



School of Arts & Science
CRIMINAL JUSTICE DEPARTMENT
CRIM 154-002
The Criminal Justice System
Semester/Year, eg, 2008F

COURSE OUTLINE

The Approved Course Description is available on the web @ _____

Ω Please note: this outline will be electronically stored for five (5) years only.
It is strongly recommended students keep this outline for your records.

1. Instructor Information

(a)	Instructor:	Kelli Moorhouse		
(b)	Office Hours:	Monday and Wednesday 11:30 to 1pm		
(c)	Location:	Young 210B		
(d)	Phone:	370-3335	Alternative Phone:	
(e)	Email:	Moorhouse@camosun.bc.ca		
(f)	Website:			

2. Intended Learning Outcomes

(No changes are to be made to this section, unless the Approved Course Description has been forwarded through EDCO for approval.)

Upon completion of this course the student will be able to:

1. Outline the legislative basis, structure and functions of the various components of the Canadian criminal justice system.
2. Identify how each component of the criminal justice system interrelates with other components and with the larger society within which it operates.
3. Track the process of an accused person through the critical decision-making points of the Canadian criminal justice system.
4. Identify and critically discuss contemporary issues affecting the structure and operations of the Canadian criminal justice (e.g. youth justice, female offenders and Aboriginal justice).

3. Required Materials

(a) Texts

Griffiths, C.T. (2007). Canadian Criminal Justice. **A Primer. 3rd Ed. Thomson Nelson**

(b) Other

Writing Reference Manual for the Criminal Justice Program

Canadian Criminal Code

4. Course Content and Schedule

(Can include: class hours, lab hours, out of class requirements and/or dates for quizzes, exams, lectures, labs, seminars, practicums, etc.)

(subject to revision)

THE CRIMINAL JUSTICE SYSTEM: AN OVERVIEW

Sept. 2nd

Introduction to the Course
Website for textbook
Website for course

Purpose of the CJS
What is 'justice'?

Sept. 4th

The Role and Responsibilities of Governments in Criminal Justice (p. 3-16 exclude 8-9)
The Costs of Crime and Criminal Justice (p. 16-19)
The Flow of Cases through the CJS / the Crime Funnel (p. 19-23)
Challenges in Criminal Justice (p. 32-38)

Sept. 9th

Crime Control Philosophies
General Features of Crime (p. 24, 25)
Classification of Offences (p. 187-88)

Sept. 11th

Federal Offences / Statutes (p. 8-9)
Criminal Law (p. 24)
The Criminal Code - Activity

POLICING IN CANADA

Sept. 16th

Canadian Law Enforcement Today
1. Federal, provincial, municipal, First nations, private security (p. 91-102)
2. Police Boards / Commissions (p. 102)
3. Police Accountability (p. 128-30)

Sept 18th

Police Management
1. Roles of the Police (p. 108-112)
2. Police Occupation (p. 112-13)
3. Professional Model of Policing (style) (p. 135-36)
4. Policing Modern Society
a. Community based (p. 136-140)
b. Zero tolerance (p. 143)
c. Problem oriented (p. 144)
d. Crime attack (p. 145)
5. Police Efficiency (p. 150 – 156)

POLICING – LEGAL ASPECTS

Sept. 23rd

Charter of Rights and Freedoms (p. 113-16; 127)
Arrest (p. 116-20)

Arrest vs. detention
Arrest without a warrant
Searches incident to an arrest (video)
Vehicle stops
Arrest with a warrant

Sept. 25th

Search and Seizure (p. 120-22)
Feeney Case
Search Warrants
Warrant-less Searches

Sept. 30th

Entrapment (Box 3.7) (p. 123)
Use of Force (Box 3.8) (p. 123-26)
Interrogation of Crime Suspects (video) (p. 126-27)
The Exercise of Discretion (p. 156-7)
Factors influencing Patrol officer's decision Making (p. 157-58)

Oct. 2nd

The Police and Visible / Cultural Minorities (p. 160-64)
Racial Profiling (Box 4.5)
The Police and Aboriginal People (video)

Oct. 7th

Examination #1

CRIMINAL PROSECUTIONS AND THE COURTS

Oct. 9th

The Provincial Court System (p. 175-81)
Federal Courts (p. 182-86)
System of Criminal Law (p. 186-88)

Oct. 14th / 16th

Pre-Trial Activities (see figure 1.7 on p. 20; see figure 5.3 on p. 191)

