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<b>COURSE:</b>	<b>LAWS 4303E – Drugs, the User, and the State</b>
<b>TERM:</b>	<b>Winter 2022</b>
<b>PREREQUISITES:</b>	<b>4<sup>th</sup> year Honours standing + LAWS 2301 or LAWS 2302 + LAWS 2908, CRCJ 3001 or CRCJ 3002</b>
<b>CLASS:</b>	<b>Day &amp; Time: Wednesdays (January 12, 2022 to April 6, 2022 inclusive) 6:05PM (EST) until approximately 8:55PM (EST) This course will be delivered <u>synchronously</u> (using the Zoom videoconferencing platform). We will meet online each Wednesday beginning at 6:05PM (EST).</b>
<b>INSTRUCTOR:</b>	<b>Gregory (Greg) Brown, PhD</b>
<b>CONTACT:</b>	<b>Office Hours: I will be holding online office hours, by appointment, using video conferencing platforms (e.g. Zoom, BigBlueButton, FaceTime, Skype). Email: <a href="mailto:gregoryr.brown@carleton.ca">gregoryr.brown@carleton.ca</a> This is the best way to contact me and I am typically diligent in responding, but please appreciate that it may sometimes take 24 hours. For e-mails requiring considerable elaboration, I will request that you make an appointment to discuss the matter during office hours.</b>

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### **CALENDAR COURSE DESCRIPTION**

This course explores the state's attempts to control drugs and drug users by exploring different aspects of national and international drug control. The Canadian experience of drug control, viewed from different perspectives, will be explored within a broad socio-legal context.

### **DETAILED COURSE DESCRIPTION AND LEARNING OBJECTIVES**

Throughout the term, we will engage with various, often-contentious, issues related to the state's efforts to control the use of substances identified (by the state) as 'illicit' among the population. In furtherance of our deliberations, one of the purposes of this course is to encourage students to question common discourses around drug use, prevention and treatment methods, and the criminal prohibition of certain consciousness-altering substances in society. In this vein, students are challenged to think critically about historical, existing, and potential drug regulation regimens in Canadian and international contexts. Our weekly seminar-based discussions will encompass not only legal, but also social, cultural, political, and economic perspectives related to the legislative control of drugs. Throughout the course we will consider: the philosophy/rationale of criminal law vis-à-vis the proscribing, by the state, of specific (selective or arbitrary) conduct within society; the prohibition of 'illicit' drugs via the criminal law; other existing and/or potential regulatory regimens; supply-side interdiction (law enforcement) and drug control; today's opioid overdose epidemic; the 'war on drugs'; drug treatment courts; harm reduction and other approaches to drug use/abuse outside a criminal prohibition model; and recent initiatives throughout Western democracies to legalize cannabis, not only for medical applications, but also for recreational purposes.

This course will follow a seminar format and our sessions will be structured around discussion of each week's assigned readings. This course is organized on the assumption that learning results from a continuing process of rational discourse, the free exchange of different ideas and perspectives, and the application of critical thinking. Students are expected: 1) to attend each online seminar; 2) to have completed the weekly required readings, to have prepared notes, and to have formulated questions emerging from the student's deliberations on each of the required readings (to facilitate dialogue among the group); and 3) to be prepared to consider, inquire, and engage with issues/arguments emerging from the readings and the observations of your colleagues and the instructor. This course is reading intensive, with the expectation that students will closely read and understand approximately 75 pages of scholarly material (on average) in advance of each week's online session. The readings have been chosen, with much deliberation, to intellectually challenge and stimulate.

This course is a real-time (synchronous) online seminar where the instructor and students meet via web conferencing tools, on a scheduled day and at a specific time each week. Instructors and students share information, ideas, and learning experiences in a virtual course environment. Participation in synchronous courses requires students to have reliable, high-speed internet access, a computer (ideally with a webcam), and a headset with a microphone. The time zone that will be used for the purposes of all assignment submissions, synchronous class activities, and so on, will be Eastern Standard Time (EST). If you are not in this time zone, you should make the appropriate adjustments to the times specified in this course outline.

### **REQUIRED TEXTS**

There are no textbooks required for this course. All course readings will be available electronically (through the library's online journal database, Google Scholar, cuLearn, and/or ARES). Please note that, although unlikely, additional readings may be added, or some readings may be removed, at the discretion of the instructor. Please refer to cuLearn regularly as readings and topics may change.

