



COURSE OUTLINE

The course description is online @ <http://camosun.ca/learn/calendar/current/web/crim.html>

Ω Please note: the College electronically stores this outline for five (5) years only.
It is **strongly recommended** you keep a copy of this outline with your academic records.
You will need this outline for any future application/s for transfer credit/s to other colleges/universities.

1. Instructor Information

| | | | | |
|-----|---------------|------------------------------|--------------------|--|
| (a) | Instructor: | Wendy Taylor | | |
| (b) | Office Hours: | One hour before class Monday | | |
| (c) | Location: | Belmont Rm 238 | | |
| (d) | Phone: | 2505163818 | Alternative Phone: | |
| (e) | Email: | Taylorw@Camosun.ca | | |
| (f) | Website: | online@camosun.ca | | |

2. Intended Learning Outcomes

(No changes are to be made to these Intended Learning Outcomes as approved by the Education Council of Camosun College.)

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

Griffiths, C.T. (2014) **Canadian Criminal Justice, A Primer**. 5TH Ed., Thomson Nelson.

RECOMMENDED TEXTS:

Writing Reference Manual for the Criminal Justice Program
Criminal Code of Canada

4. Course Content and Schedule

Schedule

Mondays and Wednesday (12:44–2:06) Fridays (11:50-12:59 ALT 1:05 – 2:13)

THE CRIMINAL JUSTICE SYSTEM – AN OVERVIEW

Week #1

- Introduction to the course
 - Website for textbook
 - Website for course

- What is the criminal justice system (CJS)?
 - What is 'criminal'? What is "justice?"
 - The role and responsibilities of governments in criminal justice
 - The flow of cases through the CJS / The crime funnel
 - The foundations of the legal system
 - Models of criminal justice administration
 - The purpose or objectives of the criminal justice system
 - Is the criminal justice system a 'system'?
- **Read pages 3-32.**

CHALLENGES IN CRIMINAL JUSTICE

Week #2

- Addressing the high cost of crime and the CJS
- Responding to organized crime and terrorist threats
- Addressing public perceptions of crime and the CJS
- Increasing community involvement in the CJS
- Gathering accurate information on crime rates and patterns
- Addressing issues in First Nations, Inuit and Metis communities
- Providing effective programs for victims of crime
- The Criminal Code Activity – bring a Criminal Code to class if you have one.

Read pages 36 – 55

1st discussion post due Friday, October 10th, 2014

POLICING IN CANADA

Week #3

- A brief history of policing
- Defining police work
- The structure of policing
- Structures of police governance
- Wrongdoing in police work
- Police accountability
- The evolution of police practice
- Community policing

Read pages 61-89.

Week #4

- Police powers:
 - Charter Rights
 - Detain and arrest
 - Search and seizure
 - Entrapment
 - Use of Force
- Measuring the effectiveness of police strategies
- Police discretion and decision-making
- The police and visible/cultural minorities
- Video: "Two Worlds Colliding"

Read pages 93-117.

2nd discussion post due October 24, 2014

THE COURTS

Week #5

- The provincial court system
- Federal courts
- Where do Judges come from?
- Specialized provincial courts
 - Video: "The Vancouver Drug Treatment Court"
 - Victoria Community Court

- Laying an Information and Laying a charge
- Compelling the appearance of the accused
 - Appearance notice
 - Summons
 - Arrest
 - Pre-trial release by the police
 - Judicial interim release & pre-trial remand
- First appearance or arraignment / plea
- Plea bargaining
 - Video: "Lets Make a Deal"

Read pages 151-172.

