
COURSE:	LAWS 4305A – Criminal Justice Reform
TERM:	Fall 2022
PREREQUISITES:	LAWS 2908, CRCJ 3001, or CRCJ 3002 + LAWS 2301 and LAWS 2302 + fourth-year honours standing
LOGISTICS:	We meet each Wednesday (September 7, 2022 to December 7, 2022) from approximately 6:05PM to 8:55PM in Tory 204
INSTRUCTOR:	Gregory R. (Greg) Brown, PhD
OFFICE HOURS:	Throughout the term, I will be holding office hours, by appointment, either in person or using video conferencing platforms.
CONTACT INFORMATION:	gregoryr.brown@carleton.ca 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 online office hours.

CALENDAR COURSE DESCRIPTION

Social transformation and criminal justice reform. Theoretical and practical reasons for the use of criminal law as an instrument of social control. Specific reform initiatives and processes. Alternate responses to social problems.

DETAILED COURSE DESCRIPTION AND LEARNING OBJECTIVES

The terminology, and various ideas/initiatives to advance ‘criminal justice reform’ mean different things to different people. For each of us, our thoughts about reform within the criminal justice system (encompassing the law, policing, courts, and corrections) inextricably implicate our individual subjectivities (our lived experiences, our ontological and epistemological understandings, our worldview, etc.). For example, for some people, criminal justice reform means abolishing the state’s correctional system, while, for others, it means the reintroduction of capital punishment. Throughout this course, we will engage with various (often-contentious and/or contested) issues/considerations related to today’s criminal justice, and ideas about potential transformative changes within the criminal justice systems of contemporary western democracies. As much as possible, our focus will be on the Canadian context. Our weekly seminar-based discussions will encompass not only legal, but also social, cultural, political, technological, and economic perspectives related to criminal justice reform. Throughout the course we will consider, at least as starting points, the following topics: the rationale of criminal law; the prohibition of ‘illicit’ drugs via the criminal law; the ‘war on drugs’; a more equitable criminal court system; questionable/problematic police investigative tactics; transforming police occupational culture; police use of force; and penal abolition/defunding policing.

This course will follow a seminar format and our sessions will be structured around discussion of each week's assigned readings. These will be facilitated by students, the instructor, and, on occasion, invited guests (with particular expertise in the topic). 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 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. Given exigent circumstances that can occur throughout a four-month term (e.g., a shift to online learning in the event of a change in COVID-19 policy) students should be prepared to have reliable, high-speed internet access; a computer (ideally with a webcam); and a headset with a microphone.

In terms of broad aims, this course will enable students to further develop their intellectual 'toolbox' and analytical skills (such as advancing their critical thinking) as they develop more comprehensive understandings of contemporary issues related to criminal justice and potential reforms. Through the learning process in this course, students will reflect on their own ideas, and consider perspectives advanced by others, in exploring, analyzing, assessing, and challenging assumptions, observations, and ideas related to some of today's most important developments, policies, issues, controversies, problems, and debates in the area of criminal justice reform.

In relation to specific learning objectives, students who successfully complete, and perform well in, this course, will have:

- Engaged with, and considered, information on the contemporary criminal justice system, and/or reform ideas, from various sources and from a variety of perspectives;
- Critically examined contemporary issues of criminal justice reform with a particular focus on the Canadian context;
- Become more proficient in applying critical thinking in general;
- Understood complexities (as elaborated in our weekly discussions) in relation to our laws, policing, courts, and the correctional system
- Developed advanced skills in reading academic texts and recording useful notes to allow for meaningful contributions to discussions;
- Analyzed, assessed, and synthesized information from assigned readings, seminar discussions, and independent work;
- Worked independently to develop a more comprehensive understanding of one of the specific topics explored in the course

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, ARES, and/or directly from the instructor). 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 our course Brightspace site regularly, as readings and topics may change.

EVALUATION

REQUIREMENT	% OF FINAL GRADE	DUE DATE
Attendance & Participation	15%	assessed throughout the term
Midterm Assignment	25%	November 2, 2022
Take-Home Exam Proposal & Proposal Presentation	10%	November 22, 2022 (Proposal) November 23 & November 30, 2022 (Presentation)
Take-Home Examination	50%	December 22, 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.

