



CAMOSUN COLLEGE
Access Programs and First Nations Education
First Nations Community Studies
CRIM 135
Winter 2008

COURSE OUTLINE

1. Instructor Information

- (a) Instructor: Todd Ormiston
- (b) Office hours: Wednesdays, 12:00 pm – 1:00 pm, or by appointment, Ewing 204
- (c) Class Location and Time: Mondays and Wednesdays from 1:00-2:30pm – Ewing 201 UNLESS OTHERWISE SPECIFIED IN THE OUTLINE.
- (d) Phone: 370-3122, Alternative: 370-3299, (24-hour voice mail message system for both numbers)
- (e) E-mail: toddo@shaw.ca

2. Intended Learning Outcomes:

- 1. Describe and critically assess the role of various social control agencies, law, policy and practice in processing of First Nation's offenders.
- 2. Describe the nature and extent of First Nations' people's involvement in committing crime.
- 3. Demonstrate understanding of the impact of colonization and the economic, structural, political, and social factors contributing to the criminal behavior of First Nation's peoples.
- 4. Identify and describe the major issues surrounding the delivery of justice services to First Nations' peoples and communities.
- 5. Describe traditional, new and emerging models of justice and practice employed in addressing the needs of First Nations' peoples and communities.

3. Required Materials:

Text: Criminal Justice in Canada (3rd Edition) by Colin Goff.
Course Reading Pack, available in Bookstore.

Recommended reading: Justice In Aboriginal Communities: Sentencing Alternatives (1998) by Ross Gordon Green

4. Course Content and Schedule

1. First Nations' people in Canadian society: historical, social, political, legal and economic issues.
2. Government policy, colonization, and the disintegration of First Nations' communities.
3. The nature and extent of First Nations peoples' involvement in criminal behavior.
4. Historical and contemporary social control responses to First Nations' crime.
5. Delivery of justice services to First Nations' peoples: police, courts and corrections; rural versus urban experiences and issues.
6. Emerging models of justice and alternative responses to First Nations' offenders.

Class Schedule

January 7: Introduction to the course

- What are your expectations?
- Overview of themes/issues to be covered in the course.
- Course business: class expectations of students and instructor.
- Introduction to definitions and discussion of relevant terminology.
- Court Report Guidelines.

January 9: Defining Justice from a First Nations perspective

- Indigenous Worldviews and the concept of Justice
- As Indigenous people, what are our experiences with the Criminal Justice System?
- Why are First Nations over-represented in the Criminal Justice System (CJS)?
- Introduction to the mainstream CJS.
- Group Presentations sign up

Readings:

Course text: Justice in Aboriginal Communities, Introduction

Readings:

Course text: Justice in Aboriginal Communities Chapter 1 and 2.

January 14: What is a Crime?

- Sources of law
- Criminal Code
- Classification of crimes
- Elements of a crime
- Robert Picton / Robert Latimer and the Criminal Code- group work

Readings:

Course Text: Goff, "An Overview of the Criminal Justice System in Canada," Chapter 1

Course Text: Goff, "Criminal Law and Criminal Justice in Canada," Chapter 2.

Internet source: <http://www.cbc.ca/news/background/pickton/>

January 16: What is Criminal Justice?

- An adversarial system
- 4 models of justice
- Costs of dispensing justice in Canada
- Court Report expectations presented and examples provided

Readings:

Course Text: Goff, "Crime, Control Philosophy and Criminal Justice Policy," Chapter 3.

January 21: The Courts and Trial Procedures

- The organization of the Court system
- The roles of defense lawyer, Crown prosecutor and judge
- Introduction to plea bargaining
- Handout provided on MOCK TRIAL- think of what role you would like!

Readings:

Course Text: Goff, "The Courts and Trial Procedures," Chapter 8.(p.185-195)

January 23: The Courts and Trial Procedures - continued

- Preliminary enquiries
- Types of sentences
- Summary and indictable offences

Readings:

Course Text: Goff, "The Courts and Trial Procedures," Chapter 8 (p.196-207)

January 28 - Court Visit from 1-4 pm

January 30: Preparation of Mock Trial/ Group Presentations overview

- defining roles
- Overview of Mock Trial Scenario
- Small groups for presentations.

February 4: Role of Policing & Issues of Policing FN People

- Contemporary structure and operations of the police
- Police role and function

- How do we police the police?

