

The Lived Experience of a Male-to-Female Transgender Individual Incarcerated in a Men's
Correctional Institution

By

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Abstract

In Canada, the prevalence of transgender individuals who are incarcerated is currently unknown. However, advocates argue that they appear to be a growing population within the prison system. In order for correctional staff to better manage and support this unique and vulnerable population, they must first identify and understand what their experiences are. There is minimal quantitative and qualitative data on the experience of incarcerated transgender individuals. The purpose of this study, the lived experience of a male-to-female transgender individual incarcerated in a men's correctional institution, is to expand this knowledge base. This study takes a qualitative approach, employing hermeneutic phenomenology as the methodological base. In-depth interviews were conducted with seven self-identified transgender persons who had previously been incarcerated. The narrative provided by the participants identified two essential themes that described the essence of their experience: crushing fear and lack of acceptance of their transgender identity. Feelings of fear included fear of sexual harassment, fear of sexual and physical assault, fear of being used a sexual pawn and, in one instance, fear of discovery of their transgender identity. In relation to lack of acceptance of their transgender identity, participants were not given the option of being placed to a women's institution, despite openly identifying as transgender. Some participants were placed on special needs units where they were strip searched like they were men, were not identified by the proper pronoun and preferred name and were not provided with gender-appropriate clothing and grooming products. In light of the findings, this study offers suggestions for future research, and makes several policy and practice recommendations.

Table of Contents

ABSTRACT	i
ACKNOWLEDGEMENTS	iv
CHAPTER 1: STATEMENT OF THE PROBLEM	1
PURPOSE OF THE STUDY.....	2
DEFINITION OF TERMS.....	3
SIGNIFICANCE OF STUDY.....	4
CHAPTER 2: LITERATURE REVIEW	6
FROM POPULATION TO PRISON.....	6
THE PRISON EXPERIENCE.....	11
SEXUAL ASSAULT AND SEXUAL HARRASSMENT.....	14
INSTITUTIONAL PLACEMENT.....	20
CONDITIONS OF CONFINEMENT.....	25
SUMMARY.....	33
CHAPTER 3: METHODOLOGY	35
THEORETIC FRAMEWORK.....	35
RESEARCH DESIGN.....	40
INTERVIEWS.....	43
RELEXIVITY.....	45
DATA ANALYSIS.....	45
METHOLOGICAL RIGOUR.....	46
SUMMARY.....	49
CHAPTER 4: FINDINGS	50

CHARACTERISTICS OF THE SAMPLE.....	50
THEME ONE: OVERWHELMING FEAR.....	51
THEME TWO: ACCEPTENCE OF WHO THEY TRULY ARE.....	61
INCIDENTAL THEMES.....	71
THEORETICAL IMPLICATIONS.....	75
SUMMARY.....	78
CHAPTER 5: DICUSSION OF THE FINDINGS.....	79
THE LIVED EXPERIENCE OF AN INCARCERATED TRANSGENDER INDIVIDUAL.....	79
FEAR.....	80
ACCEPTANCE OF THEIR TRANSGENDER IDENTITY.....	92
EXISTENTIAL THEMES.....	101
INCIDENTAL THEMES.....	103
CONCLUSION.....	104
CHAPTER 6: CONCLUSION.....	105
LIMITATIONS OF THIS STUDY.....	105
REFERENCES.....	113
TABLE 1: DEMOGRAPHICS OF STUDY PARTICIPANTS.....	127
APPENDIX A: PSYCHOLOGY/SOCIOLOGY ETHICS BOARD APPROVAL LETTER.....	128
APPENDIX B: STUDY RECRUITMENT POSTER.....	129
APPENDIX C: CONSENT FORM.....	130
APPENDIX D: INTERVIEW QUESTIONS.....	134

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Chapter 1: Statement of the Problem

Transgender individuals experience extensive discrimination and inequality in prison (Stanley & Smith, 2015; Wilson et al., 2017). As a population, they are more likely to be involved with the criminal justice system due to a lack of family and community support, a shortage of housing alternatives and a scarcity of employment opportunities (Tarzwell, 2006; Wilson et al., 2017). Many advocates argue that this group is heavily overrepresented within the correctional system (Rosenberg & Oswin, 2015).

For over the last century, prisons have operated under the assumption that there are only two genders, male and female (Jenness & Fenstermaker, 2014; Stohr, 2015). Incarcerated transgender individuals, by virtue of their mere presence, challenge this strongly held tenet. Prisons have been forced to develop and implement policy to address the unique needs of this vulnerable population. Nonetheless, they have failed in this venture, as evidenced by the extensive violence experienced by gender non-conforming individuals while they are incarcerated (Sumner & Sexton, 2016).

In men's prisons, those that transgress gender norms are placed at the bottom of the prison population hierarchy and, as such, are subject to extensive victimization (Sexton & Jenness, 2016). Transgender individuals who are imprisoned are more likely to face harassment, threats and hate-motivated violence than those who are non-transgendered (Agbemenu, 2015; Stohr, 2015). They are 13 times more likely to be sexually assaulted than their cis-gender peers (Jenness & Fenstermaker, 2016). Transgender individuals not only have to endure ongoing harassment and sexual assault while in prison, they must live within a system that is not designed and structured to meet their needs (Agbemenu, 2015). Prison policy, by intention, enforces

conformity and thus limits the prisoner's self-expression. This is partially done through control of access to clothing and personal hygiene products. For transgender individuals, denial of self-expression can lead to feeling a sense of double imprisonment, as they are forced to suppress their true gender identity while they are incarcerated (Agbemenu, 2015).

Purpose of the Study

The presence of transgender individuals in men's correctional facilities raises several theoretical and policy issues (Jenness, 2010). Much of the available literature arises out of the United States and discusses issues such as the prison placement of the transgender individual, the extent of sexual assault and sexual harassment experienced and the conditions of confinement. In Canada, there is minimal quantitative and qualitative data on the prevalence and experience of incarcerated transgender individuals. The voice of the transgender individual who is incarcerated is not heard, has been ignored or is simply not forthcoming. The purpose of this study, the lived experience of a male-to-female transgender individual incarcerated in a men's correctional institution, is to expand this limited knowledge base by exploring and describing the lived experience of a male-to-female transgender individual who was incarcerated in a men's correctional institution.

This study takes a qualitative approach, employing hermeneutic phenomenology as the methodological base. In-depth interviews were conducted with seven individuals who met the two screening criteria: self-identification as a transgender individual and having spent time in custody in a remand centre, jail and/or prison. The aim of the interviews was to identify the lived experience of the incarcerated transgendered person. Explicating the lived experience, or the essence of the experience, of the imprisoned transgender individual will not only contribute to

expanding the knowledge base but also better inform those who work with this vulnerable prison population.

Definition of Terms

For a better understanding of the study, the following terms are defined:

Commissioner's Directive. The policy directives for the Correctional Service of Canada (Correctional Service of Canada, 2019).

Cis-gender. "Cisgender denotes people whose sex and gender align with that they were designated at birth" (Rodgers, Asquith & Dwyer, 2017, p. 3).

Lived Experience. "The ordinary life experience as it carries us on in its lived everyday current" (van Manen, 2017, p. 81).

Prison. "A prison, also known as a correctional facility, jail, gaol, penitentiary, detention centre, correctional centre, or remand centre, is a facility in which inmates are forcibly confined and denied a variety of freedoms under the authority of the state" (Oliveira & Graca, 2019, p. 103).

Sexual Assault. "Any of the following acts without consent constitutes sexual assault:

- Any non-consensual sexual contact that is verbal, emotional or physical
- An act of violence or aggression involving a sexual attack that is verbal, emotional or physical
- Unwelcome sexual comments, harassment or threats that make you feel uncomfortable, violated or under attack
- Touching in a sexual way without permission
- Forced kissing or fondling
- Forced oral, anal or vaginal penetration (rape)" (Klinic, 2019, p. 1).

Sexual Harassment. “Sexual harassment is any uninvited and unwanted comments, gestures and/or actions that are directed at a person because of their actual or perceived sex, gender, gender expression or sexual orientation. The unwanted behaviour may be physical, verbal, written or electronic. It may include one or more of the following:

- whistling, staring, making sexual comments
- demands for sexual favours in return for the promise of a reward or the threat of punishment
- unwelcome remarks or jokes about one's gender or sexuality
- the display of disrespectful or rude materials such as pictures, cartoons or other printed materials” (Province of Manitoba, 2017, p. 1).

Transgender. “A broad term that describes any person whose gender identity or gender expression differs from gender roles typically associated with the sex he or she was assigned at birth. The broad category of transgender encompasses both pre- and post- operative transgender individuals, genderqueer individuals, cross dressers, the androgynous, and other gender non-conforming people” (Agbemenu, 2015, p. 8).

Significance of the Study

It is the author’s observation through working in the correctional system that male-to-female transgender individuals are a growing population within men’s correctional institutions (see also: Sexton, Jenness & Sumner, 2010). They are unique in that they have specific needs and are extremely vulnerable to harassment and abuse during their incarceration (Tarzwell, 2006). There is limited research into the experience of the incarcerated transgender individual; therefore, an exploration into the lived experiences of male-to-female transgender individuals who are incarcerated in Canada will provide a much needed voice to this oppressed population, while also contributing to the knowledge base. Individuals working with this population in the

community will benefit from having an understanding of their experience, as it may assist in helping them overcome the detrimental effects of the prison experience. This study will also inform those that develop prison policy. It is important to have an understanding of the incarcerated transgender individual's experience to effectively design and implement policy in such a way that it lessens the risks of harm to the transgender individual. The findings will also assist those that work with this population in the prison system. The limited research into how to effectively manage this group and the lack of resources available makes working with this population extremely difficult within the prison system. Explicating the experience may lead to suggested interventions that will support this population while incarcerated. Finally, this research, may lead to better interventions, which will have a positive impact on the overall experience of the transgender individual who is incarcerated.

The findings of this study identify and describe the essence of the lived experience of a male-to-female transgender individual who is incarcerated in a men's correctional institution. Two essential themes emerged from the data: feelings of fear and lack of acceptance of their gender identity. Participants reported having intense feelings of fear throughout their sentences. They were scared of being sexually harassed, sexually and physically assaulted and, for one participant, scared that the other prisoners would discover their true gender identity. Participants also described feeling an overall lack of acceptance of their gender identity. They were not given the option of being placed into a women's institution, staff and most other offenders failed to use their proper pronoun and name, and they were not provided with gender-appropriate clothing and grooming products. In addition, three incidental themes were drawn from the data and are described in more detail in the findings: access to supports, the visibility of role models and the need for training for staff.

Chapter 2: Literature Review

A review of the relevant literature was completed for the purpose of this study. An extensive search was conducted of the following data bases: EBSCOhost, SAGE Journals, HeinOnline, JSTOR, Sociology: A SAGE Full Text Collection, Criminology and Criminal Justice: A SAGE Full Text Collection, Psychology and Counselling: A SAGE Full Text Collection, Criminal Justice Abstract, and ProQuest. Key terms included: “transgender”; “trans”; “genderqueer”; “androgynous”; “gender non-conforming”; “incarcerated”; “prison”; “jail.” The key concepts of “transgender” and “prison,” and the associated synonyms, were searched in conjunction with one another to create a specialized search for the materials. Gender and masculinity within prison was also explored. Books and articles published within the last 30 years were included in the search parameters.

The literature review identified a number of key areas that were salient to the study, including: an exploration as to how transgender individuals came to be incarcerated, a look at prison as a gendered space, the extent of sexual harassment and abuse of transgender individuals experienced while incarcerated, the placement of transgender individuals within the correctional system and the conditions of confinement for the transgender individual.

From Population to Prison

There are no formal statistics discerning the number of individuals who self-identify as transgendered within Canada; however, it has been estimated that 1 in 200 adults fall within this demographic (Scheim & Bauer, 2015). The last Census of Population, completed in 2016 by Statistics Canada, failed to solicit any data on transgender identity; instead, it asked those who identify as transgender, transsexual and/or intersex to indicate which gender they most identify with or to leave the question blank and provide comment (Statistics Canada, 2016). Statistics

Canada has indicated that they will be collecting data in this area for their next population census (Statistics Canada, 2019).

Two genders. Western culture identifies and accepts two genders, male and female, which are seen as “natural” and based on biological and psychological characteristics (West & Zimmerman, 2002). Societal structure, including its institutions and networks, is based on this fundamental assumption (West & Zimmerman, 2002).

Messerschmidt (1993) argues that an individual’s personality is structured in the form of being either feminine or masculine. With this binary comes the stereotypical roles identified for each gender, domination for men and subjugation for women. These roles are assumed in both the private and public spheres. Messerschmidt (1993) surmises, “inasmuch as inequality is institutionalized throughout society, sex role socialization occurs in all walks of life” (p. 33).

The results of gender non-conformity in the early years. Early on, children learn that there are only two categories of gender identity available to them and that engagement with the assigned role is compulsory (West & Zimmerman, 2002). Children who fail to fit within this gender binary struggle significantly. They face numerous barriers: they are told that they are wearing the “wrong” clothing, that they are interested in the “wrong” things, they are using the “wrong” bathroom (Tarzwell, 2006). Expressing gender non-conformity can bring swift and significant rebuke from their family and/or the community (Tarzwell, 2006).

Gender non-conforming youth are often subjected to harassment and violence at school and, in some cases, in the home. As a result, many gender non-conforming youth end up being asked to leave or run away from their home and many also end up dropping out of school (Stanley, 2015). The foster care system, youth support systems and youth justice systems are ill-equipped to handle individuals who do not conform to the gender binary, as like other societal

structures they are based on two categories of gender identity (Tarzwell, 2006). The result is that many transgender youth end up homeless and living on the street, engaging in street crime and sex work as a means to survive (Stanley, 2015).

Gender non-conformity in adulthood. Transitioning into adulthood usually does not bring any reprieve, as barriers to housing and employment continue. Having an identification that does not match one's gender identity hampers an individual's access to social assistance, public housing and employment support programs (Rosenburg & Oswen, 2015). Already facing barriers to employment due to a lack of education and homelessness, transgender individuals attempting to secure work encounter further discrimination from employers who shun those that do not fit into the gender binary mold (Stanley, 2015). Positions that may be available to them are usually minimum wage and do little to lift them out of poverty. With limited access to the legitimate economy, many transgender individuals continue to work in the sex and illegal drug trades as adults (Stanley, 2015).

Involvement in criminal activity. Historically, transgender individuals have been subject to extensive violence and harassment by the police (Stanley, 2015). Transgender individuals continue to be vulnerable to police profiling, as they visually stand out due to not conforming to societal accepted gender role standards (Rosenburg & Oswen, 2015). They are often targeted and arrested for nuisance offences, including sleeping on the street and sex work (Tarzwell, 2006). Given the incidence of transgender profiling and the high numbers of individuals within this population who are funneled into sex work and drug trafficking, many end up involved with the criminal justice system (Rosenburg & Oswen, 2015).

Discrimination within the criminal justice system. Once in the system, the discrimination continues. Individuals who are transgender continue to face bias from lawyers and

judges, often leading to harsher sentencing (Tarzwell, 2006). Sentencing diversion programs are normally sex-segregated, thereby eliminating the possibility for transgender individuals to participate in such programs and avoid prosecution and/or prison sentences (Tarzwell, 2006). All of these factors have led to the over-representation of transgendered individuals within the penal system (Rosenburg & Oswen, 2015; Tarzwell, 2006).

Number of transgender individuals in prison. Identifying the number of transgender individuals who are incarcerated can be somewhat problematic, as there are varying definitions of transgender. Individuals who identify as transgender are not noted to be a homogenous group; they may be in different stages of transitioning, or they may just identify as gender non-conforming (Stohr, 2015). Therefore, identification of a transgender individual may not always be obvious to corrections officials; however, one solution brought forth was to simply ask the question (Stohr, 2015).

Statistics. The incidence of transgender individuals with a history of incarceration has been estimated to be 37% to 65% within the United States (Resiner, et al., 2014). No formal statistics have been kept; however, in the U.S., one study estimated that, in 2007, there were 750 individuals who identified as transgendered in prison (Brown, 2014). In Australia, it is estimated that transgender individuals make up .6 per cent of their prison population (Lynch & Bartels, 2017). In Canada, the prevalence of transgender individuals who are federally incarcerated is currently unknown as the Correctional Service of Canada does not keep any formal data. An informal survey conducted between 1999 and 2001 determined that, in total, 12 individuals incarcerated in the federal correctional system identified as transgendered (Correctional Service of Canada, 2010). Given the dated data and the subsequent rise in societal acknowledgement and

acceptance of transgender identity, it is assumed that the number of individuals who self-identify as transgender and who are currently incarcerated is greater than 12.

Doing gender. Doing gender is a theory put forth by West and Zimmerman (1987), which argues that gender is not inherent in nature but a routine accomplishment. Male and female gender traits are not natural and rooted in reproductive characteristics but are learned behaviours (West & Zimmerman, 1987). Society provides the structure and resources to maintain this gender binary and, in all aspects of life, one's behaviour is judged on their portrayal of their gender identity (West & Zimmerman, 1987). Jenness and Fenstermaker (2014) state, "in the context for prisons for men (and only men), it is not the commitment to biological differences that dictate gender dynamics among members, but the commitment of bodies to act like, and be received as, ladies and men" (p. 26). Transgender individuals who display feminine characteristics, despite not having all the biological characteristics, threaten the norms of hegemonic masculinity and provide an outlet for assertion of power and/or sexual gratification (Wilson et al., 2017). By pursuing traditional feminine gender authenticity, transgender individuals take on the heteronormative feminine role, which includes feminine subjugation and reduction of their role to that of a sexual one (Wilson et al., 2017).

Prison as a Gendered Space. Since the early 19th century, correctional institutions have maintained separate populations of men and women (Sumner & Sexton, 2016; Correctional Service of Canada, 2008) with the intention to avoid sexual contact between male and female prisoners, to protect women from violence and to provide gender-specific programming and interventions (Sumner & Sexton, 2016; Tarzwell, 2006). This separation has led to "the explicitly gendered nature of the prison (system) and the hegemony of sex segregation" (Sumner

& Sexton, 2016, p. 619). Prison has been described as a “hyper-gendered system” (Tarzwell, 2006).

Prison policies are enacted that reflect and reinforce this gender dichotomy (Sumner & Sexton, 2016; Pemberton, 2013). Programming, vocational opportunities and policies related to an individual’s personal needs, including items related to hygiene and clothing, are based on traditional notions of gender roles and identities (Sumner & Sexton, 2016; Tarzwell, 2006). Where individuals are placed, in most instances, is based on their genitalia (Wilson, et al., 2017). Regardless of this separation by gender, because the prison population is predominantly made up of men, most prisons are constructed and managed with the male prisoner in mind (Sumner & Sexton, 2016).

Women who are imprisoned are expected to behave in a manner that is in keeping with what is seen as traditional feminine gender characteristics: that of white, middle class values (Vitulli, 2013; Pemberton, 2013; Yona & Katri, 2019). Women are expected to be, “passive, dependent, and emotional” (Vitulli, 2013). Prisons for men, on the other hand, have been described as hypermasculine environments (Ricciardelli, 2015; Tarzwell, 2006; Vitulli, 2013), with male inmates expected to be strong, both emotionally and physically, not displaying weaknesses or vulnerabilities (Kennedy, 2016).

The Prison Experience

The literature speaks to three prominent models to describe the prison experience: deprivation, importation and integration (Ricciardelli, 2015). In his work, *The Society of Captives*, Sykes (1958) describes the “pains of imprisonment” as the deprivation of liberty, goods and services, heterosexual relationships, autonomy and security (p. 64). Sykes (1958) argued that incarceration not only “physically compressed” individuals by removing them from

society but due to the “enforced intimacy” individuals were “psychologically compressed” as well (p. 4). The theory asserts that the longer the individuals are incarcerated and subjected to these “deprivations,” the more likely the individuals are to deviate from legal norms (Sykes, 1958, p. 22).

The second model, importation, maintains that although individuals who are placed into correctional institutions are segregated from the population at large, they still import norms and values (Ricciardelli, 2015). The individuals’ social history and their personal beliefs will have an impact on how they behave while incarcerated (Ricciardelli, 2015). Michalski (2017) reaffirms this concept by noting, “the external conditions and the general environments in which the inmates lived prior to their incarceration directly influence their strategies of adaptation and survival while imprisoned” (p. 41).

