

CRCJ 3202C: Trans Issues in the Criminal Justice System

Carleton University, Winter 2024

Institute of Criminology and Criminal Justice

Time: Wednesdays, 14:35-17:25

Location: Online, Synchronous Format (some scheduled meetings)

Instructor: Leon Laidlaw (he/they)

Office: Virtual meetings only

Office Hours: Available by appointment only on Monday and Wednesday (10am-1pm) via Zoom

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 and TA.

Link to Brightspace Page: <https://brightspace.carleton.ca/d2l/home/221135>

Prerequisite(s): CRCJ 1000, third-year standing, and enrollment in a B.A. or Minor in Criminology and Criminal Justice, or by permission of the Institute.

Land Acknowledgement

Anishnabe

Ni manàdjiyànàniḡ Màmìwininì Anishinàbeg, ogog kà nàgadawàbandadjig iyo akì eko weshkad. Ako nongom ega wikàd kì mìgiwewàdj.

Ni manàdjiyànàniḡ kakina Anishinàbeg ondaje kaye ogog kakina eniyagizidjig enigokamigàḡ Kanadàng eji ondàpinangig endàwàdjìn Odàwàng.

Ninìsidawinawànàniḡ kenawendamòdjig kije kikenindamàwin; weshkinìgidjig kaye kejejàdizidjig.

Nìgijeweninmànàniḡ ogog kà nìgàni 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, future.

Course Description

This course examines how trans people's engagement with law, police, and prisons is shaped by cisgenderism (anti-trans oppression). This course is grounded in intersectional, decolonizing, and abolitionist perspectives and relies heavily on Two-Spirit, trans, Black feminist, and Indigenous scholarship. Over the course of the semester, we will examine how state institutions inflict violence and harm on trans people who are criminalized and incarcerated and uncover the limits of seeking justice for trans people through state processes. Afterward, we will explore alternative ways of thinking about and practicing justice that are separate from the state and its oppressive logics.

Learning Outcomes

By the end of the course, students can expect to:

- Learn about the systemic limitations and failures of law and penal reform, and how it applies to accommodating and protecting trans people and trans rights within state institutions.
 - Understand the basic foundations and fundamental principals of abolitionist politics, and be able to distinguish an abolitionist position from a reformist position;
 - Identify the intersecting systems of power that contribute to anti-trans violence and discrimination;
 - Identify some of the harms that state institutions of law, police, and prisons inflict on trans people, particular those who are Black, Indigenous, people of colour, low-income, and sex workers.
 - Be introduced to alternative ways to think about and pursue justice that challenge state frameworks, and instead are grounded in transformative and decolonizing principles.
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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.

Course Texts

There is no textbook assigned for this course. All required material will be available online under the “Ares” tab on the Brightspace course page.

Evaluation and Deadlines

Attendance and Participation (10%) – Scheduled dates

You are expected to attend live Zoom lectures, which are scheduled on January 10, January 17, January 24, February 28, March 6, March 27, and April 3. Each lecture attended will contribute to 1% of your grade (7x1%=7%). During live lectures, you will sometimes be asked to participate in in-class activities (e.g. an interactive quiz or game), which will be worth 3% of your grade. You will receive full grades (10%) if you attend virtual lectures (7%) and participate in activities (3%) as requested of you.

Reading Summaries (2 x 10% = 20%) – January 31 & March 6 by the beginning of class (2:35pm)*

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, as listed below:

1) January 31: Stanley, E. A., Spade, D., and Queer (In)Justice (2012). Queering prison abolition, now? *American Quarterly*, 64(1), 115-27.

2) March 6: Lambie, 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.

Your reflections should be 2-3 double-spaced pages in length. 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.

*Please note that the submission portal on Brightspace will close before class at 2:25pm on the due date, and no late submissions will be accepted. The reason that I request these assignments be submitted prior to the lecture is because it allows me to gauge students' independent understanding of the readings.

Film Analysis (30%) – Due via Brightspace on March 27 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 pages length requirement does not include title and reference pages.

Take-Home Final Exam (40%) – Due via Brightspace on April 25 by 11:59pm

Your final exam will take the form of an essay that demonstrates your knowledge of course material. The instructions will be provided well in advance of the due date. Your essay 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, nor do the blogs/news articles assigned on April 4th). 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 engage with the authors' arguments and conclusions in a meaningful way to help support your own argument.

*Please note that no final papers will be accepted later than the due date.

Weekly Outline, Required Readings, and Lecture Format

Week 1 (January 10): LIVE LECTURE

Course Introduction and Discussion of Gendered 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.
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Week 2 (January 17): LIVE 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 (January 24): LIVE LECTURE

Indigenous Critiques of Settler Law

- Monture, P. A. (1995). Chapter 11: The roles and responsibilities of Aboriginal women: Reclaiming justice. In *Thunder in my soul: A Mohawk woman speaks* (216-248). Fernwood Publishing.
 - Palmater, P. (2020). Chapter 12: Overincarceration of Indigenous peoples nothing short of genocide. In *Warrior life: Indigenous resistance & resurgence*. Fernwood Publishing.
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Week 4 (January 31): PRE-RECORDED LECTURE

Trans Histories of Resistance to Law, Policing, and Prisons

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

*Reading Summary #1 due by 2:35pm via Brightspace

Week 5 (February 7): PRE-RECORDED LECTURE

Trans Rights and Two-Spirit Resurgence: Here and Now

- Cossman, B. & Katri, I. (2017, June 15). Today, trans Canadians celebrate bill c-16. Tomorrow, the work begins for us all. *The Globe and Mail*.
 - Robinson, M. (2020). Two-Spirit identity in a time of gender fluidity. *Journal of Homosexuality*, 67(2), 1675-1690.
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Week 6 (February 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, available in the Ares course reserves on Brightspace:

- Snow, R. (Director). (2020). *Surviving the block*. Yap Films.
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WINTER BREAK, NO CLASSES FEB 18-24**Week 7 (February 28): LIVE LECTURE**Trans Visibility, Vulnerability, and Violence at the Intersections

- JusticeTrans. (2022). “Experiences with sex work” (69-71) and “Experiences of violence” (72-81). In *2STNBGN perspectives on access to justice: A legal needs assessment*.
 - 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.
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Week 8 (March 6): LIVE LECTURETrans Hate Crimes Protections and the Expanding Carceral State

- 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.

Reading Summary #2 due by 2:35pm via Brightspace

Week 9 (March 13): PRE-RECORDED LECTURETrans Imprisonment and the Limits of Prison 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 (March 20): PRE-RECORDED LECTURETwo-Spirit Incarceration in Gendered Colonial Prisons

- 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 (March 27): LIVE LECTURE

Introduction to Transformative and Decolonizing Justice

- 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.
- Chartrand, V. (2022). Unearthing justices: Mapping 500+ Indigenous grassroots initiatives for the missing and murdered Indigenous women, girls, and Two Spirit+ people. *Decolonizing Criminology and Justice*, 4(1), 7-30.

Film Analysis due by 11:59PM via Brightspace

Week 12 (April 3): 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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Important Notes, Policies, and Procedures

Email Policy: I will typically respond to emails within 2 business days. I typically am not available on weekends, except in exceptional circumstances. Please use respectful language in email communications. Please include the course code/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 or private matter, send me an email directly.

Style of Written Submissions: Please write in APA style and formatting and in 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.

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.

Evaluation

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.

University regulations and rules about course registration, withdrawal, and appealing marks can be found [here](#) on the university's website.

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, 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.

Requests for Academic Accommodations

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/>

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 link to information about all of the resources, both on campus and off, that you may find helpful: <https://carleton.ca/wellness/>