Students choosing the book option for their midterm assignment (more information is presented in the following section of this course outline) will require a copy of the following, which is widely available:

Hart, Carl (2014) *High Price: A Neuroscientist's Journey of Self-Discovery That Challenges Everything You Know About Drugs and Society*. New York: Harper Collins.

### **EVALUATION**

Standing in a course is determined by the course instructor subject to the approval of the department and 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 department and the dean.

<b>REQUIREMENT</b>	<b>% OF FINAL GRADE</b>	<b>DUE DATE</b>
Attendance & Participation	25%	assessed throughout the term
Midterm Assignment	25%	March 2, 2022
Take-Home Proposal & Proposal Presentation	10%	March 22, 2022 (Proposal) March 23 & March 30, 2022 (Presentation)
Take-Home Examination	40%	April 28, 2022

In alignment with expectations for a fourth-year course in law and legal studies, please note that spelling, grammar, structure (organization), and comprehensibility (clarity) will be assessed and will account for 20% of the midterm assignment and the final take-home examination mark.

### **1. Attendance & Participation (25%)**

This online synchronous course will be highly interactive and consists of co-produced learning (involving collaboration between instructor and students) through a series of seminars. Therefore, students must attend all seminar sessions. Just attending our sessions is not considered participation. Collegial discussion is essential to the development and articulation of ideas, and, in this regard, our seminars in sessions 2 through 9 (inclusive) will focus, each week, on the examination of a specific topic within the context of assigned readings and related issues that emerge during our deliberations on those readings.

These discussions will be directed by student facilitators and the instructor. Each student will contribute to at least one presentation on a required reading and chair the discussion of that article/chapter during the corresponding online seminar session. To facilitate these presentations, a virtual sign-up sheet will be completed during our first session on January 12, 2022. The discussants will provide an overview of the reading, highlight particularly important points, and introduce, and then facilitate, discussion on issues, as they see them, that arise from the article/chapter. The discussants are encouraged (but not required) to introduce one other scholarly source of information, of their choice, into our deliberations on the assigned reading. To assist with our discussions, the discussants will come to the seminar prepared with discussion questions (perhaps 3 to 5) pertaining to their assigned reading. Please understand that presentations can take on your own personality, so feel free to be creative! For example, bringing in popular media pieces, Kahoot! (or other) audience participation quizzes, or multimedia sources for illustration (*i.e.* video footage) ...whatever you think will compliment your presentation on, and interpretation of, the topic and stimulate discussion among your colleagues.

Other online class meetings (in sessions 10 and 11) will focus on 'peer-review', in which students discuss and provide each other with feedback on, and suggestions for, the direction of the take-home examination (see the following section on the take-home examination proposal).

The evaluation of class participation is based on the student's participation in, and fostering of, discussion during sessions 2 through 11 (inclusive) and demonstration of a solid understanding of the assigned materials. Like writing, it is often hard work, requiring preparation and commitment. Students are expected to arrive at each seminar having completed the reading requirements and ready to actively engage in the discussion. Attendance and participation represent 25% of the overall course mark.

### **2. Midterm Assignment (25%)**

Students will prepare a paper that presents their observations on, and thoughts in relation to, the contemporary 'War on Drugs' – in the context of either the popular HBO television production *The Wire* (season 1) or Dr. Carl Hart's widely-acclaimed book. Further information will be communicated on specific requirements for this paper, well in advance of the due date.

**Length:** 8 to 10 pages (double-spaced, standard formatting)

**Citation Style:** flexible (APA, ASA, Harvard, MLA, Chicago, McGill)

**References Required:** none outside of the video or book option chosen by the student

This midterm assignment is due by no later than 4:00PM on **March 2, 2022**. This component will be graded at 25% of the overall course mark.

Video option:

Kostroff-Noble, Nina et al. (2008) *The Wire: Season 1*. New York: HBO Video.

Book option:

Hart, Carl (2014) *High Price: A Neuroscientist's Journey of Self-Discovery That Challenges Everything You Know About Drugs and Society*. New York: Harper Collins.

