

CORRECTIONAL SERVICE CANADA

CHANGING LIVES. PROTECTING CANADIANS.



RESEARCH REPORT

Examination of Gender Diverse Offenders

2022 N° R-442

Cat. No.: PS84-204/2022E-PDF

ISBN: 978-0-660-41781-3

Ce rapport est également disponible en français. Pour en obtenir un exemplaire, veuillez vous adresser à la Direction de la recherche, Service correctionnel du Canada, 340, avenue Laurier Ouest, Ottawa (Ontario) K1A 0P9.

This report is also available in French. Should additional copies be required, they can be obtained from the Research Branch, Correctional Service of Canada, 340 Laurier Ave. West, Ottawa, Ontario K1A 0P9.

Examination of Gender Diverse Offenders

Shanna Farrell MacDonald

Angela Smeth

Sarah Cram

Sophia Garrel

&

Dena Derkzen

Correctional Service of Canada

2022

Acknowledgements

The authors would like to extend appreciation to everyone who were involved in the consultation process from the Women Offender Sector (Andrea Moser, Brigitte Lavigne, Julie Wilson, Chantal Allen), Preventive Security and Intelligence Branch (Warren Coons, Annie Geneau, Katherine Brough, Carlene Stuart), Security Branch (Dan Kunic, Joanne Lafontaine, Phil Higo, Joseph Daou), Indigenous Initiatives Branch (Marty Maltby, Kristen Miller, Stephanie Chalifoux-Taylor), Offender Programs and Reintegration (Carmen Long, Bill Rasmus), Health Services (Vanessa Kyle, Audrey Castonguay), and Policy Sector (Jack Botwinik). Special thanks to Julie Wilson for her assistance in identifying gender diverse offenders. Appreciation is also extended for report feedback received from the Gender Considerations Secretariat and all internal stakeholders.

Executive Summary

Key words: *gender diverse offenders, gender identity, gender expression, transgender, profile*

In accordance with Bill C-16, on December 27, 2017, the Correctional Service of Canada (CSC) implemented its interim policy for gender diverse offenders to identify operational practices that may require accommodation for these offenders, particularly regarding the placement of offenders in a federal correctional institution of their gender preference. In addition, CSC policy established the requirement to develop Individualized Protocols (IPs) for these offenders in relation to issues such as showers and toilets, frisk and strip searches, urinalysis, decontamination showers, and spiritual ceremonies.

This study was undertaken to provide a profile of federal gender diverse offenders in Canada during incarceration and to explore how gender diverse offenders are accommodated in other correctional jurisdictions. A total of 99 gender diverse offenders (47% Indigenous) were identified between December 27, 2017 and March 13, 2020. Demographic, sentence, and offence information were examined, as well as institutional behaviour and post-release outcomes.

An examination of demographic characteristics of gender diverse offenders indicated that trans-women were the largest group (62%), followed by trans-men (21%) and the “other” group (17%). Two-fifths (40%) of the study group were serving a second or subsequent sentence, demonstrating an established criminal history for these offenders and the majority (86%) were convicted of violent offences. Overall, gender diverse offenders were identified as high static and dynamic risk, with 60% assessed as having a low reintegration potential at intake. IPs were analyzed for all gender diverse offenders in relation to staff interactions,¹ programming, and spiritual activity participation. Among offenders who indicated a preference related to staff interaction, offenders were more likely to identify preferences for female staff.

In terms of institutional adjustment, almost half of the study group had a guilty disciplinary charge while two-thirds had committed an institutional incident during the study period. Behavioural related incidents were most common, regardless of study subgroup. Three-quarters (74%) of the study group completed correctional programs, with two-thirds (67%) completing moderate intensity programming. Two-thirds (62%) of offenders participated in educational interventions while almost half (42%) participated in institutional employment opportunities.

Of offenders conditionally released during the study period ($n = 27$), 37% were suspended. Trans-men were more likely to be suspended (45% versus 16%-17% of the other study groups).

This study provides an initial descriptive profile of gender diverse federal offenders, who accounted for 0.4% of the general offender population. With enhanced data capacity for the identification of these offenders, future research will be able to expand on this work and enhance our knowledge concerning gender diverse offenders.

¹ Staff interactions include mental health monitoring, security search interactions (e.g., strip or frisk searches), medical escorts, or staff response to nudity.

Table of Contents

Acknowledgements	ii
Executive Summary.....	iii
List of Tables	v
List of Appendices.....	vi
Introduction.....	1
Gender Diversity Practices within CSC.....	1
Gender Diverse Offenders and Practices from Other Correctional Jurisdictions	2
Management Practices	2
Assessment Practices.....	6
Intervention and Support Practices	7
Purpose of the Study	7
Method	9
Participants	9
Measures	9
Analytical Approach	10
Results	11
Study Cohort Characteristics	11
Gender Diversity Indicators.....	17
Information from Individualized Protocols	17
Intervention Accommodations for Gender Diverse Offenders	19
Abuse and Trauma Histories of Gender Diverse Offenders	22
Gender Diverse Offenders with a Sex Offence History	24
Indicators of Institutional Adjustment	26
Correctional Programming and Interventions	29
Post-Release Outcomes	30
Discussion.....	32
Conclusions	37
References	38

List of Tables

Table 1 Demographic characteristics of gender diverse offenders	12
Table 2 Sentence and offence information of gender diverse offenders	14
Table 3 Criminogenic characteristics of gender diverse offenders	16
Table 4 Individualized protocol accommodations for gender diverse offenders	20
Table 5 Intervention accommodations identified in individualized protocols for gender diverse offenders	22
Table 6 Examination of abuse and trauma histories of gender diverse offenders	23
Table 7 Demographic and sentence information of gender diverse offenders with sex offence history	25
Table 8 Criminogenic risk and need information of gender diverse offenders with sex offence history	26
Table 9 Institutional adjustment of gender diverse offenders	28
Table 10 Correctional programming and intervention participation information for gender diverse offenders throughout their sentence	30
Table 11 Release characteristics and post-release outcomes of gender diverse offenders	31

List of Appendices

Appendix A: Glossary of Gender Related Terminology	44
Appendix B: Gender Diverse Offenders in Other Correctional Jurisdictions	45
Appendix C: Additional Data Tables	54

