



<b>SOCI 421 (01) Indigenous People and the Criminal Justice System</b>			
<b>Pre/Co-Requisites</b>	Sociology 425 and 313 or the consent of the department Sociology 331 and 333 are recommended		
<b>Instructor:</b>	Dr. Cora J. Voyageur	<b>Lecture Location:</b>	MS 217
<b>Phone:</b>	403 220 6507	<b>Lecture Days/Time:</b>	Tuesday/Thursday 11:00-12:15
<b>Email:</b>	voyageur@ucalgary.ca		
<b>Office:</b>	SS 906	<b>Office Hours</b>	Thursday 1:00 - 3:00
	<p>Feel free to contact me over email at any time. Please put your course number and section in your email's subject line, and include a proper salutation, your full name, student ID, and a proper closing in the body of your email. I do not answer emails over the weekend. Please take that into account when emailing me questions pertaining to assignments or exams. If you have a course-related question, please check the course outline first. Also, please e-mail me for administrative purposes only, for example to set up an appointment. Please do not use e-mail as a replacement for an office visit, if there is something you want to discuss. Questions about the course content and readings, concerns about grades, or any other personal issues should be dealt with in person during my office hours.</p>		

### Course Description

This course is a sampling of issues pertaining to the historical and contemporary involvement of Indigenous peoples both within and across Canada's justice systems. It is designed to introduce students to the history of Settler/Indigenous relations, major structures, concepts, assumptions, research findings, legislation, policies, commissions, and Indigenous court cases. Particular attention will be given to building connections between the historical policies and legislation and the contemporary impact of colonization and Canadian/Settler state. Attempts to Indigenize the existing justice and suggestions for designing an alternative justice system will also be examined.

### Course Objectives/Learning Outcomes

1. To give students a foundational understanding of historical policies and legislation and their roles in the treatment of Indigenous people.
2. To give students an overview of the demographic make-up of the Indigenous community in Canada.
3. To provide students with an overview of the social, legal, and political position of the Indigenous community.

4. To examine the relationship of colonization to Indigenous peoples' involvement and overrepresentation within Canada's justice system.
5. To familiarize students with various aspects of Indigenous peoples' involvement with Canada's justice system.
6. To explore attempts to Indigenize Canada's justice system.
7. To gain knowledge of benchmark Indigenous and Treaty Rights cases in Canada.
8. To discuss and remain aware of various Indigenous justice issues that may arise from time to time throughout the term.

### **Required Textbooks, Readings, Materials, Electronic Resources**

1. Monchalin, Lisa. 2016. *The Colonial Problem: An Indigenous Perspective on Crime and Injustice in Canada*. Toronto: University of Toronto Press. ISBN: 978-1442606623
2. Roach, Kent. 2019. *Canadian Justice, Indigenous Justice: The Gerald Stanley and Colten Boushie Case*. Montreal: McGill Queens University Press. ISBN: 978-0-7735-5638-6

The assigned readings will generally (but not exactly) correspond with the topics covered in the lectures. Thus, lecture topics should serve as a tentative guide and may be adjusted by me. The texts are available at the University of Calgary bookstore or through online vendors. Additional readings and supplemental course materials will be posted on D2L

### **Proposed Schedule of Lectures and Readings**

<b>Wk.</b>	<b>Date</b>	<b>Topic/Assigned Readings</b>
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1	Sept. 6 & 8 <sup>[1]</sup> <sub>SEP</sub>	Introduction
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**Readings: Monchalin Ch. 1**

2	Sept. 13 & 15 <sup>[1]</sup> <sub>SEP</sub>	Who are the Indigenous People of Canada?
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**Readings: Monchalin Ch. 2**

3	Sept. 20 <sup>[1]</sup> <sub>SEP</sub> & 22	The State and Indigenous Justice
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**Readings: Monchalin Ch. 3 & Roach 1**

4	Sept. 27 & 29	Aboriginal Rights and Aboriginal Title <sup>[1]</sup> <sub>SEP</sub>
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**Readings: Monchalin 4,5 & Roach 2**

5	Oct. 4 & 6 <sup>[1]</sup> <sub>SEP</sub>	Criminalization of the Indigenous Lifestyle
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**Readings: Monchalin 6 & Roach 3**

**Group presentations begin on Thursday and will continue until the end of the term**

6	Oct. 11 & 13 <sup>[1]</sup> <sub>SEP</sub>	Crime and Crime Justice Statistics
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**Readings: Monchalin 8 & Roach 4**