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.

1. Attendance & Participation (15%)

This course will be highly interactive and will involve co-produced learning (collaboration between instructor and students) through a series of seminars. Therefore, students must attend all seminar sessions throughout the term (in the event of a shift to off-campus course delivery during the term, students will be expected to be prepared to, and must, attend all online sessions). Just attending our sessions is not considered participation. Collegial discussion is essential to critical thinking and to the development, articulation, and free exchange of ideas, and, in this regard, our seminars in sessions 2 through 10 (except for session 7) will focus, each week, on the examination of a specific topic within the context of assigned readings and related issues/perspectives/proposals that emerge during our deliberations on those readings.

These weekly discussions will be directed by student facilitators and the instructor. Each student registered in the course will contribute to at least one presentation and, in this regard, a sign-up sheet will be completed during our first session on September 7, 2022. The student team leading the week's discussion will provide an overview of the session's assigned readings, highlight particularly important points, and introduce, and then facilitate, discussion on issues, as they see them, that arise from the assigned readings. The discussants are required to introduce one other scholarly source of information, of their choice, into our deliberations on the session's central theme (please provide the instructor with a PDF copy of the chosen additional reading – by email – at least 24 hours prior to the beginning of that week's seminar). To assist with our discussions, the discussant team will come to the seminar prepared with three to five insightful (perhaps provocative) discussion questions pertaining to the assigned topic. 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 class meetings (in sessions 11 and 12) will focus on 'peer-review', in which students, and the instructor, discuss and provide feedback on, and suggestions for, the direction of each student's 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 12 (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 15% of the overall course mark.

2. Midterm Assignment (25%)

Students will prepare a scholarly paper that presents their observations on, and thoughts in relation to, criminal justice reform, vis-à-vis currently prohibited/restricted (through the application of criminal laws) consciousness altering substances (aka ‘illicit drugs’) in the Canadian context. Further information will be communicated on specific requirements for this midterm paper, well in advance of the due date. A detailed rubric explaining how the midterm assignment will be graded will be posted in our course Brightspace site in the second week of the course and, in session 7 (on October 19, 2022), the instructor will present an academic writing seminar, to assist students as they prepare their papers, and students will have the opportunity to individually discuss their midterm paper ideas (to benefit from some ‘peer review’ and feedback from their colleagues and the instructor).

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

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

References Required: a minimum of five (5) peer-reviewed scholarly journal articles and/or book chapters

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

Extensions/Late Penalty Policy:

Subject to the granting of an extension by the instructor (see below), 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 November 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.

The granting of extensions is determined by the instructor, who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

3. Take-Home Exam Proposal/Bibliography (10%)

Students will prepare a take-home examination proposal that describes how they plan to approach the take-home examination (2 to 3 pages) and that presents at least 5 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 **November 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 on either **November 23, 2022** or **November 30, 2022** – dates will be chosen (and/or assigned) in our session on November 16, 2022.

4. Take-Home Examination (50%)

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 criminal justice reform topic – of their choosing.

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 and to advance a persuasive argument, 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 criminal justice reform topic and submit an in-depth and insightful scholarly paper. Broadly, the question this take-home examination will address is as follows: *What is the most important criminal justice reform consideration in 2022 Canada and how would you implement transformations to address this significant issue?* This component will be graded at 50% of the overall course mark.

The final take-home examination is due by no later than 4:00PM on **December 22, 2022** (uploaded online into our course Brightspace site). 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.

University and Departmental Policies

DEPARTMENT POLICIES AND REGULATIONS

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements:

<https://carleton.ca/law/student-experience-resources/>.

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/>.