**Late Penalty Policy:**

Subject to the granting of an extension by the instructor, any midterm assignment or take-home examination proposal (see below), turned in after the specified due date, will be penalized one grade point per day. For example, an otherwise A- midterm assignment submitted at 9:00AM on March 3, 2022 will be assigned a B+ grade. This is not done to be punitive, but rather to be fair to all students in the course and to encourage students to develop good time management skills and be proactive in preparing for the take-home examination.

**3. Proposal/Bibliography (10%)**

Students will prepare a take-home examination proposal that describes how they plan to approach the take-home examination (3 to 5 pages) and that presents at least 8 scholarly sources of support for their approach (1 or 2 pages, annotated or otherwise). This proposal is due by no later than 4:00PM on March 22, 2022. This proposal will be graded at 5% of the overall course mark. The second 5% of the overall course mark in this evaluation component will be allocated in relation to the quality of the student's presentation on their take-home examination proposal. Students' proposals are to be presented online on either **March 23, 2022** or **March 30, 2022** – dates will be chosen (and/or assigned) in our session on March 16, 2022.

**4. Take-Home Examination (40%)**

To promote further consideration of ideas developed throughout this course and to provide the opportunity for additional higher-order learning in the context of individual interests, a take-home examination will require students to engage with one particular topic (of their choosing), which we have reflected on throughout the course.

**Length:** 16 to 20 pages (double-spaced, standard formatting)

**Citation Style:** flexible (APA, ASA, Harvard, MLA, Chicago, McGill)

**References Required:** a minimum of ten (10) peer-reviewed scholarly journal articles and/or book chapters

Further information on producing an effective take-home examination will be communicated throughout the term and a detailed rubric explaining how the take-home examination will be graded will be posted in our course Brightspace site in the second week of the course. For now, students should understand that the key to doing well on this examination is to present a thorough and well-reasoned analysis of the topic, which you support with contributions from scholars in the field. You are not expected to conduct original empirical research as we do not have the time or resources to administer questionnaires, empanel focus groups, make applications to the Ethics Review Board to conduct interviews, etc. Rather, you are to engage with a particular topic (of your choosing but emerging from one of the seminar sessions in this course) and to present an in-depth and insightful examination of that topic. This component will be graded at 40% of the overall course mark.

The final take-home examination is due by no later than 4:00PM on April 28, 2022. Please familiarize yourself with the university's policy on extensions for take-home examination (see below), as the instructor has no authority over such matters.

**Extensions and the Final Take-Home Examination:**

Pursuant to university regulations (4.3.2 Deferred Final Examinations), students who are unable to write a final examination because of illness or other circumstances beyond their control may apply to write a deferred examination. The student must apply for the deferral through the Registrar's Office.

The application for deferred examination must be made in writing to the Registrar's Office no later than three working days after the original final examination or the due date of the take-home examination; and be fully supported in cases of illness by a medical certificate or by appropriate documents in other cases.

Medical documents must specify the date of the onset of the illness, the (expected) date of recovery, and the extent to which the student was/is incapacitated during the time of the examination.

Deferred final examinations are available only to students who have performed satisfactorily in the course according to the evaluation scheme established in the course outline.

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## **UNIVERSITY AND DEPARTMENTAL POLICIES**

### **Plagiarism:**

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism 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, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>.

### **Department policy:**

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations: <https://carleton.ca/law/student-experience-resources/>.

### **Covid-19 prevention measures:**

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g., wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and mandatory self-screening prior to coming to campus daily. If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory symptom reporting tool. For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the COVID-19 website.

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g., directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the University's COVID-19 webpage and review the Frequently Asked Questions (FAQs). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca).

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the Student Rights and Responsibilities Policy. Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

### **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.

**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](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 will 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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

**For more information on academic accommodation, please contact the departmental administrator or visit:** <https://students.carleton.ca/services/accommodation/>