Readings: Goff -Chapter 5 and 6

February 6: Two Worlds Colliding video

Court Report Due

**February 11: Discussion of video
Preparation for Mock Trial**

February 13- The Gladue Case

- Overview of the Supreme Court of Canada decision
- What are the impacts of the decision?

Readings

Course Pack: MaryEllen Turpel- Lafond, "Procedural Implications of Gladue."
Lang, Shirley, "Reasons for Independent Background Cultural Impact Reports."

February 18- Mock Trial preparation

Feb 20: Mock Court Trial at UVIC Court House 1-4 pm (no class on March 26)

February 25: Working with Incarcerated First Nations People. Note: This is a 2.5 hour class.

Guest Speaker: Wayne Seaward, Native Liaison Worker, William Head and 2 inmates.

Feb 27- Test

- Experiences of FN in the CJS and those working with Incarcerated First Nations People

March 3- no class due to Feb 25 extended class.

March 5: Murder, Violent Crimes and Capital Punishment- Outlines due for Presentations/ research paper. OUTLINE- GROUP PROJECT DUE

- Classifications of the crime
- Types of Sentencing options for murder in the US and internationally
- Criminal Code Case scenario- Do you believe in Capital punishment?

Readings: Richard Clark: Thoughts on the Death Penalty.

March 10- Justice from an Indigenous perspective

Guest-John Borrows or Sarah Morales: Law Foundation Chair (or lecturer) in Aboriginal Justice & Governance. Faculty of Law, University of Victoria
Readings: Introduction and With or Without You: First Nations Law in Canada by John Borrows

March 12: Restorative Justice/ preparation of April 10 role play

What is restorative Justice?

- Circle sentencing

Readings:

Course Pack: Restorative Justice: Should Canadians Embrace it?

<http://canada.justice.gc.ca/en/ps/voc/rjpap.html#principles>

March 17: Critique and other Indigenous Models. Where do we go from here?

Readings:

Course Pack: Restorative Justice: Exploring the Aboriginal Paradigm

Course Pack: The Wet'suwet'en Unlocking Aboriginal Justice Program

Video: Voyage of Rediscovery: Frank Brown

Readings

Course Pack: Royal Commission on Aboriginal Peoples: Current Realities.

March 19- Presentations and Honoring our Women- WTCC ROOM 234

- Creating a voice for Aboriginal women in the Criminal Justice System
- Aboriginal Women and Conflict with the law.

Presentation: Student Presentation # 1- WTCC ROOM 234

Readings:

Course Pack: Patricia Monture Angus- The Roles and Responsibilities of Aboriginal Women: Reclaiming Justice

Guest: TBA

March 24: No class- Easter Monday

March 26- No class- Due to extended class on Feb 20

April 2: Student Presentation # 2- WTCC 234
Student Presentation #3

April 7: Student Presentation # 4- WTCC 234

Student Presentation # 5

April 9- Role play- Restorative Justice- Circle sentencing
Course Evaluation

WTCC 234

Student Presentation topics:

- 1) Circle sentencing
- 2) Tribal Policing
- 3) Healing lodges
- 4) Treatment Centers
- 5) Looking at a foreign Indigenous justice model: (e.g.) U.S.A, Australia, New Zealand

Recommended readings in Course Pack for student presentations:

Nishawbe Aski Legal Services Corporation: "Sentencing Circle."
Healing Lodges of Aboriginal People
Power in the Spirit: Okimaw Ohci Healing Lodge
Parallel Justice System in "Feather Not a Gavel."

5. Basis of Student Assessment

The total marks in this course are distributed as follows:

1. Court Report	25%
2. Test	15%
3. Outline of Group Project/ research paper	10%
4. Group Project- Indigenous Justice/ written paper	30%
5. Participation and attendance	10%
6. Mock Trial	5%
7. Circle Sentencing	5%

1. Court Report

25%

Each student is required to attend and observe a criminal case in Provincial or Supreme Court at 850 Burdette Avenue in Victoria. Your written report will summarize the proceedings observed, provide any insights given by a judge or the native Courtworker, and provide a critical analysis of the court proceedings from a First Nations lens. This written report must be 5 – 6 pages in length and double-spaced. **Note: One week**

during the semester will be given for completion of Court Visit. You will be provided with an example and guidelines for this paper.

