

Course Outline

COURSE:	LAWS 4306 C – Criminal Law Issues (Race and the Criminal Justice System)
TERM:	Winter 2022
PREREQUISITES:	LAWS 2908, CRCJ 3001 or CRCJ 3002 and LAWS 2301, LAWS 2302 and 4th year Honours standing
CLASS:	Day & Time: Fridays, 11:35 – 14:25
	Room: Please check Carleton Central for current Class Schedule. Course delivery is synchronous using Zoom.
INSTRUCTOR:	Ekpedeme Edem
CONTACT:	Office:
	Office Hrs: By Appointment – using Zoom
	Email: ekpedeme.edem@carleton.ca

CALENDAR COURSE DESCRIPTION

Selected issues and problems in the area of criminal law. The topics may vary from year to year depending on demand and interest and are announced in advance of registration.

COURSE DESCRIPTION

Linking history to present-day LAWS 4306C, Criminal Law Issues looks at race and the criminal justice system. Adopting an interwoven approach to viewing race, crime, criminality, and the criminal justice system, this Special Topics course lays the foundation for de (constructing) race. It introduces students to the criminal justice system. A critical lens is adopted to policing, crime statistics, and media representations of crime. The relationship between the criminal justice system and indigenous people and other visible minorities is considered, including the impact of #movements as an advocacy tool for change and equality. At the end of the course, students should appreciate topical issues on race and the criminal justice system.

REQUIRED TEXTS

*All required texts and readings will be available on Brightspace.

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Dean.

1. Attendance and Participation in Discussion – 30%

- Class attendance will account for **10%** of your grade. No retroactive attendance grades will be given.

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- Each student will be assigned a course reading to present on. The presenter will give an overview of the reading. In addition to the overview, the presenter is expected to engage with concepts, ideas, and themes from the assigned reading. The presentation will account for **15%** of your grade.
 - Active participation in class discussions is required for this course. You are expected to come to class prepared to discuss the readings and the course material. Discussants will facilitate and stimulate class discussion (**on a week that they are not presenting**). TIP: Discussants should prepare their questions ahead of the class. Participation in class discussions is **5%** of your grade.

2. Two Reflection Papers – 30% (15% each)

- Students will be asked to submit two reflection papers worth 15% (15x2=30%)
- The Reflection Papers should have a title page with the student's full name and number, course title and theme reflected on. A bibliography with proper citation is required. **Reference to external material is not needed for the papers.**
- In 3-4 pages (double spaced) (excluding the title page and bibliography) critically engage with one of the themes discussed in class. Students are encouraged to select a theme that is particularly interesting to them and to engage in a meaningful way with the reading material. **Students cannot submit a reflection paper on the same week for which they are presenting.**

First Reflection Paper: Due February 17, 2022 @ 11:59pm.

- The first reflection paper can be on any of the themes covered in class from January 14th to February 11th, inclusive

Second Reflection Paper: Due March 31, 2022 @ 11:59pm.

- The second reflection paper can be on any of the themes covered in class from February 18th to March 25th inclusive.

3. Final take-home exam – 40%

- A final take home exam, consisting of a choice of essay questions, will be available on April 8th, and **due on April 28th.**

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

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).

SCHEDULE

Week	Date	Material
1	Jan 14	Introduction and Overview to Laws 4306C <ul style="list-style-type: none"> • Review of course outline & expectations • Overview of course themes • Class structure
2	Jan 21	De(constructing) Race <ul style="list-style-type: none"> • Armstrong, Jeanette, and Roxana Ng. "Deconstructing race, deconstructing racism." <i>Situating "race" and racisms in space, time, and theory</i> (2005): 30-45. • Chapter 2 in Mahiri, Jabari. <i>Deconstructing Race: Multicultural Education Beyond the Color-Blind</i>. Teachers College Press, 2017. • Introduction in Crenshaw, Kimberlé Williams, ed. <i>Seeing race again: Countering colorblindness across the disciplines</i>. Univ of California Press, 2019.
3	Jan 28	Racialization of Crime or Criminalization of Race? <ul style="list-style-type: none"> • Jiwani, Yasmin. "4. The Criminalization of" Race," the Racialization of Crime." In <i>Crimes of colour</i>, pp. 67-86. University of Toronto Press, 2019. • Chapter 1 in Chan, Wendy, and Dorothy E. Chunn. <i>Racialization, Crime and Criminal Justice in Canada</i>. University of Toronto Press, 2014. [Pages 3- 24] • Owusu-Bempah, Akwasi, and Scot Wortley. "Race, crime, and criminal justice in Canada." <i>The Oxford handbook of ethnicity, crime, and immigration</i> (2014): 281-320.
4	Feb 4	Media Representations of Crime <ul style="list-style-type: none"> • Chapter 4 in Chan, Wendy, and Dorothy E. Chunn. <i>Racialization, Crime and Criminal Justice in Canada</i>. University of Toronto Press, 2014. [Pages 55-67] • Gilchrist, Kristen. "'Newsworthy' victims? Exploring differences in Canadian local press coverage of missing/murdered Aboriginal and White women." <i>Feminist media studies</i> 10, no. 4 (2010): 373-390.

