

## **CRCJ 3201B: Trans Issues in the Criminal Justice System**

**Winter 2020**

**Institute of Criminology and Criminal Justice**

**Time: Friday: 8:35am-11:25am**

**Location: *Please check Carleton Central for current room location.***

**Instructor:** Leon Laidlaw

**Office:** D781 Loeb Building

**Office Hours:** Mondays 12:30pm-1:30pm

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

**TA:** Jeff Bradley

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

**TA's Office Hours:** TBD

### **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 cultural stereotypes and misperceptions about trans bodies – for instance, as fraudulent, deceptive, and threatening – inform state surveillance and criminological practices. In this course, an intersectional analysis will be used to understand how gender, race, and class intersect, prompting the criminalization and victimization of certain trans subjects. Further, linking historical issues in trans activism to contemporary times, this course identifies some of the limitations and potential harms of seeking state protection for trans people. Students can expect a critical analysis of the carceral system, wherein the criminalization and imprisonment of trans subjects can be viewed as normalized practices of state violence.

### **Course Texts**

All required material will be available online on CULearn. There is no textbook assigned for this course. The documentary “Free CeCe!” will be available on reserve at the library for those who are unable to attend class.

### **Evaluation and Deadlines**

**Class Attendance (15%) – Ongoing**

Attending lectures is a vital component of your learning and will contribute to your final grade. Attendance will be taken at the beginning of every class.

**Midterm Exam** (25% or 40%) – In class on February 28<sup>th</sup> (90 minutes)

You will be asked to respond to a series of short answer questions and one long answer question based on course readings and lectures. You will be provided with more details about the content and structure of the midterm in advance of the date. *The midterm is worth 40% of your final grade, unless you choose to complete the optional film reflection (worth 15%), which will then make your midterm count for 25% of your final grade.* In other words, if you feel that you did not do well on the midterm, you will have a chance to enhance your grade by completing the film reflection.

\*For those who are ill and cannot attend the midterm exam, a reschedule date will be announced for the following week\*

**Optional Film Reflection** (15%) – In class on March 27<sup>th</sup>

You have the option to complete a reflection on the film Free CeCe! shown in class. You will be asked to critically reflect on the film and write a response, 3-5 double-spaced pages in length, using 2-3 readings from the course (please note that the key terms listed on January 17<sup>th</sup> do not count as sources). The intention of this assignment is to show that you can apply course concepts to the topic at hand. *If you choose to complete this assignment, your midterm will be worth 25% of your final grade.*

**Take-Home Final Exam** (45%) – Due via CULearn by April 25<sup>th</sup>\* at 11:59pm

The format of your final exam will be a take-home essay. You will be given a choice of two questions, of which, you will be expected to respond to *one* in proper essay format. The question options will be provided well in advance of the due date. The essay should be approximately 12-15 double-spaced pages in length (not including title page and references) and should meaningfully demonstrate the knowledge you have gained over the semester. You are expected to use a *minimum of 6 readings* from the course (please note that the key terms listed on January 17<sup>th</sup> do not count as sources). Since this essay is intended to demonstrate your knowledge of course material, you do not need to rely on outside sources.

\*Please note that no final papers will be accepted later than April 25<sup>th</sup>

**Important Notes:**

\*Email Policy: I encourage you to refer to the syllabus prior to emailing me to make sure that your question has not already been answered. I will typically respond to emails within 2 business days, but I will not respond on weekends aside from in exceptional circumstances. Please try to use complete sentences and formal language in email communications. Finally, please put the course code and course name in the subject line of emails.

\*Written Submissions: Please use APA reference/citation style and 12-point Times New Roman font, with regular 1” margins. Grades may be deducted if written work does not correspond with

proper spelling, grammar, essay format, and citation style.

\*Late submissions: Grades will be deducted at 5% each day for late work, including weekends, unless you have been granted an extension beforehand. If an extension is necessary, please contact me for permission in advance of the due date. Please note that a medical note or verifiable documentation may be required.

\*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**

### **Class 1: January 10**

\*Course Introduction, Outlining Objectives and Expectations, and Reviewing the Syllabus\*

### **Class 2: January 17**

#### **Understanding Transgender, Understanding Trans Histories**

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.

### **Class 3: January 24**

#### **Trans Abolitionists: Moving History Forward**

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: January 31**

Criminalizing Transgender

Butler Burke, N. and Namaste, V. (2014). "What is missing in our community is self-love": An interview with Marie-Marcelle Godbout, founder of L'Aide aux Transsexuel(le)s du Quebec. In R. Raj and D. Irving (Eds.), *Trans activism in Canada: A reader* (109-114). Toronto: Canadian Scholars' Press.

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.

**Class 5: February 7**

Trans Visibility and (In)Security

Beauchamp, T. (2013). Artful concealment and strategic visibility: Transgender bodies and U.S. state surveillance after 9/11. In S. Stryker and A. Z. Aizura (Eds.), *The transgender studies reader* (second edition) (46-55). New York and London: Routledge.

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.

**Class 6: February 14**

Trans 'Threat' and the Prison

Vitulli, E. (2014). Chapter 2: "A means of assuring the safe and efficient operation of a prison": Segregation, security, and queer dangerousness (84-134). In *Carceral normativities: Sex, security, and the penal management of gender nonconformity* [Dissertation]. University of Minnesota.

\*don't fear the length of the chapter – it is double-spaced and includes footnotes!\*

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

**\*\*Winter Break: February 17-21\*\***

**Class 7: February 28**

In-Class Midterm Exam – 90 minutes, starting at the beginning of class

\*There will not be a lecture after the midterm\*

**Class 8: March 6**

Trans Visibility and Victimization

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.

Griffin-Gracy, M. M., McDonald, C., 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.

**Class 9: March 13**

Issues of Legal Redress: Victim or Offender?

Buist, C. and Stone, C. (2014). Transgender victims and offenders: Failures of the united states criminal justice system and the necessity of queer criminology. *Critical Criminology*, 22(1), 35-47.

\*We will be watching the documentary, *Free CeCe!* at the beginning of class. Afterwards, there will be a post-film discussion\*

**Class 10: March 20**

Trans Rights and the Limits of the Law

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 11: March 27**

Trans Rights and Carceral Expansion

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.

**Final Class 12: April 3**

Course Review

Spade, D. (2015). Conclusion: "This is a protest, not a parade!" (118-138). In *Normal life: Administrative violence, critical trans politics, & the limits of law*. Duke University Press.

### **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.

### **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).

### **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>