Introduction

Bill C-16, *An Act to Amend the Canadian Human Rights Act and the Criminal Code*, received royal assent on June 19, 2017, which amended the Canadian Human Rights Act and the Criminal Code of Canada to include rights for gender identity and expression and protection against discrimination. In accordance with Bill C-16, on December 27, 2017, the Correctional Service of Canada (CSC) implemented its interim policy for gender diverse offenders² to identify operational practices that may require accommodation for these offenders, particularly regarding the placement of offenders in a federal correctional institution of their gender preference “regardless of their anatomy (sex) or gender on their identification documents, unless there are overriding health or safety concerns which cannot be resolved” (CSC, 2017). Following this policy change, this study was undertaken to explore how gender diverse offenders are accommodated in other correctional jurisdictions and to provide a profile of federal gender diverse offenders in Canada. Gender diverse offenders include offenders who are transgender, non-binary, gender fluid, intersex, two-spirited, etc. (see Appendix A for a glossary of terms related to gender diversity).

In addition to the policy change, in 2020, CSC created a Gender Considerations Secretariat to advance CSC's overarching direction, guidance and tools for the management gender diverse offenders. The Secretariat is responsible for assisting, supporting and providing guidance to operational staff by responding to and addressing their enquiries related to the management of gender diverse offenders.

Gender Diversity Practices within CSC

CSC's interim policy in 2017 established individualized protocols (IPs) for offenders who require accommodations due to gender identity or expression considerations. This policy ensures that all offenders' gender identity and expression needs are respected and protected from discrimination. The offender must be involved in the development of their IP in collaboration with CSC staff, such as their parole officer. At a minimum, IPs include the following elements: the offender's gender identity, preferred pronouns, living accommodations (i.e. access to private

² Gender diverse offenders in this research were limited to offenders who made requests for accommodation due to their gender identity or expression.

showers and toilets, double bunking or single cell), program participation, access and participation in spiritual ceremonies in consultation with Elders or spiritual advisors, application for institutional transfers, and preference for male or female staff members for mental health monitoring (medium and high mental health monitoring, and Pinel Restraint System), frisk and strip searches, decontamination showers,³ urinalysis testing, drug loo, medical escorts, and staff response to voluntary nudity. The offender may or may not request an accommodation for each element listed, which would be reflected in the IP. Other accommodations may be identified and added at the offender's request in collaboration with CSC staff.

Staff training is another important component of CSC's initiatives to ensure gender inclusivity. Through CSC's mandatory *Diversity and Cultural Competency Training*, CSC staff receive LGBTQ2+ diversity training, including training specific to Bill C-16 relating to gender identity and expression as well as an online awareness session and a one-day in-classroom session (CSC, 2018). Additionally, CSC's *Correctional Training Program* includes training related to gender diverse offenders for correctional officer recruits (CSC, 2018). Finally, CSC has created an online module entitled *Gender Identity or Expression Self Awareness*, as well as promoting the *Positive Space* initiative which supports trained workplace champions to create a safe and inclusive environment for LGBTQ2+ staff.

Gender Diverse Offenders and Practices from Other Correctional Jurisdictions

To inform this research on gender diverse offenders within CSC, a literature review of gender diversity practices in other correctional jurisdictions was conducted.⁴ These jurisdictions include the United Kingdom (UK),⁵ the United States (US), Brazil, Malta, Australia⁶ and Ontario.⁷

Management Practices

Management practices consist of offender accommodations relating to gender diversity.

³ Decontamination showers: staff supervise the offender while in a decontamination shower at intake in order to ensure contraband is not smuggled into the institution.

⁴ The official websites of each correctional system were searched using key terms ("transgender", "transgender offenders", and "gender").

⁵ In the UK, there are three correctional systems: Her Majesty's Prison and Probation Service, shared by England and Wales, the Scottish Prison Service, and the Northern Irish Prison Service.

⁶ Australia's correctional system is divided up between the territories: Victoria, New South Wales, Tasmania, Northern Territory, Queensland, South Australia, and Western Australia.

⁷ Other jurisdictions were explored but not included due to minimal information available. These jurisdictions can be found in Appendix B.

This includes but is not limited to access to gender-related health care, clothing that matches gender identity and allows for gender expression, access to spiritual ceremonies, and staff training initiatives.

The UK enacted the *Gender Recognition Act* in 2004 which allowed individuals to apply to the Gender Recognition Panel and if successful, legally change their gender identity through the Gender Recognition Certificate (GRC). A GRC is available to the general public but is also used in UK's prisons systems. In the Northern Ireland Prison Service, transfers are made on a case-by-case basis, but it is unclear if a GRC is necessary (Beard, 2018). In England and Wales, it is necessary for the offender to have a GRC in order to transfer to an institution that matches the offender's gender identity, unless they are 'sufficiently advanced' in the gender confirming process (Beard, 2018). Furthermore, all offenders who indicated that they are transgender have the right to dress and express themselves according to the gender in which they identify, while still complying with relevant dress codes (Her Majesty's Prisons and Probation Service, 2020). In Scotland, with approval from the National Health Service (NHS) Scotland Gender Reassignment Protocol, offenders are permitted to seek or continue their hormone therapy treatment, hair removal and/or pursue gender confirming surgery while incarcerated if desired (Beard, 2018). It is unclear if this also occurs in the rest of the UK. In Scotland, it is not necessary to have a GRC, in order to obtain accommodations based on their gender, the offender must obtain a diagnosis of gender dysphoria and swear an oath stating that they have lived the last two years and seek to live the rest of their life as their new gender (Beard, 2018; Cook, 2020). Accommodations include institutional transfers that align with the offender's gender identity after a risk assessment is completed (Cook, 2020). Similarly, in New Zealand, offenders can request an individualized support plan which allows them to declare their gender identity (Department of Corrections, 2018). The use of a GRC in England, Scotland and Wales or individualized support plans in New Zealand allows the offender to have their gender identity on an official government document. This is particularly important if their legal documents (i.e. driver's licence or birth certificate) do not match their gender identity and only lists biological sex.