More recently, a third model, integration, has emerged to describe the prison experience. Integration is described as the combination of the deprivation and importation models (Ricciardelli, 2015). Both the prison environment and personal characteristics are seen as influencing the adaptation of the individual to the prison culture (Ricciardelli, 2015). These theories are seen as applicable to both incarcerated men and women, with some gender variances (Michalski, 2017). Ricciardelli (2015) explains: “the prison system, though it isolates prisoners from mainstream society, is not an isolated institutional element within that society. It is molded to the social landscape and social relations of men and women” (p. 173). Patriarchy, which molds societal structure, is also present in the prison social structure (Ricciardelli, 2015). Individuals who are incarcerated must negotiate status and hierarchy based on these ideals, thus reinforcing hegemonic masculinity (Jewkes, 2005; Michalski, 2017).

Status and hierarchy within the prison system have been explored in the literature using Bourdieu's theory on social space. Central to Bourdieu's theory are three main types of capital: "economic (material or financial resources), social (resources derived from group membership and social networks), and cultural (the resources that accrue from knowledge, skills and education)" (Michalski, 2017, p. 43). Status is seen as dynamic and is based on combinations of the types of capital (Neuber, 2011). In a prison environment, access to capital is limited, therefore, a fourth type of capital has been identified in the literature, symbolic capital, which is "prestige, honour and recognition" (Neuber, 2011, p. 5). Symbolic capital or status is of great importance when it comes to the hierarchal structure of the prison system (Neuber, 2011; Michalski, 2017). In prison, status is not only used to describe one's social image, it also describes the standing one has within the social hierarchy. The higher the status, the more benefits and power the individual has within the inmate population (Michalski, 2017).

Hypermasculinity. Hypermasculinity is seen as a desirable trait within the male prison system. Those who are identified as physically strong and who can assert power through aggression are well respected within the prison population (Ricciardelli, 2015). Violence and aggression are accepted as part of the masculine hegemonic ideal (Michalski, 2017; Pemberton, 2013). Convictions that reinforce dominant masculinity, such as murder and robbery, tend to place individuals at the pinnacle of the hierarchy, while those at the other end of the spectrum fail to adhere to the normative masculine standard; an example of this would be those who are incarcerated for committing sex offences against women and children (Jewkes, 2005). Men who are imprisoned will often try to emulate hegemonic masculine traits (Jewkes, 2005). Gilmore (1990) argues, "the harsher the environment and the scarcer the resources, the more manhood is stressed as inspiration and goal" (p. 224).

To maintain status and power and prove masculinity, inmates exploit and dominate other inmates. Those that are seen as weak and vulnerable are subjected to the most violence (Jewkes, 2005). Connell (1995) identified a need to “recognize the relations between different kinds of masculinity: relations of alliance, dominance and subordination. These relationships are constructed through practices that exclude and include, that intimidate and exploit, and so on. There is a gender politic within masculinity” (p. 37). “Fratriarchy” is a term that has been used to describe the domination and subordination that occurs amongst men (Jewkes, 2005). Those that are seen as feminine or display feminine characteristics are more likely to be targets for victimization (Tarzwell, 2006). Aggression and sexual violence are used by those in positions of power to dominate those seen as subordinate, which includes individuals who are young, weak and with feminine traits (Pemberton, 2013).

Sexuality and masculinity are interwoven in the establishment of an inmate hierarchy (Pemberton, 2013). Tarzwell (2006) argues that as masculinity is reliant on a gender binary, those that fail to follow gender norms are subject to violence. Transgender prisoners who fail to conform fall into this category. As such, they are disproportionately subject to sexual harassment, and physical and sexual assault (Tarzwell, 2006).

Sexual Assault and Sexual Harassment

A search for literature related to the fear experienced by transgendered individuals of being sexually and/or physically assaulted while in prison produced no results. A search of the concept of fear of sexual assault while in prison resulted in the discovery of two salient studies, although they were not specific to the population being examined.

In *Issues in Prison Violence*, Lockwood (1983) described how men experience feelings of fear and anxiety while incarcerated; these feelings resulted in physical symptoms which were

long lasting. Due to feelings of fear, the men in his study isolated themselves and sought out medication to manage their symptoms; some even engaged in acts of self-harm to avoid scenarios where they might be victimized (Lockwood, 1983). Tewksbury (1989) in his paper, “Fear of Sexual Assault in Prison Inmates,” found that fear of being sexually assaulted is significant amongst male inmates and that once the fear of being sexually assaulted in prison was present, it did not easily dissipate, even if the individual did not experience any form of sexual assault.

Statistics on physical and sexual assault. Concurring with the absence of statistics on the number of transgender individuals who have been incarcerated in Canada, there is a void of statistics on the number that have been physically and sexually assaulted while in prison (Smith, 2014). Data from the United States estimate that the incidence of physical assault experienced by the transgender population is five times higher than that of the non-transgendered male prison population (Sexton et al., 2010), while sexual assault of transgender prisoners placed in men’s institutions is 13 times greater than that of non-transgender inmates (Jenness & Fenstermaker, 2016). In a large-scale study that examined the incidence of sexual assault against transgender individuals within the California prisons system, 59% reported being a victim of a sexual assault while incarcerated, compared with 4% of the non-transgender male inmate population (Jenness & Fenstermaker, 2016; Stohr, 2015; Wilson et al., 2017). A later study that examined prison sexual assault of transgender individuals incarcerated in Pennsylvania noted that 73% of the participants reported being sexually harassed and 44% reported being victims of sexual assault (Wilson et al., 2017). In a third study, Rosenberg and Oswin (2015) surveyed 23 transgender individuals who were incarcerated in the United States. All the participants indicated they experienced some form of sexual harassment, while 16 reported that they were forced into

engaging in at least one sexual act. Other salient studies echo these statistics and confirm that transgender individuals experience significantly higher rates of sexual harassment and sexual assault than that of the non-transgender male prison population.

Sexual harassment and physical and sexual assault. Several studies were found that examined the sexual harassment and physical and sexual assault of transgender individuals while incarcerated. Peek (2004) identified in her review that you have to take into account the prison hierarchy when examining sexual assaults in prison. She notes that the lowest level of this hierarchy is “defined in terms of the feminine” (Peek, 2004, p. 1226). Sexual assault is usually preceded by sexual harassment, which can include solicitation for sexual interactions, threats and physical abuse (Peek, 2004).

The Sylvia Rivera Law Project (2007) undertook a review of the treatment of transgender prisoners while in the custody of New York State prisons. This study documented the extent of sexual harassment experienced by their participants, all of whom reported that they encountered repeated sexual harassment and physical and sexual assaults while incarcerated. Participants described feeling like they were a “walking target” and reported their lives were constantly threatened (p. 19). In a study by Wilson et al. (2017), participants identified that they were subjected to ongoing and unwanted sexual propositioning and constant verbal abuse, which one individual described as “mentally stripping” or experiencing the constant harassment and threats to engage in sexual acts (p. 389). There was an expectation amongst the male prison population that transgender individuals were willing participants to the sexual interactions. The researchers noted, “there was a tendency for male prisoners to believe a trans woman will readily suck guys off and bend over for guys. Being the closest thing to a female that they can get participants described straight men going to great lengths to engage a ‘start’ (oral sex) from a trans woman

prisoner. If this is not freely given, it may be forcibly taken.” As one of the participants said, “They see you have breasts. They see you’re a trannie and as far as they’re concerned, it’s their right” (p. 388). Two other studies originating out of the United Kingdom and Latin America found similar results. Participants reported experiencing extensive sexual harassment and sexual violence from other prisoners and that other prisoners just assumed that they would willingly engage in sex activity with them (Johnson, McCandless & Renderos, 2020; Nulty, Winder & Lopresti, 2019). The victims are traumatized by these interactions. Rosenberg and Oswin (2015) describe how “the harassment and violence demean their lives, identities, and bodies making them feel diseased, different, and hypersexualized” (p. 1278).

Wilson et al. (2017) argue that, like in society, the hierarchal structure within prison relationships is based on physical strength and capabilities and sexual functioning akin to sexual and gender identity. As men in prison are subject to the deprivation of self-determination and self-reliance, characteristics in men that are valued by society, it is of little wonder that they turn to physical and sexual behaviours to exert their masculinity. Transgender individuals, given their lesser status and the feminine role they play within the prison population, are a prime target for physical and sexual assault. Those that embody feminine traits are more likely to be seen as having the corresponding functional sexual characteristics (Wilson et al., 2017; Phillips, Bromdal, Mullens, Gildersleeve & Gow, 2020).

Rape of the feminine. Jenness and Fenstermaker (2016) argue that the high incidence of sexual assault of transgender prisoners can be explained as the systemic “rape of the feminine” (p. 22). Despite the assumption that there is only one gender within the male prison system, there is a heightened focus on gender, with the expectation being that of the heteronormative gender binary. “Such expectations, and the consequences that violation brings, is an ever-present

reminder of what constitutes ‘appropriate’ behaviour. Thus, as in the world outside the prison, and depending on the situation, sexual assault and sexual coercion can be made intelligible to all concerned by reaffirming the feminine as weak, vulnerable, and deserving of being demeaned and overpowered” (p. 25). Hegemonic masculinity draws its strength from debasing and abusing the feminine.

Means of dealing with sexual harassment and sexual assault. Marcum and Castle (2014) identified three ways that individuals in prison who face ongoing sexual harassment and assault manage these incidents. The first is to utilize support networks, including befriending seasoned and more well-respected inmates to protect them from unwanted harm.

A second manner identified is to engage in retaliatory violent behaviour (Marcum & Castle, 2014, Wilson et al, 2017). Jenness and Fenstermaker (2014) concur that verbal and physical aggression is a means employed by transgender individuals to protect themselves. In their study, transgender individuals described having to “man up” and to “put down my purse and fight” (p. 24). Transgender individuals describe intensified feelings of femininity while being incarcerated, as they are seen as the “girls among men” (Sexton & Jenness, 2016, p. 546). When they engage in retaliatory or protective violence, they described having to put aside their femininity and act like a man (Jenness & Fenstermaker, 2014).

Wilson et al. (2017) found that those who engaged in physical violence or in acts of “shaming” behaviour against their aggressor were less likely to be victimized in the future and were afforded some level of respect amongst the prison population (p. 391). They were seen as having stood up for themselves, despite whether they won or lost the fight. Shaming behaviour was also noted as common. This behaviour involved the transgender individual calling out their

aggressor amongst their peers. This was not without risk, however, as sometimes it led to further retaliatory abuse (Wilson et al., 2017).

A third strategy employed by some transgender individuals is to form a protective relationship with a male prisoner (Marcum & Castle, 2014). Wilson et al. (2017) used the term “signing on” to describe the voluntary union with another prisoner (p. 391). Jenness and Fenstermaker (2014) described it as a “protective pairing” (p. 18). The pairing affords the transgender person protection from some unwanted sexual harassment and sexual assault from the male prison population as it is not seen as acceptable amongst the prisoners to target someone else’s “property.” This relationship requires that the transgender individual submit to sexual relations with their “boyfriend” and behave in a manner keeping with the feminine role, such as cleaning his cell (Wilson et al., 2017, Robinson, 2011). The boyfriend’s primary role is to protect his partner (Robinson, 2011). Being in a pairing relationship can prevent a transgender individual from being “turned out” or sold to other inmates as a prostitute (Marcum & Castle, 2014, p. 2014). However, the boyfriend can also demand that the partner engage in sex with other inmates and she must comply or face violent consequences (Robinson, 2011). Robinson (2011) describes that the level of intimidation and duress in these relationships varies significantly; at one end of the spectrum the relationship is emotionally beneficial and affectionate, while at the other end, the individual is enslaved to the person.

Interestingly, only one article speaks about transgender individuals reporting the sexual assaults or harassment to the correctional authorities. Nulty, Winder and Lopresti (2019) in their study of the experience of incarcerated transgender individuals in the United Kingdom found that all the participants were hesitant to report incidents of sexual assault as they felt that staff would not take the incident seriously.

Wearing a mask. Although transgender individuals who were incarcerated were not specifically mentioned in the article, a review of Jewkes' (2005) study was deemed relevant as masking one's true identity to protect oneself from harm may be an option employed by transgendered individuals while incarcerated. Jewkes (2005) stated that in some instances, individuals in prison "wear a mask" to hide their true self and to deal with the stress of being in prison (p. 53). She found that some individuals engaged in hegemonic masculine behaviour as a means to protect themselves and gain some status within the prison hierarchy. She described prisoners as having an internal sense of self that is hidden from others because of the external façade they present. These individuals are able to conform to the prison subculture (Jewkes, 2005).

Robinson (2011) and Rogers, Asquith and Dwyer (2017) note that, given the dynamics within the prison, some individuals may conceal their sexual and gender identity. In prison, those who are transgender are the focus of increased sexual attention from other prisoners. Therefore, many transgender individuals opt to hide their true identity to escape being the victim of violence and sexual assault, even if prior to incarceration they were fully "out" (Robinson, 2011, p. 1355).

Institutional Placement

Sumner and Jenness (2014) argue, "prison systems constitute one of – if not the – most sex segregated institutions in the modern world" (p. 230). Prisons have separated their populations along the lines of biological sex in order to address the safety concerns related to female offenders and provide gender specific interventions. The underlying assumption was and still continues to be that "sex segregation presumes gender segregation" (p. 231). This premise holds true for penal institutions across the world (Sumner & Jenness, 2014).

A review of the literature in relation to the placement of transgender individuals in prison identifies two methods for classification: gender identity-based placements and genitalia-based placements (Mann, 2006). A genitalia-based placement policy places individuals in institutions based solely on an individual's biological sex characteristics, despite their gender identity. Less common, gender identity placement policy places individuals in institutions based on their gender identity despite what their biological characteristics are (Mann, 2006).

Routh et al. (2017) argue that there are two main issues with the genitalia-based placement policies. The first is that use of a classification system that is gender binary based does not provide a valid assessment of gender. Many male-to-female transgender individuals have male genitalia, but identify their gender identity as female. The second issue is that the policy forces the transgender individual to divulge their status to other inmates and staff. In the community, transgender individuals have an easier time living as their authentic selves without fear of reprisal. Once they enter the prison system, they are essentially outed, placing them at increased risk of harassment (Routh et al., 2017). Mann (2006) contends that genitalia-based placement policies put transgender individuals at high risk for violence, sexual assault and even death.

Agbemenu (2015) argues a third issue related to a genitalia-based prison placement policy. He states, "conflating gender and sex improperly creates ubiquitous categories of male and female that purport to present all gender possibilities by promoting the gender binary of male and female as the irreducible essence of gender" (p. 5). The policy separates gender into two distinct categories, completely ignoring that gender identity varies on a continuum. As all prison policies are based on the notion of the gender binary, this places those who do not fit into these categories into the precarious position of having to "navigate a system that was not designed for

them and, on the whole, is not adapting to accommodate them” (p. 11). The prison environment denies them the ability to freely express their gender identity, thereby doubly imprisoning them (Erni, 2013).

Identity-based placement policy is also not without debate. Women’s institutions tend to be underfunded and house all security levels, from minimum to maximum, within one facility (Tarzwell, 2006). That being said, Mann (2006) argues that women’s institutions do not have the resources to manage male-to-female transgender individuals. She notes, however, that the risk of victimization from violence and sexual assault is lower if transgender individuals are placed in a women’s prison facility. Therefore, under this policy, male-to-female transgender individuals have the repugnant option of either being placed in a facility where their needs are not met, but they are at less risk of exposure to violence, or in a facility that has more resources but where they are at greater risk of harm (Mann, 2006). A second issue brought forward is that placement in a women’s facility raises the risk that transgender individuals will engage in sexual relations with the other female offenders. Mann (2006) disputes this notion. She argues that transgender individuals who are on hormone therapy do not have the physical capability to engage in sexual activity, as it negates penile functionality. She also argues that it is hypocritical that the correctional authorities enact policy citing that they are concerned for the safety of women prisoners, while not addressing the safety issues of transgender individuals (Mann, 2006).

The evolution of prison placement policy in Canada. Beginning in the 1980s, the Correctional Service of Canada (CSC) began to recognize that there were individuals within the prison population who did not fit into the sex-segregated penal system (Howell, 2009). This created “operational challenges” within the prison system (Sumner & Jenness, 2014, p. 231). To address these issues, the CSC implemented its first policy in 1987, Commissioner’s Directive –

800, Medical, Dental, and Health Care Services (CSC, 1987). The CSC, like other correctional systems, looked to the Diagnostic and Statistical Manual of Mental Disorders (DSM) to provide a framework for establishing the clinical criteria that a transgender prisoner must meet to benefit from any existing policies regarding gender identity (Agbemenu, 2015). The CSC's policy was also heavily influenced by the World Professional Association for Transgender Health (WPATH), who are notable experts in the field of transgender health (CSC, 2010).

Over the years, the CSC has changed its definition and policy directive on the management of transgender individuals. These evolutions have been the result of several events: revisions to the DSM, changes to the recommendations from the WPATH and challenges based on the Charter of Rights and Freedoms. Throughout these changes, one constant remained: the enforcement of a genitalia-based prison placement policy for transgender individuals (Howell, 2009).

Kavanagh v. Attorney General of Canada. In 1993, Synthia Kavanagh, a transgender individual, filed three federal human rights complaints against the Correctional Service of Canada, challenging the policies that were in place (Smith, 2014). Ms. Kavanagh was a male-to-female transgender individual serving a life sentence in a men's federal correctional institution. For most of her life, leading up to the time of her imprisonment, she had been living as a female and was undergoing hormone therapy (Smith, 2014). Ms. Kavanagh argued that the CSC discriminated against her as they had placed her in a men's institution, denied her request for sex reassignment surgery and failed to continue her hormone therapy (Smith, 2014). In 2001, the Canadian Human Rights Tribunal heard her complaints and provided their decisions. The Canadian Human Rights Tribunal determined that the Correctional Service of Canada had erred in terms of not providing policy to address the needs of the transgender individual (Smith, 2014).

They stated that correctional policy that placed pre-operative transgender individuals in men's prisons was detrimental to its recipients, and that the CSC was remiss in not addressing the unique needs and vulnerabilities of this population (Smith, 2014). The tribunal also indicated that a total ban on sex-reassignment surgery was invalid and that the special health needs of this population were required to be met (Smith, 2014). Despite these notable gains, the tribunal concurred with the CSC's position that placement to a men's institution was justified, given that a male-to-female transgender individual's placement to a women's institution posed too great a threat to the safety and security of the women's population (Smith, 2014). Based on the decision, Correctional Service of Canada updated their policy related to the treatment of transgender individuals but maintained their genital-based placement policy (Smith, 2014).

Critique of the Kavanagh decision. Smith (2014) contends that although the tribunal noted that transgender individuals are a unique population with special needs, it erred as it failed to take into account the particular vulnerabilities of this population. She asserts that the population experiences victimization, like their cis-gender counterparts, from the male prison population because they are female, and to deny this fact is to deny that they are truly women. Smith (2014) also believes that the decision negated the individuals' transgender identity. Transgender individuals were still being categorized based on their biology, with the assumption that they still maintained the associated characteristics of that biology, which for cis-gender males is sometimes typified by violent and aggressive behaviour.

Commissioner's Directive 800-5. Commissioner's Directive 800 – 5, Gender Dysphoria is the last policy directive that was implemented prior to Bill C-16, which changed the Canadian Human Rights Act. The policy directed how individuals who are transgendered were to be managed within the institutions, including where they were placed (CSC, 2017). Paragraph 3

cites, “Pre-operative male to female offenders with gender dysphoria will be held in men’s institutions and pre-operative female to male offenders with gender dysphoria will be held in women’s institutions” (p. 2).

Canadian Human Rights Act. On June 29, 2017, the Canadian Human Rights Act was amended to include “gender identity or expression to the list of prohibited grounds for discrimination” (Correctional Service of Canada, 2017, p. 1). Following the change in legislation, the Correctional Service of Canada put out an Interim Policy Bulletin Bill C-16 (Gender Identity or Expression) in December 2017. In terms of institutional placement, the bulletin states the following:

CSC has a duty to accommodate based on gender identity or expression, regardless of the person’s anatomy (i.e. sex) or the gender marker on identification documents. This includes placing offenders according to their gender identity in a men’s or women’s institution, Community Correctional Centre or Community Based Residential Facility, if that is their preference, unless there are overriding health or safety concerns which cannot be resolved. (CSC, 2017, p. 2)

The bulletin indicates that Commissioner’s Directive 800-5 – Gender Dysphoria will be revoked; however, it should be noted that the policy does not show as being revoked on the Correctional Service of Canada website. There is no information within the literature or from the CSC as to how this change in policy has impacted the transgender prison population or affected their placements within the system.