INTELLECTUAL PROPERTY AND COPYRIGHT

The materials used in this course are designed for use as part of this LAWS 4305A course at Carleton University, throughout the fall 2022 term, and are the intellectual property of the instructor. Unless a users' right in Canada's *Copyright Act* covers the particular use, you may not record, copy, publish, post on an Internet site, sell, or otherwise distribute this course's content without the Instructor's express permission. In other words, unauthorized student recording of classroom (live or online) or other academic activities (including online advising sessions or online office hours) is prohibited. Unauthorized recording is unethical and may also be a violation of university policy. Students requesting the use of assistive technology as an accommodation should contact the Paul Menton Centre. Under the University's [Copyright Policy](#), faculty own the copyright to instructional materials – including those resources created specifically for the purposes of instruction, such as lectures slides, lecture notes, and presentations. Students cannot copy, reproduce, display, or distribute these materials or otherwise circulate these materials without the instructor's written permission. Students who engage in unauthorized recording, unauthorized use of a recording, or unauthorized distribution of instructional materials will be referred to the appropriate University office for follow-up.

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 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. Please contact your instructor 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 visit: <https://students.carleton.ca/services/accommodation/>.

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

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.

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.

COVID Update

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are [a number of actions you can take](#) to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

Feeling sick? Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you must follow Carleton's [symptom reporting protocols](#).

Masks: Carleton has paused the [COVID-19 Mask Policy](#), but continues to strongly recommend masking when indoors, particularly if physical distancing cannot be maintained. It may become necessary to quickly reinstate the mask requirement if pandemic circumstances were to change.

Vaccines: Further, while proof of vaccination is no longer required as of May 1 to attend campus or in-person activity, it may become necessary for the University to bring back proof of vaccination requirements on short notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible, and submit their booster dose information in [cuScreen](#) as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the [University's COVID-19 website](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca.

SCHEDULE

Fall 2022 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/</i>	
September 7, 2022	Fall term begins.
September 20, 2022	Last day for registration and course changes (including auditing) in fall and fall/winter courses.
October 10, 2022	Statutory holiday. University closed.
October 24-28, 2022	Fall break, no classes.
November 25, 2022	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in fall term or fall/winter undergraduate courses, before the official December final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
December 9, 2022	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule (fall and fall/winter courses only).
	Last day for final take-home examinations to be assigned, 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. Last day for handing in term work and the last day that can be specified by a course instructor as a due date for term work for full and late fall courses.
December 10-22, 2022	Final examinations in fall courses and mid-term examinations in fall/winter courses will be held.

Seminar Schedule:

Session 1 will present an introduction to the course (including reviewing the expectations and evaluation criteria), the instructor, and seminar participants. Each week thereafter, we will consider a different topic in seeking to arrive at a better understanding of various contemporary issues in relation to the reform of the criminal justice system. Sessions 11 and 12 will be dedicated to the presentation of, and discussion toward improving, each student's take-home examination preliminary ideas. During Session 13, the instructor will facilitate an academic writing skills refresher and will address students' questions/

discussions about the final take-home examination, which presents the opportunity for students to further improve on drafts of their final take-home examination (and to further progress in the learning process).

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.

Please appreciate that criminal justice reform, as a topic for a fourth-year university seminar in law/legal studies, could cover a lot of ground. However, the academic term has only so many weeks available and, therefore, in designing this course, the instructor has (admittedly subjectively) chosen topics that represent just some of the potential important issues that could be considered. This, in no way, diminishes the significance of other problematic areas that could be explored in such a course. Some of these important issues, in fact, are undoubtedly addressed within other courses offered at Carleton University (e.g., LAWS 4504 – Indigenous Criminal Justice; LAWS 4306 – Wrongful Convictions; LAWS 4802 – Criminal Jury Trials; LAWS 4306 – Gladue in the Criminal Process; etc.).

September 7, 2022 (session 1) Course introduction

Required readings:

(1) course outline (posted in our course Brightspace site)

September 14, 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) Shiner, R.A. (2009) Theorizing criminal law reform. *Criminal Law & Philosophy*, 3(2): 167-186.

Suggested optional readings:

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

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.

Justice Canada (2019) Final Report: On the Review of Canada's Criminal Justice System. [Online] <https://www.justice.gc.ca/eng/cj-jp/tcjs-tsjp/fr-rf/docs/fr.pdf>.

