10%) – Scheduled dates**

You are expected to attend live Zoom lectures, which are scheduled on the following days: January 10, January 31, February 28, March 21, and April 11. Unlike the pre-recorded lectures, live lectures will not be posted to Brightspace.

Reading Summaries (2 x 10% = 20%) – February 7 & March 28 (beginning of class)

You are asked to complete two reading summaries, each worth 10% of your final grade. You must review the following readings and submit your summaries before the beginning of class:

- 1) **February 7:** Lamble, S. (2014). Queer investments in punitiveness: Sexual citizenship, social movements and the expanding carceral state. In J. Haritaworn, A. Kuntsman, and S. Posocco (Eds.), *Queer necropolitics* (151-171). Routledge.
- 2) **March 28:** Griffin-Gracy, M. M., McDonald, C., and Meronek, T. (2017). Cautious living: Black trans women and the politics of documentation. In R. Gossett, E. A. Stanley, and J. Burton (Eds.), *Trap door: Trans cultural production and the politics of visibility* (23-37). The MIT Press.

All you are required to do for this assignment is succinctly summarize the reading for the week in your own words, making sure you are accurately relaying the overarching argument and conclusions that the author is advancing. The purpose of this assignment is to ensure that you have a grasp on course material. For this reason, please do not use direct or block quotes, but instead, rely on your own interpretation of what the author is saying.

Your reflections should be 3 double-spaced pages in length (no less than 2.5 pages, no more than 3 pages). *Please note that the submission portal on Brightspace closes at 9:00am on the due date, and no late submissions will be accepted.

Film Analysis (30%) – Due via Brightspace on **March 14** by 11:59pm

You will be asked to write a 5-6 page analysis of the film “Surviving the Block” which you will watch on February 14. The film is available to watch online on the Carleton library website. For this paper, you should begin with a short summary of the film (no more than 1 page) before moving to analyze the film using course concepts. You should also have an introduction (approx. ½ page that tells us your general argument or overview of your reflection) and a conclusion (approx. ½ page summary of your reflection/argument).

Your critical reflection must rely on at least 4 required readings from the course (note: the “key terms” listed on January 10th do not count as sources for this assignment). The intention of this assignment is to show that you can apply course concepts to the topic at hand. The 5-6 page length requirement does not including the title and reference pages.

Take-Home Final Exam (40%) – Due via Brightspace on **April 27** by 11:59pm

Your final exam will take the form of an essay where you will respond to one of two question options that I provide. The question options will be provided well in advance of the due date. Your response should be in proper essay format (intro, body paragraphs, conclusion). Each should be approximately 8-10 pages in length (not including your title and reference pages).

You are expected to use a minimum of 6 required readings from the course (note: the key terms listed on January 10th do not count as sources for this assignment). Since these essays are intended to demonstrate your knowledge of course material, you do not need to rely on outside sources. I am looking for substantive engagement with each source, meaning that you should be engaging the authors’ arguments and conclusions in a meaningful way to advance your own argument. **Please note that no final papers will be accepted later than the due date.*

Important Notes:

Email Policy: I will typically respond to emails within 2 business days. I may not be available on weekends, aside from in exceptional circumstances. Please try to use complete sentences and formal language in email communications. Also, please put the course code and course name in the subject line of emails.

Before asking me a question via email, I encourage you to first refer to the following: 1) check the syllabus to make sure that your question has not already been answered; 2) refer to the “Class Discussion – Questions and Answers” section on Brightspace to see if someone else has already asked this question. If your question has not already been answered and it is something that others may like to know, ask it on Brightspace. If it is a personal issue, send me an email.

Written Submissions: Please reference/citation style of your choosing and 12-point Times New Roman font, with regular 1” margins. Grades may be deducted if assignments do not correspond with proper spelling, grammar, essay format, and citation style.

Late submissions: Grades for the Film Analysis will be deducted at 5% each day for late work, including weekends, unless you have been granted an extension beforehand. If an extension is needed, please contact me in advance of the due date.

Please note: No late submissions will be accepted for the weekly Reading Summaries. No late submissions will be accepted for the Final Exam unless the student has sought an official deferral. Information for the deferral process can be [found here](#).