Conditions of Confinement

The findings of the literature review revealed only a few salient studies that explored the placement of transgender individuals within men’s prisons. What literature was available

identified limited placement options within the prison system. Five articles identified that segregation was often used as a tool to manage the risk of harm to the transgender individual (Tarzwell, 2006; Ledesma & Ford, 2020; Rosenblum, 2000; Mann, 2006; Phillips et al., 2020; Yona & Katri, 2019).

Segregation, often referred to as solitary confinement by some correctional systems, is a placement within the prison that isolates the individual from the rest of the prison population. Placement to administrative segregation, as it is referred to by the Correctional Service of Canada, provides safety and security but at a high cost to the individual. Segregated individuals do not have the freedom of association with the rest of the prison population, have limited access to programming and educational opportunities and have less exercise time (Tarzwell, 2006; Phillips et al., 2020). Long-term isolation has been shown to be detrimental to the mental health of the individual (Tarzwell, 2006). The literature identifies that although placement in segregation might protect the transgender individual from physical assault and harm from the general prison population, it does not prevent the verbal and physical abuse inflicted by some staff members (Tarzwell, 2006).

The Sylvia Rivera Law Project (2007) identifies two main types of placements within prisons: protective custody and general population. General population is the primary placement within the prison system. It allows prisoners some freedom of movement, association within the larger prison population, a wide access to programs, educational and employment opportunities, and more recreational facilities. Protective custody is a term used for units that house individuals who are vulnerable to the rest of the prison population, which may include individuals who are gender non-conforming (Sylvia Rivera Law Project, 2007). Protective custody, unlike segregation, provides some access to programming, recreational activities and the ability to

interact with other offenders however, it does not provide complete access to all the resources and support systems available within the institution. Placement within protective custody does not always provide safety to the individuals housed there. It can place them at greater risk of possible harassment and violence from some staff and it exposes them to psychological harm from isolation (Sylvia Rivera Law Project, 2007).

There is no reference in the literature on where transgender individuals are placed within men's prisons in Canada; however, there is some information on how this population is managed in the United States. In the Arizona state prison system, transgender individuals can be placed on mental health units, given that gender identity disorder (now gender dysphoria) is listed as a mental health disorder in the DSM (Tarzwell, 2006). In Michigan, policy dictates that transgender individuals are required to have individual management plans, which include placement in a single cell and access to a private washroom (Tarzwell, 2006). The California prison system created a specialized unit in both its San Francisco and Los Angeles prisons that houses vulnerable individuals, including those who identify as transgender (Ledesma & Ford, 2020; Mann, 2006). In the state of New York, at Riker's Island Correctional Centre, transgender individuals are housed on an isolated unit with homosexual men (Rosenblum, 2000).

Administrative control theory. Administrative control theory argues that prison, through policy and procedure, seeks to manage the behaviour of the incarcerated individual (Ricciardelli, 2015). "Coercive and remunerative controls" are two of the types of management styles that are described in the literature (Ricciardelli, 2015, p. 173). Coercive controls include the use of threats and punishment, including placement in segregation and restrictions on personal effects, while remunerative controls offer rewards to positive behaviour, which may include increased freedom of movement and association (Ricciardelli, 2015).

Policing of gender. Ricciardelli (2017) identifies that incarcerated individuals who fit the dominant male standard are granted rewards and status within the prison system and, as a result, may have a better experience. Those who transgress the hegemonic masculine ideal are subjected to punishments that further restrict their freedom and ability to express their identity. Rosenberg and Oswin (2015) concur with this notion. They argue, “masculine norms are imposed in prison spaces through combinations of disciplinary punishment and social repercussions such as verbal harassment, social isolation and physical assault” (p. 1276).

In their study that explored the experiences of transgendered individuals within the United States prison system, Rosenberg and Oswin (2015) noted that every participant was subjected to policing of their gender while incarcerated. They reported that individuals were prohibited from wearing feminine clothing and undergarments, having feminine hairstyles and wearing makeup. Similarly, the Sylvia Rivera Law Project (2007) described how transgender individuals in the New York State men’s prisons were not provided with access to gender-appropriate clothing and grooming products and were forced to cut their hair to appear more masculine. In Australia, transgender prisoners are provided gender-appropriate underwear, but not clothing, and makeup is only available in female institutions (Lynch & Bartels, 2017).

Rosenblum (2000) argues that for male-to-female transgender individuals, gender-appropriate clothing and makeup are fundamental to a transgender individual’s psychological well-being. Transgender individuals express their gender identity through the use of grooming, cosmetics and feminine clothing. Denial of such means of expression is humiliating to the transgender individual (Hagner, 2010). Policies that deny makeup and grooming products, such as razors and tweezers, have a significant impact on the transgender individual as although they may have female secondary sex characteristics, they still may suffer from the effects of male

hormones, including the growth of facial hair (Hagner, 2010). These policies force the individual to live as their birth gender and deny their true identity (Rosenblum, 2000). Participants in the Sylvia Rivera Law Project (2007) reported that this was detrimental to their long-term mental health. One individual described how the inability to express her gender identity in prison contributed to her feelings of depression, engaging in self harm and refusal to leave her cell.

Category problems. Agbemenu (2015) describes category problems as “those that arise when a transgender individual enters and navigates a space defined within the constricting framework of the gender binary” (p. 12). Many male-to-female transgender individuals who are imprisoned in men’s correctional institutions are unable to express and define their gender identity. Some transgender individuals challenge the system and engage in behaviour that is in keeping with their gender identity, including modifying their clothing to be more gender appropriate and using gender-appropriate pronouns (Agbemenu, 2015).

Rosenberg and Oswin (2015) and Jenness and Gerlinger (2020) found in their studies that regardless of the obstacles present in the prison system, participants discovered ways to express their gender identity. They altered clothing to appear more feminine, used art supplies as makeup, groomed themselves in a feminine way and acted and spoke in a feminine manner. The participants reported that although there were repercussions for engaging in these types of behaviour, they felt that it was imperative that they continue to express their gender identity to maintain their psychological wellbeing in prison.

Searches. A review of the literature notes that transgender individuals who are incarcerated are subject to unnecessary and more frequent strip and frisk searches than the rest of the prison population (Hagner, 2010; Sylvia Rivera Law Project, 2007). Many transgender individuals describe frisk and strip searches being conducted by correctional officers in the

presence of other inmates and staff in order to humiliate them (Hagner, 2010; Ledesma & Ford, 2020; Sylvia Rivera Law Project, 2007). On many occasions, derogatory and harassing comments are made to them during and after the search (Sylvia Rivera Law Project, 2007).

Showering. Several articles identified showering and lack of privacy in washrooms as issues for transgender individuals who are incarcerated. Hearts on a Wire (2011) noted that shower and washroom facilities were areas in the prison where transgender individuals were extremely vulnerable. They identified that other prisoners and correctional officers would wait to watch transgender individuals shower. The Sylvia Rivera Law Project (2007) reported that their clients disclosed that they feared showering due to the extensive sexual harassment and sexual assault that occurs. One client described having trouble safely showering because the other prisoners would come in and try to sexually assault her, while another client described her experience of trying to shower with the other prisoners as a “masturbation- athon” (p. 30).

Names and appropriate pronouns. Only one article found through the literature review spoke to the use of appropriate names and pronouns for incarcerated transgender persons. Rodgers, Asquith and Dwyer (2017) discovered that in some correctional jurisdictions in Australia, policy dictated that transgender persons were to be called by their preferred name and pronoun. They argue that by misnaming transgender individuals, correctional officials psychologically punish and traumatize the person. Jenness and Gerlinger (2020) in their study found that incarcerated transgender individuals were normally called by male pronouns and names and that “across the board, this was understood (amongst the transgender population) as a denial of their status as women and thus a purposeful insult” (p. 192).

Access to psychological support. A review of the literature provided limited information on what access to psychological and mental health services are available specific to transgender

individuals. *Hearts on a Wire* (2011) and the Sylvia Rivera Law Project (2007) both made recommendations that transgender individuals should have access to psychological counselling. Rosenblum (2000) argues that a transgender individual's access to psychological supports while incarcerated would have two benefits: first, it would provide ongoing support to those individuals who were transitioning and, second, it would provide a form of screening for the prison system to prevent individuals from abusing the transition policy.

Another recommendation, this one by Bromdal et al. (2019), is that transgender persons be provided access to community transgender support networks. This could include community peer supports, pen pals and community resources that service the transgender community.

Correctional Service of Canada policy on conditions of confinement. The Correctional Service of Canada's current policy differs somewhat from what is noted in the literature. Based on the passing of Bill C-16, which amended the Canadian Human Rights Act to include gender identity or expression as grounds for discrimination, interim policy bulletin 584 was issued (Correctional Service of Canada, 2017). This policy states that the service has a "duty to accommodate based on gender identity or expression, regardless of the person's anatomy or the gender marker in identification documents" (Correctional Service of Canada, 2017). Policy dictates that the transgender individual will be addressed by their preferred name and pronoun; that they can choose which gender of officer will frisk and strip search them; and they will be given access to a private toilet and shower facility. The policy allows for the transgender individual to purchase effects from both the women's and men's catalogues and it specifically states that, if they choose, they will have ongoing access to Elders and spiritual advisors (Correctional Service of Canada, 2017).

A search of the literature revealed no studies completed in Canada that explored the experience of transgender individuals while incarcerated since the amendment to the Canadian Human Rights Act in 2017. As previously noted, the change in legislation has impacted policy within federal corrections; however, it is unknown as to if and how this has effected the overall experiences of transgender individuals who are federally incarcerated in Canada.

Manitoba Corrections. A review of the provincial legislation regarding corrections did not produce any reference to transgender individuals and their management within the institution. As this project was completed within the province of Manitoba, a review of Manitoba provincial correctional policy related to the management of transgender individuals rendered no results.

It is relevant to note that, despite some similarities, every correctional institution will have its own procedures for managing the inmate population. The institutions may fall under the same jurisdiction, for example, federal or provincial, and may be subject to the same policies; however, it is the researcher's experience that how these policies are implemented varies greatly. It is also the researcher's experience that all correctional institutions have their own unique inmate and staff culture which is constantly changing given the population dynamics. Therefore, it is difficult to generalize the differences between the institutions without an extensive analysis of each institution's policy, procedure, and staff and inmate culture.

Much of the literature used for this review originates out of the United States. There are many differences between the prison systems in the United States and Canada. First, the dominant ideology of the American prison system is punishment and deterrence (Wu, 2003); while in Canada the focus of the correctional system is on rehabilitation of the offender (CSC, 2020). A second major difference is the rate of incarceration; in the United State the rate is 743

per 100,000 while in Canada the rate is 117 per 100,000 (O'Grady, 2014). There are numerous other structural and procedural differences between the two country's prison systems, which will not be listed here however, there are two important similarities which makes studies that originated from the United States prison system relevant to this review. The first is the presence of hegemonic masculinity within the offender population and its impact on the hierarchal structures of the prison system. Rosenberg & Oswin (2014) argue that United States correctional facilities are hypermasculine environments, and that those who embody traits of the ideal male hold the dominant position within the prison hierarchal structure. Those that are seen having feminine traits are at the bottom of this hierarchy. This is similar to what Ricciardelli (2013) found in Canada's offender population. The second important similarity between the two country's prison populations is the use of violence by the offenders, as a means to exert domination and control, and to maintain their status. Both Ricciardelli (2013) in Canada's prisons, and Rosenberg & Oswin (2014) in United States prisons, found that violence was used regularly by the offender population as a means of exerting their masculinity and maintaining their hierarchal status. Therefore, although there are several differences between the correctional institutions in Canada and the United States which may limit the generalizability of the literature originating from the US to research done in Canada, there are some significant similarities which make their review relevant to this study.

Summary

This chapter provided a review of the literature related to the experience of transgender individuals who are incarcerated. Key areas that were explored included a review of how transgender individuals became incarcerated, an examination of prison as a gendered space, the extent of sexual harassment and sexual assault incarcerated transgender individuals experience,

the placement of the transgender individual within the prison system and the overall conditions of confinement. It was evident throughout the review that limited research exists on the experience of transgender individuals incarcerated in Canada; the majority of studies are from the United States. Although there are some similarities between the two correctional systems, there are also many differences that may have an impact on the overall experience of incarcerated transgender persons.

The next chapter of this exploratory study will describe the theoretical framework and methodology employed.

Chapter 3: Methodology

This chapter provides a description of the theoretical framework and methodology employed in this study. With regard to the latter, it outlines the sample selection process, recruiting procedures, interview methodology and the strategies utilized in data analysis. Issues regarding methodological rigour and ethics are also discussed.

Theoretical Framework

The theoretical framework used as a basis for this study is hermeneutic phenomenology. Phenomenology, which is rooted in philosophy, is the study of the pre-reflective human experience (van Manen, 1990). It is a human science that seeks to elucidate and illuminate how human beings live in the world (van Manen, 1990). It looks to bring to light the structure and explicate the essence of the everyday existence (van Manen, 1990). It asks “what is this experience like?” (p. 811).

Phenomenology’s main tenets are that truth and meaning are only attainable through a person’s conscience, or “inner subjectivity,” and that people generate meaning from their experiences (Flood, 2010). Phenomenological research seeks to study a person’s experience with their everyday world pre-reflectively, instead of looking at how people interpret or conceptualize their experiences (Adams & van Manen, 2012). It attempts to describe and interpret the broader meanings that emerge and how it is influenced by language, culture and history (Adams & van Manen, 2012). There are two main disciplines in phenomenology: eidetic (descriptive), and interpretive (hermeneutic).

Transcendental phenomenology. Edmund Husserl, who was a mathematician and a German philosopher, is generally accepted as the founding father of the philosophy of phenomenology (Wojnar & Swanson, 2007; van Manen, 2014). He characterized

phenomenology as a philosophy of consciousness that attempts to capture and illustrate the lived human experience without any reflection, interpretation and preconception (van Manen, 2014). He believed that it was possible to isolate or bracket the human experience in order to identify what he termed as eidetic structures or universal experiences (Wojnar & Swanson, 2007).

Husserl's phenomenology is composed of three main assumptions: consciousness, intentionality and transcendental subjectivity (Gorner, 2007).

Husserl advances that all human beings access the world through their consciousness. It is how people relate to their experiences and to the world around them. Phenomenon that enters a person's consciousness can be described as a lived experience (van Manen, 1990).

Intentionality is defined as people's interconnection to and inability to separate from their life world. Humans orient themselves to their everyday activities and experiences. Everything is done with intention, albeit people are not always conscious of these intentions. Humans may act and think in specific ways, otherwise described as "specific intentionality," or act in ways that are oriented to a general lifeworld, as in "general intentionality" (van Manen, 1990).

Husserl advanced the notion of transcendental subjectivity or reduction, whereby the researcher consciously strips away any bias or experiential knowledge to get to the core of the experience. This process is known as "bracketing" (Wojnar & Swanson, 2007). Husserl was of the opinion that by bracketing one's experiences and preconceived notions, the essence or true nature of the experience would be brought to consciousness. Bracketing involves disconnecting the experience or phenomenon from the everyday world, breaking it down to identify the structure and removing any preconceived ideas in order to ensure that the essence or essential nature of the phenomenon is revealed. Husserl believed that identification of the meaning or

essences of our everyday experiences was only attainable through one-on-one interactions between the subjects and the researcher (Wojnar & Swanson, 2007).

Hermeneutic phenomenology. Martin Heidegger was a student of Husserl and a renowned philosopher of the 20th century who continued to expand on the phenomenological approach as a human science (Wojnar & Swanson, 2007). Unlike Husserl, Heidegger felt that humans could not extricate (bracket) themselves from their current context, their past experiences and societal structure. Heidegger believed that human beings are interpretive or hermeneutic by nature and make meaning of their experiences (Wojnar & Swanson, 2007). He believed that human beings are immersed in meaning, but that meaning differs for all based on their relationships, culture and history. Every phenomenon we are exposed to is interpreted through this lens of our previous experiences, culture and language (Benner, 1994). People's life experiences and the choices they make are inextricably tied to their socio-political and cultural context (Flood, 2010). He coined the term "dasein" or "being in the world" to describe this phenomenon (Wojnar & Swanson, 2007).

Hermeneutic phenomenological research assumes that that the researcher has a fore-structure or basic understanding of the phenomenon being studied (Wojnar & Swanson, 2007, Flood, 2010). This fore-structure of understanding, as defined by Heidegger, consists of three assumptions: fore-having, fore-sight and fore-conception. Fore-having assumes that the researcher has a knowledge base from which to interpret the phenomena. Fore-sight is the cultural and socio-political lens through which the phenomena is interpreted by the researcher. And fore-conception is the identification of the lens through which the results of the study is made (Wojnar & Swanson, 2007; Benner, 1994). Heidegger advanced that the "interpretative process is circular, moving back and forth between the whole and its parts and between the

investigator's forestructure of understanding and what was learned through the investigation" (Wojnar & Swanson, 2007, p.175). This process is known as the hermeneutic circle, the results of which are a blending of the data gathered from the participants, data gathered from outside sources and the researcher's own knowledge base (Wojnar & Swanson, 2007).

van Manen's hermeneutic phenomenological research. Max van Manen, a contemporary Canadian scholar, has continued to expand on Heidegger's approach (McConnell-Henry, Chapman, & Francis, 2009). Influenced by both Husserl and Heidegger, van Manen believed that hermeneutic phenomenology was both descriptive and interpretive. (Dowling, 2007; Van der Zalm & Bergum, 2000). According to van Manen (1990), "phenomenology describes how one orients to lived experience, hermeneutics describes how one interprets the texts of life" (p.4). He reasoned that by describing a phenomenon, interpretation naturally occurs (Van der Zalm & Bergum, 2000).

Van Manen (1990) advanced that hermeneutic phenomenology was a human science that studied how human beings experience the world. He identified several tenets of hermeneutic phenomenological research;

1. Phenomenology is the study of the pre-reflective experiences;
2. Humans only relate to their experiences through their consciousness;
3. Phenomenology is the study of structure of the lived experience;
4. Phenomenology seeks to describe and interpret the meanings of these experiences;
5. Interpretation is completed through writing;
6. The researcher needs to be attentive and thoughtful to the phenomenon;
7. The goal of the research is to understand and give meaning to human experiences

(van Manen, 1990, p. 35 - 46).

van Manen (1990) believed that the aim of hermeneutic phenomenological research was to try to explain how human beings experience and live in the world. He argued that hermeneutic phenomenological research was an impossible task, since to describe in totality a person's life experience is impossible. The lifeworld is much more complex than ever can be illustrated. Despite this complexity, van Manen (1990) saw hermeneutic phenomenological research as a means to gain insight into the meaning of human experiences. He believed that this is accomplished through phenomenological reflection. There are always multiple and varied meanings of lived experiences. To be able to understand what those meanings are, reflection on the experience must occur. Reflection includes analysing or breaking down the experience to identify what structures or themes constitute that experience (van Manen, 1990). Adams & van Manen (2012) and van Manen (1990) have identified four existential themes as guides to assist with this endeavor: "lived space (spatiality), lived body (corporeality), lived time (temporality), and lived human relation (relational or communality)" (p. 101). These themes will be utilized in this research.

Appropriateness of van Manen's hermeneutic phenomenological methodology for this study. van Manen's hermeneutic phenomenology was seen as the most appropriate methodology for this study, as the researcher seeks to answer the question of what is the lived experience of a transgender individual incarcerated in a men's correctional institution. Hermeneutic phenomenology is seen as most suited for answering questions about the human experience. It seeks to gain a better understanding of what the concerns or issues are (Benner, 1994). Very little research has been completed on incarcerated transgender individuals (Glezer, McNeil & Binder, 2013). What literature is available does not speak to their experiences. In order acquire insight

into what issues face transgender individuals while they are incarcerated, it is relevant to ask what their experiences are. This study proposes to expand this knowledge base.

Hermeneutic phenomenology was also chosen by this researcher as she has a strong interest in the subject matter and experience working in a correctional environment with individuals who identify as transgender. The researcher is a Parole Supervisor with the Correctional Service of Canada, and she spent several years working with transgender individuals who were incarcerated in a men's federal penitentiary. Through direct observation, the researcher noted that it appeared that while incarcerated the experience of transgender individuals seemed to differ from those who identify as cis-gendered. This led the researcher to question what their experience was like and to want to further explore how these individuals perceive the experience.

