

Course Outline

COURSE: CRCJ 3110 Policing of Public Health

TERM: Fall 2023

PREREQUISITES: CRCJ

CLASS: **Day & Time:** Friday 11:35-14:25
Room: Please check Carleton Central for current room location.

INSTRUCTOR: Dr. Alexander McClelland
(CONTRACT)

CONTACT: **Office:** 1714 Dunton Tower
Office: Friday 15:00-17:00
Hrs:

***Email:** alexander.mcclelland@carleton.ca

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

Link to Brightspace page: <https://brightspace.carleton.ca/d2l/home/208273>

ACKNOWLEDGEMENT & AFFIRMATION

ANISHNABE

Ni manàdjiyànàni Màmìwinini Anishinàbeg, ogog kà nàgadawàbandadjig iyo akì eko weshkad. Ako nongom ega

wikàd kì mìgiwewàdj.

Ni manàdjiyànàni kakina Anishinàbeg ondaje kaye ogog kakina eniyagizidjig enigokamigàg Kanadàng eji

ondàpinangig endàwàdjìn Odàwàng.

Ninisdawinawànàni kenawendamòdjig kije kikenindamàwin; weshkinìgidjig kaye kejeyàdizidjig.

Nigijeweninmànàni ogog kà nìgànì sòngideyedjig; weshkad, nongom; kaye àyànikàdj.

ENGLISH

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,

COURSE DESCRIPTION

This interdisciplinary course introduces students to myriad ways in which the practices of Canadian public health authorities have been historically intertwined with policing, the criminal legal system, and ongoing colonization. The class will focus attention on the social justice objectives of public health which have been aimed at reducing health inequalities and improving living conditions. Public health has been conceived of a collective responsibility geared at improving the health of the population through a focus on prevention of disease and injury, as opposed to diagnosing or treating individuals. As public health legal scholar Scott Burris notes, public health is “what we as a society, do collectively to assure the conditions to be healthy.”¹

With purported benevolent intentions, the institution of public health, like the criminal legal system and policing, is organized to manage risks to the public. Both public health and policing are rooted in colonial nation-state building and racism. Both are focused on prevention and pre-emption. Both are focused on managing social ills for the many through coercion of and control of the few, via containment, incapacitation. Public health interventions operate along a continuum from the voluntary (e.g., washing our hands, getting vaccinated, testing) to the coercive (e.g., receiving public health orders, quarantine). For the governance of public health, once voluntary measures stop working more coercive forms of control can emerge.

Public health is historically underwritten by a logic of collective rights at the expense of individual rights, where the those who are deemed a threat to the public can be contained and incapacitated for the perceived good to the population. Outcomes of coercive public health interventions may follow similar patterns of inequity to which policing has been scrutinized. The class will work to better understand and collectively interrogate the logic underwriting public health, differences and intersections with the policing and criminal legal system, and the tensions between the voluntary and the coercive measures that result.

Throughout the course, students will engage with a range of criminological, sociological, social science, legal, surveillance studies, communications studies, and historical texts to explore how notions and practices of the public health system have been constituted throughout history and have relied on forms of policing and punishment. The course will be organized around a series of case studies, including examining the detention of sex workers during the syphilis epidemic of World War 1, the policing of drugs and harm reduction, the criminalization of people living with HIV during the ongoing HIV crisis, and the mobilization of police and by-law officers to enforce COVID-19 measures.

LEARNING OUTCOMES

By the end of this course, successful students will have demonstrated their ability to:

- Identify, compare, and contrast an array of interdisciplinary issues related to public health and policing, and appraise different theoretical frameworks and approaches.
- Define and explain the concepts of the population, public health, public health law, medico-legal, care, control, coercion, as well as linking the overall project of public health to ongoing settler colonization.
- Examine and understand ongoing debates within public health practice and public health ethics about consent, bodily autonomy, collective and individual rights.

¹ Scott Burris, et al. (2018). *Chapter 1: Public Health and the Law*; in: *The Public Health Law: A transdisciplinary Approach to Practice and Advocacy*. Oxford University Press. (pp. 3-17)

- Employ close, critical reading of course texts and content, and identify both central and supporting theories.
- Critically examine the intersection of public health and policing through analyzing real-world problems and apply this knowledge through individual writing exercises and online collaborative activities and discussions.

TEXTS

There is no one simple textbook or a (couple of texts) that can address the many complex medico-legal issues this course will address, and therefore the learning sections will include a range of journal articles, book chapters, videos, media articles, and other online resources. All the course readings will be available and accessible via the course Brightspace page in the Ares link or will be provided by the instructor in advance.