Akbar, A. (2018) Toward a radical imagination of law. *New York University Law Review*, 93(3): 405-479.

September 21, 2022 (session 3) Drug prohibition/regulation via the criminal law

Required readings:

(1) 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.

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

Suggested optional readings:

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: University of Toronto Press.

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.

Canadian Association of Chiefs of Police (2020) *Decriminalization for simple possession of illicit drugs: Exploring impacts on public safety & policing*. [Online] https://www.cacp.ca/index.html?asst_id=2189.

Canadian Association of Chiefs of Police (2021) Decriminalization of illicit drugs. [Online] https://cacp.ca/index.html?asst_id=2467.

Government of Canada (2022) *B.C. receives exemption to decriminalize possession of some illegal drugs for personal use*. [Online] <https://www.canada.ca/en/health-canada/news/2022/05/bc-receives-exemption-to-decriminalize-possession-of-some-illegal-drugs-for-personal-use.html>.

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: University of Toronto Press.

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

September 28, 2022 (session 4) The ‘war on drugs’

Required readings:

(1) 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.

(2) 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.

Suggested optional readings:

Controlled Drugs and Substances Act, SC 1996, C. 19.

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

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.

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

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.

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

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.
- 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.

October 5, 2022 (session 5) A more equitable criminal court system

Required readings:

- (1) Davis, A. (2018) The progressive prosecutor: An imperative for criminal justice reform. *Fordham Law Review Online*, 87(3).
- (2) Brockman, J. (2010) An offer you can't refuse: Pleading guilty when innocent. *Criminal Law Quarterly*, 56(1): 116-134.

Suggested optional readings:

- Pickerell, H. (2020) How to assess whether your attorney is a bona fide progressive prosecutor. *Harvard Law & Policy Review*, 15: 285-313.
- Davis, A. (2019) Reimagining prosecution: A growing progressive movement. *UCLA Criminal Justice Law Review*, 3(1): 1-27.
- Krishnamurthi, G. (2022) The case for the abolition of criminal confessions. *SMU Law Review*, 75(1): 15-71.
- Helm, R. & Millar, M. (2022) Jury decision making in the criminal trial. In (Johnston, E., ed.) *Challenges in Criminal Justice*: 26-46. New York: Routledge.

Curci, A. (2019) Twelve angrier men: Enforcing verdict accountability in criminal jury trials. *Washington University Journal of Law & Policy*, 59: 217-241.

Weiss, K. (2022) John H. Wigmore on the abolition of partisan experts. *Journal of the American Academy of Psychiatry Law*, 43: 21-31.

Gould, J. (2008) The lessons of wrongful convictions. *Criminal Justice Ethics*, 27(1): 107-111.

October 12, 2022 (session 6) Police investigative tactics

Required readings:

(1) Khoday, A. (2013) Scrutinizing Mr. Big: Police trickery, the confessions rule and the need to regulate extra-custodial undercover interrogations. *Criminal Law Quarterly*, 60(2): 277-300.

(2) Snook, B., Barron, T., Fallon, L., Kassin, S., Kleinman, S., Leo, R., Meissner, C., Morello, L., Nirider, L., Redlich, A. & Trainum, J. (2021) Urgent issues and prospects in reforming interrogation practices in the United States and Canada. *Legal & Criminological Psychology*, 26(1): 1-24.

Suggested optional readings:

Puddister, K. & Riddell, T. (2012) The RCMP's 'Mr. Big' sting operation: A case study in police independence, accountability and oversight. *Canadian Public Administration*, 55: 385-409.

Smith, S., Stinson, V. & Patry, M. (2009) Using the Mr. Big technique to elicit confessions: Successful innovation or dangerous development in the Canadian legal system? *Psychology, Public Policy & Law*, 15: 168-193.

Moore, T., Copeland, P. & Schuller, R. (2010) Deceit, betrayal and the search for truth: Legal and psychological perspectives on the 'Mr. Big' strategy. *Criminal Law Quarterly*, 55: 348-376.