As the researcher has some experience in the subject matter, it is important to identify the biases and assumptions she holds towards the topic. In that regard, van Manen's hermeneutic phenomenological methodology allows for the researcher's self-reflections and personal assumptions to be incorporated into the analysis.

Research Design

In keeping with the hermeneutic phenomenological methodology, the research design included interviews with participants, review of the transcripts of the interviews, interpreting the data and identifying themes, all the while having the researcher reflect on the process.

As part of the hermeneutic phenomenological methodology, the researcher began with collecting data by completing in depth one-on-one interviews with the participants. The primary focus of the interview was to elicit a description of the experience by those who lived it in order to expand the understanding of the phenomenon (Sloan & Bowe, 2013). Interviews were audio

recorded and transcribed. Reflections and impressions were noted after each interview. The texts were reviewed and re-reviewed in order to identify and interpret themes in the data collected. van Manen's (1990) four existential themes, lived space, lived body, lived time, and lived human relation, were used as guides in the data analysis.

Sample Selection

In choosing a sampling technique it was important that the participants were selected based on who could provide the most information about the topic being researched (Sanders, 1982). As this study explores the lived experience of a male-to-female transgender individual incarcerated in a men's correctional facility, the researcher adopted a purposive sampling technique. This model is used to study individuals or groups within their context (Denzin & Lincoln, 2000). The participants had to meet two criteria: self-identify as a male-to-female transgender individual and have a history of incarceration in a men's federal correctional facility.

As the researcher was completing comprehensive interviews with all the participants, the sample size was kept to a nominal number. Three to six participants were sought out, which is in keeping with the phenomenological methodology. The researcher also employed the snowball sampling technique, which is a method of identifying possible candidates via referrals from study participants (Wahyuni, 2012). Through this process the researcher was conscious of the characteristics of those individuals who volunteer to participate in research projects. Lonnqvist, Paunonen, Verkasalo, Leikas, Tuulio-Henriksson and Lonnqvist, (2007) noted that individuals who volunteer to participate in research tend to be rather agreeable and have a higher need for social approval than those who do not volunteer. These characteristics may moderate the effects on the results, as the phenomenological methodological process is open ended. Participants may alter their stories in order to get the approval of the researcher. One can speculate that the

participants may be more sensitive to the refusal by correctional officials to acknowledge that they are women, and/or they may be more affected by the harassment experienced, or these individuals may just want to express their displeasure over their time of incarceration however, given that data is only being collected from willing volunteers it is difficult to determine what impact, if any, this would have had on the findings. The researcher suggests that this may be an area for further study.

Recruiting. Prior to any recruiting and data collection taking place, ethical approval was obtained from the University of Manitoba Psychology/Sociology Research Ethics Board (REB) (see Appendix A).

To identify participants, advertisements were placed with local LGBTQ+ resource agencies. Posters describing the study, its purpose, the researcher's contact information and the amount of the honourarium to be provided were distributed to the Rainbow Resources Centre, the Winnipeg Transgender Support Group, the Transgender Health Clinic, TERF (Transition, Education and Resources for Females), Nine Circles, Mount Carmel Clinic, Sage House and Sunshine House (see Appendix B).

At the beginning of the research process, the researcher was originally only seeking participants who self-identified as transgender and who had previously been incarcerated in a federal men's correctional facility. This was based solely on the researcher's experience with only that prison system. To be incarcerated in a federal men's prison the individual had to have been serving a sentence of two years or more. During the recruitment process only one individual who met the criteria of identifying as a transgender individual and who was previously federal incarcerated came forward. All the other individuals who contacted the researcher reported that they only had a history of provincial incarceration. In the province of Manitoba, to be

incarcerated in a provincial facility, the individuals must be either on remand or serving a sentence of less than two years. Based on this information, so as not to be exclusive, the researcher requested and received permission from her committee and the Psychology/Sociology Research Ethics Board (REB) to expand the scope of her research to include those who had been incarcerated in a provincial facility. The researcher acknowledges that this may have some impact on the findings due to the differences in inmate culture and prison policies at the two types of correctional institutions. This will be further discussed in Chapter 6, in the section that addresses the limitations of this study.

During the recruiting process the researcher was contacted by nine individuals who wished to participate in the study. Two of the nine individuals were screened out of the process as they did not meet the screening criteria of identifying as transgender and previously being incarcerated. Even though the researcher was initially only seeking three to six participants, seven individuals came forward who met the criteria and all seven were interviewed, as it was believed that the inclusion of the additional participant in the study would further augment the data. The researcher sought out support from her advisor and then confirmed authorization for the inclusion of the seventh participant with the Psychology/Sociology REB.

Interviews

According to van Manen (1990), the hermeneutic phenomenological methodological interview serves a specific purpose: to explore the participants' experience with a phenomenon and to develop an understanding of its meaning. To that end and for the purpose of this study, seven one-on-one interviews were conducted with the research participants.

To conduct the interview, the researcher and the participant met at an agreed upon location, with most of the interviews taking place at Sage House. Prior to the interview starting

the researcher reviewed the consent form with the participant and disclosed the researcher's status as an employee of the Correctional Service of Canada (see Appendix C). None of the participants withdrew from the process. Signed copies of the consent form and the \$25 honourarium were given to the participant before the formal part of the interview started. All the interviews were audio recorded with the participants' agreement being noted by their initialing the consent form.

Interviews followed the interview guide (see Appendix D). Questions were chosen in order to get to the root of the experience. The interviews were semi-structured, designed to enable the participants to tell their stories in a way that suits them. Appropriate probes—such as, What was that experience like? or Can you tell me more about that?—were used when necessary. At the end of the interview, the researcher asked each participant if there was anything else they would like to add, just to ensure that the participant had the opportunity to share what they wanted. Participants were also asked if they would like a copy of the research results once the study was concluded. A space for contact information was provided on the consent form. After each interview the researcher completed field notes intended to detail what was discussed during the interview and how the participant presented non-verbally.

Upon the conclusion of the field notes, the researcher engaged in the process of reflection, journaling her impression, thoughts, and understanding of the phenomena. The reflection included how the researcher's position and bias impacted the interview and how the information was presented.

Interviews lasted on average for 30 minutes, the longest being 72 minutes and the shortest being 15 minutes. Interviews were transcribed through a transcription service company. No participant information was provided to the transcription service. Transcriptions were then

reviewed and compared to the audio-recordings and field notes to determine if there were discrepancies or inaccuracies.

Reflexivity

An important part of the hermeneutic phenomenological research process is the engagement in reflexivity. Reflexivity is defined as the identification of the researcher's position in the research (Polit & Beck, 2004). Keeping true to the methodology, a reflective journal was kept throughout the study. Notes were taken after each interview and during data analysis. The researcher has significant experience working in the correctional system and the researcher's position and experience with that system is vastly different than that of the interview participants. This is why it was important that the researcher's thoughts, values and comparative experiences were noted. The journal was extensively reviewed and reflected upon as to how these differing experiences and values may have impacted the interviews and the interpretation of data.

Data Analysis

The process of data analysis was undertaken upon completion of the interviews. The researcher began by completing a naïve reading of the transcribed interviews and listening to the taped conversations. Texts were reviewed and analyzed using van Manen's (1990) selective or highlighted approach to isolating thematic statements. This approach seeks to identify phrases or sentences that stand out (van Manen, 1990). Expressive language that spoke to the phenomenon of the lived experience of a transgender individual incarcerated in a men's' correctional centre was highlighted. Significant phrases or utterances were identified and ideas and points that were "telling" or "meaningful" were extracted from the narratives (van Manen, 1990). These were then grouped into essential and incidental themes. The researcher engaged in the hermeneutic

circle, writing and re-writing the themes while reflecting on the textual data and the reflexive journal.

Methodological Rigour

To maintain rigour and evaluate the merit of this research project, specific methodological strategies were employed. This study utilized Lincoln and Guba's (1985) criterion for trustworthiness to validate the research. As hermeneutic phenomenology is seen as a naturalistic form of research inquiry, this means of evaluation is seen as being most appropriate. There are four criteria that determine trustworthiness: credibility, dependability, confirmability and transferability (Polit & Beck, 2004).

Credibility. Credibility has been defined as the certainty in the legitimacy of the data in its analysis (Polit & Beck, 2004). Credibility of the study was maintained through the use of audio recordings in all the interviews, verbatim transcriptions and the reflexive journal. The reflexive journal was used to reflect upon the researcher's own values and biases, to ensure that the themes were based on the participant experiences and not the co-construction of the researcher and the participant.

Credibility was further established through the use of negative case analysis, which is the discussion of elements of the phenomenon that do not support the pattern of themes that have been established (Polit & Beck, 2004). The data identified varying experiences of transgender individuals who were incarcerated, not all of which were congruent. The researcher strived to ensure that all accounts were reflected in the data analysis.

Dependability. Dependability has been defined as "stability of data over time and over conditions" (Polit & Beck, 2004, p. 434). Much like credibility, dependability has been achieved

through the documentation of the research methodology and data analysis process in the reflexive journal.

Confirmability. Confirmability, or neutrality of the data, was established through the use of the reflexive journal throughout the research process (Polit & Beck, 2004). The researcher began the study by reflecting and documenting her assumptions and biases in relation to the subject matter. After each interview, the researcher made notes of her impressions and emerging themes. During data analysis, the reflexive journal was referenced and utilized to identify both essential and incidental themes. By maintaining a journal recording both the methodology and the process by which the data was analyzed, confirmability can be substantiated.

Transferability. Transferability refers to the “generalizability of the data” (Polit & Beck, 2004, p. 435). As it is the responsibility of the person who utilizes the findings to determine whether or not they are applicable to the relevant population, the researcher can best support the notion of transferability through the provision of thick and rich descriptions (Lincoln & Guba, 1985; Polit & Beck, 2004). To achieve this result, the findings of the study included thorough descriptions of the experience and provided significant phrases that spoke to the essence of the phenomenon.

Ethical review. Prior to the initiation of this study, ethical approval was obtained from the University of Manitoba’s Psychology/Sociology Research Ethics Board (PSREB). Two supplementary REB approvals were obtained later in the study process, the first was for modification to the study criteria to include individuals who were incarcerated in provincial correctional facilities and the second was to include a seventh study participant.

Confidentiality. To maintain confidentiality participants’ names were removed from the interviews and they were replaced by an alpha-numeric code known only by the researcher. The

list of participant names and the corresponding alpha-numeric code were stored in a locked file cabinet separate from the consent forms. All documentation and digital data, including audio recordings, used the alpha-numeric code to reference participants. All digital data, including the audio tapes, were stored in a password protected, encrypted file of a personal computer. All written information was stored in a locked file cabinet within the researcher's residence.

Transcriptions of the audio recordings were completed. The individuals who completed the transcriptions were provided with no identifying information regarding the participants. Upon completion of the study, all the digital, audio-recordings and documented data will be stored for a period of five years and will then be disposed of through a confidential waste disposal system.

Consent. All participants in the study were voluntary. Recruiting of participants was accomplished online and through posters placed in social service organizations throughout the city of Winnipeg. Individuals who wished to participate made contact with the researcher and meetings were scheduled. Prior to the interview taking place, a review of the consent form was completed with each participant. This process included participants being advised that they could withdraw from the study at any time with no repercussions, the risks and benefits of participating in the study, the list of resources should the participant experience any distress as a result of the interview and the employment status of the researcher. A copy of the signed consent form was provided to each participant. An honourarium was provided at the beginning of the interview. No participants chose to withdraw from the process. Upon completion of the interview, the researcher again provided the participants with information regarding resources to contact should they experience any emotional distress.

Summary

As described in this chapter, hermeneutic phenomenology is the theoretical framework used as the basis of this study. This chapter provided a summary of the theoretical foundations and described how van Manen's hermeneutic phenomenological methodology was an appropriate framework to use for this research. The chapter also reviewed the experimental design, the sampling and recruitment strategy, and the process used for data analysis. A discussion of the strategies that were employed to meet methodological rigour concluded the chapter. The findings of the data analysis will be discussed in the next section.

Chapter 4: Findings

This chapter explores the findings from the experiential narrative material gleaned from the participants related to their lived experiences during their times of incarceration. Several themes and sub-themes emerged from the data analysis. The two main themes identified by the participants were overwhelming feelings of fear and lack of acceptance of their true identity while incarcerated. Both essential and incidental themes will be presented and highlighted through the participants' utterances in order to come to a deeper understanding of the essence of the experience.

Characteristics of the Sample

Nine individuals contacted the researcher expressing interest in participating in this study. Of the nine, only seven met the screening criteria of identifying as transgender and having been incarcerated in a men's correctional facility. Of the seven individuals who met both of the screening criteria, four self-identified as transgender, while three self-identified as female. Of the seven participants, six reported that they were open about their transgender identification when they entered the prison system. Only one reported hiding her transgender identity and, at the time of her incarceration, this individual identified herself as a male.

All seven of the participants served their periods of incarceration in a men's prison. One participant had served a 27-month, federal term of incarceration for Possession for the Purpose of Trafficking at a prison in British Columbia that has since been closed down. The six other participants were held in provincial custody in the Province of Manitoba. The length of time they were incarcerated ranged from three days to six-and-a-half months and they were being held at the Winnipeg Remand Centre, the Headingley Correctional Centre, the Brandon Correctional Centre and the Dauphin Correctional Centre. The offences the individuals were incarcerated for

included Robbery, Assaults, Breaches and Communication for the Purpose of Prostitution. Characteristics of the participants are summarized in Table 1.

Individual Phenomenological Reflection

Prior to engaging in the data analysis, as part of the hermeneutic phenomenological research process, I reflected on my own experience and knowledge base in terms of the phenomena. As previously noted, I have been employed as a Parole Officer in federal corrections for many years. I have worked with several individuals who were incarcerated and who identified as transgender. My experience has included seeing staff belittle and mistreat the transgender offender, seeing staff refuse to work with the transgender offender, and seeing the transgender person being denied access to gender-appropriate grooming products and clothing. These experiences made me question how does a transgender individual experience prison? Do they experience other types of abuse? How are they treated by the male inmate population if staff treat them that way? Do they think they are treated fairly? These questions stayed with me throughout the data analysis process and provided the basis of my research.

Theme One: Overwhelming Fear

Overwhelming fear is one of the primary themes identified through the data analysis. Every single participant reported feeling frightened while they were incarcerated. Discussions around feelings of fear came up several times throughout each interview and feelings of fear were often tied to specific incidents or events that stood out for them. Several participants described how they would hide in their cell and cry, shaking from fear. They feared that they would be physically and sexually assaulted, or even killed. As one participant shared:

I was like I never cried so much in my life and being so worried in my life. Fucking being so scared of my life too in there. (05)

Another participant shared:

Yeah, like crying in your cell. Scared. Shaking in your cell. I don't want to go out there.

(03)

The fear experienced by the participants presented itself in several different forms during the interviews: fear of sexual harassment, fear of sexual and physical assault, fear of being used as a sexual pawn and fear of discovery. Where they differed, however, was how individuals dealt with their fear and their safety issues. Some confronted the issue and engaged in physical violence, one hid their true identity and another felt compelled to seek out and maintain a relationship that provided them with a form of safety.

Sexual Harassment. All the participants, with one exception, identified that they were subjected to ongoing sexual harassment and sexual objectification. They reported that the sexual comments were ongoing and never ceased. Participants described feeling objectified as “eye candy” (01) and as a “sex symbol” (03) by the other inmates in the institution. They believed that the other inmates looked to them to satisfy “their fetishes and fantasies” (04). One participant commented:

Well, all I can hear was the men when I was walking by would go “fresh meat, fresh meat” and then I was terrified when I was hearing those guys saying that. And some guys would say, “Oh, there's my bitch.” “That's going to be my bitch.” And they are all talking about me. And I can hear them and I go, “Oh, I'm not leaving my room.” (03)

Another participant stated:

You know, when I walked down the hallway all the guys would just look at me and be like, “Throw her in a room with us.” (06)

The ever-present sexual harassment contributed to the participants feeling like they were potential targets of sexual assault. Two of the participants specifically stated that they felt there was an expectation that because they were transgender they would provide sex to other inmates.

One participant announced to the other prisoners:

“Just because I’m trans doesn’t mean you can get sex from me because that’s not who I am.” (04)

Another advised:

And I don’t want to be a symbol, like a sex symbol, and that’s all you are in there. (03)

A third participant reported that she felt like she had to give in to engaging in sexual acts or she was going to be forcibly sexually assaulted. She described:

At times we had to give in cuz they wouldn’t leave us alone and we had to do oral stuff in the washrooms and the guards would be paid for us not to be bugged. (03)

The lone individual who did not experience sexual harassment or sexual objectification lived as a man and hid her true identity from the rest of the prison population. Despite hiding her identity, this individual reported feeling fearful of being discovered as she knew that the consequences would have been dire. This participant noted:

You know, if I would have even allowed any hint of who I truly was to come out I would have been bought and sold for next to nothing in the prison system and probably ended up getting killed. (02)

Sexual Assault. All seven of the participants reported experiencing sexual assault or attempted sexual assault while being incarcerated; one participant identified that she was raped, while six others advised that inmates had attempted to engage in sexual activity with them without their consent. One participant reported the following:

I remember this one time I was room-mating with some guy. I don't remember his name though I remember in the middle of the night he crawled into bed with me and tried getting with me and I, um, yeah, I didn't know what to do. So I basically just like giving him the cold shoulder. I didn't know what to say or do so I kept giving him the cold shoulder 'cause I was scared at the time. (01)

Another reported that she also had a cellmate who attempted to engage in sexual activity with her:

Just the younger one wanted every little thing, you know, he just fondled himself during the night. (06)

Not only did the participants identify that they were subjected to sexual violence, several reported that they were victims of physical violence as well. One participant commented:

He got physical one time and he punched me in the jaw. And then I asked to be moved or him to be moved and they didn't. And he was like making sexual remarks to me, advances to me. (07)

All of the individuals who experienced sexual assault or attempted sexual assault reported feeling terrified when the incident occurred, with several also feeling powerless to do anything about it. The one participant who identified that she was raped felt that she could not say anything or do anything about the incident. She disclosed:

And I couldn't say anything. I couldn't charge the person because that was my first month in there and that happened. (03)

In another instance, the interview was the first time the individual had ever discussed the incident. She divulged:

I didn't know what to say or do so I kept giving him the cold shoulder cause I was scared at the time, I didn't tell anyone about that, I didn't like mention about anything about that until now. (01)

The participants identified that the incidents of sexual assault or attempted sexual assault took place in either the individual's cell or in the showers on the range.

It was awful. Especially sharing a room with four guys and you never know, like one tried his hardest to get with me in the shower. It was scary. (06)

Three individuals mentioned during the interviews that taking a shower or being in the shower area in the prison was an experience that stood out for them. The participants identified that cameras were not present in these areas so there was no one monitoring them. As a result, they felt particularly vulnerable to victimization while in these areas. One participant commented:

Well, not scared. But in a way cuz you never know what's going to happen? Because there is no camera in the shower room. (06)

Another advised:

The thing was hard was showering. I didn't, like, I always had to tell those guys, "Can I shower?" (05)

It should be noted that the lone participant who identified herself as male when she was in custody also reported that someone attempted to sexually assault her. The participant (02) stated that one of the other inmates attempted to get her to "service him," but she fought back. The participant reported that even though she was living as a man at that time, she was small in stature and in some ways very feminine. She believes that this made her more vulnerable to physical and sexual assaults.

Physical Assault. Four of the participants identified that they were physically assaulted or threatened with physical assault during their time of incarceration. The participants described the other inmates as being extremely belligerent and aggressive. One reported that she would often just be walking by a group of inmates and receive threats of physical harm.

But there was a few guys in there that really didn't, like, they were very aggressive. Like, I was, like, I walk by and they go, "Fuck, you looking at me you fucking fag?" Like, you know, kind of thing. (05)

A second participant stated that her cellmate punched her in the jaw, while a third advised that someone attempted to stab her with a spoon. Participants 03 and 04 were the only ones to report being physically assaulted more than once during their period of incarceration.