PROSECUTION AND TRIAL

Week #6

- **TRIAL**
- Mode of trial
- Preliminary inquiry
- The trial
- Appeal
- Access to legal aid
- Fitness to stand trial
- Delay and backlog
- Judicial accountability
- Crime victims and the court process
- Wrongful convictions

Read pages 176 – 206

Midterm – Friday, November 7, 2014

SENTENCING

Week #7

- Purpose and principles of sentencing
- Sentencing options
- Concurrent and consecutive sentences
- Judicial determination
- Judicial restraint order
- How do Judges decide?
 - Statutory guidance (S.718 CCC)
 - Maximums and minimums
 - Appellate decisions and legal precedents
 - Aggravating and mitigating factors
 - Gladue Reports
- **TRY JUDGING EXERCISES**
- Additional sentencing options:
 - Extraordinary measures
 - Sentencing and crime victims
 - Sentencing and restorative justice
- Measuring effectiveness of sentencing options

Read pages 212 – 235

3rd discussion post due Friday, November 14, 2014

ALTERNATIVES TO CONFINEMENT

Week #8

- Diversion
- Probation
- Conditional sentences
- Electronic monitoring

- Behaviour change programs
- Fines

Read pages 242 - 259

4th discussion post due Friday, November 21, 2014

CORRECTIONAL INSTITUTIONS

Week #9

- Structure
- Life inside prison
- Doing time
- Assessing inmate risk and needs
- Treatment programs
- Managing correctional institutions
- Working in corrections
- Accountability in corrections
- How effective is incarceration

Read pages 264-298

5th discussion post due Friday, November 28, 2014

RELEASE AND RE-ENTRY

Week #10

- Parole process
- Parole flow chart
- Conditional Release
- Release options for Provincial / Territorial inmates
- Release options for Federal inmates
- Parole Board decision making
- Reintegration process
- Parole and statutory release supervision
- **For week #10 read pages 304 – 345**

Review and Exam Prep

Week #11

- **Final Exam- Wednesday, December 10, 2014**
- **Synthesis Due date Friday, December 12, 2014**

5. Basis of Student Assessment

Discussion Posts (4 posts) (20% of final grade)

There are many interesting topics and issues that arise when examining the criminal justice system in Canada. You will be required to write a response to a few of these questions and post your responses. Please do not have your responses submitted as attachments (e.g. as a word doc) but instead cut/paste your answer to the question. In the subject area, write down the question you are answering.

Note. **Choose any 4 of the 5 weeks below and then choose 1 question to answer for each selected.** For example you might choose to respond to question (b) for week 2; question (a) for week 4; and question (c) for week 7.

Here are the questions for the semester:

Due by October 10, 2014– Friday 6pm for original post; Monday 6pm for responses.

- Why is the Charter of Rights and Freedoms important to any study of the Canadian CJS?

- b. Does Canada 'need' a criminal justice system? Are there any alternatives to a criminal justice system?
- c. Discuss the role of discretion in the criminal justice system. Would our criminal justice system be better with MORE or LESS discretion?

Due by October 24, 2014 – Friday 6pm for original post; Monday 6pm for responses.

- a. Many police services include post-secondary education as a preferred qualification. What is your view about the importance that is attached to a college or university degree? What assumptions are being made by such a requirement?
- b. In considering police powers in Canada, do you feel that the police have too much power or not enough power to carry out their role? Does the Charter of Rights and Freedoms provides sufficient safeguards against police abuse of power, or too many roadblocks for police trying to do their jobs?
- c. Affirmative action programs enable visible minorities' priority in employment positions in order to reflect the gender, racial and cultural proportionality within a community. What are your thoughts on the importance of the police force reflecting the gender, racial and cultural make-up of the community they are serving?

Due by November 14, 2014 – Friday 6pm for original post; Monday 6pm for responses.

- a. Discuss the pros and cons of an adversarial system of justice. How does this affect the ability to examine the "true story" around any particular crime?
- b. What do you see as the pros and cons of specialized provincial courts?
- c. Could we have a fair justice system without Legal Aid? What might be an alternative? With all the cutbacks in Legal Aid funding, what do you feel would be a fair system for access to legal aid?

Due by November 21, 2014– Friday 6pm for original post; Monday 6pm for responses.