Mindthoff, A. & Meissner, C. (2022) Interviewing and Interrogations: From the Third Degree to Science-Based Approaches (forthcoming in the *Routledge Handbook of Evidence-Based Criminal Justice Practices*).

French, D. (2018) The cutting edge of confession evidence: Redefining coercion and reforming police interrogation techniques in the American criminal justice system. *Texas Law Review*, 97: 1031-1060.

October 19, 2022 (session 7) academic writing seminar, individual student discussion of midterm paper ideas

Required readings: none assigned

October 26, 2022 no session, fall term reading week

November 2, 2022 (session 8) Changing police occupational culture

Required readings:

(1) Van Maanen, J. (1978/2015) The asshole. In (Dunham, R. & Alpert, G., eds.) *Critical Issues in Policing: Contemporary Readings*: 143-161. Long Grove: Waveland Press.

(2) Terrill, W., Paoline, E. & Gau, J. (2016) Three pillars of police legitimacy: procedural justice, use of force, and occupational culture. In (Deflem, M., ed.) *Sociology of Crime, Law and Deviance. The Politics of Policing: Between Force and Legitimacy*: 59-76. London: Emerald.

Suggested optional readings:

- Wilson, J.Q. & Kelling, G. (1982) Broken windows: The police and neighborhood safety. *Atlantic Monthly*, 249(3): 29-38.
- Taylor, R. (2006) Incivilities reduction policing, zero tolerance, and the retreat from coproduction: Weak foundations and strong pressures. In (Weisburd, D. & Braga, A., eds.) *Police Innovation: Contrasting Perspectives*: 98-114. New York: Cambridge University Press.
- Hawdon, J. (2008) Legitimacy, trust, social capital and policing styles: A theoretical statement. *Police Quarterly*, 11(2): 182-201.
- Hayle, S., Wortley, S. & Tanner, J. (2016) Race, street life, and policing: Implications for racial profiling. *Canadian Journal of Criminology & Criminal Justice*, 58(3): 322-353.
- Lynch, O. & Roussell, V. (2013) Policing the 'progressive' city: The racialized geography of drug law enforcement. *Theoretical Criminology*, 17(3): 335-357.
- Brunson, R. & Gau, J. (2014) Race, place, and policing the inner city. In (Reisig, M. & Kane, R., eds.) *The Oxford Handbook of Police and Policing*: 362-382. Oxford: Oxford University Press.
- Shjarback, J., Pyrooz, D., Wolfe, S. & Decker, S. (2017) De-policing and crime in the wake of Ferguson: Racialized changes in the quantity and quality of policing among Missouri police departments. *Journal of Criminal Justice*, 50: 42-52.
- Dunham, R., Alpert, G., Strohshine, M. & Bennett, K. (2005) Transforming citizens into suspects: Factors that influence the formation of police suspicion. *Police Quarterly*, 8(3): 366-393.
- Lum, C.(2021) Perspectives on policing. *Annual Review of Criminology*, 4(18): 19-26.
- Bayley, D. (2005) What do the police do? In (Newburn, T., ed.) *Policing: Key Readings*: 141-149. Cullompton, UK: Willan.
- Van Maanen, J. (1973) Observations on the making of policemen. *Human Organization*, 32(4): 407-418.
- Van Maanen, J. (1974) Working the street: A developmental view of police behavior. In (H. Jacob, ed.) *The Potential for Reform of Criminal Justice*: 83-130. New York: Sage.
- Van Maanen, J. (1975) Police socialization: A longitudinal examination of job attitudes in an urban police department. *Administrative Science Quarterly*, 20(2): 207-228.

November 9, 2022 (session 9) Police use of force**Required readings:**

- (1) Prenzler, T., Porter, L. & Alpert, G. (2013) Reducing police use of force: Case studies and prospects. *Aggression & Violent Behavior*, 18(2): 343-356.
- (2) Adams, K. (2015) What we know about police use of force. In (Dunham, R. & Alpert, G., eds.) *Critical Issues in Policing*, 7th ed.: 532-566. Long Grove, IL: Waveland Press.