Fear of being a Sexual Pawn. Two of the participants identified fear of becoming a sexual pawn of other inmates as an experience that stood out for them during their incarceration. The two participants reported that it was commonplace in jail to come across individuals who were coerced into sexual activity through fear of physical or sexual harm. Individuals might engage in consensual sexual activity with a physically stronger and more powerful inmate within the prison hierarchy in order to receive protection from physical or sexual violence from other inmates. One participant stated:

And, yeah, if you don't give in you're going to get raped. That's why you have to find – always have a protector in there. (03)

Finding the right protector appears to be key; however, one has to "literally shop" (03) for the right man. Two participants identified that individuals may find themselves in a relationship with a "bad guy" (03) who will sell their sexual services to other individuals in jail. Being passed around sexually to other inmates was reported as a common occurrence within the

prison. Payment for services came in the form of canteen food, drugs and, when smoking was allowed in prisons, a pouch of tobacco. Very rarely would the individual who was being passed around sexually be given any form of payment. Both participants felt that being put in that position would be a horrific experience and one that an individual might not survive. One participant commented:

And I've seen it where a young trans will attach themselves to somebody that's big, that's very ugly like, ah, inside and out, just for protection. And I'm just glad I didn't have to do that. (02)

This individual further reported that she knew of an individual in the jail where she served her sentence who became a sexual pawn within the inmate population and, as a result, tragically committed suicide.

Fear of Being Discovered. Only one participant hid their true identity of being a woman or a trans woman from the inmate population. She reported that she was incarcerated in the early 1970s and that individuals who identified as transgender were not as well known or accepted as in present day society. She stated that she had to hide her true identity. She advised:

You live in fear. So what you do is live in fear. Live in fear that somebody will somehow find out about you (02)

The participant identified that this fear of discovery of her true identity loomed over her throughout her entire period of incarceration. Several times during the interview, she discussed how she felt that she could not live as who she was because of this fear. She reported that she developed a violent façade and wore this mask throughout her time in prison to keep herself safe from harm.

Dealing with Fear

As the collective theme of fear and the differing ways it was experienced by the participants has been explored, we now move on to how the individuals managed to deal with these feelings of overwhelming fear within the prison environment. Three themes emerged in terms of how fear was managed: denial of their transgender identity, fighting back and engaging in protective relationships.

Denial of transgender identity: One of the participants reported that the way she managed her fear in prison was to deny her true identity. She felt that this was the only way to survive the prison experience. This individual was incarcerated in the early 1970s, a time when being transgender was not well accepted within the greater population. By the time the participant went to prison, she had already learned that being different put her at risk. She described:

I knew at a young age that I was different. By the time I was seven or eight years old I already knew. But back then people were a lot more violent, a lot more racist, a lot more bigoted. If you were anything but normal you were an easy target (02)

Prior to going to prison, the participant lived as a woman in the community, and she had already experienced violence as a result of being different. The transgender community was small then and the participant reported that she had known or heard of several individuals who had been in prison who reported being sexually or physically assaulted because they identified as transgender. When she learned that she was to be incarcerated, her fear of victimization and even death led her to hide her true identity when she entered the prison system. The participant reported that she felt that she had no other option but to “wear a different mask” (02) and take on a violent male persona.

You have to learn to swagger like the boys. Cuss like them and just take on that real dangerous attitude that you know that you're someone not to fuck with. (02)

Taking on this role, however, was not without consequence.

And the whole time that you're doing this you're screaming inside that this isn't who you really are, you know. I remember being in my cell and crying. Your whole life becomes a lie 'cause for your own personal safety you have to fabricate something that you're not. (02)

The participant identified that she wished she could have lived as herself without fear and without risk of violence.

Fighting Back: Three of the participants reported that they engaged in physical or verbal confrontations as a means to deal with their fear and protect themselves from sexual harassment, sexual assault and physical assault.

One of the participants reported that during her time of incarceration, she was involved in several physical altercations. She advised that she engaged in violence to protect herself from being sexually harassed, sexually assaulted or physically assaulted. Two particular incidents stood out for her. On one occasion, an inmate had attempted to stab her with a spoon and she responded by hitting him on the head with her meal tray. On another occasion, an inmate had attempted to sexually assault her and she fought back. The participant reported that she learned from the experiences and although she did not like engaging in violence, she felt that she stood her ground and was able to defend herself. The participant disclosed:

But overall a good experience, like, my experience. Because I defended myself they locked me in a room for six days. So, they locked me in a room for six days for defending myself because I wasn't gonna let somebody have their way with me. (04)

This participant appeared to take some pride in her ability to defend herself from sexual advances. She also felt that the consequences of protecting herself, being segregated from the rest of the population, were unwarranted and unfair.

Two of the other participants reported that they felt like they had no other choice but to engage in violent and aggressive behaviour to protect themselves. One participant described a particular experience that stood out for her:

This one guy had tried to get me to service him one night and I told him if he ever came near me again I'd kill him. And I knew I was capable of killing somebody just out of sheer fear. So you do what you need to do to protect yourself if it's, you know. (02)

The other participant reported that she often had to become belligerent and verbally aggressive with individuals. She felt that she had no choice but to be an "asshole" (05) towards others, as she was subjected to verbal harassment "consistently every day" (05). She reported:

There were times that I had to fucking, like, change my attitude just to be an asshole towards somebody. And I don't like that. (05)

Interestingly, two of the three participants that engaged in verbally and physically aggressive behaviour in response to being harassed and victimized described their aggressive behaviour in terms of a masculine identity. Despite identifying as female or transgender, they reported that at times, they felt that they had to take on a masculine persona in order to engage in violent behaviour to protect themselves. As one of the participants noted:

I had to be a man some days. There was some days, like, fuck, why you quit being a fag all the time. (05)

Engaging in Protective Relationships: Although several of the participants described observing transgender individuals enter into protective relationships with other stronger and

more established inmates, only one of the participants reported being in this type of a relationship during their time of incarceration. The participant said that when she entered the institution, other transgender inmates suggested to her that she should “grab a man that will protect you” (03). This protector’s role was to defend her from assaults and shield her from being passed around and sold to the other inmates. The participant stated that she had to actively look for someone who was nice to her and who was not a “bad guy” (03) or would sell her to other individuals within the prison. The participant described her experience:

And then this one guy would always give me some of his food, canteen stuff he’d bring me, and talk to me nice. And we got talking and then we got close and then that’s how it started. (03)

The participant saw this relationship as respectful and mutually beneficial to both individuals.

She noted:

And the only way I can protect myself is to cling onto one guy. And he wouldn’t call me “My bitch.” He respected me. As long as I did services for him and I was by his side. (03)

The participant felt that although this relationship began in prison under difficult circumstances, it was a very positive relationship for her. She reported that even though it has been fifteen years since her term of incarceration ended, she and this individual still maintain contact with each other. She reports that she continues to call him her protector and he now calls her “honey.”

Theme Two: Acceptance of Who They Truly Are

The second essential theme identified through data analysis is the individuals’ wishes to be recognized, acknowledged and accepted for who they truly are. The participants, all of whom identify as either transgender or female, felt that the correctional staff and, in most cases, other

inmates, did not accept and acknowledge their true identity. One participant reported during the interview:

They didn't want me to be myself and they wanted me to be a man. (05)

The participants acknowledged feeling this way due to several factors: i.) they were not placed onto a women's unit or in a women's institution, ii.) they were placed onto a "special needs" unit, iii.) upon admission, they were strip searched like they were men, iv.) individuals failed to use the proper pronoun, v.) they were referred to by their birth name and vi.) they were not provided with gender-appropriate clothing and grooming products. This lack of acceptance and acknowledgement of their true identity was a common theme throughout the entirety of their sentences.

Placement to a men's institution. Of the seven participants interviewed, all reported being placed in a men's correctional facility, despite identifying as transgender. None were given the option to move to a women's correctional centre or placed onto a women's unit in the Winnipeg Remand Centre, although a few reported that this would have been their preferred setting.

One participant disclosed that when she entered the Winnipeg Remand Centre the Canadian Human Rights Act had just been amended to address discrimination based on gender expression and gender identity. This was the only participant who made reference to this Bill during the interviews. She stated that staff acknowledged the change in legislation; however, they advised that they would not place her on the women's unit. The participant recounted what the admissions officer communicated to her:

She said, “We would put you, because you identified yourself as transgendered we would put you with the females but you’re still considered male on your birth certificate so we can’t put you there.” (05)

Another participant acknowledged during the interview that she would have been more comfortable being placed within a women’s correctional institution as she felt that this would have been more respectful of her true identity. She noted:

I would have preferred to be with women. I would have felt a lot safer. I wouldn’t be sexualized, I would not be looked at as a sex object. I would be looked at as an equal.
(04)

Interestingly, a few of the participants reported that they felt that placement to a unit that just housed transgender individuals would have been acceptable as well.

Placement within the men’s institution: Upon entrance to the correctional centre, three participants identified that they were placed within a general population unit, three reported that they were placed on a medical unit and one indicated that they were housed in protective custody.

Those participants who identified placement to a medical unit reported that they served their time at the Winnipeg Remand Centre. The medical floor is intended to house individuals who are identified as having special needs. It is known to have a negative reputation amongst the inmate population, and those placed there are labelled within the correctional community as being “crazy” or as “bugs” (07). One participant noted:

And all of a sudden they put me on the sixth floor. That’s where they put gay people and those ones that are on pills, or crazy ones, I guess. (05)

All three of these participants identified that they felt uncomfortable being placed on this unit.

One participant divulged:

So, they put me on the medical floor with some, like, schizophrenic people and I just felt that I was more at risk being put in with that population therefore. I didn't know who they were and even didn't know their mental health situations. (04)

Another participant reported that she felt that placement on this unit was completely unjustified and demeaning. She stated:

It was a medical bug ward thing. Well, just being labelled is horrible in itself, for one, because I don't think I'm mentally unstable or whatever it is right? So, I mean, I don't know, it feels degrading in a way I guess. Yeah, just to be labelled that. I got my mail put, it was special needs on there, yeah, I was like "What the hell, I'm not special needs. Just 'cause I am transgendered doesn't mean that I'm any different than the other people." (07)

Placement of these individuals to what was identified as a special needs unit contributed to the participants feeling like they were different and furthered their ostracization. Although it may seem like this placement acknowledges their individual needs, the participants identified that they felt it was disrespectful and was not supportive of their true gender identity.

Failure to use the proper pronoun. Six of the participants reported that upon admission to the correctional facility, they had disclosed to staff that they identified as either transgendered or female. All six reported that despite this, they were, in most cases, mis-gendered or referred to by a male pronoun throughout their sentence. One participant noted:

I told them many times. I go, "My pronoun is a she." (03)

All the participants described feeling disrespected, as it failed to acknowledge their gender identity. It contributed to negative internal feelings and feelings of low self-esteem. One participant proclaimed:

It's rough. I mean, especially with the, I don't know, just being transgendered and going into jail is, it's rough, because they don't respect you and it's like, I guess they don't respect your sexuality. They always refer to you as "him" and "he" and "his" and "male".
(07)

This same participant went on to say that this experience was something that stood out for them and had a considerable impact on their sense of self-worth. The participant reported:

I mean, just other than being called a "dude" every day. That's pretty much the only thing that stands out. Well, I mean, it doesn't feel very good to be called something that you're not, right? I mean my self-esteem was ruined. I mean, it brings your self-esteem down, right. And it makes you feel bad about yourself and to be treated like you're wrong. (07)

Failure to use the proper name. Participants also identified that the staff's failure to use the individual's chosen name was a notable theme for them while they were in prison. Six of the seven participants disclosed to staff that they identified as transgender when they first entered the prison system, but that staff failed to use their chosen name throughout their period of incarceration. The participants had been using their chosen name for a significant period and were using it at the time of their entry into the prison system. Staff however insisted on calling them by their birth name, which in all cases was their male name.

One participant relayed that when she tried to tell staff what her female name was, they replied:

While you're in here, you're going by your male name. (03)

Another participant divulged that when she requested that staff call her by her chosen name, they replied that they could not accommodate her request as it was policy for them to identify individuals by their birth or legal names.

This lack of acknowledgement of their true identity led to the participants feeling embarrassed, uncomfortable and of low self-worth. One participant disclosed:

And that hurt me too and I go, “Okay, I’ll let them call me for, call me by my male name for three months.” It felt like forever. (03)

Another participant expressed the following about her feelings regarding being called by her chosen name and by her proper pronoun:

I would just like for them to like properly treat transgender individuals like how the way they should be treated, like, how the way they feel they should be treated. Instead of calling them him or she, calling them the gender they identify as. Like, for me when I was getting called, but I did not want to be getting called it was an embarrassment, it was uncomfortable, lower down my self-esteem, maybe felt back to square one again. (01)

One of the participants felt very offended by this practice, as this demonstrated that staff had little respect for her and her gender identity. She stated:

Ah, they didn’t call me by my name. They just called me by my real name. And so that really bugged me.. I wish they would’ve, you know, had more respect. (05)

A third participant reported that it felt like staff did this on purpose, to put down and embarrass her. She expressed the following:

It was kind of like embarrassing for them to be using your biological name, the name you go by or identify by.. But there were some of them that were just dicks, right ,who would

feel the need to use your biological name just to like pull strings and hurt personal feelings. (04)

Another participant commented that it changed the way she thought about incarcerated individuals who identify as transgender. She stated:

No, yeah, well, it changed, it changed my way of thinking of all trans going in there.

Let's have, let's train these other people that are working there how to deal with trans people, and name, call them by their pronouns and by their female names. (03)

The failure on the part of staff to utilize the individuals' preferred names not only affected the participants emotionally, it also had an impact on their ability to secure ongoing medical support to meet their special needs. One participant stated that she did not get her hormone medication because of the inconsistency of the names. The participant revealed:

They just said it was not in their system, that's what I was just told. I kept asking for it and they gave it to me a month later. Well, when I was in the Remand at first before I got transferred they gave me one little pill, maybe my estrogen, they would not give me my testosterone blocker. I would be asking, they said it was not in the system. And I said it should be in the system. It was mainly Remand Centre that was giving me a hard time and when I went to Brandon Correctional they kind of fixed it up. And also with the name thing they could not get my medication right as well cause of my birth name was in the system and not my legal name. And my legal name was on the health card and so that was a mix up as well. (01)

In the interviews with the participants, only two individuals identified that they were occasionally called by their proper pronoun and name by a staff member. One stated:

I keep freakin' reminding them. But there was this one lady I met and she called me by my name. She didn't even have to think. I was like, "Oh my god, you're the first person who said it right without me correcting you." (05)

The other participant reported that there were some staff members who were respectful of her wish to be identified as a female and by her chosen name; however, she noted that it was mostly female staff members who fell into this category.

Interestingly, the participants reported that a sizeable percentage of the other inmates they were incarcerated with did not appear to take issue with their request to use their proper name and pronoun. One participant described:

They treated me like a lady in there. They didn't see no man in me. They were like very respectful. (05)

She went on to state:

The inmates knew. I told them to call me [name] and they were like, "Wow, that's a cool name I never heard it like that before." So, the inmates, some of them were okay. They had a lot of respect for me. (05)

Another participant reported when speaking about her self-identity and acceptance by the other inmates:

It was okay. I mean, they were a lot more understanding and accepting than the guards were. (07)

Strip search. Two of the participants reported that they had concerns with the manner in which they were strip searched. Standard practice of the institution is to strip search every new admission. One of the participants reported that when she first entered the correctional centre she was placed into an admission holding cell. The participant advised that she had disclosed to staff

her transgender identity. The correctional officers indicated that although she identified as transgender, because she was not considered female she had to be searched by male officers. The participant described how this led to her feeling self-conscious and embarrassed. The participant divulged:

They said, “Just because you’re transgendered you’re still not considered female. We’re going to have to still put male officers to search you anyways.” So I took off all my clothes and I was standing there like, felt very uncomfortable. (05)

The other participant reported that upon admission to the Winnipeg Remand Centre, despite identifying as transgender, she was strip searched by a team of male officers. She described the experience as abhorrent. The participant verbalized:

That wasn’t pleasant. Again, I had to face more taunting in the basement of the Winnipeg Remand Centre from those in a position of power. (04)

Lack of gender-specific clothing and grooming products: Four of the participants identified that the lack of appropriate gender-specific clothing and grooming products was an area of concern for them. Upon admission to a correctional centre, individuals are given clothing they are to wear within the institution and grooming products they can utilize. These items are usually gender specific. As the institutions the participants were housed in were designated for males, any clothing and toiletry items they were given were designed to meet the needs of men, which included such things as men’s grooming products and toiletries. Two of the participants spoke about the clothing and how they made alterations to make them more feminine and comfortable to wear. One described:

I'm not use to wearing such loose clothings and I'm trying to tighten everything up. I just don't like these pants. They're too big and the shirt is too big. So I tied it up and made it more comfortable. (05)

This behaviour, however, was not without consequence. One participant stated that it resulted in unwanted sexual advances. She disclosed:

And then if we make capris we'd fold our pants all the way up and then tie our shirts. And then got a lot of whistles when we are walking around. I go, "I don't want that. Like, or just causing something, or getting guys to come onto us like that." So I just quit tying that and quit folding my pants up. (03)

This same participant also reported that she did not receive gender-appropriate undergarments while incarcerated. She stated that she had been wearing a bra for several years at the time of her admission; however, she was not allowed to wear one while incarcerated. She divulged that this felt very uncomfortable to her.

Lack of gender-specific grooming products was also a concern that was raised. One of the participants advised that because she was placed to the medical unit, she was not allowed access to a razor. She stated that she went three months without shaving and that this had a negative impact on her self-image. She stated:

And we'd have to go, you know, have big beards in our faces and we don't like that shit. (07)

To compensate for the lack of gender-specific grooming products, two of the participants reported that they would use what items they could in order to make themselves more feminine in appearance. One participant described:

And we even made our own makeup. Yeah, and our own tweezers. [We used] just dirt and berries, like strawberries (laughs). Our lipstick and that. And for tweezers, you know, those cheese things with those little plastic sticks. Those would fold in half. Those were tweezers and we'd tweeze around (laughs) just to groom ourselves. (03)

Overall, the participants acknowledged that they would have liked to have had access to gender-appropriate clothing and toiletries while incarcerated.

Incidental Themes

There were three incidental themes that emerged from the interviews: i.) the accessibility of supports, ii.) having visible role models within the institution and iii.) education of staff.

Several participants identified that having supports such as Elders, other incarcerated transgendered individuals and other supportive inmates made their periods of incarceration more tolerable. Those that did not have any support felt isolated and that their time in custody seemed like it was extremely long. Participants also identified that they felt that having visible role models working within the institution would assist in making them feel more welcome and supported. Several also identified the need for staff to have further training on what it means to be a transgender individual and how best to support them.

Access to supports. Three of the participants identified that they had access to a support system while in custody. Two reported that they had been incarcerated with other transgendered individuals. These individuals were placed on the same unit with other transgender individuals and were able to interact with them on a daily basis. Both participants identified that it made the "time go easier" as they had someone to relate to. They would socialize, engage in grooming activities, such as doing each other's hair and make-up, and play cards. One participant noted:

We just kept to ourselves and time went faster that way too with just our group. (03)

The other participant who reported that she had access to a support system while incarcerated advised that she had an older inmate with whom she regularly associated while in jail. This individual would provide her with advice on how to deal with the institutional routine and explain how to appropriately interact with the other inmates. The participant stated that this individual helped her get through her terrible experience. She viewed the relationship as positive and supportive as she even joked that she would call him her “foster dad.”

Another participant identified that during their time in custody, she had an Indigenous Elder who would come and spend time with her. She stated that this Elder would visit her a couple of times a week. She divulged that this is where she first learned about her Indigenous culture and she was able to participate in ceremonies and learn about Indigenous teachings. The participant reported that she appreciated being able to engage in her spirituality and learn about her culture while incarcerated. She recounted:

I learned that in jail too my medicine, smudging and what they're for. Now I know so much medicines. And that really helped me more and it went, the days went faster. (03)

This exposure to her culture while incarcerated led to her continuing to engage with her culture in the community. The participant reported that to this day, she still follows the teachings and participates in ceremonies.