- a. What is your opinion about victim offender mediation? If you were a victim of crime, would you be interested in participating in victim offender mediation? Why or why not?
- b. A convicted person who is subsequently determined by the presiding judge to be a "dangerous offender" may be ordered by the judge to spend an indeterminate period of time in detention. The process of establishing that a person is a "dangerous offender" requires that judges predict, based on patterns of past behaviour, the likelihood of serious offences in the future. What issues are raised for you by this process?
- c. Surveys tell us there is huge public dissatisfaction with sentences imposed by the courts. How could this be changed? In particular, do you think the sentences needs to be changed, or the way they are communicated or explained?

Due by November 28, 2014 – Friday 6pm for original post; Monday 6pm for responses.

- a. How would you have responded to the inmate who stated to your textbook author (C.T. Griffiths), "I did the crime, I'll do the time. But the State does not have the right to inflict additional punishment on me by failing to protect me while I'm incarcerated."
- b. Should prisons be abolished? Could good alternatives to confinement manage all the offenders in the system?
- c. Why do many members of the public think that a sentence of probation is a "joke". What could make community sentences more acceptable in the eyes of the public?

Grading Rubric:

| | <u>Marks / 5</u> |
|---|-------------------|
| Responds appropriately to the question(s) Discussion thoroughly relates to the discussion question(s) Response is within 15 to 25 lines Responds to two classmates' notes in the thread (posts) Always demonstrates proper online etiquette | <u>4.25 - 5</u> |
| Responds appropriately to the question(s) Response is approximately 10 to 25 lines Discussion mostly relates to the discussion question(s) Responds to two classmates' notes in the thread (posts) Often demonstrates online etiquette | <u>3.5 – 4.25</u> |
| Responds appropriately to the question(s) Response is between 5 and 10 lines Discussion somewhat relates to the discussion thread Responds to one classmates' note in the thread Sometimes demonstrates online etiquette | <u>3 – 3.5</u> |

| | |
|---|------------------------|
| Responds appropriately to the question(s) Response is between 5 and 10 lines Discussion loosely relates to the discussion question Does not respond to another classmates' note in the thread | <u>2 – 3</u> |
| Does not respond appropriately to the question(s) Response is less than 5 lines Discussion not related to the discussion question(s) Does not respond to another classmates' note in the thread Does not demonstrate online etiquette | <u>2 marks maximum</u> |

Exams (40%)

Two exams are scheduled for this course.

Midterm Exam Friday, November 7, 2014 (20%)

Final Exam Wednesday, December 10, 2014 (20%)

Each will sample your recollection of the content from the textbook readings as well as the material addressed in class (PowerPoint, video presentations, etc).

This is a content heavy course so be sure to actively read your textbook.

The format may include multiple choice, short answer, fill in the chart, definitions, and short essay

Criminal Justice Process Synthesis (40%)

Due: Friday, December 12, 2014

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 use a fictional offender.

Working in groups, 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 (i.e. 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
 7. You will not have offenders receive a life sentence

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

1. a description of the criminal event or offence (No more than one page)
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) Please use the grading rubric that will be provided on the D2L to guide you through this process.

Format:

Typed, double spacing, 1-inch margins, & 12 font Arial or Times Roman, numbered pages.
Provide a cover page (follow the CJ Writing Reference Manual).

Use a 'report' 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. Include a table of contents.

As we move through this course, I strongly suggest you use the following outline to stay on top of this assignment and use the Synthesis Marking Rubric as a guide to address all pertinent issues and steps.

- The Offence (write up by end of October)
- Pre-Trial Activities and Procedures (write up by mid-November)
- The Trial and Sentencing (write up by end of November)
- Incarceration (write up by first week of December)
- Conditional release (write up prior to the due date)

Due: Friday, December 12, 2014 at the start of class (if handed in during class time it is deemed late – no exception). If you will be missing class, ensure that you submit a copy of your synthesis on the D2L site using the 'drop box' feature. You will still need to bring in a hard copy.

6. Grading System

(No changes are to be made to this section unless the Approved Course Description has been forwarded through the Education Council of Camosun College 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 |
|-----------------|--|
| 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. <i>(For these courses a final grade will be assigned to either the 3rd course attempt or at the point of course completion.)</i> |
| 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 the College web site in the Policy Section.

ADDITIONAL COMMENTS AS APPROPRIATE OR AS REQUIRED