Due Date of Court Report: February 6 at the beginning of class.

2. Test

There will be one 'in class' quiz scheduled during the first half of term. The quiz will be comprised of a number of multiple choices, short essay type answers and true/ false questions and will be based on the class lecture material. The dates will be as follows:

Quiz – Feb 27 **15%**

The quiz must be written on the date it is assigned. No provision will be made to write a quiz earlier and a student will only be allowed to write a missed quiz on provision of a valid medical certificate attesting to the fact that he/ she was ill on the date in question. In addition, the student who misses the quiz due to illness must inform the instructor on the date of the quiz of the reason of his/ her absence.

3. Outline of group project/ research paper **10%**

Prior to the end of January, the instructor will give students guidelines. Outline is due no later than March 5. It is highly recommended that students visit with the instructor during office hours to discuss the scope of this project. Essentially, this is a presentation or research paper which has a First Nations healing perspective based on a designated theme i.e. Tribal Policing, Circle sentencing, analysis of a FN sentencing etc.

Outline due - March 5

4. Group Project **30%**

Students are expected to form groups of four (4) or 5 and research a First Nations Justice theme. Students are expected to facilitate a 40 minute presentation in class on their topic. All presentations should include a background of the topic; a clear understanding of the topic; pros and cons of the topic (critical analysis), and what could/ should be done in the future (from an Indigenous lens) to ensure the success of the topic chosen. Students will be graded on their presentation- 20% and their group written summary- 10%. Those choosing to do a paper will be graded on a 10-12 pager. More info in class

5 & 6. Mock trial and Circle Sentencing **5% each**

All students will receive 5% for attending and participating in the Mock Trial at UVIC and the Circle Sentencing in Wilna Thomas Cultural Center (WTCC) room 234. Mock Trial will be on Feb 20 and the Circle Sentencing will be on the last day of class.

6. Course Grading System:

%	Grade	Grade Point Equivalent
90-100	A+	9
85-89	A	8
80-84	A-	7
77-79	B+	6
73-76	B	5
70-72	B-	4
65-69	C+	3
60-64	C	2
50-59	D	1

Minimum Level of achievement for which credit is granted; a course with a "D" grade cannot be used as a prerequisite.

7. Recommended Materials or Services to Assist Students to Succeed Throughout the Course:

The First Nations Education Department and Services, located in Ewing 272, is a valuable resource for you. If you are having difficulty with course content, registration, course selection, funding issues or anything that would get in the way of you being successful in this program, there are First Nations advisors and support people there for you to talk with. Please stop by the office or call Jeanine/ , our secretary, to make an appointment, at 370-3299.

Learning Support And Services For Students

There are a variety of services available for students to assist them throughout their learning. This information is available in the College Calendar, Registrar's Office or the College web site at <http://www.camosun.bc.ca>

Instructional Policies

1. Late Penalty

All assignments must be completed and submitted on the date assigned. All late written work will be penalized by 5% per day unless an extension is legitimately warranted and approved by the instructor in advance of the assignment due date.

2. Written Assignment Requirements

All assignments must be handed to the instructor at the beginning of class. Assignments should be turned in to the instructor personally; assignments put under the door or in the mail, or otherwise submitted will not be accepted. If the submission of an assignment is problematic, come see me well in advance of the submission date.

Written assignments for this course must be typewritten, double-spaced and meet the basic requirements set out in the Criminal Justice Writing Reference Manual.

3. Plagiarism, Cheating and Academic Dishonesty

If plagiarism, cheating or academic dishonesty can be documented, the penalty will be an automatic “zero” on the assignment in question.

4. Course Withdrawal

The last day to withdraw from this course without receiving a failing grade or academic penalty is around March 10, 2008.

5. Course Completion Requirements

Students must complete all evaluative requirements (court report, group project, and quizzes) to receive a passing grade for this course. Unless granted prior instructor approval, students who fail to complete any one of the evaluative requirements will automatically receive an “F” grade.

6. Student Responsibility

It is each student’s responsibility to familiarize her/himself with course and college policies. Students experiencing difficulties during the term are encouraged to talk to the instructor and/or the First Nations’ Student Advisor at the earliest opportunity.

The policy is available in each School Administration Office, Registration, and on the College web site in the Policy Section.

www.camosun.bc.ca/divisions/pres/policy/2-education/2-5.html