When there was no kind of support system in place, the participants reported their experiences of being incarcerated to be agonizing and lengthy. Several reported feeling immensely lonely as there was no one for them to relate to or spend time with. One of the participants experienced being incarcerated both with other transgendered individuals and without other transgender individuals. She reported that being with other transgender individuals

made her incarceration much easier and time went by quicker. In contrast, she described her period in custody when she was on her own:

It was very – it was very rough. I mean, sad. I mean, I guess, lonely, lonelier. (07)

Other participants did not have the benefit of any form of a support. These individuals described their experience of incarceration as desolate and dismal. Most reported that as a result, they spent the majority of their time alone in their cell, avoiding contact with the other inmates. One divulged:

Otherwise when I was in there they never gave me a roommate and I was just sitting there and, like, weeks went by and I just – like, at nights it was lonely because I could not talk to somebody. And being in there, like, when you lock up for those few hours and I'm sitting there, ugh, I want to talk to somebody, like, geez. (05)

This same participant advised that she had asked staff to place a roommate in her cell. However, they denied her request because she was transgender, believing she would engage in sexual activity with the cellmate.

Several of the participants voiced during the interviews that they felt that the correctional institutions should provide transgender individuals regular access to Indigenous Elders. As noted, only one participant advised that she had any interactions with an Elder within the institution. She found this extremely beneficial. Several others suggested that they would have also benefitted from the provision of this service. One participant suggested that the Elder could come to their cell when they are alone and spend some time with them. The Elder would not only give them someone to talk to but would provide them with support to get through the experience. Another participant felt strongly that access to an Elder and ceremony while incarcerated would

assist with people finding their Indigenous spiritual identity and therefore lead to living a crime-free life. She stated:

And, I think too, they need to, like, that spiritual aspect should be incorporated within, within, you know, those correctional facilities. Because, you know, as Indigenous people we are so lost, you know, we're so lost with identity, right. We all, we all have a story – our stories are different, but similar in nature. Um, you know, for myself, you know, I mean, I didn't even know who I was until I went to ceremony, you know, until I got, you know, my plan, my colours and name. And that actually grounded me to grow. And that's important when being incarcerated 'cause building that component into, um, those facilities, and having those Elders available, right, and having them be able to, in identifying, like, we had a naming ceremony, right, helping them in some of those basic things that people need, you know, in order to grow, and, you know, to exit that bad life. (04)

Visible role models. Two of the participants believed that having visible, positive role models within the institution would be beneficial. Not a single participant reported that any of the correctional staff they interacted with were transgender. One participant felt that having staff members who were transgender would make her feel more comfortable in the institution. She stated:

You know, I would love to see, like, you know, a trans guard, you know, too and maybe the trans guard would help me and would, like, relate to me and helping me preferably, find myself, and, um, connect me to services that helped me, right. (04)

This same individual also advised that they had never seen or had a positive trans role model present in their life.

Training for staff. Three of the participants identified that staff required further training on what it is like to be a transgender individual. They reported that training should focus on what it means to be transgender and how to meet their needs. Two of the participants felt that it was important for individuals who lived the experience to be involved in the training. One shared her thoughts:

Again, you know, like, when we talk about training and education on these um, topics right, um, is having those with experience train. It's key, you know, and that's the only way they will get it and having it, um, within – they probably go to school for Corrections Canada where you can probably take a course to be a correctional officer – is having something implemented within their educational curriculum under those formalities of, um, units, you know. This unit could be on trans Indigenous folk or jail LGBTQ folks and having those come in actually educate so they have a reality 'cause a lot of these people are coming from Timbuktu, which is the suburbs, right, thinking they're coming in to change the world and, you know, it's like I've been there, done it, I've seen it, you know. (04)

One of the other participants suggested that individuals from LGBTQ agencies could be brought in to support and train staff.

Theoretical Implications

The findings of this study provide two important theoretical implications: first, it confirms and provides support for West and Zimmerman's (1987) theory of "doing gender" and second it provides further empirical evidence for Jenness and Fenstermaker's (2016) theory of "rape of the feminine."

West and Zimmerman (1987) argue that gender is not inherent to human nature, but it is a “routine, methodical, and recurring accomplishment” (p. 126). “Doing gender” is the theory they put forth to explain how individuals express their gender through their normal every day behaviours and in their relations with others and their environment. People can claim to be a gender, even when they do not have the corresponding sex characteristics. The actions of the person and the “social doings” dictate how their gender is perceived (West & Zimmerman, 1987, p. 129). The findings of this study provide further support for this theory. Throughout their time of incarceration, the participants, all of whom were transgender, were held in a men’s correctional facility. Their behaviours and how they related to others led to them being perceived not as men, even though they had male sex characteristics, but as women residing in a men’s jail.

The second important theoretical contribution of the findings of this study is that they further support Jenness and Fenstermaker’s (2016) theory on rape of the feminine. As noted in the literature review, the incidence of sexual assault against transgender individuals who are incarcerated is significantly higher than the rate of sexual assault within the male offender population. Given that transgender persons who reside in a men’s prison are viewed as women among the men, the level of sexual violence inflicted upon them, which is not seen in any other circumstances within the prison setting, leads one to conclude that within this hegemonic masculine environment, their association with femininity is seen as deserving of domination and exploitation by the male offender population. This is what Jenness and Fenstermaker (2016) term rape of the feminine.

Both of these theories in the relation to the findings will be further explored in Chapter 5, Discussion of the Findings.

Reflection

As part of the hermeneutic phenomenological process, after meeting each participant I spent time reflecting on their interviews. I examined how my own perspectives and biases on the subject may have impacted the discussions and the interpretation of the data. My professional experience with the correctional system is very different than that of the participants. I tried to remember throughout this process that my role was to listen to, and tell, the participants' stories. Throughout the analysis I constantly returned to the data to ensure that I was able to draw the participants' true meaning of the experience. I believe that in examining my thoughts and feelings, through the reflective journal, I was able to remain open to findings that challenged my beliefs while gathering the true essence of the experiences of the participants.

The finding that transgender individuals experience fear while incarcerated was consistent with what I experienced in working with this population. Working in a prison, I was always aware that sexual and physical assaults happened amongst the inmates and that those who identified as transgender were commonly targeted. Despite this knowledge, I found the personal stories of the participants difficult to hear. Many of them spoke about the violence and trauma they experienced while incarcerated. Their stories had an emotional impact on me and generated some personal reflection on how we, as correctional staff, need to do a better job of keeping individuals safe. The findings also confirmed my belief that transgender individuals who are incarcerated just want to be accepted and supported for who they are. My experience is that the correctional system actively hindered the transgender persons' ability to express their gender identity; I witnessed correctional officials denying transgender persons access to gender appropriate clothing and toiletries and correctional staff regularly referring to the individual by a male pronoun and by their birth name. I also observed staff using derogatory slang to describe

the individual and on at least one occasion I can remember staff refusing to work with the transgender person. Given the level of harassment and violence experienced and the numerous barriers put forth by correctional officials, what surprised me the most was the level of the participants' resilience and their commitment to being their authentic selves. At the start of the study, I believed that most transgender persons who enter prison would try to hide or minimally display their gender identity in order to protect themselves from harm, but out of the seven participants, only one did. All the others remained true to who they are despite the overwhelming obstacles and the horrendous consequences.

Summary

This chapter provided the findings of the participant interviews related to their experience of being incarcerated. It summarized the demographic characteristics and presented the essential and incidental themes that arose. The two predominant, essential themes of the lived experience of a transgender individual incarcerated in a men's correctional centre are fear and needing acceptance of their true identity. Incidental themes were also identified and included wanting more supports and role models and the need for staff training. The next chapter will provide an analysis of the data within the relevant literature, discuss the limitations of the study and provide recommendations for correctional staff.

Chapter 5: Discussion of the Findings

The purpose of this study is to identify the lived experience of a male-to-female transgender individual incarcerated in a men's correctional institution. In-depth interviews were conducted with seven self-identified transgender persons who had previously been incarcerated. Two major themes emerged: overwhelming fear and wanting to be accepted for who they are. This chapter will discuss and interpret these themes, and the corresponding sub-themes, in light of the relevant literature. It will also discuss what, if any, new insights have emerged on the topic.

The Lived Experience of an Incarcerated Transgender Individual:

Overwhelming Fear and Wanting to be Accepted for Who They Are

The narrative provided by the study participants identified two essential themes that described the essence of their experience of being incarcerated: crushing fear and lack of acceptance of their transgender identity.

In relation to the first essential theme, participants described having intense feelings of fear that remained unabated throughout their sentences. Feelings of fear included fear of sexual harassment, fear of sexual and physical assault, fear of being used a sexual pawn and, in one instance, fear of discovery of their transgender identity.

Wanting to be accepted as a transgender individual was the second essential theme identified through the participant interviews. Despite, in most instances, corrections officials being aware of the individuals' transgender identity, the participants were not given the option of being placed to a women's institution, with some even being placed on special needs units where they were strip searched like they were men, were not identified by the proper pronoun and preferred name and were not provided with gender-appropriate clothing and grooming products.

There is limited literature available that explores the experience of the incarcerated transgender individual. Most of the published work on the topic discusses the extent of sexual harassment and assault experienced by the transgender prisoner and the legal issues related to gender non-conformity and incarceration. What literature is available will be compared and contrasted to the findings of this study.

Fear

The incarcerated transgender individual experiences pervasive and overwhelming feelings of fear. Fear is central to the essence of their experience of being in prison; it is present in every waking moment of every day. They are afraid of being sexually and physically assaulted or even killed. Every participant described feeling terrified, which sometimes manifested itself into physical symptoms of crying and shaking. Participants experienced significant anxiety, with some isolating themselves for protection and to manage their emotions.

The extensive fear experienced by transgender individuals who are incarcerated is arguably similar to what was noted in the literature by Lockwood (1983) and Tewksbury (1989) when describing the fear of men who are imprisoned. Men who are incarcerated also express feelings of anxiety, extreme emotional distress and the need to separate themselves from the population (Lockwood, 1983). Like transgender individuals, they too expressed fears of being sexual assaulted in prison (Lockwood, 1983). However, as the statistics show, their risk of sexual assault is significantly less than the transgender individual, 4% for non-transgender males as opposed to 59% for transgender individuals (Jenness & Fenstermaker, 2016; Stohr, 2015; Wilson et al., 2017).

Sexual Harassment. As noted in the findings, all the participants, with the exception of one individual who did not identify as transgender at the time of their incarceration, experienced

extensive sexual harassment while incarcerated. Participants described being subjected to an incessant barrage of intimidation and offensive sexual pressure by the male inmates. Comments made by the non-transgender inmates included, “Oh, there’s my bitch” and “Throw her in a room with us” (03) and resulted in the participants feeling like they were seen as sexual objects and there for the sexual fantasies of the male inmates. These comments objectified, belittled and frightened the transgender individuals. The participants felt at constant risk of being victimized. This led to participants employing various coping strategies, including engaging in physical confrontations, voluntary isolation from the rest of the prison population and, on one occasion, a “willing” engagement in sexual acts with a male inmate to avoid being forcibly sexually assaulted.

The extent of sexual harassment experienced by, and comments made towards, the participants while incarcerated is consistent with what is noted in the literature. The Sylvia Rivera Law Project (2007) and Wilson et al. (2017) found that transgender individuals who were incarcerated described feeling like they were constantly sexually objectified and sexually intimidated. The phrase “mentally stripping” was used to characterize the mechanism by which male inmates harass and intimidate transgender inmates into engaging in sexual acts (Wilson et al., 2017, p. 389). The results of this study align with these previous studies, as participants were also subjected to this process of “mentally stripping.” They experienced continuous sexual terrorization in order to make them compliant sexual partners.

Sexual and Physical Assault. With consideration to the extent of sexual harassment, all seven participants reported that someone either attempted to sexually assault them or they were sexually assaulted during their time in prison. In some instances, there was more than one occurrence. Incidents included unwanted touching, fondling and even anal penetration. The

extent of sexual assault noted in the findings is somewhat surprising as it is not consistent with the statistics found in the literature, all of which, it should be noted, originated in the United States. In a California study, 59% of the participants noted that they were a victim of sexual assault, while a Pennsylvania study found that the rate of sexual assault reported by the participants was 44% (Jenness & Fenstermaker, 2016; Wilson et al., 2017). A third study, whose participants were from across the continental United States, noted that 69% of participants were sexually assaulted (Rosenburg & Oswin, 2015). The discrepancies between the rates of attempted sexual assault and sexual assault noted in this project and the studies found in the literature may be attributed to how sexual assault is defined. The current study applies an inclusive and broad definition of the term sexual assault, which, as noted in the definitions, includes any “non-consensual contact that is verbal, emotional or physical” (Klinic, 2019, p. 1). The aforementioned studies define sexual assault in terms of any form of sexual penetration (Jenness & Fenstermaker, 2016; Wilson et al., 2017).

Descriptions of the sexual assaults experienced by the study participants are similar to what is found in the literature. Incidents of unsolicited groping and anal penetration identified in the current study is reminiscent of the sexual assaults described by the study participants in the Sylvia Rivera Law Project (2007), which explored the experience of transgender individuals incarcerated in New York’s state prisons. Participants in that study also identified being subject to unwanted touching and repeated rapes throughout their periods of incarceration. It is also somewhat similar to a study by Wilson et al. (2017) in which participants reported being forced to engage in oral sex and witnessing other transgender individuals being violently gang raped.

Only one article from the literature review identified where the majority of sexual assaults in correctional institutions occurred, either in the inmates’ cells or in the shared

institutional showers (Sylvia Rivera Law Project, 2007). The article described how fearful transgender individuals are of the showers, as they were particularly vulnerable to harassment and humiliation when they were naked in front of male inmates (Sylvia Rivera Law Project, 2007). One participant of the review described it as a “masturbation-athon” as the male inmates would pleasure themselves while staring at her breasts while she was showering (Sylvia Rivera Law Project, 2007). Given that so little attention has been given to the subject of the transgender individual’s fears of showering in the correctional institutions in the literature, it was a little surprising the number of times it was brought up during participant interviews in the current study. Three of the seven participants mentioned that taking a shower was an experience that stood out for them. Similar to those experiences noted in the literature, they felt particularly vulnerable to being sexually assaulted in this setting.

How the participants in this study experience sexual assault is comparable to what is identified in the literature. Participants described feeling terrified when the incident occurred. In one instance, a participant reported feeling too scared to even move when a male inmate, who shared a cell with her, climbed into her bed and attempted to fondle her. Several commented on feeling like they were completely powerless at the time of the incident. One participant was so traumatized by the event that the interview was the first time she had talked about the incident. Another participant reported that when she asked the correctional officers for her abuser to be moved from their shared cell, nothing was done and he continued to victimize her, reinforcing her feelings of powerlessness. Similar feelings about transgender individuals’ experiences of sexual assault are found in other studies. Participants in the Sylvia Rivera Law Project (2007) reported feeling vulnerable and powerless after a few of them had attempted to report being sexual assaulted and were ignored, while participants in the study by Rosenberg and Oswin

(2014) describe how their experiences made them feel degraded and defective. One participant described feeling ashamed of their transgender identity and diseased due to all the sexual attention (Rosenberg & Oswin, 2014).

Four out of the seven participants in this study identified that they were threatened with physical harm or they were physically assaulted and two identified that the physical assaults occurred on more than one occasion. Participants describe being punched and pushed, and one was almost stabbed with a spoon. The only reference in the literature to the extent of physical assault experienced by transgender individuals while incarcerated comes from Sexton et al. (2010) who reported that in the United States, the rate of physical assault against transgender individuals who are imprisoned is five times higher than that of the male prison population. Given the limited data available in the literature, it is impossible to compare the rate of physical assault experienced by the study participants to other transgender individuals who are incarcerated. Despite the lack of statistics, the literature does provide descriptions of incidents of physical assault that are similar to the ones in the current study. Participants of the Sylvia Rivera Law Project (2007) describe being beaten, pushed and punched on more than one occasion.

Fear of being a Sexual Pawn. Wilson et al. (2017) and Marcum and Castle (2014) identified that there was a fear amongst transgender individuals of being “turned out” or used as a sexual pawn by others within the prison population. This is similar to the findings of this study; two participants identified that being afraid of being a sexual pawn was an experience that stood out for them. They reported that it was commonplace to know of individuals who had this experience in prison. These individuals were bought and sold amongst some of the other prisoners with payment being canteen items, cigarettes or drugs. The victim, in most cases, would not receive any form of payment. The effects of being in this position were detrimental to

the individual and sometimes had tragic consequences. Both participants felt that had they been the ones to be in the position of being turned out, they would not have been able to survive the experience.

The prison experience. The integration model, which is a coalescence of the deprivation and importation models, identifies that both the individual's personal characteristics and the environment have an impact on their adaptation to, and their experience of, incarceration (Ricciardelli, 2015). Ricciardelli (2015) argues that the prison social structure adheres to the roles and rules observed by the greater societal social structure; therefore, patriarchy, which is present in society, is also present within the prison system. As prisons have, supposedly, separated incarcerated men and women, patriarchal status and hierarchy within the prison social structure are exaggerated (Jewkes, 2005; Michalski, 2017). Hypermasculinity is seen as an ideal trait within the men's prison system and affords the individual status and prestige (Ricciardelli, 2015). Those individuals who display feminine traits are placed on the bottom of the hierarchy and are subject to violence, both physically and sexually (Pemberton, 2013). The data supports the presence of the integration model in the prison social structure. Transgender persons incarcerated in a men's prison take on the feminine role, and like in the greater society, are also at the bottom of the male-female hierarchal structure.

Jeness and Fenstermaker (2016) contend that, despite the assumption that there is only one gender present in the prison setting, there is a focus on gender, and there are expectations that individuals follow the heteronormative, gender-binary standards. Female transgender individuals who are imprisoned within men's correctional institutions inherently fail to conform to these expectations. Unlike in greater society, where they are able to blend in with the female population, female transgender individuals placed in men's prisons are unable to hide their

identity. As they fail to follow heteronormative gender expectations and as they embody the feminine, they are reviled and seen as weak and preyed upon. Jenness and Fenstermaker (2016) have termed this the “rape of the feminine” (p. 22). They support this argument by noting the high rate of sexual assaults that occur against transgender individuals incarcerated in men’s institutions compared to the significantly lower rate of sexual assaults that occur against male inmates (Jenness & Fenstermaker, 2016).

The findings of this study support the theory that transgender individuals experience “rape of the feminine” while in prison. The participants reported that while incarcerated they were subjected to extensive sexual harassment. Comments from the male prisoners, which included statements such as “There’s my bitch” (03) and “Throw her into a room with us” (06), demonstrate that at least some of the male prison population saw the participants as, on some level, female. Participants reported feeling like they were seen by the male prisoners as “eye candy” (01) and a “sex symbol” (03), which further supports this notion that they were perceived as embodying feminine traits. As previously stated, every participant in this study identified that someone either attempted to sexually assault them or they were sexually assaulted, with some sexual assaults occurring on more than one occasion. The extent of denigration and sexual assaults experienced by the participants in this study supports the conclusion that as male-to-female transgender individuals, they are regarded as being feminine and are therefore also expected to adhere to the patriarchal standards of what constitutes being feminine, making them subject to sexual violence or “rape of the feminine.”

Fear of being discovered. Only one participant (02) in this study reported that they experienced fear of their transgender identify being discovered during their period of incarceration. Despite living as a transgender individual prior to going to prison, when this

participant (02) entered into incarceration, they hid their transgender identity; all the other study participants entered and served their entire term of imprisonment “out” as transgender individuals. Possibly contributing to this differentiation between the one participant’s belief that they needed to hide their transgender identity and the rest of the study participants is when and where they served their period of incarceration.

The participant who hid their transgender identity was imprisoned in a federal penitentiary in the early 1970s, while all the other participants served their sentence in a provincial facility in the Province of Manitoba during the last 16 years. The participant explained that identifying as an individual who is transgender in the early 1970s was not as widely understood or as accepted, and so they hid their transgender identity in prison because they were fearful of being the victim of extensive sexual and physical assault.

In terms of where they served their period of incarceration, there are differences between the lengths of incarceration; a federal sentence is two years or more and a provincial sentence is less than two years. The participant who hid her transgender identity was serving a federal sentence, which may have contributed to her belief that she needed to hide her authentic self because she was being incarcerated for a longer period of time. In a similar vein, the literature describes that some individuals mask their true self in order to protect themselves from harm, even if they had been living as a transgender individual in the community (Robinson, 2011).

Interestingly, Jewkes (2005) notes that although some individuals hide their identity in prison for protection, this could also result in their gaining more status within the prison hierarchy, as the more masculine the behaviour, the more status one achieves within prison (Ricciardelli, 2015). Similar to what is noted by Jewkes, during the interview, the participant relayed that not only did they hide their transgender identity while in prison, they put on a

violent, masculine façade. She stated that this behaviour was for the purpose of protection from harm but did not give any indication that it was to gain additional status. However, there appears to have been some benefit in depicting heteronormative masculine behaviour. Unlike the rest of the study participants who identified as transgender individuals while they were in prison, this participant did not experience any ongoing sexual harassment. Nevertheless, the participant was still the victim of an attempted sexual assault, which they attributed to being small in stature and feminine in appearance at the time of their incarceration.