**SCHEDULE**

<b>Winter 2022 Sessional Dates and University Closures</b>	
<i>Please find a full list of important academic dates on the calendar website: <a href="https://calendar.carleton.ca/academicyear/">https://calendar.carleton.ca/academicyear/</a></i>	
<b>January 5, 2022</b>	University Reopens.
<b>January 10, 2022</b>	Winter term classes begin.
<b>January 31, 2022</b>	Last day for withdrawal from winter term and winter portion of fall/winter courses with full fee adjustment. Withdrawals after this date will result in a permanent notation of WDN on the official transcript.
<b>February 18, 2022</b>	April examination schedule available online.
<b>February 21, 2022</b>	Statutory holiday. University closed.
<b>February 22-25, 2022</b>	Winter break, no classes.
<b>March 29, 2022</b>	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade before the official examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
<b>April 12, 2022</b>	Winter Term Ends. Last day of fall/winter and winter term classes.
<b>April 13, 2022</b>	No classes or examinations take place.
<b>April 14- 28, 2022</b>	Final examinations in winter term and fall/winter courses may be held. Examinations are normally held all seven days of the week.
<b>April 15, 2022</b>	Statutory holiday. University closed.
<b>April 28, 2022</b>	<b>All take home examinations are due</b> on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.

**Seminar Schedule:**

Session 1 will present an introduction to the course (including reviewing the expectations and evaluation criteria), the instructor, and seminar participants. Please access the one assigned reading for Session 1 (available in our course Brightspace site) and read it over prior to class. Each week thereafter, we will consider a different topic in seeking to arrive at a better understanding of various contemporary issues in relation to drugs, the user, and the state. Sessions 10 and 11 will be dedicated to in-class (online) presentation of, and discussion toward improving, each student's take-home examination. During Session 12, the instructor will facilitate a writing skills seminar, which presents the opportunity for students to further improve on drafts of their final take-home examination.

Please understand that, although unlikely, the schedule may be subject to change at the discretion of the instructor. Similarly, the instructor reserves the right to add, subtract, and/or substitute assigned readings.

Students will be consulted before any such proposed changes in course readings. Please be aware that we may be joined in some sessions by guest discussants, who have particular expertise in the issue we are considering that week.

### **January 12, 2022 (session 1) Introduction**

#### **Required Reading:**

(1) Oscapella, E. (2001) *Witch Hunts and Chemical McCarthyism: The Criminal Law and Twentieth Century Canadian Drug Policy*. Vancouver, BC: The Fraser Institute.

### **January 19, 2022 (session 2) The rationale of criminal law**

#### **Required Readings:**

(1) Mill, J.S. (1859/2001) Of the limits to the authority of society over the individual. *On Liberty*: 69-86. Kitchener, ON: Batoche Books.

(2) Mill, J.S. (1859/2001) Applications. *On Liberty*: 86-106. Kitchener, ON: Batoche Books.

(3) Beauchesne, L. (2011) Setting public policy on drugs: A choice of social values. In (Montigny, E., ed.) *The Real Dope: Social, Legal and Historical Perspective on the Regulation of Drugs in Canada*: 25-58. Toronto, ON: University of Toronto Press.

#### **Further (Optional) Readings:**

Duff, R. (1998) *Philosophy and the Criminal Law: Principle and Critique*. New York: Cambridge University Press.

Stuntz, W. (2001) The pathological politics of criminal law. *Michigan Law Review*, 100(3): 505-600.

Husak, D. (2004) Crimes outside the core. *Tulsa Law Review*, 39(4): 755-780.

### **January 26, 2022 (session 3) Drug prohibition versus other regulatory regimens**

#### **Required Readings:**

(1) Montigny, E. (2011) Introduction. In (Montigny, E., ed.) *The Real Dope: Social, Legal and Historical Perspective on the Regulation of Drugs in Canada*: 3-24. Toronto, ON: University of Toronto Press.

(2) de Marneffe, P. (2005) Against drug legalization. In (Husak, D. & de Marneffe, P., eds.) *The Legalization of Drugs*: 107-198. New York: Cambridge University Press.

(3) Husak, D. (2005) For drug legalization. In (Husak, D. & de Marneffe, P., eds.) *The Legalization of Drugs*: 1-105. New York: Cambridge University Press.

#### **Further (Optional) Readings:**

Global Commission on Drug Policy (2011) *War on Drugs: Report of the Global Commission on Drug Policy*. Geneva, Switzerland: Global Commission on Drug Policy.

Husak, D. (2002) *Legalize This! The Case for Decriminalizing Drugs*. New York: Verso.

Husak, D., Sher, G., de Marneffe, P. & Shapiro, D. (2003) Drug Legalization. *Criminal Justice Ethics*, 22(1): 21-49.