If there are circumstances (e.g. illness) outside of your control that result in missed course work, assignments, or examinations, you may request an academic consideration. [This form](#) may be used in lieu of medical documentation or supporting documentation to make your request for accommodation.

*Please note: All final grades are subject to approval of the Dean.

*University regulations and rules about course registration, withdrawal, and appealing marks can be found here on the university's website:

<https://www3.carleton.ca/cu0708uc/regulations/acadregsuniv.html>

Weekly Outline and Required Readings

WEEK 1 (JAN 10): LIVE LECTURE

Course Introduction and Discussion of Gender Terminology

*This class will begin with an introduction to the course, outlining objectives and expectations, and reviewing the syllabus. Afterwards, there will be a short lecture. To prepare, please read the following key terms:

- Aultman, B. (2014). Cisgender. *TSQ: Transgender Studies Quarterly*, 1(1-2), 61-62.
 - Williams, C. (2014). Transgender. *TSQ: Transgender Studies Quarterly*, 1(1-2), 232-234.
 - Wabanaki Two Spirit Alliance. (2020). Two spirit identity. *YouTube*. June 24. <https://www.youtube.com/watch?v=R0jeu97-zoU>
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WEEK 2 (JAN 17): PRE-RECORDED LECTURE

Black Feminism and the Roots of Abolition

- Davis, A. (2003). Introduction: Prison reform or prison abolition? In *Are prisons obsolete?* (9-21). Seven Stories Press.
 - Maynard, R. (2020). Police abolition/Black revolt. *TOPIA: Canadian Journal of Cultural Studies*, 41, 70-78.
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WEEK 3 (JAN 24): PRE-RECORDED LECTURE

Indigenous Critiques of Settler Law

- Monture, P. A. (1995). Chapter 11: The roles and responsibilities of Aboriginal women: Reclaiming justice. *Thunder in my soul: A Mohawk woman speaks* (216-248). Fernwood Publishing.
 - Simpson, L. B. (2014). Indict the system: Indigenous and Black connected resistance. *Briar Patch Magazine*. November 29.
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WEEK 4 (JAN 31): LIVE LECTURE

Trans Histories Against Law, Policing, and Prisons

- Stanley, E. A., Spade, D., and Queer (In)Justice (2012). Queering prison abolition, now? *American Quarterly*, 64(1), 115-27.
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WEEK 5 (FEB 7): PRE-RECORDED LECTURE

– *READING SUMMARY DUE BY 9:00AM*

Trans Liberation: The Dissonance Between Rights and Abolition

- Lamble, S. (2014). Queer investments in punitiveness: Sexual citizenship, social movements and the expanding carceral state. In J. Haritaworn, A. Kuntsman, and S. Posocco (Eds.), *Queer necropolitics* (151-171). Routledge.
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WEEK 6 (FEB 14): DOCUMENTARY, NO LECTURE

*In lieu of a lecture, you are responsible for watching the documentary “Surviving the Block” which is available to watch online on the Carleton Library website:

- Snow, R. (Director). (2020). *Surviving the block*. Yap Films.
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WINTER BREAK, NO CLASSES FEB 20-24

WEEK 7 (FEB 28): LIVE LECTURE

An Overview of Trans Legal Issues

- Hébert, W., Butler Burke, N., Santini, T., Suerich-Gulick, F., and Barile, D. (2022). Part 2: Serious legal problems (18-47). In *A qualitative look at serious legal problems: Trans, Two-Spirit, and non-binary people in Canada*. Research report prepared for the Department of Justice Canada.
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WEEK 8 (MAR 7): PRE-RECORDED LECTURE

Policing of Racialized Gender Norms

- Carpenter, L. F. and Marshall, R. B. (2017). Walking while trans: Profiling of transgender women by law enforcement, and the problem of proof. *William & Mary Journal of Women and the Law*, 24(1), 5-38.
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WEEK 9 (MAR 14): PRE-RECORDED LECTURE

– *FILM ANALYSIS DUE BY 11:59PM*

Trans Imprisonment and the Limits of Reform

- Hebert, W. (2020). Trans rights as risks: On the ambivalent implementation of Canada’s groundbreaking trans prison policy. *Canadian Journal of Law and Society*, 35(2), 221-244.
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WEEK 10 (MAR 21): LIVE LECTURE