One surprising finding of this study is that all of the participants, with one exception, entered into and resided in prison identifying as a transgendered individual. Given the level of sexual and physical violence experienced by those who transgress gender norms in prison, one would assume that most individuals would hide their authentic selves and put on a masculine façade. However, none of the participants who were living as their authentic selves even mentioned hiding their true identity as a means to cope with being a target for violence in the prison environment.

The importation model appears to best explain this phenomenon. The importation model proposes that how an individual lives and relates to others in the community impacts how they behave in prison, and that their “attitudes, values and beliefs” follow them (Ricciardelli, 2015, p. 172). Over the last few decades, there are more individuals who self-identify and live authentically as transgender individuals in the community, which has contributed to an increase in societal recognition and acceptance. When these individuals enter into the prison system, how they lived in the community is how they live in jail. This may explain the increase in the number of self-identified transgender individuals presently in the prison system. This model, however,

does not appear to be applicable to the one participant who hid their transgender identity while they were incarcerated, despite living as a transgender individual in the community.

Fighting Back. Three study participants engaged in physical and/or verbal confrontations as a means to protect themselves from sexual harassment and sexual assault. One reported hitting a male inmate with a meal tray, while the other two advised that they threatened to assault or kill the male inmate who was attempting to sexually assault them. These findings are not unlike what was found in the literature. Wilson et al. (2017) identified that engaging in violent or verbally aggressive retaliatory behaviour to protect oneself is common amongst the transgender prison population. What stood out, however, was the language two of the participants used to describe themselves during these interactions: they identified their violent and aggressive behaviour in terms of a masculine persona. One even outright stated during the interview, “I had to be a man” (05). It is interesting, and somewhat unexpected, that individuals who transgress gender norms may still view their conduct and demeanour in terms of a gender binary. The language used demonstrates that they still recognize and describe their behaviour in terms of the masculine and feminine and that they continue to be influenced by societal standards and expectations regarding gender roles and behaviours.

How the participants describe their engagement in violent and aggressive behaviour supports the theory that gender is an accomplishment (West & Zimmerman, 1987). The behaviour, be it normative masculine or feminine, must be appropriate to the situation and individuals are accountable for maintaining gender-appropriate behaviour in that situation (West & Zimmerman, 1987). Violence is associated with masculine normative standards of behaviour. Therefore, in order to prevent cognitive dissonance and maintain their accountability to their accomplishment of their feminine identity, the participants put aside their feminine identity and

took on a male persona, thereby allowing them to engage in what is seen as gender-appropriate behaviour.

Engaging in protective relationships. Entering into a protective relationship, sometimes called a “protective pairing,” is another strategy identified in the literature that transgender individuals use to protect themselves from extensive physical and sexual harm (Jenness & Fenstermaker, 2014; Marcum & Castle, 2014). The relationship is seen as beneficial to both the transgender individual and the “boyfriend” in that the transgender individual is provided protection from other male inmates, while the “boyfriend” is provided services by the transgender individual that are in keeping with their female role, which includes sexual relations (Wilson et al., 2017; Robinson, 2011). The literature describes these relationships as running the spectrum from being supportive and affectionate to being extremely abusive and virtual enslavement (Robinson, 2011).

Only one participant in this study entered into a protective pairing as the literature describes. This participant (03) reported that upon entering prison, and with the advice of other incarcerated transgender individuals, they sought out a relationship to provide some protection from sexual and physical assault. She recounted finding a “boyfriend” who provided her with emotional support and some protection from the other inmates. Similar to what is noted in the literature, this pairing was not without consequence, however, as the participant had to constantly be by his side and provide sexual services to him. Despite this, she did not feel that this relationship was coercive or abusive, as she described it as being respectful and mutually beneficial.

Although the literature reports that protective pairings provide some protection from sexual assault, this participant engagement in a protective relationship did not appear to offer

complete protection, as she was the victim of a sexual assault and the victim of extensive sexual harassment while incarcerated. The extent of sexual harassment and abuse encountered by this participant appears similar to what was experienced by the other participants in this study who did not engage in protective relationships, calling into question how “protective” these relationships really are.

One issue that does not appear to be noted in the literature is how engagement in protective pairings not only sometimes protects the transgender individual from sexual abuse and harassment, but also supports the transgender individual’s accomplishment of the female gender. As noted in the literature, traditional gender roles are assigned within a protective pairing: the male inmate being the protector, while the transgender individual takes on the feminine role of being the supporter (Wilson et al., 2017). Whoever occupies the feminine role in prison completes such tasks as cleaning and providing sexual services to the male partner (Wilson et al., 2017; Robinson, 2011). By transgender individuals engaging in what are seen as normative female behaviours within a “traditional relationship” in prison, they reinforce their accomplishment of their female gender identity while being in an environment that does not allow them to hide their biological identity. As previously noted, only one participant (03) in this study was involved in a protective pairing while incarcerated. This individual described how they took on the traditional female gender role in this relationship and how they felt that they were seen and openly acknowledged as being female by their “boyfriend.” In this regard, it can be argued that this participant used this relationship to further accomplish their female gender identity. As this study only identified this phenomenon occurring in one instance, it obviously cannot be assumed that this is applicable to all protective relationships that occur within the prison system. However, it is worthy of note and is an issue that should be further explored.

Acceptance of their transgender identity.

A second essential theme was identified through data analysis: imprisoned transgender individuals want to be accepted and supported for who they truly are. Throughout the interviews almost all of the participants reported that despite being openly transgender while they were incarcerated, most correctional staff and correctional policies failed to acknowledge their true identity and that it was their male genitalia that dictated where they were placed and how they were treated throughout their sentence.

Placement in men's institutions. The literature describes two types of institutional placement policies when it comes to transgender individuals: identity and biologically based (Mann, 2006). Access to the Manitoba provincial correctional policy on transgender individuals is limited; however, it would appear that the practice is to place transgender individuals to institutions based on their biological characteristics. In line with the sampling criteria, all the participants in this study who were being held in custody in a provincial institution were placed within a men's correctional facility despite openly identifying as transgender when they entered into the institution. In one instance, an admissions officer even admitted that the participant's placement was based on the gender identified on their birth certificate.

The only participant who was federally incarcerated was also placed in a men's institution; however, this individual hid their transgender identity at the time of their incarceration. Even if this individual had openly identified as transgender it would not have altered their placement since, up until 2017 when the Canadian Human Rights Act was amended to include gender identity as grounds for discrimination, the federal transgender prison placement policy was also biologically based (CSC, 2017).

The findings of this study lead to similar conclusions found in other literature regarding genitalia prison-based placements policies: that they put male-to-female transgender individuals at risk of being victim to sexual assault (Mann, 2006; Agbemenu, 2015). Incarcerated transgender individuals in men's institutions are more likely to be the victim of sexual assault than other male prisoners (Jenness & Fenstermaker, 2016). All the participants who openly lived as a transgender individual while they were incarcerated reported that they were the victims of extensive sexual harassment and sexual assault during their incarceration. Several reported that they would have felt safer and less the subject of sexual objectification if they were placed in a women's correctional facility or on a unit that housed only transgender individuals. Although there are no formal statistics, the literature supports this notion that their risk of sexual victimization is mitigated when they are placed into a women's institution (Mann, 2006).

Correctional institutions across the world are, and have been for over a century, sex-segregated institutions (Sumner & Jenness, 2014). Most correctional policy and procedure is based on the notion of a gender binary (Sumner & Jenness, 2014). The presence of transgender individuals, including the study participants, within this system, discredits this assumption that within most correctional facilities there are only two genders, male and female. The study participants clearly identified, despite having male biological sex characteristics, that they were female. This result ties in well with previous studies, which also note that correctional institutions fail to acknowledge that there are more than two genders (Agbemenu, 2015).

The amendment to the Canadian Human Rights Act to include gender identity as grounds for discrimination came into effect in 2017 (CSC, 2017). In response, federal correctional policy changes were made to allow those who are gender non-conforming to choose whether they wanted to be placed into a men's or a women's institution (CSC, 2017). There is no information,

either statistical or experiential, on how this change in legislation has impacted the federally incarcerated transgender population. This is an area that should be considered for future research. Moreover, it appears that, provincially, the change in legislation has had no impact on correctional placements.

Placement within men's institutions. The literature speaks to three types of in-house institutional placements for male-to-female transgender individuals who are incarcerated: segregation, general population and protective custody, with most being placed in either segregation or protective custody (Sylvia Rivera Law Project, 2007; Tarzwell, 2006). Extensive research has been done on the detrimental effects of long-term placement in segregation; however, little research has been done on the placement of transgender individuals in a protective custody setting (Tarzwell, 2006).

Contrary to what has been described in the literature related to the high rates of placement of transgender individuals in segregation, of the seven study participants, only one reported being segregated during their sentence. This individual was placed into segregation for only a few days because of their involvement in an altercation with another inmate. Other than the participant advising that they did not think the placement was justified, the placement appeared to have no long-term effect. More in line with previous studies, four out of the seven participants were placed into what would be considered a protective custody unit: three on a medical/mental health ward and one on a protective custody range.

The analysis found evidence that placement of transgender individuals on medical/mental health units in men's correctional institutions reinforces the notion that individuals who are gender non-conforming are seen as diseased or mentally ill and contributes to the discrimination of the transgender population. All three participants who were placed on the medical/mental

health unit took issue with this placement. Medical/mental health units in correctional institutions house individuals with special needs, with mental health issues and who are particularly vulnerable to victimization. Amongst the inmate population, these units are seen as less desirable places to serve time. Individuals housed there are labelled as “crazy” and being “special needs,” as one participant (07) described.

The three participants felt that they were placed on the medical/mental health unit because their transgender identity was seen as being deviant and an illness. This placement reinforced, both to themselves and to others within the correctional system, that being transgender was abnormal. They also felt, because of their transgender identity, that they were being ostracized and treated differently than the rest of the male inmate population by being placed on the medical/mental health unit. These results go beyond previous reports that speak to the psychiatrization of being transgender. Agbemenu (2015) identifies that in the United States, transgender individuals must be diagnosed with Gender Identity Disorder in order to access gender-appropriate services through the correctional system; however, there appears to be no discussion of the emotional impact of receiving such a diagnosis on these individuals.

Failure to use the proper pronoun and name. The findings of this study established that in most cases, correctional staff failed to use the proper pronoun and proper name of the participant as a transgender individual. This was detrimental to the participants in several ways: it had an impact on their medical care; contributed to feelings of worthlessness and embarrassment and reinforced their biological identity.

One participant in the study reported that they had issues securing their medication due to the failure on the part of correctional staff to use their proper name. This led to a significant delay, in one case, in getting the required hormone treatment. This result is similar to what is

found in other studies, most of which originated in the United States, that transgender individuals have trouble accessing appropriate medical care within prisons (Agbemenu, 2010). Of interest, none of the other participants, including those who were incarcerated at the same facility as the individual who had issues, reported any problems accessing their medication or appropriate medical care related to their transgender identity. This one instance may have just been an anomaly; however, it is an area that should be further explored to determine if this is an issue in correctional institutions across the province.

The findings of this study are similar to what was found by Rodgers, Asquith and Dwyer (2017) in that correctional staff's failure to use proper pronouns and names for the transgender individual causes humiliation and contributes to a lowering of their self-esteem. All of the participants report that staff's use of their birth identity and name was an experience that was significant for them as it caused them to feel embarrassed, uncomfortable and disrespected. One participant (01) even stated that it felt like they were back to "square one." These results highlight how important the use of the proper pronoun and name is in supporting the transgender individual with confirming their gender identity. There is limited discussion within the literature on this topic, other than anecdotal evidence. This is an area that is suggested for further research.

Ricciardelli (2017) and Rosenberg and Oswin (2015) argue that hegemonic masculinity is the ideal in prison and that those who transgress gender norms are subject to social consequences. Provincial correctional staff, in identifying the participants by their birth name and by a male pronoun, were using coercive controls as a means to police their gender identity. Not calling the participants by their proper name and pronoun is a way to punish the transgender individual for not abiding by gender standards. The use of the male name reinforces that the individual is flawed and that they need to fall into line with male behavioural norms. The

findings related to the behaviour exhibited by the correctional staff are consistent with what was found in the literature and confirms that this is still a significant issue in correctional institutions.

Of note, participants reported that not all staff referred to them by their birth name and improper pronoun; some of the female correctional staff, for example, used the proper pronoun and chosen name. At this stage, it is unclear as to why it is mostly female correctional staff who are willing to acknowledge the transgender individual's gender identity. One might speculate that this may be due to their lack of investment in protecting male gender norms, that they are not as threatened by transgender individuals' gender non-conformity or that they recognize that transgender individuals are subject to the same patriarchal standards as they are and they empathize with them. Another interesting detail that arose out of the findings is that the other inmates were also more likely to use the participants' proper name and pronoun. This may be attributed to the hyper-masculine environment within the correctional institution. Most offenders within this system reinforce the gender binary and corresponding symbolic capital based on the perceived gender of the individuals. Given that in this hypermasculine environment, femininity is viewed as a weakness and is seen as a trait that is deserving of being preyed upon, referring to a transgender person by their feminine pronoun and name may still be seen as socially acceptable amongst the inmate population as it reaffirms the gender binary and the inmate's own perceived status within that binary. Neither of these factors, however, can be fully explained by the findings in this study and therefore it is suggested that they may be areas for future research.

Strip searches. The present study's findings confirm what is found in the literature regarding the experiences of transgender individuals being strip searched in the correctional setting, that being strip searched causes the individual to feel embarrassed and distressed. Two of the study participants disclosed that they were strip searched by a team of male correctional

officers despite reporting their transgender identity. The searches caused the participants to feel significant discomfort, with one even describing the experience as “abhorrent.” One of the participants reported that they were subjected to verbal taunting by the correctional officers during their strip search while another was made to stand naked, leaving them feeling very vulnerable and uncomfortable.

Comparable to the current study’s findings, the Sylvia Rivera Law Project (2007) described instances where incarcerated transgender individuals were strip searched by male correctional officers in the presence of other staff who made harassing and derogatory comments towards them. The report outlined that how the searches were completed led the individuals to feel humiliated and demoralized, which is analogous to how this experience was perceived by this study’s participants. However, contrary to the findings of Hagner (2010) and the Sylvia Rivera Law Project (2007), who reported that transgender individuals who are incarcerated are subject to repeated and unnecessary searches by correctional officers, participants in this study did not identify that they were frequently or needlessly strip searched while they were incarcerated.

Lack of gender-specific clothing and grooming products. None of the participants in this study who identified as transgender while they were incarcerated were provided with gender-appropriate clothing and toiletries while they were in custody. They were only provided with men’s clothing and men’s grooming products, which made them feel awkward and caused embarrassment. One participant reported that despite wearing a bra for many years prior to going to prison, she was not allowed to wear one while in jail and, as a result, felt self-conscious and uncomfortable. Another participant disclosed that due to being placed on the medical ward she was not allowed access to a razor for three months. This resulted in significant facial hair growth,

which had an extremely negative impact on her self-image. These findings support the administrative control theory, which argues that correctional institutions use policy and procedure to try to control inmate behaviour, and tie in well with previous studies wherein transgender individuals who are incarcerated are routinely not provided with gender-appropriate toiletries and clothing, which negatively affects their self-esteem (Ricciardelli, 2017; Rosenblum, 2000). Rosenberg and Oswin (2015) and the Sylvia Rivera Law Project (2007) describe that incarcerated transgender individuals in men's institutions are banned from wearing women's clothing and make-up. As transgender individuals express their gender identity through their clothing and outward appearance, prohibiting items that support their gender identity causes emotional strife and indignity to the transgender person (Hagner, 2010; Rosenblum, 2000). In denying access to gender-appropriate items, correctional institutions, in essence, police the individual's gender identity and, in the instance of an incarcerated male-to-female transgender individual, attempt to control their gender expression by forcing them to live as men (Rosenblum, 2000).

In line with previous studies (Agbemenu, 2015; Rosenberg & Oswin, 2015), the findings of this study show that participants managed to continue to express their gender identity while incarcerated, despite the lack of gender-appropriate items. Participants made modifications to the clothing that was provided and utilized items that were available to make themselves appear more feminine. They tied up their shirts, rolled up their pants and used food stuffs to imitate make-up. In this way, they were able to express their feminine gender identity. Agbemenu (2015) defines this as a category problem or when transgender individuals try to navigate a system that is based only on a gender binary. The literature indicates that being able to continue

to express their gender identity is key to maintaining their mental health (Rosenberg & Oswin, 2015).

Doing Gender. West and Zimmerman (1987) theorize that gender is a persistent performance that, “involves a complex of socially guided perceptual, interactional, and micropolitical activities that cast particular pursuits as expressions of masculine and feminine natures” (p. 126). Individuals “do gender,” as one’s behaviours represent their gender (p. 126). These behaviours are interpreted and judged by others to be either female or male. On this basis, West and Zimmerman (1987) argue that it is possible to identify as one gender when the particular biological characteristics of that gender are lacking. It is their behaviours and how they relate with others that reinforce the gender identity of the individual.

All of the individuals in this study, with the exception of one participant, identified as female while they were incarcerated, despite having genetically male biological characteristics. In keeping with West and Zimmerman’s (1987) theory of “doing gender,” the participants engaged in activities, including how they modified their wardrobe, their use of food stuffs for makeup and, importantly, how they related to and interacted with others within the institution, that demonstrated their commitment to performing the female gender role. In the face of the institutions’ lack of acceptance and acknowledgement of their female identity, participants did not waiver from this identity. The correctional authorities tried to maintain and enforce gender norms based on the biological differences of men and women by placing the transgender individuals in men’s institutions, failing to use the appropriate pronouns and proper names and failing to provide gender-specific items and grooming products. Participants managed to find ways around these obstacles and engaged in behaviour that established and reinforced their

feminine identity. In continuing to “do” the female gender, despite the institutions’ attempts to police their gender identity, they demonstrated that they are, in essence, women.

van Manen’s Existential Themes

As part of the hermeneutic phenomenological process van Manen’s four existential themes, lived space, lived body, lived time and lived human relations, will now be used to reflect upon the themes and the participants’ varied meanings of their lived experiences.

Lived space. Van Manen (1990) uses the term “lived space” to describe the person’s experiences with their surroundings (p. 101). How individuals feel and move about their environment has meaning and impacts how we perceive the experience. During the interviews the participants did not directly speak to how they perceived the “space” of the correctional institution. However, through thematic analysis their experience in how they perceive this space can be extracted. One of the major themes identified by this study is fear. All the participants describe being extremely fearful all the time, with some even identifying that they were crying and shaking in their cell. In describing that level of fear, one can imagine that they feel that the space they occupy is cold, dark, and foreboding, with the heaviness of emotion and fear looming in the air. Participants reported that they were all placed into men’s institutions. They described feeling unwelcome and being ostracized. In terms of how this experience translates to how they perceive the space, the essence of their experience is that the environment, or space, was not made for them, nor did it do anything to welcome them. Within the institution, participants reported feeling particularly vulnerable in certain areas. Several reported that sexual assaults occurred within their cells or in the shower areas of the prison. Due to these events, feelings of unease and anxiety are forever linked to these lived spaces.

Lived body. “Lived body,” as described by van Manen (1990), is how we perceive our bodies as part of the essence of the experience (p. 105). As identified previously through the essential theme of fear, participants in this study reported being subjected to ongoing sexual harassment and sexual violence while incarcerated. They identified that, due to their transgender identity, they were not seen as people, but as sex objects. During their time in custody, they described feeling like their bodies were not theirs and that they were not seen as people but only there for purpose of the sexual gratification of the male inmates.

The second essential theme identified in this study, wanting to be accepted and acknowledged for who they are, also reflects on how the participants perceive their lived bodies. The participants reported that they wanted to be called by female pronouns and by their chosen name. They also wanted access to gender-appropriate clothing and grooming products. Despite correctional officials attempting to impose restrictions to make them live like men, the participants found ways to live like women. These utterances support the notion that the participants see their bodies as essentially female, and that they relate to the world as women.