7	Oct. 18 & 20	Review (Tuesday) & Midterm (Thursday)	<b>Readings: No Readings</b>
8	Oct. 25 & 27	Indigenizing the CJS: Policing	<b>Readings: Monchalin 9 &amp; Roach 5</b>
9	Nov. 1 & 3 <sup>[1]</sup> <sub>SEP</sub>	Indigenizing the System: The Courts	<b>Readings: Monchalin 11 &amp; Roach 6</b>
10	Nov. 8 & 10	<b>Reading Week</b>	<b>Readings: No Readings</b>
11	Nov. 15 & 17	Indigenizing the System: Sentencing	<b>Readings: Roach 8</b>
12	Nov 22 & 24	Indigenizing the System: Prisons	<b>Readings: Monchalin 13 &amp; Roach 9</b>
13	Nov 29 & Dec 1	Where do we go from here?	<b>Readings: No Readings</b>
14	December 6	Review	

### **Methods of Assessment**

Examinations (Total of 60%)

There will be one mid-term examination and one final examination. The examinations will cover lectures, guest lectures, videos, class discussions, and assigned reading materials scheduled up to the exam. This means that students will also be responsible for readings and topics not covered in class.

Midterm	30%	October 20
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The mid-term will be an in-person, 75-minute examination and a combination of any, or all, of the following: multiple choice, true/false, definition, short answer and essay questions. This manner of testing allows the student to demonstrate varying methods of academic skill. I do not expect the student to rely solely on rote memory. I expect application, analysis, synthesis, and integration of course materials into your reasoned and concise written answers. Therefore, you must be specific rather than general in your responses. The short answer and long answer questions require a reasonable standard of writing. Poor spelling disjointed or incomplete sentences, poor grammar and punctuation, inadequate sentence and paragraph structure will only detract from the ideas you are trying to express and will negatively impact your mark.

Final Exam	30%	Registrar Scheduled
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The final term will be 2 hours and a combination of any, or all, of the following: multiple choice, true/false, definition, short answer and essay questions. This manner of testing allows the student to demonstrate varying methods of academic skill. I do not expect the student to rely solely on rote

memory. I expect application, analysis, synthesis, and integration of course materials into your reasoned and concise written answers. Therefore, you must be specific rather than general in your responses. The short answer and long answer questions require a reasonable standard of writing. Poor spelling, disjointed or incomplete sentences, poor grammar and punctuation, inadequate sentence and paragraph structure will only detract from the ideas you are trying to express and will negatively impact your mark.

The exams are non-cumulative. This means that the mid-term will cover only materials from the first class to the class prior to the mid-term exam. The final exam will cover materials from the mid-term to the last day of class. Although the final exam is non-cumulative, students might find reviewing the mid-term exam materials valuable in preparation for the final. In other words, do not forget everything you learned prior to the mid-term. Examination dates are strictly enforced.

Group Presentation (Groups Assigned) -- 30 % **Begin on October 6**

Students must make a 30 - minute group presentation. The group presentation will be based on a chapter of the Kent Roach text, *Canadian Justice, Indigenous Justice: The Gerald Stanley and Colten Boushie case*. The presentation must deal with the key facts/points highlighted in the assigned chapter.

You can provide supplementary materials (photographs, illustrations, maps, flowcharts, music, quizzes, timelines, analysis, etc.) to fellow students and then to lead a class discussion. Be brief and be creative!

Colleague Assessment – 10% **Completed on the last day of presentations**

All of your group members will evaluate your contribution to the group presentation. This evaluation accounts for 10% of your final mark so you must do your share of the work. Each group member will assess your work out of ten. These grades will be averaged and the result will be your colleague assessment mark. Further, your colleague evaluation will be proportional to your final grade on the presentation (for example, if you get an average of 9 out of 10 in the colleague assessment then you will get 90% of the presentation grade. Also, if you receive a participation grade of "0" from all of your fellow group members then you will receive a grade of "0" for the presentation, and thus, fail the course. This assessment will be done after all the class presentations are submitted.

- **NOTE: You must receive a grade in all evaluation components to obtain a passing grade in this course.**

**Grading Weights**

COMPONENT	WEIGHTING	DUE DATES/DAY
Group Presentation	30%	<b>As Assigned</b>
Midterm Exam	30%	<b>October 20</b>
Final Exam	30%	<b>Registrar scheduled</b>
<b>Colleague Assessment</b>	<b>10%</b>	<b>Last day of presentations</b>
Total	100%	

**Final Exam Information**

Final Exam	<i>Registrar Scheduled</i>
Length	2 hours
Format	In person
Type	Multiple Choice, Definition, Short and Long Essay
Aids	Closed book and no aids

## **Grading Scale**

Letter grades will be assigned and submitted to the registrar based on the following scale:

<b>Grade</b>	<b>Percent range</b>	<b>Grade Point Value</b>	<b>Description</b>
<b>A+</b>	96 – 100%	4.0	Outstanding performance
<b>A</b>	90 – 95.99%	4.0	Excellent performance
<b>A-</b>	85 – 89.99%	3.7	Approaching excellent performance
<b>B+</b>	80 – 84.99%	3.3	Exceeding good performance
<b>B</b>	75 – 79.99%	3.0	Good performance
<b>B-</b>	70 – 74.99%	2.7	Approaching good performance
<b>C+</b>	67 – 69.99%	2.3	Exceeding satisfactory performance
<b>C</b>	63 – 66.99%	2.0	Satisfactory performance
<b>C-</b>	59 – 62.99%	1.7	Approaching satisfactory performance
<b>D+</b>	55 – 58.99%	1.3	Marginal pass. Insufficient preparation for subsequent courses in the same subject
<b>D</b>	50 – 54.99%	1.0	Minimal Pass. Insufficient preparation for subsequent courses in the same subject.
<b>F</b>	<50%	0	Failure. Did not meet course requirements.

## **Passing Grades**

The student must receive a grade in each component of the assessment to pass this course.

## **Technology Use**

Laptops must be used strictly for notetaking in this class. Cell phones must be turned off and put away for the duration of the class. Students cannot audio tape or videotape lectures without my permission. Students must not post any course materials on any personal or social media platforms.

## **Libraries & Cultural Resources**

To contact your librarian or find out about the resources and services available to sociology students go to the Sociology Library guide: <https://library.ucalgary.ca/guides/sociology>

To access the main Library website, go to: <https://library.ucalgary.ca>

## **IMPORTANT POLICIES AND INFORMATION**

### **Absence From a Mid-term Examination**

Students who are absent from a scheduled term test or quiz for legitimate reasons are responsible for contacting the instructor via email within 48 hours of the missed test to discuss alternative arrangements. A copy of that email may be requested as proof of the attempt to contact the instructor.

**Deferred Term Work Form:** Deferral of term work past the end of a term requires a form to be filled out by the student and submitted, along with any supporting documentation, to the instructor. The form is

available at: [https://live-ucalgary.ucalgary.ca/sites/default/files/teams/14/P22\\_deferral-of-term-work\\_lapseGrade.pdf](https://live-ucalgary.ucalgary.ca/sites/default/files/teams/14/P22_deferral-of-term-work_lapseGrade.pdf)

Once an extension date has been agreed between instructor and student, the instructor will email the form to the Faculty of Arts Program Information Centre ([ascarts@ucalgary.ca](mailto:ascarts@ucalgary.ca)) for approval by the Associate Dean.

### **Deferral of a Final Examination**

Deferral of a final examination can be granted for reasons of illness, domestic affliction, and unforeseen circumstances, as well as to those with three (3) final exams scheduled within a 24-hour period. Deferred final exams will not be granted to those who sit the exam, who have made travel arrangements that conflict with their exam, or who have misread the examination timetable. The decision to allow a deferred final exam rests not with the instructor but with Enrolment Services. Instructors should, however, be notified if you will be absent during the examination. The Application for Deferred Final Exam, deadlines, requirements and submission instructions can be found on the Enrolment Services website at <https://www.ucalgary.ca/registrar/exams/deferred-exams>.

### **Reappraisal of Grades:**

*For Reappraisal of Graded Term Work, see Calendar I.2*

<http://www.ucalgary.ca/pubs/calendar/current/i-2.html>

*For Reappraisal of Final Grade, see Calendar I.3*

<http://www.ucalgary.ca/pubs/calendar/current/i-3.html>

### **Academic Misconduct:**

Academic Misconduct refers to student behavior that compromises proper assessment of students' academic activities and includes: cheating; fabrication; falsification; plagiarism; unauthorized assistance; failure to comply with an instructor's expectations regarding conduct required of students completing academic assessments in their courses; and failure to comply with exam regulations applied by the Registrar.

Student committing academic misconduct during the final exam will not receive a passing grade for the course.

For information on the Student Academic Misconduct Policy, Procedure and Academic Integrity, please visit: <https://www.ucalgary.ca/pubs/calendar/current/k-3.html>

### **Plagiarism And Other Forms Of Academic Misconduct**

Academic misconduct in any form (e.g. cheating, plagiarism) is a serious academic offence that can lead to disciplinary probation, suspension or expulsion from the University. Students are expected to be familiar with the standards surrounding academic honesty; these can be found in the University of Calgary calendar at <http://www.ucalgary.ca/pubs/calendar/current/k.html>. Such offences will be taken seriously and reported immediately, as required by Faculty of Arts policy.

### **Recording of Lectures:**

Recording of lectures is prohibited, except for audio recordings authorized as an accommodation by SAS or an audio recording for individual private study and only with the written permission of the instructor. Any unauthorized electronic or mechanical recording of lectures, their transcription, copying, or distribution, constitutes academic misconduct. See <https://www.ucalgary.ca/pubs/calendar/current/e-6.html>.