COURSE INFORMATION

Course structure: The class is in-person and will be organized around a series of lectures, activities, and discussions. All course materials will be available on Brightspace.

What students can expect from the instructor: Students can expect the instructor and TA to be supportive, responsive, and engaged in student learning. All required course material will be posted in Brightspace, and students can flexibly engage with the material on their own weekly schedules. Weekly content will feature journal articles, book chapters, short topical videos, legislation, and news articles.

There will also be a mandatory weekly 3-hour period of class time, where the professor will provide short lectures, and will guide student group conversations and activities. Students can expect a weekly message from their professor outlining all the expectations for the week. Your professor and TA are available for office hours and can be contacted by email if needed. However, the primary modes of engagement should be via the in-person course, or via the “Ask Your Teaching Team Forum”, so we can connect and discuss the material and ideas together.

What we expect from students: As members of the Institute of Criminology and Criminal Justice and of Carleton University, students are expected to engage respectfully in consideration and analysis of course topics. Students are expected to come to class prepared to engage in the course content. Students should allocate enough time each week to complete the assigned readings, and to engage with other posted media in Brightspace. This should take approximately 3-5 hours per week. Some weeks will involve more work and should be allocated time accordingly. Students should also allocate time to complete the various course assignments, which will take between 1-4 hours per week depending on the student.

Expectations & Sanctions Regarding Due Dates: Sometimes life sucks and things fall apart a little, especially during a pandemic. However, under almost all circumstances, course assignments must still be handed in on time. There are no accommodations for late assignments unless due to an emergency. Without prior negotiation with the professor, no late assignments will be accepted, and the assignment will be graded 0 or F.

A late assignment for any other serious reason must be justified in writing to the course

instructor, within five business days following the date of the exam or submission of an assignment. The professor reserves the right to accept or refuse the reason. Reasons such as travel, jobs, or any misreading of the examination timetable are not acceptable.

Email policy: Please engage with the professor in a formal fashion when communicating via email. Before sending an email, please check the “Ask Your Instructor Forum” in Brightspace to see if your question has already been answered.

If your question or issue is not addressed there, and if your question is not of a private or personal matter, you are strongly encouraged to post your question in the “Ask Your Instructor” forum on Brightspace so all students in the class can benefit from the information.

If an email is required, please indicate the course name and number in the subject heading. Ensure that you include your full name, student number, and clearly indicate the objective(s) of your message. If you do not include all these things, it will be difficult for the instructor to assist you.

During the week it may take up to 72-hours for the professor to respond to your email. The course instructor does not respond to emails over the weekend. Please plan accordingly. Also, if you send the course instructor more than one email about the same issue in one span of 72-hours, they will likely find this highly annoying (you would probably agree if you were in the instructor’s shoes).

Ask Your Instructor Forum: Please post all course and content related questions in the “Ask Your Instructor” forum on the Brightspace course page. A response to your question will be provided within 48 hours, often much more quickly (excluding weekends).

Writing Policy and Format: You will also be evaluated on your writing abilities. It is recommended that you take the appropriate measures to avoid mistakes such as spelling, syntax, punctuation, and inappropriate use of terms.

Format for all written assignments

- Double spaced text (be sure there is no ‘extra’ space between paragraphs)
- Font should be Times New Roman
- Font size 12
- Font colour for all text should be black
- 1-inch/ 2.54 cm margins
- Include page numbers (preferably on the bottom right) starting on the first page of text (the title page should not be numbered)
- Include a title page with your name, student number, name of assignment, and title of paper
- Start references on a new page, APA referencing style is preferred, but not required. Be sure whatever referencing style you use to be consistent throughout. To learn more about this format see the Library reference page: <https://library.carleton.ca/help/apa-citation-style>

Did you know there is a dedicated librarian to legal studies and criminology? Find our more here:

<https://library.carleton.ca/research/subject-guides/criminology-and-criminal-justice-detailed-guide>

COURSE CALENDAR

Week & Topics	Readings & information
WEEK 1: September 8 <ul style="list-style-type: none"> • Overview of course 	<ul style="list-style-type: none"> • The syllabus!
WEEK 2: September 15 <ul style="list-style-type: none"> • Public Health authorities & jurisdictions • The police assemblage 	<ul style="list-style-type: none"> • Brodeur, J. P. (2010). Chapter 1: The police assemblage, in: <i>The policing web</i>. New York, NY: Oxford University Press. • • Public Health Agency of Canada: https://www.canada.ca/en/public-health.html • Public Health Ontario: https://www.ontario.ca/page/public-health-ontario#section-0 • Ottawa Public Health https://www.ottawapublichealth.ca/en/index.aspx • Suggested deadline: Critical reading reflection # 1
WEEK 3: September 22 <ul style="list-style-type: none"> • Public Health legislation • Public health ethics • Bodily autonomy & consent 	<ul style="list-style-type: none"> • Scott Burris, et al. 2018. <i>Chapter 1: Public Health and the Law; in: The Public Health Law: A transdisciplinary Approach to Practice and Advocacy</i>. Oxford University Press. (pp. 3-17) • Health Protection and Promotion Act: https://www.ontario.ca/laws/statute/90h07 • Robin Nobleman. 2023. Public Health, and Bodily Integrity. • Bernard, E.J et al. 2020. “We Are People, Not Clusters!” <i>The American Journal of Bioethics</i> 20(10): 1–4. • Guest Speaker: Robin Nobleman, Staff Lawyer at the HIV & AIDS Legal Clinic Ontario (HALCO)
WEEK 4: September 29 <ul style="list-style-type: none"> • The population • Surveillance medicine 	<ul style="list-style-type: none"> • Armstrong, D. 1995. “The Rise of Surveillance Medicine.” <i>Sociology of Health & Illness</i> 17(3): 393–404. • Foucault, M. (2007). <i>Security, territory, population: Lectures at the Collège de France, 1977-78</i>. Basingstoke, UK; New York,

<ul style="list-style-type: none"> • The plague 	<p>NY: Palgrave Macmillan. (Excerpt)</p> <ul style="list-style-type: none"> • Foucault, M. (1995). <i>Discipline and punish: The birth of the prison</i>. New York: Vintage Books. (Excerpt) • Suggested deadline: Critical reading reflection # 2
<p>WEEK 5: October 6</p> <ul style="list-style-type: none"> • Epidemics of “venereal disease” 	<ul style="list-style-type: none"> • Mawani, R. (2006). Regulating the “respectable” classes: Venereal disease, gender, and public health initiatives in Canada, 1914-35. In A. Glasbeek (Ed.), <i>Moral regulation and governance in Canada: History, context and critical issues</i>. Toronto, ON, Canada: Canadian Scholars' Press. (pp. 145-168). • Burton, S. (2017, March 8). <i>The person behind the persons Case</i>. https://www.canadashistory.ca/explore/women/the-person-behind-the-persons-case • Boudreau, (1918). The Canada Gazette, Section 1436, pg. 4544 & Regulation 40 D Conviction media article • Kulba, T. (2008). Citizen crusaders: Social hygiene and the production of the female citizen in post-world war one Canada. <i>West Coast Line</i>, 42, 14-26,166. • Deadline: Legal/policy analysis OR Media analysis
<p>WEEK 6: October 13</p> <ul style="list-style-type: none"> • Sanitation, morality, purity, & the settler state 	<ul style="list-style-type: none"> • Megan J. Davies. 2015. <i>Night Soil, Cesspools, and Smelly Hogs on the Streets: Sanitation, Race, and Governance in Early British Columbia</i>. Social History. https://hssh.journals.yorku.ca/index.php/hssh/article/view/4290 • Mawani, R. 2020. “A Historical Account of the Pandemic: Health, Colonialism and Racism in Canada.” <i>The Royal Society of Canada</i>. https://rsc-src.ca/en/covid-19/impact-covid-19-in-racialized-communities/historical-account-pandemic-health-colonialism • Mariana Valverde. (2012). <i>Everyday law on the street: City Governance in an Age of Diversity</i>. University of Chicago Press. (Excerpt) • Deadline: Research essay outline and annotated bibliography

<p>WEEK 7: October 20</p> <ul style="list-style-type: none"> • The media & public health • Reportable diseases • HIV, unwilling, & unable • Public health orders 	<ul style="list-style-type: none"> • Sylvia Reitmanova, et al. 2015. <i>“Immigrants Can Be Deadly”</i>: <i>Critical Discourse Analysis of Racialization of Immigrant Health in the Canadian Press and Public Health Policies</i>. Canadian Journal of Communication, Vol 40, 471–487. https://cjc.utpjournals.press/doi/pdf/10.22230/cjc.2015v40n3a2831 • Mykhalovskiy, E., Hastings, C., Sanders, C., Hayman, M. and Bisailon, L. (2016). <i>“Callous, cold and deliberately duplicitous”</i>: <i>Racialization, immigration and the representation of HIV criminalization in Canadian mainstream newspapers</i> [Report]. Toronto, ON, Canada: Canadian Institutes of Health Research Centre for Social Research in HIV Prevention. • Miller, J. (2005). African immigrant damnation syndrome: The case of Charles Ssenyonga. <i>Sexuality Research & Social Policy</i>, 2(2), 31-50. doi: 10.1525/srsp.2005.2.2.31 • Hastings, C, N Massaquoi, R Elliott, and E Mykhalovskiy. 2022. HIV Criminalization In Canada: Key Trends And Patterns (1989-2020). https://www.hivlegalnetwork.ca/site/hiv-criminalization-in-canada-key-trends-and-patterns-1989-2020/?lang=en
<p>BREAK: October 27</p>	
<p>WEEK 8: November 3</p> <ul style="list-style-type: none"> • Drug regulation • Harm reduction 	<ul style="list-style-type: none"> • DeBeck, K., Wood, E., Zhang, R. <i>et al.</i> Police and public health partnerships: Evidence from the evaluation of Vancouver's supervised injection facility. <i>Substance Abuse Treat Prevention Policy</i> 3, 11 (2008). https://doi.org/10.1186/1747-597X-3-11. • Susan C. Boyd, 2015. From witches to crack moms: women, drug law and policy. Chapter 4: a sociological perspective of drug use, addiction, and treatment. Pp. 151-210 (focus on drug courts section starting on pg. 186). • Engaging law enforcement in harm reduction programs for people who inject drugs: https://www.ohtn.on.ca/wp-content/uploads/2018/05/RR109_policing_harm_reduction.pdf • Revier, K. 2021. “Without Drug Court, You’ll End Up in Prison

	<p>or Dead’: Therapeutic Surveillance and Addiction Narratives in Treatment Court.” <i>Critical Criminology</i> 29: 915–30.</p> <ul style="list-style-type: none"> • Suggested deadline: Critical reading reflection # 2 • Guest Speaker: Liam Michaud, doctoral student, York University
<p>WEEK 9: November 10</p> <ul style="list-style-type: none"> • Collaborations with police • COVID-19 enforcement 	<ul style="list-style-type: none"> • Adam Dunbar & Nicole E. Jones (2021) Race, police, and the pandemic: considering the role of race in public health policing, <i>Ethnic and Racial Studies</i>, 44:5, 773-782, DOI: 10.1080/01419870.2020.1851381 <p>Abby Dushman, Alexander McClelland, Alex Luscombe. (2020). <i>Stay off the grass: COVID-19 and law enforcement in Canada</i>. Canadian Civil Liberties Association and The Policing the Pandemic Mapping Project.</p> <ul style="list-style-type: none"> • Stephen Mouldrem, Mustafa I. Hussain, Alexander McClelland. (2021). Alternatives to sharing COVID-19 data with law enforcement: Recommendations for stakeholders. <i>Health Policy</i>, 125: 2, pp 135-140 • Public health pledge of non-collaboration with police statement
<p>WEEK 10: Nov 17</p> <ul style="list-style-type: none"> • Public health surveillance, social media, AI, & big data 	<ul style="list-style-type: none"> • French, M, and G. Smith. 2013. “‘Health’ Surveillance: New Modes of Monitoring Bodies, Populations, and Polities.” <i>Critical Public Health</i> 23(4): 383–92. • Hastings, C et al. 2021. “Intersections of Treatment, Surveillance, and Criminal Law Responses to HIV and COVID-19.” <i>American Journal of Public Health</i> 111(7): 1252–54. • Benjamin, R. 2019. “Introduction: Discriminatory Design, Liberating Imagination.” In <i>Captivating Technology: Race, Carceral Technoscience, and Liberatory Imagination in Everyday Life</i>, Duke University Press, 1–22.
<p>WEEK 11: Nov 24</p> <ul style="list-style-type: none"> • Flexible class 	<ul style="list-style-type: none"> • Up for discussion
<p>WEEK 12: December 1</p> <ul style="list-style-type: none"> • Class conference 	<ul style="list-style-type: none"> • Class poster presentations • Deadline: Research poster for student conference

WEEK 13: December 8	<ul style="list-style-type: none"> Deadline: Final research paper
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EVALUATION

All assignment submissions are to be submitted on Brightspace. No emailed assignments will be accepted. There is no accommodation for late assignments unless previously negotiated with the professor. **All components must be completed to get a passing grade.**

Assignment	Grade	Due date
1: Critical reading reflections	15%	Suggested deadline Week 2, 4 & 8
2: Legal/policy analysis OR Media analysis	15%	Week 5
3: Research essay outline and annotated bibliography	15%	Week 6
4: Research poster for student conference	15%	Week 12
5: Peer review	5%	Week 12
6: Research essay	35%	December 8

1: Critical reading reflections, (3 x 5%) 15% Due: 3 times throughout term up until Week 10, based on student interest (no assignments will be accepted after Week 10)

To demonstrate engagement with the readings students are asked to develop short reading responses for 3 assigned readings of their choice. These responses should only be 1-2 pages in length and can be submitted anytime throughout the term up until Week 10. **Suggested submission dates are Week 2, 4 and 8.** It is recommended to submit the response the week the reading is required, or the week after. The critical reading response must include 3 interesting/surprising things you learned, 2 critical questions, and a short description of the author's argument. This assignment must be based solely on a reading, not other course content such as videos, websites, or lectures. Further details and a grading rubric will be provided.

2: Legal/policy analysis OR Media analysis 15% Due: Week 5

Students choose either a legal analysis or media analysis.

Legal analysis: Students submit a 4-page analysis of public health legislation or policy from a province in Canada – either one shared throughout the course or via a student's own research. The student will provide a detailed description of the legislation/policy at hand, or aspect of legislation/policy of their choice (i.e., a specific provision on communicable disease transmission). To conduct the analysis, the student will provide a detailed description of the context of the legislation/policy, and answer a series of critical questions, including how the problem in public health was conceived of in the past. The analysis should focus on issues of

race, colonization, gender, and sexuality, as well as what this past case tells us about how public health is legally or administratively regulated, either today or in the past, or both. This paper should include a minimum of 3 sources for references (including the legal/policy document being reviewed). Further details and a grading rubric will be provided in class.

Media analysis: Students submit a 4-page analysis of one a media article or public health campaign– either one shared throughout the course or via a student’s own research. The student will provide a detailed description of media case at hand, or aspect of case of their choice. To conduct the analysis, the student will provide a detailed description of the context of the case, and will answer a series of critical questions, including how the media case is presented, how public health is conceived of, and who was impacted. The analysis should focus on issues of race, colonization, gender, and sexuality, as well as what this past case tells us about how public health is legally regulated, either today or in the past, or both? This paper should include a minimum of 3 sources for references (including the media article/public health campaign being reviewed). Further details and a grading rubric will be provided in class.

3: Research essay outline and annotated bibliography, 15% Due: Week 6

Students submit a 3-page paper summarizing a research topic related to the policing of public health, and a proposed methods framework for addressing the topic (i.e., archival research, case study, literature review, documentary analysis). The outline must outline their research topic and should give a sense of preliminary research, highlighting major issues, debates, challenges, that are central to the research topic. Students must also provide a 3-page annotated bibliography. The bibliography should have minimum 10 academic citations regarding the field or topic under investigation. Each entry should have 2-3 sentences outlining the relevance of the entry to the research topic. Major works in the area should be identified. This paper should include a minimum of 3 sources for references (including the media article being reviewed). Further details and a grading rubric will be provided in class.

4: Research poster for student conference, 15%, Due: Week 12

Students develop a poster which provides an overview of their research findings. Students will present their posters in groups during the course student conference on Week 12. Further details and a grading rubric will be provided in class.

5: Peer review, 5%, Due: Week 12

Students answer short peer review checklist at research conference of 2 conference posters.

6: Research essay 35%, Due: December 8

Students submit a 15–20-page, double-spaced research paper not including references. The research essay must address a historical or contemporary issue of policing public health. Options for the research essay will be discussed in class conversations. Feedback from the research essay outline must be incorporated – no research paper can be submitted without having first submitted the research essay outline and annotated bibliography on Week 6. Further details and a grading rubric will be provided in class.

NOTE: Standing in a course is determined by the course instructor subject to the approval of 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 Dean.

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, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- 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.

INTELLECTUAL PROPERTY

Classroom teaching and learning activities, including lectures, discussions, presentations, etc., 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).

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 link to information about all of the resources, both on campus and off,

that you may find helpful: <https://carleton.ca/wellness/>

ACADEMIC ACCOMMODATION

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes can be found at the below link:

<https://students.carleton.ca/course-outline/>