Lived time. Van Manen (1990) describes “lived time” as the how we perceive the time as we live through it. He asks, how do we assign meaning to that period of time? Participants reported that their time of incarceration was memorable, but not meaningful in a positive sense. The fear, the exposure to violence and harassment, and the lack of support for their gender identity that they experienced made their time of incarceration pass very slowly for them. They spent their time in prison engaged in a daily routine of trying to avoid being victimized, while waiting for their “time” to end. Through their descriptions of their experiences, one can assume that they perceived their time of incarceration as extremely detrimental. Interestingly, two of the participants described times when they were engaged in relationships or friendships with other

prisoners, and that these interactions helped the time pass more quickly. The time spent interacting and relating to others who were supportive was described by the participants only in positive terms and therefore this “lived time” can be recognized as being meaningful to those participants.

Lived human relations. Lived human relations is the last existential theme noted by van Manen (1990) and is described as how we relate to others. The findings of this study revealed numerous ways that the participants related to other individuals. First, all of the participants describe being harassed and victimized, verbally, sexually or physically, by staff and other male inmates. These experiences would have had a significant impact on how they related to everyone within the institutional setting. They would have approached any interactions with others feeling extreme fear and apprehension. Secondly, a lot of the participants found positive relationships with other transgender individuals who were incarcerated. They found these interactions to be supportive and helped to improve their experience. Third, those that developed a close relationship, either romantic or platonic, with one of the male inmates described these relationships in only positive terms. They felt that these relationships provided support and improved their overall prison experience. Finally, as identified in the incidental themes, all the participants believed that having access to a support system would improve their overall experience.

Incidental Themes

Three incidental themes were identified in this study: access to supports, visible role models and appropriate training for staff. In line with previous studies, access to supports, either peer or professional, was identified by the participants as making the experience more manageable. These relationships made their time in prison go faster and easier. A similar

conclusion was reached by Hearts on a Wire (2011), Rosenblum (2000) and the Sylvia Rivera Law Project (2007), who recommended that regular psychological services should be provided to incarcerated transgender individuals. Several of the participants in this study voiced that having access to an Indigenous Elder, as they themselves were Indigenous individuals, would also be beneficial. Two other recommendations were made by the participants in the study: the first was that there be more transgender role models working in the correctional institutions and the second was that staff be trained on what it means to be a transgender individual.

Conclusion

This chapter explored the interpretations and implications of the study's findings in relation to the associated literature. Two major themes emerged out of the findings describing the essence of the incarcerated transgender individual's experience: fear and acceptance of their transgender identity. As established throughout the discussion, aspects of these two themes were also identified in the referenced literature. The findings were able to support and expand on past research and make recommendations on areas for future study.

Chapter 6: Conclusion

This study defines the lived experience of a male-to-female transgender individual who is incarcerated in a male correctional facility. Two major themes were identified as being the essence of their experience: fear and wanting to be accepted for who they are. Transgender individuals who are incarcerated experience overwhelming fear. Every second of every day, they report being terrorized by the fear that they will be sexually and physically victimized. There is validity to these feelings in that they are much more likely to experience sexual harassment and sexual abuse than male prisoners. The second essential theme is that transgender individuals who are incarcerated simply want to be acknowledged and accepted as the women they are. They want to be treated as women. They want to be called by their proper name and be referred to by their proper pronoun. And they want to be provided with items every other incarcerated woman has access to.

The findings of this study are significant in that there is minimal research into the incarcerated transgender person's experience. This report builds upon past research and provides new, much needed insights on the topic, as individuals who identify as transgender are an increasing population within the correctional system. In order for correctional staff to better manage and support this unique and vulnerable population, they must first identify and understand what their experiences are. This study provides this information and makes several recommendations on how best to manage this population in order to improve the incarcerated transgender individual's overall prison experience.

Limitations of This Study

There are several limitations and biases that should be noted when examining the findings of this study. First, due to this exploratory study's small sample size, applicability to all

incarcerated transgender populations should not be assumed. The transgender population is quite diverse and others may identify different concerns about their period of incarceration. Second, all but one of the participants were incarcerated in provincial institutions within the Province of Manitoba. Correctional institutional policies and inmate cultures can vary depending on the location and type of facility (i.e. federal or provincial). These factors can lead to differing experiences for the transgender individuals who are incarcerated. Third, the varying lengths of sentences may also have had an impact on the experience. Those who are provincially incarcerated serve a sentence of less than two years and those who are federally incarcerated serve a sentence of two years or more. Fourth, only one of the participants reported that they were federally incarcerated, with their period of incarceration taking place in the 1970s. Since that time there have been extensive changes in policy and procedure within the federal correctional system when it comes to dealing with incarcerated transgender individuals. This participant's experience can be reflected upon for its historical account but in no way should it be assumed that this experience is applicable to what the transgender individual who is federally incarcerated today experiences.

Another aspect worth noting is the researcher's own bias towards the topic. The researcher is an employee of the Correctional Service of Canada and has been working in the federal correctional system for 19 years. The researcher has worked with several transgender individuals who were incarcerated over the period of her career and has attempted to provide gender-appropriate, compassionate service to these individuals. Although the researcher has, on occasion, witnessed correctional staff being disrespectful towards transgender individuals, the researcher has also seen staff go out of their way to be understanding and supportive. The researcher struggled emotionally when listening to some of the participants' experiences of their

time in prison, as this was not her experience; however, the researcher tried to stay true to the participants' stories in order to get to the essence of their experience.

As a female working in the men's correctional system, I have been subject to harassment and sexual objectification by some of the male inmates. I believe that this is what makes me sympathetic to the plight of the transgender individual who is incarcerated. I am fortunate though in that I am in a position of power over these individuals. I can take action to address this behaviour with little regard for the longer-term consequences as I know that I will be supported and protected by the other staff within the institution. The transgender offender does not have this same support system. In every respect they are trapped in a space they cannot escape with sometimes hundreds of predators seeking to dominate and abuse them. Given the different experiences between myself and the participants, I can comprehend and acknowledge their stories, but I will never be able to fully grasp the true extent of fear, the level of harassment and the feelings of powerlessness.

As part of the consent process, the researcher disclosed to the participants that she was an employee with the Correctional Service of Canada. This presents as another limitation to this study as it may have impacted what information or personal experiences participants shared with the researcher. Participants may have been hesitant to fully disclose all of their experiences due to the researcher's perceived position of authority and link to the correctional system.

An additional element that may have had an impact on the results of this study is the lack of knowledge and personal experience the researcher has on what it means to be a transgender person. The researcher is a cis-gender woman and all of her understandings and experiences are framed from within this context. The participants may have been hesitant to share information with the researcher because of her cis-gender identity. Any information, including the description

of the essence of the experiences that was provided to the researcher, may also have been misinterpreted because of the differing frames of references.

Implications of the study on future research. This exploratory study has further advanced the knowledge base of the experience of the male-to-female transgender individual who is incarcerated in a men's correctional facility. It has provided the essence of their experiences and can be used as the basis for further research.

As the experience of an incarcerated male-to-female transgender individual is not a well-researched topic, the author would recommend further study in this area across Canada. As noted previously in this study, in 2017 there was a change to include gender identity or expression as grounds for discrimination in the Canadian Human Rights Act. Given that all of the participants in this study were not impacted by this change in legislation, as they were either provincially incarcerated or federally incarcerated prior to the change, the findings of this study may not be relevant to the current federally incarcerated transgender population. Therefore, it is recommended that further research be completed with those individuals who identify as transgender and who are federally incarcerated in either a men's or a women's correctional institution. Other suggested areas for further research include exploration into why female staff and inmates are more likely than male staff to use the proper pronoun and name of the transgender person in the prison setting, how the experience of being in an intimate relationship within the institution re-affirms a transgender person's gender identity and if access to necessary medication to support a person's gender identity is an ongoing issue within the Manitoba provincial correctional system.

Implications for practice. The findings of this study have provided specific information to assist with the practice of working with incarcerated transgender individuals. The two themes identified by this study provide the basis of the recommendations being made.

Fear is one of the major themes identified in this report. Male-to-female transgender individuals who are incarcerated are particularly vulnerable to sexual harassment and sexual assault within the correctional institutional setting. Correctional staff who work with this population need to acknowledge this reality and address it accordingly. Staff should be vigilant when addressing their safety needs; for example, they can ensure that the transgender person only showers alone and that no one else is watching. Ongoing follow-up should occur with the transgender person to identify if they are being sexually harassed or assaulted and to take preventative measures.

The second theme is acceptance of the transgender person's gender identity. Correctional staff can provide emotional support and acknowledge acceptance of the gender identity of the transgender person through their behaviour towards, and interactions with, the incarcerated transgender individual. Staff can use the proper pronoun and the chosen name when referring to the individual. They can also be more mindful when it comes to searching the person, such as taking the transgender individual into a private area to complete the search.

Implications for policy. Several policy measures are recommended based on the findings of the study. These recommendations are directed to the provincial correctional institutions within the Province of Manitoba.

1. **All male-to-female transgender individuals should be placed in women's correctional facilities.** Incarcerated transgender individuals are significantly more likely to be sexually harassed and sexually assaulted than male prisoners.

Placing them to a women's institution would prevent the high numbers of sexual assaults and would acknowledge their gender identity. This would also prevent the need to place transgender individuals to specialized units, instead of a general population, within the institution for their own safety.

2. **All correctional staff should be provided with training regarding transgender identities and issues.** Correctional staff are the ones who deal with and manage the incarcerated transgender individuals. How they behave towards the transgender person can either temper or aggravate their prison experience. Training should be provided by transgender persons who have experience with the correctional system. The focus of the training should be on how staff can best support and acknowledge the gender identity of the transgender person.
3. **All documentation should utilize the transgender person's proper pronoun and chosen name, despite what is identified on their birth certificate.** Using the proper pronoun and name in all correctional documentation acknowledges the transgender individual's gender identity and also makes it easier for staff to correctly identify the transgender person's proper gender.
4. **Personal grooming products and clothing should be provided to transgender individuals based on gender identity.** Transgender individuals express their gender identity through their appearance. Providing access to gender-appropriate clothing and personal items supports and acknowledges the transgender individual's gender identity.
5. **Strip searching and frisking should be completed in private areas by correctional staff of the gender of the transgender individual's choosing.**

Giving the transgender person this option provides them with a sense of control and may subdue their feelings of humiliation that often occurs when an individual is strip searched.

6. **Transgender individuals should be allowed to shower in private.** The participants in this study identified that showering in the institution was an experience that stood out for them. They felt put on display and particularly vulnerable to sexual assault when showering. Being allowed to shower in private would assist in preventing sexual assaults from occurring and would make the transgender individuals feel more comfortable and less afraid.
7. **Correctional institutions should provide support services specific to transgender individuals.** Incarcerated transgender persons have unique needs. As they transgress gender norms, they are often ostracized and harassed. Support by peers and/or professionals has been shown to assist with easing the experience of imprisonment.

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Table 1: Demographics of Study Participants

Participant	Correctional Centre	Length of Incarceration	Year of Incarceration	Offences
Participant 1	Brandon CC	3 months	2018	Assault x 4
Participant 2	Oakalla Prison	27 months	1969	Trafficking
Participant 3	Headingley CC	3 months	2004	Prostitution
Participant 4	Winnipeg Remand Centre	40 days	2007	Assault
Participant 5	Winnipeg Remand Centre	3 weeks	2018	Assault
Participant 6	Dauphin CC	3 days	2018	Assault
Participant 7	Winnipeg Remand Centre	6 ½ months	2010	Robbery

Appendix A: Psychology/Sociology Research Ethics Board Approval Letter



Human Ethics
 208-194 Dafoe Road
 Winnipeg, MB
 Canada R3T 2N2
 Phone +204-474-7122
 Email: humaneethics@umanitoba.ca

PROTOCOL APPROVAL

TO: Lee-Renee Vandebroek (Advisor: Denis Bracken)
 Principal Investigator

FROM: Kelley Main, Chair
 Psychology/Sociology Research Ethics Board (PSREB)

Re: Protocol #P2018:079 (HS22011)
 Incarcerated Other: What is the Lived Experience of a Transgender Individual Incarcerated in a Men's Federal Correctional Facility

Effective: July 10, 2018

Expiry: July 10, 2019

Psychology/Sociology Research Ethics Board (PSREB) has reviewed and approved the above research. PSREB is constituted and operates in accordance with the current *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*.

This approval is subject to the following conditions:

1. Approval is granted only for the research and purposes described in the application.
2. Any modification to the research must be submitted to PSREB for approval before implementation.
3. Any deviations to the research or adverse events must be submitted to PSREB as soon as possible.
4. This approval is valid for one year only and a Renewal Request must be submitted and approved by the above expiry date.
5. A Study Closure form must be submitted to PSREB when the research is complete or terminated.
6. The University of Manitoba may request to review research documentation from this project to demonstrate compliance with this approved protocol and the University of Manitoba *Ethics of Research Involving Humans*.

Funded Protocols:

- Please mail/e-mail a copy of this Approval, identifying the related UM Project Number, to the Research Grants Officer in ORS.

Appendix B: Study Recruitment Poster

UNIVERSITY OF MANITOBA | Faculty of Social Work

— research participants needed —

STUDY EXPLORING THE EXPERIENCES OF
TRANSGENDERED INDIVIDUALS WHO WERE
INCARCERATED IN A MEN'S PRISON



We are looking for individuals who identify as either transgender, gender queer, cross dressers, androgynous, or gender non-conforming and who have completed a sentence.

You will be asked to:

- Participate in a **one on one interview**
- Share your experiences of being in prison
- Your participation would involve a total time commitment of **approximately 2 hours**
- The interview will take place in a mutually agreed upon place
- In appreciation of your time you will receive a **\$25 honorarium**

FOR MORE INFORMATION ABOUT THIS STUDY, OR TO VOLUNTEER PLEASE CONTACT:

Lee Vandebroek

 Email: yanden14@myumanitoba.ca

This research has been approved by the Psychology/Sociology Research Ethics Board. If you have any concerns or complaints about this project you may contact any of the above-named persons or the Human Ethics Coordinator at 204-474-7122 or humanethics@umanitoba.ca

Appendix C: Consent Form



UNIVERSITY
OF MANITOBA

Faculty of Social Work

521 Tier Building
University of Manitoba
Winnipeg, Manitoba
Canada R3T 2N2
Telephone: 204-474-7050
Fax: 204-474-7594
socialwk@umanitoba.ca

Consent to Participate in a Research Study

The title of this project is: What is the lived experience of a transgender individual incarcerated in a men's correctional institution.

Primary Researcher:
Lee Vandebroek, BSW
University of Manitoba
Winnipeg, Manitoba
[REDACTED]

- Thesis Advisor:
Denis Bracken
Professor (on research leave January - June 2018) Faculty of Social Work University of Manitoba
113 St. Paul's College
70 Dysart Road
Winnipeg, Manitoba R3T 2M6
Canada
(204) 474 9264

This consent form, a copy of which will be left with you for your records and reference, is only part of the process of informed consent. It should give you the basic idea of what the research is about and what your participation will involve. If you would like more detail about something mentioned here, or information not included here, you should feel free to ask. Please take the time to read this carefully and to understand any accompanying information.

This study looks to explore the lived experience of a transgendered person incarcerated in a men's prison. Transgender individuals have, historically, experienced discrimination and inequality, especially when they enter into a correctional facility. There is very limited information regarding their experiences. To expand this knowledge base, I am conducting a research project that explores the experience of transgendered individuals who have been incarcerated in a prison for men.

The primary researcher for this project currently works as a parole supervisor with the Correctional Service of Canada, however this project is in no way associated with CSC or sponsored by CSC. A summary report will be provided to them upon completion of the research to help guide their future practice. None of the interview transcripts will be shared with them.

Participants of the study will be expected to participate in a single, one on one interview, with the researcher. The anticipated duration of the interview will be one to two hours in length.

During the interview, should any information come forth that relates to the abuse, be it physical or sexual, or neglect of a child, under the Manitoba Child Welfare Act, as a social service provider I am required to report it to the governing authority.

This interview may benefit you in that it will allow you to tell your story to someone who will listen in a non-judgemental manner. It will also benefit the transgender community, in that it will provide information to social service providers about what the experience of being transgender and in prison looks like.

There is the potential that your participation in the interview will cause you emotional distress. The interviews will focus on your experiences while incarcerated, which may have been negative. At the end of the interview you will be provided with a referral to community resources, specifically Klinik and Rainbow Resource Centre, both of which provide counselling services.

To ensure confidentiality all information regarding participants will be coded immediately, which means that all names will be removed from being attached to the interview and they will be replaced with an alpha-numeric code. The only individuals who will have access to the identifying information and the data collected is the researcher and the thesis advisor. All digital data will be stored in a password protected, encrypted file of a personal computer. The CSC will not have any access to this material. Any written material, including consent forms and handwritten notes from interviews will be stored in a locked file cabinet at the researcher's residence. Interviews that are recorded will be transcribed by a professional transcription service. The transcription service will not be given any information that could identify you. You will be provided with a \$25 honorarium to compensate you for your time.

At any time during the interview, or the research process, you may withdraw your consent to participate in the study. Should you withdraw none of the information you provided will be used in the research, and any information you had provided will be immediately deleted. There are no repercussions to you for withdrawing consent.

You may also withdraw consent for the study to use any portion of your interview. Again, should you withdraw consent, this information will be immediately deleted and there will be no repercussions to you.

The research results will be provided to the CSC. It will also be given to community resources that provide services to transgender individuals, including Klinik and Rainbow Resource Centre. The results will be disseminated for possible journal publication.

Data obtained during the research process will be kept until December 2020. At this time all digitally recorded interviews will be deleted and any hand-written information will be shredded.

Consent to Digitally Record

A digital recording device may be used during the interview. Should you consent to be recorded please initial in the box below. At any time during the interview you may withdraw your consent to be recorded, at which time the recording device will be turned off. Handwritten notes will be taken during the interview.



I consent to have the interview digitally recorded.

Should you wish, a copy of the study can be provided to you upon its completion. Should you wish this to occur, you can either provide your e-mail address, or a mailing address in which to send a copy of the study. A summary of the results will be provided to you by September 2019.

E-mail: _____

Mailing Address: _____

Your signature on this form indicates that you have understood to your satisfaction the information regarding participation in the research project and agree to participate as a subject. In no way does this waive your legal rights nor release the researchers, sponsors, or involved institutions from their legal and professional responsibilities. You are free to withdraw from the study at any time, and/or refrain from answering any questions you prefer to omit, without

prejudice or consequence. Your continued participation should be as informed as your initial consent, so you should feel free to ask for clarification or new information throughout your participation.

The University of Manitoba may look at your research records to see that the research is being done in a safe and proper way.

This research has been approved by the Psychology/Sociology Research Ethics Board. If you have any concerns or complaints about this project you may contact any of the above-named persons or the Human Ethics Coordinator at 204-474-7122 or humanethics@umanitoba.ca. A copy of this consent form has been given to you to keep for your records and reference.

Participant's Signature _____ Date _____

Researcher and/or Delegate's Signature _____ Date _____

Appendix D: Interview Guide

Thank you for taking the time to meet with me. As indicated on the consent form, the purpose of this study is to explore the experiences of people who identify as transgendered while they are incarcerated. I currently work in the federal prison system. Over the years, I have seen numerous people who have identified as transgendered go through the system. I always wanted to know what their experience was like and if it differed from those who are cis gendered. I hope to use this information gathered to identify if there are ways to improve the experiences of those who identify as transgendered while they are incarcerated.

Screening Questions:

1. What is your gender identity?
2. What is your sexual orientation?
3. What was the sex that you were identified with at birth?
4. Do you consider yourself to be transgender? How would you define “transgender”?
5. Have you ever served time in a prison?
 - When was that?
 - How long was your sentence?
 - Where did you serve your sentence?
 - Can you tell me how you came to be there?

Interview Questions:

As I had previously stated I am interested in how someone who identifies as transgender experiences the prison system. I am interested in hearing your story. Can you please describe for me in detail, your experience of being transgendered in prison.

Probes (if necessary):

1. Can you tell me about an important experience you had with staff?
2. Can you tell me about an important experience you had with other inmates?
3. Were you ever incarcerated with any other transgendered individuals?
 - a. Can you tell me about an important experience that you had with other transgendered inmates?
4. Were you ever in a general population unit?
 - a. Can you describe this experience to me?

5. Were you ever in a segregation unit?
 - a. Can you describe this experience to me?
6. Are there other aspects of your prison experience that you would like to share?

Thank You.