In Northern Ireland and as of 2018 in the United States, each transgender offender is treated on a case-by-case basis (Beard, 2018; US Bureau of Prisons, 2018). Although all offenders are given the opportunity to express their gender identity at intake, Northern Ireland

Prison Service reported that there had not been any recent cases of an offender identifying as transgender (Beard, 2018). In the US, federal offenders do not have the opportunity to officially declare their gender at intake. However, on September 30, 2020, California passed a law requiring state offenders to be housed based on their gender identity and for the state correctional system to use and keep a record of preferred names, pronouns and titles (Moshtagian, & Levenson, 2020).

New South Wales (NSW) Corrective Services in Australia introduced a Transgender and Intersex policy in 2018 (NSW Corrective Services, 2018). It states that accommodations due to gender identity can be made to procedures such as screening, searching, escorts, clothing options, medication and rehabilitation as per the offender's request.

In Italy, at least three institutions have wings or sub-wings for transgender offenders (Hochdorn et al., 2018). The Belluno-Baldenich jail and the Naples-Poggioreale prison complex have a sub-wing for trans-women, where each offender has their own cell and separate bathroom, and are permitted to wear female clothing, use make-up and continue their hormone therapy treatments (Hochdorn et al., 2018). In all Italian prisons, transgender offenders are housed within the male section of the prison, except at the Florence-Sollicciano prison, where trans-women are housed in a sub-wing within the female wing of the prison (Hochdorn et al., 2018). The management practices for trans-men within Italian prisons is not clear.

In May 2015, new regulations were introduced in Brazil that require transgender offenders to be addressed by their desired name, allow trans-women to be transferred to a women's facility, and permit conjugal visits (Associated Press of Rio de Janeiro, 2015). Additionally, transgender offenders can continue or begin hormone therapy treatment and dress according to their gender identity, through clothing and/or make-up (Associated Press of Rio de Janeiro, 2015). However, in the federal male prison "A Papuda" in Brasília, transgender offenders are housed with homosexual cis-gender men (Hochdorn et al., 2018). According to Hochdorn et al. (2018), this was not due to policy, it was the prison director's personal decision to move the transgender offenders to another cell. The policy dictates that, unless the offender has already completed gender-affirming surgery, they are to be housed according to their legal sex (Hochdorn, et al., 2018). As of 2016 in Malta, legislation passed that allowed offenders to declare their gender identity under oath at intake (Times of Malta, 2016). Frisk and strip searches are to be conducted by a staff member of the appropriate gender and offenders can be transferred

to the institution that matches their gender identity (Times of Malta, 2016).

The US Bureau of Prisons Clinical Guidance issued the *Medical Management of Transgender Inmates Guideline* in 2016, which outlines recommendations for medical treatment and management of offenders that identify as transgender. The recommendations include a comprehensive mental health assessment by a psychologist, medical assessment if the offender seeks gender confirming surgery or hormone therapy, and a plan for individualized treatment (Federal Bureau of Prisons, 2018). As of 2018, federal institutions⁸ in the United States house offenders solely based on their biological sex and only transfer offenders to an institution that matches their gender identity on 'rare occasions'. This occurs when the offender has made 'sufficient progress' in their transition and the Transgender Executive Council examines the security risk of transferring institutions, their criminal history, gender expression, mental and physical health needs, likelihood of perpetrating abuse, and vulnerability to abuse (US Bureau of Prisons, 2018). Accommodations for gender identity or expression within the institution (i.e. dressing according to gender identity) are not offered (US Bureau of Prisons, 2018).

In the UK, Australia and New Zealand, sex offenders are not allowed to transfer to an institution that houses people of the same gender as their victim(s) (Beard, 2018; NSW Corrective Services, 2018; New Zealand Department of Corrections, 2018). In 2019, a transgender wing was constructed within a women's institution in England. This was in response to a transgender offender, convicted of sexual assault, sexually assaulting two offenders following her transfer to the institution based on her gender identity (Beard, 2018; Shaw, 2019). As of March 2019, the wing houses three transgender offenders who are completely segregated from the rest of the prison population (Beard, 2018; BBC News, 2019). In a Los Angeles county jail in the US, there is also a 'transgender and gay offender wing' which was created because LGBTQ2+ offenders were assaulted, harassed and abused by the general jail population (Wagner, 2014).

In many of the jurisdictions, such as the UK, New Zealand and Australia, mandatory diversity training for staff has been implemented to help increase understanding and awareness of issues faced by the LGBTQ2+ community, particularly within a correctional setting. The

⁸ In the US, there are state and federal correctional systems. The US Bureau of Prisons focuses on non-violent offenders, such as those who committed drug offences or organized crime. Each state has their own correctional system, which deals with violent offenders, such as those who committed murder or sexual assault.

Scottish Prison Service partnered with the Scottish Trans Alliance for both consultations of transgender-specific policies and LGBTQ2+ staff diversity training in the form of interactive one-hour workshops, short presentations, and half- or full-day structured training events (Scottish Trans Alliance, 2020).

Assessment Practices

Assessment practices for offenders involve risk assessments and assessment for program referrals. Overall, there is currently little empirical evidence that validates the use of current assessment tools for gender diverse offenders due to small population sizes – this is an area in need of further research.

There are several unique considerations for assessments with this offender population. This includes but is not limited to how gender identity is categorized, the effect of hormone therapy treatment on assessment results, and potential unknown protective and risk factors unique to this population (Webb, Heyne, Holmes, & Peta, 2016). Hormone therapy has shown to impact scores significantly in general psychometric assessments and depending on when the assessment was conducted relative to the hormone therapy treatment, the results may no longer be valid after the individual has completed hormone therapy (Webb et al., 2016).

Many of the criminogenic risk assessments have not changed in any of the jurisdictions based on gender identity, however, the Static-99R has addressed how transgender offenders should be assessed with this tool. The Static-99R is a sex offender risk assessment tool that assesses the risk of recidivism (Phenix et al., 2016). However, according to the Static-99R coding rules, this tool does not apply to female to male transgender offenders and generally, male to female transgender offenders are to be still considered male, unless they have had gender confirming surgery and lived as a woman for two years or more (Phenix et al., 2016). Notably, this modification also does not take into account other gender identities, such as gender non-conforming, gender fluid, or non-binary.

In jurisdictions where correctional assessment tools have not been modified for assessing transgender offenders, such as England, Wales and Scotland, emphasis is placed on the need for staff to make assessments based on factual information, rather than the gender identity or expression of the offender (Beard, 2018; Ministry of Justice, 2016). NSW Corrective Services state that transgender and intersex offenders are provided with the same assessment and programs available to other offenders. Though when possible and particularly in the

rehabilitation process, the offender will be connected with LGBTQ2+-specific services to provide specialized support (NSW Corrective Services, 2018).

Intervention and Support Practices

Intervention practices aim to lower and manage criminogenic risk factors through positive and prosocial strategies. This can include formal or informal programming, education, and peer support groups, and could be internal or external to the correctional system.

For a gender diverse offender population, assignment and participation in correctional programs to address criminogenic risk factors can present unique challenges. A few jurisdictions within the United States, such as Maine, South Dakota, and Wisconsin, decide on interventions or ‘programming assignments’ for gender diverse offenders on a case-by-case basis while taking into consideration their gender identity, mental and physical health, security concerns (i.e., risks to offender or other offenders within the institution), and programming needs (Division of Adult Institutions, 2011; Maine Department of Corrections, 2020; South Dakota Department of Corrections, 2021).

Additional support services provided by external advocacy or support organizations have also been identified. There are a few LGBTQ2+ peer support groups, such as pen-pal programs for LGBTQ2+ offenders in Canada and other jurisdictions. The Prisoner Correspondence Project is a pen-pal program, which operates in both Canadian and American institutions and through this project, LGBTQ2+ offenders are paired with individuals from the LGBTQ2+ community outside the institution (Prisoner Correspondence Project, 2020). Similarly, in England, the Bent Bars Project, pairs LGBTQ2+ offenders with a pen-pal from the LGBTQ2+ community outside the prison (Bent Bars Project, 2011). Both initiatives aim to increase ties between the offender and the community, so upon release, offenders feel connected to the LGBTQ2+ community (Bent Bars Project, 2011; Prisoner Correspondence Project, 2020). In Ontario, Stacey Love-Jolicoeur, an LGBTQ2+ education and support worker, visits provincial and federal correctional institutions in Ontario, providing support for LGBTQ2+ offenders, and LGBTQ2+ education and training for staff (Rainbow Health Ontario, 2019).

Purpose of the Study

This study aims to create a profile of gender diverse offenders within CSC. Accordingly, the research questions are:

1. What is the current profile (demographics, sentence and offence information, criminogenic risk and needs) of gender diverse offenders? What is the profile of transgender men and women offenders, specifically (if feasible)?
 - a. Examine the prevalence of abuse and trauma histories, and if data permits, how have these experiences influenced the formation of gender identity or expression for the offender?
 - b. For offenders who committed a sex related offence, what are the characteristics of their offending?
2. What is the institutional adjustment of gender diverse offenders?
3. What are the post-release outcomes of gender diverse offenders?

Method

Participants

Data were extracted from CSC's Offender Management System (OMS), the automated system used by CSC to store decision-making and offender management data from the beginning of an offender's sentence until the sentence is complete. A total of 99 gender diverse offenders were identified between December 27, 2017 and March 13, 2020. Identification of gender diverse offenders were based on Individualized Protocols⁹ maintained in OMS, a list of gender diverse offenders provided by the Women Offender Sector's (WOS) internal tracking database, or a gender consideration need indicator in OMS. Gender diverse offenders were classified into one of three groups: (a) trans-women, (b) trans-men, and (c) the "other" group.¹⁰

Measures

Study cohort characteristics. The characteristics of gender diverse offenders were examined. This included: (a) demographic information (e.g., age at admission, marital status, ethnocultural group); (b) sentence and offence information (e.g., sentence term and length); (c) criminogenic risk and need information (e.g., static factor rating and dynamic factor rating);¹¹ and (c) an overview of the characteristics of gender diverse offenders who have a history of sexual offending.

Gender diverse offender characteristics. This section examined the information specific to the gender diversity of offenders, including operational needs (e.g. accommodation or case management requirements), programming and intervention needs, and experiences with abuse and trauma.

Institutional adjustment. Indicators of institutional adjustment included information regarding guilty disciplinary charges, institutional incidents, correctional program participation and completion, education and employment participation, institutional transfers, and structured living environment (SLE) admission for offenders housed at women's institutions.

Guilty disciplinary charges, institutional incidents, institutional transfers, and SLE

⁹ Individualized Protocols are developed in consultation with offenders with gender identity or expression considerations and they are documented in a Memo to File in OMS.

¹⁰ The "other" group includes: gender fluid, gender non-conforming/non-binary, intersex, two-spirited, or unspecified.

¹¹ Criminogenic risk and need information were derived from the Offender Intake Assessment (OIA).

admission, were examined at two time points: (a) between their admission date and the start of the study period (i.e., prior to the identification of their gender identity); and (b) between the identification of their gender identity and the end of the study period (i.e., after the identification of their gender identity).¹²

Post-release outcomes. Analyses were conducted on post-release outcomes for offenders under conditional release. This included first suspension warrants and first revocation of release for participants during the offender's current supervision period. The reasons for suspensions were also examined. A suspension may occur (a) when a breach of conditions has occurred, (b) to prevent a breach of conditions, or (c) to protect society (i.e., risk is considered unmanageable in the community).

Analytical Approach

The study employed a mixed-method approach. The quantitative components conducted were descriptive in nature (e.g., frequency distributions as well as means and standard deviation). Sub-analyses for trans-women, trans-men, and the other groups were conducted for all variables.

The analyses of the qualitative components consisted of file reviews of various OMS files, such as Individualized Protocols and decision documents. All offenders in the study cohort were coded. The coding focused on four areas:

1. Coding of the Individualized Protocol to determine gender diversity characteristics (e.g., preferred pronouns, accommodation requirements, etc.);
2. Examine the prevalence of abuse and trauma histories, and if data permits, examine how these experiences influenced the formation of gender identity or expression for the offender;
3. The characteristics of offending for those offenders who committed a sex related offence;
4. For offenders who were released and subsequently returned to custody, the impact of their gender identity on their returns to custody.

¹² Identification of their gender identity were based on either: (a) date of CSC interim policy for gender diverse offenders (December 27, 2017); (b) date tracked by WOS (earliest was September 2018); or (c) date that their gender consideration was identified in OMS.

Results

The results section is divided into three sections. First, an overview of the characteristics of gender diverse offenders. This section includes demographic information, sentence and offence information, criminogenic risk and need information, and an overview of gender diverse offenders who have a history of sexual offending. Within this section, the information specific to the gender diversity of offenders is also presented, including operational needs (e.g. accommodation or case management requirements), programming/intervention needs, and historical experiences with abuse/trauma. Second, an examination of the institutional adjustment of the study group includes information regarding guilty disciplinary charges, institutional incidents, correctional program participation and completion, education and employment participation, institutional transfers, and structured living environment assignment for offenders housed at women's institutions. The final section explores post-release outcomes for offenders under conditional release, including suspensions of release and returns to custody.

Study Cohort Characteristics

An examination of demographic characteristics for gender diverse offenders indicated that trans-women were the largest group (62%), followed by trans-men (21%) and the "other" group (17%; see Table 1). On average, offenders in the study group were 40 years of age during the study period, with trans-women being older than the other two groups (43 versus mid-thirties). Almost half of the offenders were Indigenous (47%), with trans-men being more likely to indicate Indigenous ancestry (57%; see Table 1). Two-thirds of the offenders were single at admission, with trans-men reporting the highest proportion of single offenders compared to trans-women or the "other" group (86% versus 59% and 65%, respectively). Offenders in the study group were more likely to be in the Pacific (32%) or Ontario (28%) regions during the study period with similar patterns across gender diverse subgroups. Half (52%) of all offenders were housed in men's institutions at the end of the study period/prior to release. Two-thirds (67%) of trans-women were in men's facilities, but trans-men were more likely to be in a women's facility (95%).

Table 1
Demographic characteristics of gender diverse offenders

Indicator	All Gender Diverse Offenders (<i>N</i> = 99)		Gender Diverse Group					
			Trans-Women (<i>N</i> = 61)		Trans-Men (<i>N</i> = 21)		“Other” Group ^a (<i>N</i> = 17)	
	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)
Age at study <i>M</i> (<i>SD</i>)	40.0	(12.8)	42.6	(12.3)	36.1	(14.4)	35.3	(9.9)
Biological sex/legally recognized gender								
<i>Female</i>	38.4	(38)	21.3	(13)	85.7	(18)	41.2	(7)
<i>Male</i>	61.6	(61)	78.7	(48)	14.3	(*)	58.8	(10)
Gender identity								
<i>Trans-women</i>	61.6	(61)	100.0	(61)	-	-	-	-
<i>Trans-men</i>	21.2	(21)	-	-	100.0	(21)	-	-
“ <i>Other</i> ” group	17.2	(17)	-	-	-	-	100.0	(17)
Ethnocultural group								
<i>Indigenous</i>	46.5	(46)	44.3	(27)	57.1	(12)	41.2	(7)
<i>White</i>	43.4	(43)	45.9	(28)	38.1	(8)	41.2	(7)
<i>Other</i> ^b	10.1	(10)	9.8	(6)	4.8	(*)	17.6	(*)
Marital status-single	65.7	(65)	59.0	(36)	85.7	(18)	64.7	(11)
Region of first admission								
<i>Atlantic</i>	10.1	(10)	8.2	(5)	14.3	(*)	11.8	(*)
<i>Quebec</i>	10.1	(10)	11.5	(7)	9.5	(*)	5.9	(*)
<i>Ontario</i>	37.4	(37)	42.6	(26)	33.3	(7)	23.5	(*)
<i>Prairies</i>	25.2	(25)	19.7	(12)	28.6	(6)	41.2	(7)
<i>Pacific</i>	17.2	(17)	18.0	(11)	14.3	(*)	17.6	(*)
Region at study period								
<i>Atlantic</i>	9.4	(9)	8.2	(5)	14.3	(*)	6.2	(*)
<i>Quebec</i>	10.4	(10)	9.8	(6)	9.5	(*)	12.5	(*)
<i>Ontario</i>	28.1	(27)	27.9	(17)	28.6	(6)	25.0	(*)
<i>Prairies</i>	19.8	(19)	18.0	(11)	23.8	(5)	18.8	(*)
<i>Pacific</i>	32.3	(31)	32.8	(20)	23.8	(5)	37.5	(6)
Facility type at the end of the study period/at release								
<i>Women’s</i>	48.5	(48)	32.8	(20)	95.2	(20)	47.1	(8)
<i>Men’s</i>	51.5	(51)	67.2	(41)	4.8	(*)	52.9	(9)

Note. *M* = Mean. *SD* = Standard deviation. ^a The “other” category included: gender fluid, gender non-conforming/non-binary, intersex, two-spirited, or unspecified. ^b Other ethnocultural group includes Arabic, Black, Latin American, South-East Asian, multi-ethnic, and not specified. *Cell counts with less than five were suppressed.

Table 2 shows the sentence and offence information for federal gender diverse offenders. Two-fifths (40%) of the study group were serving a second or subsequent sentence, demonstrating an established criminal history for these offenders, although most are on the first term of their sentence (86%). A majority of offenders (86%) were convicted of violent offences with almost two-fifths serving an indeterminate sentence and almost one-quarter serving longer sentences (more than six years). Almost two-thirds (61%) of offenders in the study group had homicide related or sex related index offences, with one-third having a history of sexual offending (including current and past offences).

Sub-analysis by gender diverse group shows that trans-men were less likely to be serving their first sentence but were serving shorter sentences than the trans-women or “other” subgroups (see Table 2). Trans-men also had a more diverse offence profile (including a higher proportion of offenders who committed drug or assault offences) and did not have a history of sexual offending. Trans-women were most likely to be serving an indeterminate sentence (51% versus 19% for trans-men and 24% for the “other” group) and to have a history of sexual offending (see Table 2).

Table 2

Sentence and offence information of gender diverse offenders

Indicator	All Gender Diverse Offenders (N = 99)		Gender Diverse Group					
			Trans-Women (N = 61)		Trans-Men (N = 21)		“Other” Group ^a (N = 17)	
	%	(n)	%	(n)	%	(n)	%	(n)
First federal sentence	59.6	(59)	62.3	(38)	52.4	(11)	58.8	(10)
First term of sentence	85.9	(85)	85.2	(52)	81.0	(17)	94.1	(16)
Sentence length								
<i>6 years or less</i>	39.4	(39)	29.5	(18)	71.4	(15)	35.3	(6)
<i>More than 6 years</i>	21.2	(21)	19.7	(12)	9.5	(*)	41.2	(7)
<i>Indeterminate</i>	39.4	(39)	50.8	(31)	19.1	(*)	23.5	(*)
Violent offence	85.9	(85)	91.7	(55)	71.4	(15)	88.2	(15)
Most serious offence type								
<i>Homicide related</i>	39.8	(39)	41.6	(25)	28.6	(6)	47.1	(8)
<i>Sex related</i>	21.5	(21)	30.0	(18)	0.0	(0)	17.6	(*)
<i>Robbery</i>	11.2	(11)	11.7	(7)	9.5	(*)	11.8	(*)
<i>Drug related</i>	5.1	(5)	1.7	(*)	19.0	(*)	0.0	(0)
<i>Assault</i>	10.2	(10)	3.3	(*)	23.8	(5)	17.6	(*)
<i>Property related</i>	5.1	(5)	5.0	(*)	4.8	(*)	5.9	(*)
<i>Other violent</i>	5.1	(5)	5.0	(*)	9.5	(*)	0.0	(0)
<i>Other non-violent</i>	2.0	(*)	1.7	(*)	4.8	(*)	0.0	(0)
History of sexual offending ^b	33.3	(33)	44.3	(27)	0.0	(0)	35.3	(6)

Note. ^a The “other” group included: gender fluid, gender non-conforming/non-binary, intersex, two-spirited, or unspecified. ^b History of sexual offending includes offenders whose current offence type is sex related but also those with past convictions for sexual offending. *Cell counts with less than five were suppressed.

Overall, gender diverse offenders had high static risk (74%) and high dynamic need (81%), with a low reintegration potential (61%) and moderate (70%) motivation for change (see Table 3). Over half of the study group were moderate to high criminal risk, based on the CRI.¹³ About two-thirds (64%) were assessed as moderately accountable for their criminal actions. Over one-third (39%) had identified responsivity issues

¹³ CRI (Criminal Risk Index) category cut-offs are assessed based on biological sex or legally recognized gender.

and three-quarters (74%) were identified as engaged in their correctional plan. They were most likely to have a moderate to high need in the areas of personal emotional orientation (95%), substance abuse (74%; 52% assessed as high severity), and attitudes (70%), although over half to two-thirds (56% to 67%) of offenders in the study group have identified needs in the other domain areas. At admission, almost all gender diverse offenders were assessed as medium (60%) or maximum (34%) security.

Comparisons across subgroups (see Table 3) indicate that the trans-men group overall had lower static risk and dynamic need than the trans-women group, although they were more likely to have identified moderate to high needs across five of the seven domain areas. The trans-men were also more likely to have responsivity issues but were more engaged in their correctional plan than the other two sub-groups. They were also less likely to be assessed as maximum security at admission than the other two groups. Trans-men, however, had a higher average CRI score than the other two sub-groups.

Table 3

Criminogenic characteristics of gender diverse offenders

Indicator	Gender Diverse Group							
	All Gender Diverse Offenders (<i>N</i> = 99)		Trans-Women (<i>N</i> = 61)		Trans-Men (<i>N</i> = 21)		“Other” Group ^a (<i>N</i> = 17)	
	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)
Static factor rating – intake								
<i>Low</i>	3.1	(*)	3.4	(*)	4.8	(*)	0.0	(0)
<i>Moderate</i>	22.7	(22)	22.0	(13)	33.3	(7)	11.8	(*)
<i>High</i>	74.2	(72)	74.6	(44)	61.9	(17)	88.2	(15)
Dynamic factor rating – intake								
<i>Low</i>	0.0	(0)	0.0	(0)	0.0	(0)	0.0	(0)
<i>Moderate</i>	18.6	(18)	15.2	(9)	23.8	(5)	23.5	(*)
<i>High</i>	81.4	(79)	84.8	(50)	76.2	(16)	76.5	(13)
Reintegration potential - intake								
<i>Low</i>	60.8	(59)	62.7	(37)	57.1	(12)	58.8	(10)
<i>Moderate</i>	35.1	(34)	30.5	(18)	42.9	(9)	41.2	(7)
<i>High</i>	4.1	(*)	6.8	(*)	0.0	(0)	0.0	(0)
Motivation level – intake								
<i>Low</i>	17.5	(17)	22.0	(13)	4.8	(*)	17.6	(*)
<i>Moderate</i>	70.1	(68)	71.2	(42)	66.7	(14)	70.6	(12)
<i>High</i>	12.4	(12)	6.8	(*)	28.5	(6)	11.8	(*)
Accountability level – intake								
<i>Low</i>	20.2	(20)	24.6	(15)	0.0	(0)	29.4	(5)
<i>Moderate</i>	63.6	(63)	57.4	(35)	81.0	(17)	64.7	(11)
<i>High</i>	16.2	(16)	18.0	(11)	19.0	(*)	5.9	(*)
Responsivity issues	39.4	(39)	37.7	(23)	52.4	(11)	29.4	(5)
Engaged in correctional plan	73.7	(73)	70.5	(43)	90.5	(19)	64.7	(11)
DFIA-R need domains – moderate to high need ^b								
<i>Associates</i>	67.1	(49)	52.5	(21)	88.2	(15)	81.3	(13)
<i>Attitudes</i>	69.9	(51)	62.5	(25)	70.6	(12)	87.5	(14)
<i>Community functioning</i>	56.2	(41)	50.0	(20)	64.7	(11)	62.5	(10)
<i>Employment/education</i>	65.8	(48)	60.0	(24)	76.5	(13)	68.8	(11)
<i>Marital/family relations</i>	60.3	(44)	57.5	(23)	52.9	(9)	75.0	(12)
<i>Personal/emotional orientation</i>	94.5	(69)	95.0	(38)	94.1	(16)	93.8	(15)

Table 3 (continued)

Indicator	All Gender Diverse Offenders (<i>N</i> = 99)		Gender Diverse Group					
			Trans-Women (<i>N</i> = 61)		Trans-Men (<i>N</i> = 21)		“Other” Group ^a (<i>N</i> = 17)	
	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)
<i>Substance abuse</i>	74.0	(54)	62.5	(25)	88.2	(15)	87.5	(14)
Offender security level at admission								
<i>Minimum</i>	6.1	(6)	8.2	(5)	4.8	(*)	0.0	(0)
<i>Medium</i>	59.6	(59)	52.5	(32)	76.2	(16)	64.7	(11)
<i>Maximum</i>	34.3	(34)	39.3	(24)	19.0	(*)	35.3	(6)
Computerized Assessment of Substance Abuse (CASA) severity ^b								
<i>None</i>	19.2	(14)	17.5	(7)	11.1	(*)	33.3	(5)
<i>Low</i>	11.0	(8)	10.0	(*)	11.1	(*)	13.3	(*)
<i>Moderate</i>	17.8	(13)	22.5	(9)	16.7	(*)	6.7	(*)
<i>High</i>	52.0	(38)	50.0	(20)	61.1	(11)	46.7	(7)
Criminal Risk Index(CRI) level ^c								
<i>Low</i>	29.3	(29)	31.2	(19)	14.3	(*)	41.2	(7)
<i>Moderate</i>	36.4	(36)	34.4	(21)	47.6	(10)	29.4	(5)
<i>High</i>	22.2	(22)	18.0	(11)	28.6	(6)	29.4	(5)
<i>No Rating</i>	12.1	(12)	16.4	(10)	9.5	(*)	0.0	(0)
Average CRI score <i>M</i> (<i>SD</i>)	12.0	(9.4)	10.7	(9.0)	14.8	(9.0)	13.5	(11.0)

Note. M = mean. SD = standard deviation ^a The “other” group included: gender fluid, gender non-conforming/non-binary, intersex, two-spirited, or unspecified. ^b Twenty-six offenders did not have DFIA-R need domain or CASA severity data. ^c CRI level categories are based on biological sex/legally recognized gender. *Cell counts with less than five were suppressed.

Gender Diversity Indicators

Over half (51%) of offenders disclosed their gender diversity to CSC case management staff prior to the introduction of Interim Policy 584. The majority of trans-men (95%) preferred ‘he/him’ pronouns and 97% of trans-women preferred ‘she/her’ pronouns. Preferred pronouns for the “other” group varied: 46% preferred other pronouns (i.e. no preference or the use of specific pronouns was dependent on the circumstances), 23% preferred ‘she/her’, and 15% each preferred ‘they/them’ and ‘he/him’.

Information from Individualized Protocols

Individualized protocols (IPs) were analyzed for all gender diverse offenders. Three-quarters of the offenders (76%, *n* = 75) had an IP available. Across study subgroups, the majority

of trans-women (95%) had an IP, whereas 74% of trans-men and 59% of offenders in the “other” group had an IP.

Offender preferences for staff interactions were examined across subgroups (see Table 4). The preferences examined in the IPs included staff mental health monitoring, search protocols, medical escorts, and staff response to voluntary nudity.

Offender preferences for mental health monitoring requirements, including high watch,¹⁴ modified watch¹⁵ and Pinel restraint system¹⁶ were examined. For high watch, approximately 45% of IPs did not indicate a preference. Across all gender diverse offenders, of those that indicated for high watch, 26% of trans-women preferred female staff, 33% of trans-men preferred female staff, and 15% of the “other” group preferred both or had no preference. For modified watch, 33% of IPs indicated no preference. Of those that indicated a preference, 31% of trans-women, 57% of trans-men, and 23% of the “other” group selected female staff for modified watch. Nearly three-quarters of IPs did not report the offender’s preference for staff members supervising the Pinel restraint system; among those who indicated a preference, 10% of trans-women, 24% of trans-men and 15% of the “other” group selected female staff members.

Around 82% of IPs recorded the offender’s preference for staff for searching protocols (see Table 4). One-third (36%) of trans-women, 62% of trans-men and 39% of the “other” group indicated a preference for female staff performing frisk searches. For strip searches, 39% of trans-women selected both male and female staff or no preference, and 67% of trans-men and 39% of the “other” group indicated female staff. Trans-women (36%), trans-men (71%), and the “other” group (31%) indicated a preference for female staff members for decontamination showers. For urinalysis testing, trans-women (30%), trans-men (67%), and the “other” group (23%) preferred female staff to observe. Trans-women (13%), trans-men (55%), and the “other” group (23%) indicated a preference of female staff to observe the drug loo.

Other staff preferences include medical escorts and staff response to nudity (Table 4). Forty-three percent of trans-women and 31% of the “other” group indicated no preferences or both male and female staff, whereas 38% of trans-men indicated female staff for a medical escort. For staff response to nudity, trans-men (62%) and the “other” group (23%) indicated a

¹⁴ High watch: staff monitor offenders using the washroom or changing clothes.

¹⁵ Modified watch: staff monitor offenders under camera surveillance.

¹⁶ Pinel restraint system: staff supervise the elimination needs of offenders while in restraints.

preference for female staff while trans-women were most likely to indicate both or no preference (26%). Offender preferences for staff interactions demonstrate, generally, that trans-men and trans-women preferred staff interactions related to accommodations to be with female staff members.

Intervention Accommodations for Gender Diverse Offenders

At the time of the IP completion date, over half (56%) indicated that correctional programming was required for gender diverse offenders (see Table 5), although almost one-third (30%) of IPs did not have this information available. Almost three-quarters had completed correctional programs, with a greater proportion of gender diverse offenders having completed men's versus women's programming. Across subgroups, two-thirds (66%) of trans-women completed men's programming and 30% completed women's programming. Among trans-men, 43% completed men's programming and 67% completed women's programming. Almost half of offenders in the "other" group completed either men's or women's programming (47% each). Although about half (48%) of offenders did not have this information specified in their IP, one-quarter of offenders requested women's programming and one-quarter requested men's programming (see Table 5). Men's programming requests were higher among trans-women and offenders in the "other" group, whereas 62% of trans-men requested women's programming.