- 1. Laying an Information and Laying a Charge (p. 190-92)**
- 2. Compelling the appearance of the accused**
 - a. Appearance notice (p. 194)**
 - b. Summons (p. 194-95)**
 - c. Arrest (p. 195-96)**
 - d. Pre trial release by the police (p. 195-6)**
 - e. Judicial Interim Release / pre-trial remand (p. 196-7)**
- 3. First Appearance or Arraignment / plea (p. 201)**
- 4. Legal Representation (p. 199-200)**
- 5. Fitness to Stand Trial (p. 200-01)**
- 6. Preliminary Inquiry (p. 188)**
- 7. Plea Bargaining (p. 201-05) (video)**

Oct. 21st

Mode of Trial (p. 205-10)
The Jury Trial (p. 210)
The Trial (p. 210-15)
Appeal (p. 215)

Oct. 23rd

Crime Victims and the Court Process (p. 216-18)
Current Challenges for the Courts (p. 218-29)
Drug Treatment Court (video)

SENTENCING

Oct. 28th

Purpose and Principles of Sentencing (p. 235-38)
Sentencing Options (p. 238-50; 265-68)
Concurrent and consecutive (p. 252)
Judicial Determination (p. 252)

Oct. 30th

How do Judges Decide?

1. **Judicial discretion (p. 253-54)**
2. **Statutory guidance (S. 718 CCC) (p. 257)**
3. **Maximums and minimums (p. 257-58)**
4. **Appellate decisions / legal precedents (p. 258)**
5. **aggravating and mitigating factors (p. 259-62)**
6. **Pre-sentence report (p. 262/64)**
7. **Victim Impact statement (p. 269-70)**

Nov. 4th

Measuring Effectiveness of Sentencing Options (p. 277-80)
Sentencing Aboriginal Offenders (p. 262, Box 6.3, Box 6.4)
Use of Circle Sentencing (p. 272-76)

Nov. 6th

Examination #2

Nov. 11th

REMEMBRANCE DAY

CORRECTIONAL INSTITUTIONS

Nov. 13th, 18th and 20th

Structure (p. 289-92)
Inmate profile (p. 292-93; 300, box 7.2)
Federal vs. Provincial (p. 294-97)
The Correctional Process for Federal offenders (p. 298)
Life inside Prison (p. 301-05)
Doing Time (p. 308-12)
Assessing Inmate Risk / Needs (p. 312-14)
Treatment Programs (p. 314-21)
“Inside Canada’s Prisons” (video)

RELEASE AND RE-ENTRY

Nov. 25th

Parole Process (p. 333-34)
Parole Flow Chart (p. 335)
Conditional Release (334-39)
Release Options for Provincial / Territorial Inmates (p. 339-43)
Release Options for Federal Inmates (p. 343-49)

Nov. 27th

Parole Board Decision Making (p. 352-57)
Reintegration Process (p. 357-63)
Parole Supervision (p. 363-71)

Dec. 2nd

**Recidivism among Parolees
Does Parole Work?
Revisiting Accountability**

Dec. 4th

Restorative Justice (p. 41-42; 272-76; 278)

5. Basis of Student Assessment (Weighting)

(Should be linked directly to learning outcomes.)

(a) Assignments

1. Court Report (7.5 %)

Due: October 14th before the start of class (submit via the drop box on the course homepage).

5% - the court report

2.5% - discussion post of your reflections of going to court; post reflections by October 14th and respond to two classmates posts by October 21st (see the discussion post link for further instructions).

You are required to attend and observe a criminal case in Provincial or Supreme Court at 850 Burdett Avenue in Victoria (Youth Court is not an option). Your written report will summarize the proceedings observed. This report may provide the basis of the offence you use in the Criminal Justice Process Synthesis. I recommend you plan to spend a morning or afternoon at the courthouse.

COURT REPORT

Guidelines:

While observing the entire trial related to a criminal case is desirable, your report can be based on your attendance for a morning or afternoon session only, and therefore may cover only part of a trial, a sentencing hearing, a remand, or arraignment of an offender.