Two-Spirit Incarceration in the Settler Colonial Context

- Benson, K. (2020). Whats in a pronoun?: The ungovernability and misgendering of trans native kids in juvenile justice in Washington State. *Journal of Homosexuality*, 67(12), 1691-1712.
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WEEK 11 (MAR 28): PRE-RECORDED LECTURE

– *READING SUMMARY DUE BY 9:00AM*

Trans Visibility and the Intersections of Violence

- Griffin-Gracy, M. M., McDonald, C., and Meronek, T. (2017). Cautious living: Black trans women and the politics of documentation. In R. Gossett, E. A. Stanley, and J. Burton (Eds.), *Trap door: Trans cultural production and the politics of visibility* (23-37). The MIT Press.

WEEK 12 (APRIL 4): PRE-RECORDED LECTURE

Intro to Transformative Justice

- Critical Resistance and INCITE! (2016). Gender violence and the prison industrial complex: A statement by Critical Resistance and INCITE! Women of Color Against Violence. In INCITE! Women of Color Against Violence (Eds.), *The color of violence: The INCITE! anthology* (223-226). Durham and London: Duke University Press.
 - Kim, M. E. (2018). From carceral feminism to transformative justice: Women-of-colour feminism and alternatives to incarceration. *Journal of Ethnic & Cultural Diversity in Social Work*, 27(3), 219-233.
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WEEK 13 (APRIL 11): LIVE LECTURE

Two-Spirit Organizing: Beyond and Against the Settler State

- Violet Lee, E. (2021, Dec 2). When board meetings are not enough: A poem for abolition. *Sask Dispatch*. <https://saskdispatch.com/articles/view/when-board-meetings-are-not-enough-a-poem-for-abolition>
 - Zoledziowski, A. (2021, Dec 21). Two Spirit people are risking their lives to get Indigenous land back. *Vice*. <https://www.vice.com/en/article/5dg9qx/fairy-creek-two-spirit-people-land-defender>
 - Turtle Island Solidarity Network. (2022, March 11). Province destroys Indigenous sacred fire camp. <https://cpt.org/2022/03/16/province-destroys-indigenous-sacred-fire-camp>
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Intellectual Property

Classroom teaching and learning activities (including lectures, discussions, presentations), by both instructors and students, are copy protected and remain the intellectual property of their respective author(s). All course materials, including PowerPoint presentations, outlines, and other materials, are also protected by copyright and remain the intellectual property of their respective author(s).

Students registered in the course may take notes and make copies of course materials for their own educational use only. Students are not permitted to reproduce or distribute lecture notes and course materials publicly for commercial or non-commercial purposes without express written consent from the copyright holder(s).

Plagiarism

The University Academic Integrity Policy defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*” This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else;
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one’s own; and
- failing to acknowledge sources through the use of proper citations when using another’s work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course’s instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of “F” for the course.

Requests for 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 accommodation regarding a formally-scheduled final exam, you must complete the Pregnancy Accommodation Form ([click here](#)).

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 [click here](#).

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).

Survivors of Sexual Violence:

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

Accommodation for Student Activities:

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

Statement on Student Mental Health

As a University student, you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. Here is a list that may be helpful:

Emergency Resources (on and off campus): <https://carleton.ca/health/emergencies-and-crisis/emergency-numbers/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>

- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Empower Me: 1-844-741-6389, <https://students.carleton.ca/services/empower-me-counselling-services/>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

Statement on Pandemic Measures

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are [a number of actions you can take](#) to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

Feeling sick? Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you should follow Carleton's [symptom reporting protocols](#).

Masks: Carleton has paused the [COVID-19 Mask Policy](#), but continues to strongly recommend masking when indoors, particularly if physical distancing cannot be maintained. It may become necessary to quickly reinstate the mask requirement if pandemic circumstances were to change.

Vaccines: While proof of vaccination is no longer required to access campus or participate in in-person Carleton activities, it may become necessary for the University to bring back proof of vaccination requirements on short notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible and submit their booster dose information in [cuScreen](#) as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety, which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the [University's COVID-19 website](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca.