

## **CRCJ 3202A: Trans Issues in the Criminal Justice System**

**Fall 2021**

**Institute of Criminology and Criminal Justice**

**Time: Mondays, 11:35-14:25**

**Location: Online, Asynchronous Format (*no scheduled meetings*)**

**Instructor:** Leon Laidlaw (he/him)

**Office:** D781 Loeb Building

**Office Hours:** Available by appointment Mondays (11:30-13:00), Tuesdays (13:00-14:30)

**Email:** Leonlaidlaw@cunet.carleton.ca

**TA:** Jeff Bradley

**TA Email:** JeffreyBradley@cmail.carleton.ca

### **Course Description**

This course introduces students to a range of issues that trans people experience when interacting with the criminal justice system. Students can expect to learn how anti-trans stereotypes and oppression informs state surveillance and criminological practices. Not only examining the ways in which certain trans people are targeted by the system, this course also considers some of the limitations, and potential harms, of seeking state protection. This course is grounded in an intersectional and abolitionist framework that conceptualizes carceral practices as a form of state violence.

### **Online Asynchronous Course Format**

This course will be available online on Brightspace via your Carleton University account login. There are no required meeting times, but the lectures will be posted on or before the scheduled class time for the week (11:35am on Mondays). Lectures will take the form of audio-recorded PowerPoint slides. It is your responsibility to keep up to date with all course material, including assigned readings, lectures, and assigned films.

There will be times where I offer *optional* (virtual) meetings with students, including the final class (December 10) for the purposes of reviewing and clarifying course material. I will announce any optional meetings on Brightspace. Additionally, I will be available for office hours by appointment 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**

**Reading Reflections** (4 x 5% = 20%) – **Ongoing** (*due before the beginning of class on the weeks you choose to submit*)

Class participation will take the form of four reading reflections, each worth 5% of your final grade. Starting on the second class (September 20) and up until the final lecture (December 6), you may submit a reflection based on the assigned readings for the week. All you are required to do for this assignment is succinctly summarize all readings 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.

Each of your reflections should be 2 double-spaced pages in length (no less than 1.5 pages, no more than 2 pages). \*Please note that the submission portal on Brightspace closes at 11:35am each week, so NO late assignments will be accepted.

**Film Reflection** (30%) – Due via Brightspace on **November 22 at 11:35am**

You will be asked to write a 5-6 page reflection on the film which you will watch on October 4. 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 readings from the course. Note: the ‘key terms’ listed on September 13<sup>th</sup> 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. \*Note: the film is currently TBD but will be announced on Brightspace with access instructions.

**Take-Home Final Exam** (50%) – Due via Brightspace by **December 23 at 11:59pm**

Your final exam will take the form of two short essays (5 pages each = 10 pages total). The questions will be provided well in advance of the due date. You will have to respond to both using proper essay format (intro, body paragraphs, conclusion). The purpose of this assignment is to demonstrate the knowledge you have gained over the semester. I am looking for substantive engagement with each source, meaning that you should be using the source to explain the author’s broad arguments and conclusions.

You are expected to use a minimum of 5 readings from the course in each essay. Note: the key terms listed on September 13<sup>th</sup> 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. Each should be approximately 5 pages in length, for a total submission of 10 pages of writing (not including title and reference pages). Please provide a separate title page and reference page for each essay. \*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 still has not been answered already and it is something that others would like to know, ask it on Brightspace! If you have a personal item to discuss, always 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 Film Analysis) will be deducted at 5% each day for late work, including weekends, *unless you have been granted an extension beforehand.* an extension is needed, please contact me in advance of the due date. Please note that a medical note or verifiable documentation may be required in certain cases. Reminder: no late submissions will be accepted for the Final Exam, and no late submissions will be accepted for the weekly Reading Reflections.

\*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**

### **Class 1: September 13**

#### **Course Introduction, Terminology, and Historical Context**

\*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 pertaining to the readings and key terms:

Nothing, E. (n.d.). Introduction: Queers against society. In *Street transvestite action revolutionaries: Survival, revolt, and queer antagonist struggle* (3-11). Untorelli Press.

Rivera, S. (n.d.). 'I'm glad I was at the Stonewall riot': An interview with Sylvia Rivera. In *Street transvestite action revolutionaries: Survival, revolt, and queer antagonist struggle* (12-14). Untorelli Press.

#### **\*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>

### **Class 2: September 20**

#### **The Foundations of Abolitionism: Understanding State Violence**

\*This class provides the theoretical grounding of the course, which will explain the roots and overarching principles of the contemporary abolitionist movement.

Davis, A. (2003). Introduction: Prison reform or prison abolition? In *Are prisons obsolete?* (9-21). New York: Seven Stories Press.

Maynard, R. (2020). Police abolition/Black revolt. *TOPIA: Canadian Journal of Cultural Studies*, 41, 70-78.

Simpson, L. B. (2014). Indict the system: Indigenous and Black connected resistance. *Briar Patch Magazine*. November 29. Available online:  
<https://briarpatchmagazine.com/articles/view/indict-the-system>

### **Class 3: September 27**

#### Trans Abolitionists: Advances in the Movement

\*This class provides an introductory overview to trans people's investments in abolition and highlights recent events mobilized through this politic.

Stanley, E. A., Spade, D., and Queer (In)Justice (2012). Queering prison abolition, now? *American Quarterly*, 64(1), 115-27.

Lamble, S. (2011). Transforming carceral logics: 10 reasons to dismantle the prison industrial complex using a queer/trans analysis (235-265). In Stanley, E. A. and Smith, N. *Captive genders: Trans embodiment and the prison industrial complex*. Oakland, CA: KA Press.

### **Class 4: October 4**

#### Police Profiling of Racialized Gender Norms

\*This class examines one of the primary ways in which certain trans people become criminalized through intersecting, systemic oppression.

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.

In addition to the lecture, you are responsible for watching a film, which will be made available online on the Carleton Library website. Note: the film is currently TBD, but will be announced on Brightspace with access instructions.

***\*No Class on October 11 – University is Closed for Holiday\****

### **Class 5: October 18**

#### Trans Visibility, Race, and (In)Security

\*This class takes up issues of trans people's visibility and vulnerability, and how this is shaped by structural and institutional racism.

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.

Butler Burke, N. (2016). Connecting the dots: National security, the crime-migration nexus, and trans women's survival. In Y. Martinez San Miguel and S. Tobias (Eds.), *Trans studies: The challenge to hetero/homo normativities* (113-121). New Jersey: Rutgers University Press.

**\*Fall Break: October 25-29 (no scheduled classes)\***

### **Class 6: November 1**

#### Trans Imprisonment

\*This class explores the treatment of, and policies pertaining to, trans people in prison in the pre- and post-reform era.

Smith, A. (2014). Stories of Os: Transgender women, monstrous bodies, and the Canadian prison system. *Dalhousie Journal of Legal Studies*, 23, 149-171.

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.

### **Class 7: November 8**

#### Anti-Trans Violence at its Intersections

\*This class offers insight into the intersecting oppressions that contribute to anti-trans violence.

Bettcher, T. M. (2013). Evil deceivers and make-believers: On transphobic violence and the politics of illusion. In S. Stryker and A. Z. Aizura (Eds.), *The transgender studies reader 2* (278-290). New York: Routledge.

Lamble, S. (2008). Retelling racialized violence, remaking white innocence: The politics of interlocking oppressions in transgender day of remembrance. *Sexuality Research and Social Policy*, 24-42.

### **Class 8: November 15**

#### Cisgenderism in Legal Redress

\*Building off last week's discussion, this class will examine the limits of legal redress for trans survivors and begin to move beyond legal conceptions of 'justice'.

Fields, S. E. (2020). The elusiveness of self-defense for the Black transgender community. *Nevada Law Journal* (forthcoming), 1-17.

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.

**Class 9: November 22 – \*Film Analysis Due by 11:35am\***

Trans Rights and the Limits of Legal Protection

\*This class looks at the way in which trans rights (anti-discrimination and hate crime protections) fails to meaningfully protect trans people, as they are purported to do.

Spade, D. (2014). Their laws will never make us safer: An Introduction. In R. Conrad (Ed.), *Against equality: Queer revolution not mere inclusion* (165-175). Oakland, CA: AK Press.

Spade, D. (2015). Chapter 2: What's wrong with rights? (38-49). In *Normal life: Administrative violence, critical trans politics, & the limits of law*. Duke University Press

**Class 10: November 29**

Trans Rights and Carceral Expansion

\*This class examines the potential harms of trans rights movements that rely on systems of state violence.

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). London: Routledge.

**Class 11: December 6**

Critiques of Pride Politics: Abolitionism, Racial Justice, and Gender and Sexual Liberation

\*This class concludes the course by returning where the contemporary pride movement began.

DeGagne, A. (2020). Pink-washing pride parades: The politics of police in LGBTQ2S spaces in Canada. In F. MacDonald and A. Z. Dobrowolsky (Eds.), *Turbulent times, transformational possibilities?: gender and politics today and tomorrow* (258-280). University of Toronto Press.

**Class 12: December 10**

\*Optional\* Course Review (11:25-13:00)

A Zoom link will be provided to take part in an optional course review. Together on zoom, you will be able to ask questions, seek clarification, or bounce ideas off one another in preparation for the final take-home exam which is due on December 23 at 11:59pm.

### **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 Senate defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*” This can include:

- 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;
- Submitting a take-home examination, essay, laboratory report or other assignment written, in whole or in part, by someone else;
- Using ideas or direct, verbatim quotations, or paraphrased material, concepts, or ideas without appropriate acknowledgment in any academic assignment;
- Using another’s data or research findings;
- Failing to acknowledge sources through the use of proper citations when using another’s works and/or failing to use quotation marks;
- Handing in "substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs."

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:** Please 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.

**Religious obligation:** Please 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.

**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](mailto: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>