		<ul style="list-style-type: none"> Collins, Rachael E. "The construction of race and crime in Canadian print media: A 30-year analysis." <i>Criminology & Criminal Justice</i> 14, no. 1 (2014): 77-99.
5	Feb 11	<p>Crime Statistics: Implications and Ramifications</p> <ul style="list-style-type: none"> Millar, P. and A. Owusu-Bempah. 2011. "Whitewashing Criminal Justice in Canada: Preventing Research through Data Suppression." <i>Canadian Journal of Law and Society</i> 26(3):653–61. Roberts, Julian V. "6. Racism and the Collection of Statistics Relating to Race and Ethnicity." In <i>Crimes of Colour</i>, pp. 101-112. University of Toronto Press, 2019. Wortley, Scot, and Julian Tanner. "Data, denials, and confusion: The racial profiling debate in Toronto." <i>Canadian Journal of Criminology and Criminal Justice</i> 45, no. 3 (2003): 367-390.
6	Feb 18	<p>Reflection Paper #1 due by 11.59pm on Feb 17</p> <p>Policing</p> <ul style="list-style-type: none"> Symons, Gladys L. "7. Police Constructions of Race and Gender in Street Gangs." In <i>Crimes of Colour</i>, pp. 115-126. University of Toronto Press, 2019. Chapter 5 in Chan, Wendy, and Dorothy E. Chunn. <i>Racialization, Crime and Criminal Justice in Canada</i>. University of Toronto Press, 2014.[Pages 71-86] Satzewich, Vic, and William Shaffir. "Racism versus professionalism: Claims and counter-claims about racial profiling." <i>Canadian journal of criminology and criminal justice</i> 51, no. 2 (2009): 199-226.
	Feb 25	Winter Break- No class
7	Mar 4	<p>Police Reform: Yes or No</p> <ul style="list-style-type: none"> Chapter 4 in Tator, Carol, Frances Henry, Charles Smith, and Maureen Brown. <i>Racial Profiling in Canada: Challenging the Myth of "a Few Bad Apples"</i> Toronto, [Ontario] ;: University of Toronto Press, 2006. [Pages 92-112] Koziarski, Jacek, and Laura Huey. "# Defund or# Re-Fund? Re-examining Bayley's blueprint for police reform." <i>International Journal of Comparative and Applied Criminal Justice</i> (2021): 1-16. Dumas, Philippe, Stéphanie Gagnon, and Maud Micheau. "A Convention Out of the Blue: Implementing Community Policing over the Long Term." <i>Public organization review</i> 21, no. 3 (2021): 453–469.

8	Mar 11	<p>Indigenous Peoples and the Criminal Justice System</p> <ul style="list-style-type: none"> • Tauri, Juan M. and Porou, Ngati, "Criminal Justice as a Colonial Project in Settler-Colonialism" (2014). Faculty of Social Sciences - Papers. 3196. https://ro.uow.edu.au/sspapers/3196 • Hylton, John H. "9. The Justice System and Canada's Aboriginal Peoples: The Persistence of Racial Discrimination." In <i>Crimes of Colour</i>, pp. 139-156. University of Toronto Press, 2019. • Cunneen, Chris. "Colonial processes, Indigenous peoples, and criminal justice systems." <i>The Oxford handbook of ethnicity, crime, and immigration</i> (2014): 386-407. <p>Guest Speaker: Lane Bourbonniere –The Centre for Indigenous Initiatives (CII)</p>
9	Mar 18	<p>Restorative Justice and Alternative Approaches</p> <ul style="list-style-type: none"> • Hewitt, Jeffery G. "Indigenous Restorative Justice: Approaches, Meaning & Possibility." <i>University of New Brunswick law journal</i> 67 (2016): 313 • Young, Dean. "Your ways or our ways?: Addressing Canadian Neo-colonialism and restorative justice." <i>Salus Journal</i> 7, no. 2 (2019): 85-108. • Gavrielides, Theo. "Bringing Race Relations Into the Restorative Justice Debate: An Alternative and Personalized Vision of 'the Other.'" <i>Journal of Black Studies</i> 45, no. 3 (April 2014): 216–46.
10	Mar 25	<p>Blackness and the Criminal Justice System</p> <ul style="list-style-type: none"> • Owusu-Bempah, Akwasi, Maria Jung, Firdaous Sbaï, Andrew S. Wilton, and Fiona Kouyoumdjian. "Race and Incarceration: The Representation and Characteristics of Black People in Provincial Correctional Facilities in Ontario, Canada." <i>Race and Justice</i> (2021): 21533687211006461. • Maynard, Robyn. (2017). "Arrested (in)justice: From the streets to the prison" in <i>Policing Black Lives: State Violence in Canada from Slavery to the Present</i>, pp. 83-115. • Owusu-Bempah, Akwasi. "Race and policing in historical context: Dehumanization and the policing of Black people in the 21st century." <i>Theoretical Criminology</i> 21, no. 1 (2017): 23-34.
11	Apr 1	<p>Reflection Paper #2 due by 11.59pm on Mar 31</p> <p>Change Movements: The #Era</p>

		<ul style="list-style-type: none"> • Milan, Stefania. "From Social Movements to Cloud Protesting: The Evolution of Collective Identity." <i>Information, communication & society</i> 18, no. 8 (2015): 887–900. • "Changing the World in the Network Society" in Castells, Manuel. <i>Networks of outrage and hope: Social movements in the Internet age</i>. John Wiley & Sons, 2015. • Chapter 3 in Milan, Stefania. <i>Social Movements and their Technologies: Wiring Social Change</i>. Basingstoke: Palgrave Macmillan, 2013.
12	April 8	<ul style="list-style-type: none"> • Summing up/Review • Take home examination available • Review of take-home exam questions

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

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 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: <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/>.