Suggested optional readings:

- Nix, J., Campbell, B., Byers, E. & Alpert, G. (2017) A bird's eye view of civilians killed by police in 2015: Further evidence of implicit bias. *Criminology & Public Policy*, 16(1): 309-340.
- Johnson, D., Tress, T., Burkel, N., Taylor, C. & Cesario, J. (2019) Officer characteristics and racial disparities in fatal officer-involved shootings. *Proceedings of the National Academy of Sciences*, 201903856.

Brown, G.R. (2016) The blue line on thin ice: Use of force modifications in the era of camera phones and YouTube. *British Journal of Criminology*, 56(2): 293-312.

Worden, R. (1996) The causes of police brutality: Theory and evidence on police use of force. In (W. Geller & H. Toch, eds.) *Police Violence: Understanding and Controlling Police Abuse of Force*. New Haven, CT: Yale University Press.

November 16, 2022 (session 10) Penal abolition and defunding policing

Required readings:

Piché, J., Walby, K. & Carrier, N. (2019) An introduction to prison and penal abolitionism in Canada. In (Winterdyke, J. & Weinrath, M., eds.) *Adult Corrections in Canada*, 2nd ed.: 291-319. Whitby: De Sitter.

McDowell, M. G. & Fernandez, L. A. (2018) Disband, disempower, and disarm: Amplifying the theory and practice of police abolition,” *Critical Criminology*, 26: 373-391.

Suggested optional readings:

Akbar, A. A. (2020) An abolitionist horizon for (police) reform. *California Law Review*, 108(6): 101-168.

West, G. & Morris, R. (2000) Introduction to the case for penal abolition. In (West, G. & Morris, R., eds.) *The Case for Penal Abolition*: 3-12. Toronto: Canadian Scholars Press.

Reiter, K. & Blair, T. (2015) Punishing mental illness: Trans-institutionalization and solitary confinement in the United States. In (Reiter, K. & Koenig, A., eds.) *Extreme Punishment: Comparative Studies in Detention, Incarceration and Solitary Confinement*: 177-196. London: Palgrave MacMillan.

Parks, D. (2017) Solitary confinement, prisoner litigation, and the possibility of a prison abolitionist lawyering ethic. *Canadian Journal of Law and Society*, 32(2): 165-185.

Pate, K. (2018) Solitary by any other name is just as cruel: Bill C-83, the federal legislation that claims to eliminate solitary confinement, is, in reality, just linguistic trickery. *The Globe and Mail*. 13 November: A13.

Doyle, A., Piché, J. & Sutton, K. (2021) The struggle over the Ottawa-Carleton Detention Centre: Challenging neutralization techniques, fighting penal inertia. In (Coyle, M. & Nagel, M., eds.), *Contesting Carceral Logic: Essays on Anti-carceral Knowledge and Praxis*: 160-173. Lanham: Lexington Books.

Piché, J. (2009) Penal abolition: A different kind of reform. *Criminal Justice Matters*, 77(1): 30-31.

McLeod, A. M. (2015) Prison abolition and grounded justice. *UCLA Law Review*, 62: 1156-1239.

Ware, S. & Dias, G. (2020) Revolution and resurgence: Dismantling the prison industrial complex through Black and Indigenous solidarity. In (Diverlus, R., Hudson, S. & Ware, S., eds.) *Until We Are Free: Reflections on Black Lives Matter in Canada*: 32-56. Regina: University of Regina Press.

Chartrand, V. (2021) Abolition in the land known as Canada in the wake of COVID-19. *Current Issues in Criminal Justice*: 1-6.

Worden, R. & McLean, S. (2017) *Mirage of Police Reform: Procedural Justice and Police Legitimacy*. Oakland, CA: University of California Press.

November 23, 2022 (session 11) student presentations on take-home examination topic

Required readings: none assigned

November 30, 2022 (session 12) student presentations on take-home examination topic

Required readings: none assigned

December 7, 2022 (session 13) writing refresher for final take-home exam, individual student questions/discussion about final take-home exam, open forum discussion (time permitting), course wrap-up

Required readings: none assigned