### **Academic Accommodations:**

Students seeking an accommodation based on disability or medical concerns should contact Student Accessibility Services. SAS will process the request and issue letters of accommodation to instructors. Students who require an accommodation in relation to their coursework based on a protected ground other than disability should communicate this need in writing to their instructor. The full policy on Student Accommodations is available at

<https://www.ucalgary.ca/legal-services/university-policies-procedures/accommodation-students-disabilities-procedure>

### **Research Ethics**

Students are advised that any research with human subjects – including any interviewing (even with friends and family), opinion polling, or unobtrusive observation – must have the approval of the Conjoint Faculties Research Ethics Board. In completing course requirements, students must not undertake any human subject research without discussing their plans with the instructor, to determine if ethics approval is required.

### **Instructor Intellectual Property**

Course materials created by instructors (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the instructor. These materials may NOT be reproduced, redistributed or copied without the explicit consent of the instructor. The posting of course materials to third party websites such as note-sharing sites without permission is prohibited. Sharing of extracts of these course materials with other students enrolled in the course at the same time may be allowed under fair dealing.

### **Freedom of Information and Protection of Privacy (FOIP) Act:**

Personal information is collected in accordance with FOIP. Assignments can only be returned to the student and will be accessible only to authorized faculty and staff. For more information, see <https://www.ucalgary.ca/legal-services/access-information-privacy>

### **Copyright Legislation:**

See the University of Calgary policy on Acceptable Use of Material Protected by Copyright at <https://www.ucalgary.ca/legal-services/university-policies-procedures/acceptable-use-material-protected-copyright-policy> Students who use material protected by copyright in violation of this policy may be disciplined under the Non-Academic Misconduct Policy.

Course materials created by instructors (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the instructor. These materials may NOT be reproduced, redistributed or copied without the explicit consent of the instructor. The posting of course materials to third party websites such as note-sharing sites without permission is prohibited. Sharing of extracts of these course materials with other students enrolled in the course at the same time may be allowed under fair dealing.

### **Evacuation Assembly Points**

In the event of an emergency evacuation from class, students are required to gather in designated assembly points. Please check the list found at <https://www.ucalgary.ca/risk/emergency-management/evac-drills-assembly-points/assembly-points> and note the assembly point nearest to your classroom.

### **Important Dates:**

Please check: <http://www.ucalgary.ca/pubs/calendar/current/academic-schedule.html>.

### **Faculty of Arts Program Advising and Student Information Resources**

- Have a question, but not sure where to start? The Arts Students' Centre is your information resource for everything in Arts! Drop in at SS102, call them at 403-220-3580, or email them at [artsads@ucalgary.ca](mailto:artsads@ucalgary.ca). You can also visit the Faculty of Arts website at <http://arts.ucalgary.ca/undergraduate>, which has detailed information on common academic concerns, including program planning and advice.
- For registration (add/drop/swap), paying fees and assistance with your Student Centre, contact Enrolment Services at 403-210-ROCK [7625] or visit them in the MacKimmie Tower.

### **Important Contact Information**

Campus Security and Safewalk (24 hours a day/7 days a week/365 days a year)  
Phone: 403-220-5333

Faculty of Arts Undergraduate Students' Union Representatives  
Phone: 403-220-6551  
Email: [arts1@su.ucalgary.ca](mailto:arts1@su.ucalgary.ca), [arts2@su.ucalgary.ca](mailto:arts2@su.ucalgary.ca), [arts3@su.ucalgary.ca](mailto:arts3@su.ucalgary.ca),  
[arts4@su.ucalgary.ca](mailto:arts4@su.ucalgary.ca)  
Students' Union URL: [www.su.ucalgary.ca](http://www.su.ucalgary.ca)

Graduate Students' Association  
Phone: 403-220-5997  
Email: [askgsa@ucalgary.ca](mailto:askgsa@ucalgary.ca)  
URL: [www.ucalgary.ca/gsa](http://www.ucalgary.ca/gsa)

Student Ombudsman  
Phone: 403-220-6420  
Email: [ombuds@ucalgary.ca](mailto:ombuds@ucalgary.ca)

### **Campus Mental Health Resources**

The University of Calgary recognizes the pivotal role that student mental health plays in physical health, social connectedness and academic success, and aspires to create a caring and supportive campus community where individuals can freely talk about mental health and receive supports when needed. We encourage you to explore the excellent mental health resources available throughout the university community, such as counselling, self-help resources, peer support or skills-building available through the following resources:

*SU Wellness Centre:* <http://www.ucalgary.ca/wellnesscentre/>

*Student Wellness Services:*  
<https://www.ucalgary.ca/wellness-services/services/mental-health-services>

*Campus Mental Health Strategy website:* <https://www.ucalgary.ca/mentalhealth/>.