### **February 2, 2022 (session 4) Supply-side interdiction: Law enforcement and 'illicit drugs'**

#### **Required Readings:**

(1) *Controlled Drugs and Substances Act*, SC 1996, C. 19.



(2) Lynch, O. & Roussell, V. (2013) Policing the 'progressive' city: The racialized geography of drug law enforcement. *Theoretical Criminology*, 17(3): 335-357.

(3) Martin, J., Munksgaard, R., Coomber, R., Demant, J. & Barratt, M. (2019) Selling drugs on dark web crypto markets: Differentiated pathways, risks and rewards. *British Journal of Criminology*. DOI:10.1093/bjc/azz075.

**Further (Optional) Readings:**

Lichtenburg, I. (2006) Driving while Black (DWB): Examining race as a tool in the war on drugs. *Police Practice & Research*, 7(1) 49-60.

Stokes, L. (2007) Legislative and court decisions that promulgated racial profiling: A sociohistorical perspective. *Journal of Contemporary Criminal Justice*, 23(3): 263-275.

Stoud, M. (2014) The Minority Report: Chicago's new police computer predicts crimes, but is it racist? Chicago police say its computers can tell who will be a violent criminal, but critics say it's nothing more than racial profiling. *The Verge*. 19 February. [Online] <https://www.theverge.com/2014/2/19/5419854/the-minority-report-this-computer-predicts-crime-but-is-it-racist>.

Thomsen, F. (2011) The art of the unseen: Three challenges for racial profiling. *Journal of Ethics*, 15(1): 89-117.

Bacon, M. (2016) Maintaining order in the drug game: Applying harm reduction principles to drug detective work. *Police Practice & Research*, 17(4): 306-316.

Coomber, R., Moyle, L. & Mahoney, M. (2019) Symbolic policing: Situating targeted police operations/'crackdowns' on street-level drug markets. *Policing & Society*, 29(1): 1-17.

**February 9, 2022 (session 5) The 'War on Drugs'**

**Required Readings:**

(1) Cutcliffe, J. & Saadeh, B. (2014) Grounded in evidence or puritanical legacy: A critique of twenty-first-century US drug policy. *Mental Health & Substance Use*, 7(3): 195-206.

(2) Whiteacre, K. & Pepinski, H. (2002) Controlling drug use. *Criminal Justice Policy Review*, 13(1): 21-31.

(3) Jensen, E. et al. (2004) Social consequences of the war on drugs: The legacy of a failed policy. *Criminal Justice Policy Review*, 15(1): 100-121.

(4) Mitchell, O. (2009) Ineffectiveness, financial waste and unfairness: The legacy of the war on drugs. *Journal of Crime & Justice*, 32(2): 1-19.

**Further (Optional) Readings:**

Moore, D. & Haggerty, K. (2001) Bring it on home: The relocation of the war on drugs. *Social & Legal Studies*, 10(3): 377-395.

Linnemann, T. & Kurtz, D. (2014) Beyond the ghetto: Police power, methamphetamine and the rural war on drugs. *Critical Criminology*, 22(3): 339-355.

Khenti, A. (2014) The Canadian war on drugs: Structural violence and unequal treatment of Black Canadians. *International Journal of Drug Policy*, 25(2):190-195.

Boyd, G. (2001) The drug war is the new Jim Crow. *NACLA Report on the Americas*. [Online] <https://www.aclu.org/other/drug-war-new-jim-crow>.

Cardoso, F. (2009) The War on Drugs has failed. Now we need a more humane strategy. *The Guardian*. 6 September. [Online] <https://www.theguardian.com/commentisfree/2009/sep/06/cardoso-war-on-drugs>.

Kastrenakes, J. (2014) Nobel Prize economists call for end to war on drugs. *The Verge*. 7 May. [Online] <https://www.theverge.com/2014/5/7/5690428/nobel-prize-winning-economists-call-for-end-to-war-on-drugs>.

Scott, P. (2011) Obama and Afghanistan: America's corrupted drug war. *Critical Asian Studies*, 43(1): 111-138.

Cummings, A. (2012) All eyes on me: America's war on drugs and the prison-industrial complex. *Journal of Gender, Race & Justice*, 15(2/3): 417-448.

Bourgeois, P. (2003) Crack and the political economy of social suffering. *Addiction & Research Theory*, 11(1): 31-37.