Regardless of what part of the proceedings you are able to attend, there are a number of common facts you need to report on for the purpose of this assignment:

- a) the charge(s) or offence(s) – Criminal Code sections if possible
- b) the level of court in which the case is being heard
- c) the identity of the accused(s), Crown Prosecutor, Defense lawyer
- d) the nature of the offence (brief description)
- e) the nature of the proceedings
- f) the outcome (sentence, judicial reason for sentence)
- g) your personal observations of what you saw that day (1/2 page minimum)

Note: points a) through f) will go in your report; point g) will be posted in the discussion link.

Format:

Your assignment is to be written in essay format, typed, proper margins and font size, not single spaced, and put your name and student number at the top. Use the CJ Writing Reference Manual for the appropriate format and for assistance with other

aspects related to writing this report. Your report should be approximately 3 pages in length.

Don't recreate the dialogue of what you heard; instead, give me enough detail so I can have an understanding of what it was you observed.

Evaluation:

Content and clarity

Structure/organization (essay format, transitions, introduction/summary or conclusion)

Spelling/Grammar (for every 5 errors 1% off the 5% will be eliminated) – proof your work!

Best Practice as an Observer in Court (and representing the CJ program and CC)

- no hats; no gum; dress appropriately
- sit in the back
- turn off cell phones before entering!
- no whispering
- no listening devices (e.g. music)
- bow when entering the courtroom
- if you enter before the judge enters, be sure to stand up when the judge enters and then sit after he or she has sat down
- avoid talking to the accused, victims or witnesses;
- you can check in with court registry when you arrive and they will often direct you to a court room

2. Criminal Justice Process Synthesis (32.5%)

Working in pairs, you are required to apply the knowledge gained in this course by guiding a criminally accused person through the criminal justice process from the point of arrest to release from the correctional system.

Once you have identified your partner, I will create a group for you in the online component of the course where you can 'meet'. There is also a chat room and the ability to email within the course where you can share ideas.

The components of this assignment include the following:

- Description of the Criminal event and the offender (2 marks)
- Pre-Trial Procedures (8 marks)
 - Police investigation
 - Arrest: with/without warrant, offence identified, offender rights, fingerprint, photos
 - Criminal Code offence identified, laying of information
 - Offence type and election of trial method
 - Release and/or bail hearing, release document or form identified
 - First appearance, arraignment
 - Plea bargaining
 - Preliminary hearing
- Trial (8 marks)
 - Court jurisdiction/judge, jury selection and role

Opening statements, presentation of evidence
Order of presentations, cross examination, closing arguments, instruction to jury
Mens rea and actus reus
Verdict: crime convicted of
Sentencing: mitigating and aggravating factors, sentencing purpose and principles, Crown and defense submissions, pre-sentence report, victim impact statement, sentence
Appeal

- Incarceration: classification, correctional plan, security, programming (4 marks)
- Conditional release: release plan, NPB hearing, TA, DP, FP, SR, Supervision, Warrant Expiry Date (4 marks)
- Spelling, grammar, structure, organization (4 marks)

This synthesis is due December 2nd (start of class). Late submissions are penalized 5% per day late (weekends included).

The final part of this assignment is to complete an evaluation of the group assignment. It is due **December 9th (by midnight)** (2.5 marks).

Submit via the drop box in the course homepage (individual submission)

CRIMINAL JUSTICE SYNTHESIS

The purpose of this assignment is to apply the knowledge gained within this course to the reporting of criminal proceedings related to an accused who you will guide through the criminal justice process from the time of arrest to their release from the correctional system. You will either use the offender you reported on in your court report or a fictional offender.

Working in pairs, the synthesis requires that you “walk” the offender through the criminal justice proceedings, documenting and describing in detail, the various applicable procedures, options, and decisions made along the way (ie. Arrest, release, formal charge, court appearances, plea, trial, sentencing, incarceration, post-incarceration release, etc.).

- Assumptions:**
1. all offenders are adults
 2. all will be tried in adult court
 3. all accused will go to trial
 4. all will be found guilty
 5. all sentences will include a period of incarceration of at least 2 years
 6. all offenders will appear before a Parole Board and will be granted conditional release

In your description of walking the offender through the justice system, you must include:

1. a description of the criminal event or offence
2. relevant criminal code sections spelling out the offence and possible punishment
3. a description of the role and involvement of police, defense lawyer, Crown Prosecutor, Judge, Probation officer, Parole Board, Parole officer, etc.
4. a clear step by step description of all proceedings and decisions and reasons therefore, including:
 - a. all pre-trial procedures
 - b. the trial
 - c. sentencing and appeal
 - d. the process of incarceration and application of punishment
 - e. the release of the offender back to the community

note: be sure to address all 'options' available at the various stages, as well as the discretionary powers of the various participants in the justice process (e.g. Judge, CP, Police officer)

Format:

Your synthesis should be approximately **12 to 15 pages** in length, typed, 1.5-line spacing, 1-inch margins, & 12 font Arial or Times Roman.
Provide a cover page.

