



CAMOSUN COLLEGE
Aboriginal Education and Community Connections
CRIM 135
Fall 2009

COURSE OUTLINE

1. Instructor Information

- (a) Instructor: Todd Ormiston
- (b) Office hours: Tuesdays 3:30-4:30pm or by appointment, Ewing 204
- (c) Class Location and Time: Tuesdays 11:00-150pm WT 234 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

September 8: Introduction to the course and Defining Justice from a First Nations perspective

- 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.

September 15: Defining Justice from a First Nations perspective/ What is a Crime?

- 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)?
- Exploring definitions of a crime/ What is criminal Justice?
- Introduction to the mainstream CJS.
- Court Report Guidelines.
- Sign up for group justice projects

Readings:

Handout: Justice in Aboriginal Communities, Introduction

Handout: Justice in Aboriginal Communities Chapter 2 and 3

Course Text: Goff, "An Overview of the Criminal Justice System in Canada," Chapter 1- pages 1-9

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

September 22: What is Criminal Justice?

- An adversarial system
- Criminal Justice funnel

- What is bail and how is it determined?
- Due process and Crime control Model
- Substantive and procedural law
- Sexual assault legislation
- Charter of rights and freedoms
- Mens Reus and Actus Reus

Readings:

Course Text: Goff, "An Overview of the Criminal Justice System in Canada," Chapter 1- pages 10-26

Course Text: Goff, "Criminal Law and Criminal Justice in Canada," Chapter 2, pages 32-48.

September 29: The Courts and Trial Procedures

- The roles of defense lawyer, Crown prosecutor and judge
- Preliminary hearings
- Introduction to plea bargaining
- Video:Plea Bargaining- Homolka
- The Jury
- Right to a speedy trial
- The trial process
- Court Report expectations presented and examples provided
- Indigenous Justice group meeting

QUIZ

Readings:

"The Courts and Trial Procedures," Chapter 8(p.219-228)

Course Text: Goff, "The Courts and Trial Procedures," Chapter 8(p.228-245)

October 6: Indigenous Child Welfare Research Conference at Harbour Towers hotel

- Students will volunteer at the University of Victoria Conference held at Harbour Towers Hotel. Please see website below-NOTE:THIS CLASS WILL BE FROM 9:30AM-12:30PM.

Readings: Web site: www.uvic.ca/icwr

October 13-De-brief on Child Welfare Conference and Role of Policing & Issues of Policing FN People

- defining roles
- Contemporary structure and operations of the police
- Police role and function
- police subculture
- How do we police the police?

Readings: Goff -Chapter 5 (p.120-125) (128-133) and 6 –p153-177

****Preparing for Debate#1

******Outline Due for Indigenous Justice Project***

October 20- Court Visit from 9:00am-12:00pm

October 27: Court Visit de-briefing and Debate #1- Do you believe in the death penalty? Murder, Violent Crimes and Capital Punishment-Debate

Guest- 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

**November 3: Two Worlds Colliding video
Discussion of video
Prep for Group Presentations**

Court Report Due

*****November 5-Special Guest: Dr. Sandy Grande- Indigenous author of Red Pedagogy-see http://www.conncoll.edu/academics/web_profiles/grande.html**

Please note: This is a special class- will replace class on December 8

November 10- The Gladue Case

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

-Restorative Justice/ Indigenous Justice

Special Guest Wayne Seaward Aboriginal Liason Officer-1:00pm

Readings

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

November 17- William Head tour-note this class is from 10:30-2:30pm

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

**November 24 and December 1- Student Presentations-extended class
- Justice from an Indigenous perspective**

Video: Voyage of Rediscovery: Frank Brown

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. Quiz	15%
3. Outline of Group Project/ research paper	10%
4. Group Project- Indigenous Justice/ written paper	30%
5. Participation and attendance	10%
6. Debate (5% written/ 5% oral)	10%

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 an Indigenous 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: November 3 at the beginning of class.

2. Quiz

Quiz – Sep 29

15%

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 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 Indigenous Justice project/ research paper

10%

Prior to the end of September, the instructor will give students guidelines. Outline is due no later than October 13. 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 an Indigenous led healing perspective based on a designated theme i.e. Tribal Policing, Circle sentencing, analysis of a FN sentencing etc. See above for possible topics.

Outline due – October 13

4. Indigenous Justice Project

30%

Students are expected to form groups of three or four 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 9-11 page paper. More info in class

5. Attendance and participation

10%

Attendance is important in order to successfully complete this course. As this is an experiential and quiz based course, attendance will be taken periodically at the BEGINNING of classes. Please ensure you connect with me prior to class if you cannot be there by e-mail. Students cannot miss more than two classes without a doctor's note.

6. Debate

10%

All students will receive 5% for attending and participating in the Debate in Wilna Thomas Cultural Center (WTCC) room 234. Students will be asked to prepare a one page argument with at least three points in support of your position on whether you are in favor of the death penalty or not (minimum two sources). This one page typed argument will be graded out of 5%. (the paper is to be 1.5 line spaced).

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 Aboriginal Education and Community Connections Department, 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 Aboriginal advisors and support people there for you to talk with. Please stop by the office or call Addie 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 November 10, 2008.

5. Course Completion Requirements

Students must complete all evaluative requirements (court report, Indigenous Justice project, and quiz) 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 Aboriginal 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