Robinson, M. & Scherlen, R. (2007) *Lies, Damned Lies and Drug War Statistics: A Critical Analysis of Claims Made by the Office of National Drug Control Policy*. New York: State University of New York Press.

### **February 16, 2022 (session 6) The opioid overdose epidemic**

#### **Required Readings:**

(1) Boyd, S. (2020) Heroin and the illegal drug overdose death epidemic: A history of missed opportunities and resistance. *International Journal of Drug Policy*. DOI:10.1016/j.drugpo.2020.102938.

(2) Taha, S., Maloney-Hall, B. & Buxton, J. (2019) Lessons learned from the opioid crisis across the pillars of the Canadian drugs and substances strategy. *Substance Abuse, Treatment & Prevention Policy*, 14(1): n/a.

(3) Minhee, C. & Calandrillo, S. (2019) The cure for America's opioid crisis: End the war on drugs. *Harvard Journal of Law & Public Policy*, 42(2): 547-624.

#### **Further (Optional) Readings:**

Zierk, K. (2019) The real antidote: A critical review of US and Canadian drug treatment courts and a call for public health prevention tools as a solution to the opioid epidemic. *Indiana International & Comparative Law Review*, 29(1): 185-217.

Babu, K., Brent, J. & Juurlink, D. (2019) Prevention of opioid overdose. *New England Journal of Medicine*, 380(23): 2246-2255.

Sade, R. (2020) Opioid controversies: The crisis – causes and solutions. *The Journal of Law, Medicine & Ethics*, 48(2): 238-240.

Cantu, R., Fields-Johnson, D. & Savannah, S. (2020) Applying a social determinants of health approach to the opioid epidemic. *Health Promotion Practice*. DOI:10.1177/1524839920943207.

Bowers, J. & Abrahamson, D. (2019) Kicking the habit: The opioid crisis – America's addiction to punitive prohibition and the promise of free heroin. *Ohio State Law Journal*, 80(4):787-824.

Larkin, P. & Madras, B. (2019) Opioids, overdoses, and cannabis: Is marijuana an effective therapeutic response to the opioid abuse epidemic. *Georgetown Journal of Law & Public Policy*, 17(2): 555-598.

### **February 23, 2022 No seminar – winter term reading week**

**March 2, 2022 (session 7) Drug treatment courts****Required Readings:**

- (1) Fischer, B. (2003) Doing good with a vengeance: A critical assessment of the practices, effects and implications of drug treatment courts in North America. *Criminal Justice*, 3(3): 227-248.
- (2) Moore, D. (2011) The benevolent watch: Therapeutic surveillance in drug treatment court. *Theoretical Criminology*, 15(3): 255-268.
- (3) Tiger, R. (2011) Drug courts and the logic of coerced treatment. *Sociological Forum*, 26(1): 169-182.

**Further (Optional) Readings:**

Fischer, B., Roberts, J. & Kirst, M. (2002) Compulsory drug treatment in Canada: Historical origins and recent developments. *European Addiction Research*, 8(2): 61-68.

Christie, T. & Anderson, J. (2003) Drug treatment courts are popular but do they work and are they ethical and appropriate for Canada? *Health Law in Canada*, 23(4): 70-79.

Chiodo, A. (2002) Sentencing drug-addicted offenders and the Toronto Drug Treatment Court. *Criminal Law Quarterly*, 45(1/2): 53-100.

Moore, D. (2011) "Spatio-therapeutics: Drug treatment courts and urban space. *Social & Legal Studies*, 20(2): 157-172.

Fulkerson, A. (2009) The drug treatment court as a form of restorative justice. *Contemporary Justice Review*, 12(3): 253-267.

Allard, P. et al. (2011) *Impaired Judgement: Assessing the Appropriateness of Drug Treatment Courts as a Response to Drug Use in Canada*. Toronto, ON: Canadian HIV/AIDS Legal Network.

Lyons, T. (2013) Judges as therapists and therapists as judges: The collision of judicial and therapeutic roles in drug treatment courts. *Contemporary Justice Review*, 16(4): 412-424.

Weinrath, M. et al. (2018) Accessing drug treatment court: Do age, race or gender matter? *Australian & New Zealand Journal of Criminology*, 51(4): 619-637.