Use proper essay format and include headings that highlight the various steps along the way to bringing your offender to justice. Headings will make it easier to follow the transitions you are making between components and procedures.

(c) Exams

Dates: October 7th, November 6th, and during the final exam week

There are 3 examinations (20% each), each covering different subject matter. The format is true / false; fill in the blank, short answer, matching, and multiple choices. Each examination will have questions from the classroom material presented, videos shown in class, and your textbook.

6. Grading System

(No changes are to be made to this section, unless the Approved Course Description has been forwarded through EDCO for approval.)

Standard Grading System (GPA)

Percentage	Grade	Description	Grade Point Equivalency
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	Minimum level of achievement for which credit is granted; a course with a "D" grade cannot be used as a prerequisite.	1
0-49	F	Minimum level has not been achieved.	0

Temporary Grades

Temporary grades are assigned for specific circumstances and will convert to a final grade according to the grading scheme being used in the course. See Grading Policy E-1.5 at camosun.ca for information on conversion to final grades, and for additional information on student record and transcript notations.

Temporary Grade	Description
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I	<i>Incomplete:</i> A temporary grade assigned when the requirements of a course have not yet been completed due to hardship or extenuating circumstances, such as illness or death in the family.
IP	<i>In progress:</i> A temporary grade assigned for courses that, due to design may require a further enrollment in the same course. No more than two IP grades will be assigned for the same course. (For these courses a final grade will be assigned to either the 3 ^d course attempt or at the point of course completion.)
CW	<i>Compulsory Withdrawal:</i> A temporary grade assigned by a Dean when an instructor, after documenting the prescriptive strategies applied and consulting with peers, deems that a student is unsafe to self or others and must be removed from the lab, practicum, worksite, or field placement.

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

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, at Student Services or the College web site at camosun.ca.

STUDENT CONDUCT POLICY

There is a Student Conduct Policy **which includes plagiarism**. It is the student's responsibility to become familiar with the content of this policy. The policy is available in each School Administration Office, at Student Services and on the College web site in the Policy Section.

ADDITIONAL COMMENTS AS APPROPRIATE OR AS REQUIRED

INSTRUCTIONAL POLICIES:

1. Attendance and Participation

Regular attendance and active participation is required. It is expected that you will arrive on time, be attentive, non-disruptive, constructive and respectful.

For example, using headphones, engaging in text messaging, looking at voice messages, surfing the net or using any other means of 'disengaging' with your classmates and the learning process is not accepted in this class. You will be asked to leave the classroom setting.

2. Class Preparation

You are expected to complete the assigned readings before coming to class. This often becomes increasingly more difficult as the semester moves along as the completion of assignments and preparation for exams takes a great deal of your time. I would strongly recommend you use some type of day book where you can keep track of each week's assignments, readings, exams and other expectations being placed on you.

You are also expected to participate in class discussions and activities based on the readings. To help you engage in this, you will likely want to find an active means of doing your readings. For example you can take notes (questions and answers often work well) or highlight in your textbook and write in the margins before coming to class. A proven successful means of preparing is through the use of the SQ3R method (survey, question, read, review, recite).

3. Late Penalty

All assignments must be completed and submitted on the date and at the time assigned. All late written work will be penalized 10% (off 100%) unless an extension is legitimately warranted and approved by me in advance of the assignment due date. Procrastination can 'get the best of us' so be certain to manage the time you need to complete assignments (the tortoise triumphed over the hare if I recall correctly).

4. Plagiarism, Cheating, and Academic Dishonesty

See the College calendar!

<http://camosun.ca/policies/Education-Academic/E-2-Student-Services-&-Support/E-2.5.pdf>

For example, in this course, you will be attending court and may likely be observing a court case with a classmate. You will be taking your own notes and writing your own reports.

5. Course Completion Requirements

You must complete all evaluative requirements (examinations, court report, and synthesis) to receive a passing grade in this course. Unfortunately, if you don't complete all requirements, you will receive an F grade.