Stevens, A. (2012) The ethics and effectiveness of coerced treatment of people who use drugs. *Human Rights & Drugs*, 2(1): 7-15.

Somers, J. et al. (2012) Drug Treatment Court of Vancouver: An empirical evaluation of recidivism. *International Journal of Drug Policy*, 23(5):393-400.

Tiger, R. (2013) *Judging Addicts: Drug Courts and Coercion in the Justice System*. New York: New York University Press.

Moore, D. (2011) Considering the revolving door: The inevitability of addiction treatment in the criminal justice system. (Montigny, E., ed.) *The Real Dope: Social, Legal and Historical Perspective on the Regulation of Drugs in Canada*: 242-263. Toronto, ON: University of Toronto Press.

**March 9, 2022 (session 8) Harm-reduction approaches and other strategies addressing drug use outside the model of criminal prohibition****Required Readings:**

- (1) Greenfield, V. & Paoli, L. (2012) If supply-oriented drug policy is broken, can harm reduction help fix it? Melding disciplines and methods to advance international drug control policy. *International Journal of Drug Policy*, 23(1): 6-15.

(2) Fafard, P. (2012) Public health understandings of policy and power: Lessons from Insite. *Journal of Urban Health: Bulletin of the New York Academy of Medicine*, 89(6): 905-912.

(3) Hyshka, E. et al. (2010) Prospects for scaling up supervised safe-injection facilities in Canada: The role of evidence in legal and political decision-making. *Addiction Policy Case Studies*, 108(3): 468-476.

**Further (Optional) Readings:**

Hathaway, A. & Tousaw, K. (2008) Harm reduction headway and continuing resistance: Insights from safe injection in the City of Vancouver. *International Journal of Drug Policy*, 19(1): 11-16

**March 16, 2022 (session 9) The legalization of marihuana (cannabis) and other ‘illicit’ substances**

**Required Readings:**

(1) Maier, S., Mannes, S. & Koppenhofer, E. (2017) The implications of marijuana decriminalization and legalization on crime in the United States. *Contemporary Drug Problems*, 44(2): 125-146.

(2) Task Force on Cannabis Legalization and Regulation (2016) *A Framework for the Legalization and Regulation of Cannabis in Canada: Final Report*. Ottawa: Government of Canada.

(3) Hughes, C. & Stevens, A. (2010) What can we learn from the Portuguese decriminalization of illicit drugs? *British Journal of Criminology*, 50(6): 999-1022.

(4) Global Commission on Drug Policy (2018) *Regulation: The Responsible Control of Drugs*. Geneva, Switzerland: Global Commission on Drug Policy.

**Further (Optional) Readings:**

Jones, J. & Jones, K. (2018) The impact of the legalization of recreational marihuana on college students. *Addictive Behaviors*, 77: 255-259.

Bretteville-Jensen, A. (2006) To legalize or not to legalize? Economic approaches to the decriminalization of drugs. *Substance Use and Misuse*, 41(4): 555-565.

Kalant, H. (2016) A critique of cannabis legalization proposals in Canada. *International Journal of Drug Policy*, 34: 5-10.

Laqueur, H. (2015) Uses and abuses of drug decriminalization in Portugal. *Law & Social Inquiry*, 40(3): 746-781.

**March 23, 2022 (session 10) Student presentations on take-home examination topic**

**Required Readings:** none assigned

**March 30, 2022 (session 11) Student presentations on take-home examination topic**

**Required Readings:** none assigned

**April 6, 2022 (session 12) Writing seminar, discussion (open forum), course wrap-up**

**Required Readings:** none assigned

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### **SEMINAR ETIQUETTE**

All students are expected to contribute towards an engaging, inclusive, and safe learning environment. During all class-related activities, students are expected to engage in respectful and courteous communication. We may disagree on certain issues; however, we must keep an open mind and consider the differing opinions and points of view of our colleagues. Focus on the issue/argument and not the person. In accordance with the [Student Rights and Responsibilities Policy](#), discrimination and/or harassment will not be tolerated. It is a violation of course policy to cut and paste, screen shot, share course content, or post the words of your classmates, TA, or Instructor outside of class without permission.

### **ADDITIONAL STUDENT SUPPORT**

The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at [carleton.ca/csas](http://carleton.ca/csas).