Table 4

Individualized protocol accommodations for gender diverse offenders

Indicator	All Gender Diverse Offenders (<i>N</i> = 99)		Gender Diverse Group					
			Trans-Women (<i>N</i> = 61)		Trans-Men (<i>N</i> = 21)		“Other” Group ^a (<i>N</i> = 17)	
	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)
Mental Health Monitoring Requirements (if necessary)								
High watch – monitor offender using the washroom or changing clothes								
<i>Male</i>	4.2	(*)	4.9	(*)	4.8	(*)	0.0	(0)
<i>Female</i>	25.3	(24)	26.2	(16)	33.3	(7)	7.7	(*)
<i>Both/no preference</i>	25.3	(24)	28.9	(17)	23.8	(5)	15.4	(*)
<i>Not indicated in IP</i>	45.3	(43)	41.0	(25)	38.1	(8)	76.9	(10)
Modified watch – monitor offender under camera surveillance								
<i>Male</i>	6.3	(6)	6.6	(*)	4.8	(*)	7.7	(*)
<i>Female</i>	35.8	(34)	31.2	(19)	57.2	(12)	23.1	(*)
<i>Both/no preference</i>	25.3	(24)	29.5	(18)	19.0	(*)	15.4	(*)
<i>Not indicated in IP</i>	32.6	(31)	32.7	(20)	19.0	(*)	53.8	(7)
Pinel restraint system – supervise elimination needs while offender in the restraint system								
<i>Male</i>	5.3	(5)	3.3	(*)	14.3	(*)	0.0	(0)
<i>Female</i>	13.7	(13)	9.8	(6)	23.8	(5)	15.4	(*)
<i>Both/no preference</i>	8.4	(8)	6.6	(*)	19.1	(*)	0.0	(0)
<i>Not indicated in IP</i>	72.6	(69)	80.3	(49)	42.8	(9)	84.6	(11)
Search Protocols								
Frisk searches								
<i>Male</i>	4.2	(*)	6.5	(*)	0.0	(0)	0.0	(0)
<i>Female</i>	42.1	(40)	36.1	(22)	61.9	(13)	38.5	(5)
<i>Both/no preference</i>	35.8	(34)	41.0	(25)	28.6	(6)	23.0	(*)
<i>Not indicated in IP</i>	17.9	(17)	16.4	(10)	9.5	(*)	38.5	(5)
Strip search								
<i>Male</i>	9.5	(9)	13.1	(8)	4.8	(*)	0.0	(0)
<i>Female</i>	41.1	(39)	32.8	(20)	66.7	(14)	38.5	(5)
<i>Both/no preference</i>	32.6	(31)	39.3	(24)	19.0	(*)	23.0	(*)
<i>Not indicated in IP</i>	16.8	(16)	14.8	(9)	9.5	(*)	38.5	(5)
Decontamination shower								
<i>Male</i>	6.3	(6)	8.2	(5)	4.8	(*)	0.0	(0)
<i>Female</i>	43.3	(41)	36.1	(22)	71.4	(15)	30.8	(*)

Table 4 (continued)

Indicator	Gender Diverse Group							
	All Gender Diverse Offenders (N = 99)		Trans-Women (N = 61)		Trans-Men (N = 21)		“Other” Group ^a (N = 17)	
	%	(n)	%	(n)	%	(n)	%	(n)
<i>Both/no preference</i>	25.2	(24)	29.5	(18)	14.3	(*)	23.1	(*)
<i>Not specified in IP</i>	25.2	(24)	26.2	(16)	9.5	(*)	46.1	(6)
Urinalysis samples								
<i>Male</i>	22.1	(21)	27.9	(17)	9.5	(*)	15.4	(*)
<i>Female</i>	36.8	(35)	29.5	(18)	66.7	(14)	23.1	(*)
<i>Both/no preference</i>	19.0	(18)	21.3	(13)	14.3	(*)	15.4	(*)
<i>Not specified in IP</i>	22.1	(21)	21.3	(13)	9.5	(*)	46.1	(6)
Drug loo								
<i>Male</i>	8.5	(8)	11.5	(7)	5.0	(*)	0.0	(0)
<i>Female</i>	23.4	(22)	13.1	(8)	55.0	(11)	23.1	(*)
<i>Both/No preference</i>	12.8	(12)	9.8	(6)	15.0	(*)	23.1	(*)
<i>Not specified in IP</i>	55.3	(52)	65.8	(40)	25.0	(5)	53.8	(7)
Medical escort								
<i>Male</i>	6.3	(6)	1.6	(*)	23.8	(5)	0.0	(0)
<i>Female</i>	28.4	(27)	27.9	(17)	38.1	(8)	15.4	(*)
<i>Both/no preference</i>	34.8	(33)	42.6	(26)	14.3	(*)	30.8	(*)
<i>Not specified in IP</i>	30.5	(29)	27.9	(17)	23.8	(5)	53.8	(7)
Staff response to nudity								
<i>Male</i>	5.3	(5)	6.6	(*)	4.8	(*)	0.0	(0)
<i>Female</i>	30.5	(29)	21.3	(13)	61.9	(13)	23.1	(*)
<i>Both/no preference</i>	20.0	(19)	26.2	(16)	4.8	(*)	15.4	(*)
<i>Not specified in IP</i>	44.2	(42)	45.9	(28)	28.5	(6)	61.5	(8)

Note. ^a The “other” group included: gender fluid, gender non-conforming/non-binary, intersex, two-spirited, or unspecified. *Cell counts with less than five were suppressed.

Generally, the IPs stated that spiritual ceremonies and accommodations were available for all offenders, but did not consistently indicate offender participation in spiritual ceremonies or activities. One-third (34%) of IPs reported that the offender was participating in spiritual ceremonies or activities; over one-half (59%) of offenders who participated identified accommodations, such as wearing ceremonial clothing that better expressed their gender identity.

Table 5

Intervention accommodations identified in individualized protocols for gender diverse offenders

Indicator	All Gender Diverse Offenders (N = 99)		Gender Diverse Group					
			Trans-Women (N = 61)		Trans-Men (N = 21)		“Other” Group ^a (N = 17)	
	%	(n)	%	(n)	%	(n)	%	(n)
Correctional program referral required [^]	55.6	(55)	62.3	(38)	61.9	(13)	23.5	(*)
Completed any correctional program	73.7	(73)	73.8	(45)	81.0	(17)	64.7	(11)
Completed men’s programming ⁺	57.6	(57)	65.6	(40)	42.9	(9)	47.1	(8)
Completed women’s programming ⁺	40.4	(40)	29.5	(18)	66.7	(14)	47.1	(8)
Program type requested								
<i>Men’s</i>	25.2	(25)	34.4	(21)	4.8	(*)	17.7	(*)
<i>Women’s</i>	27.3	(27)	21.3	(13)	61.9	(13)	5.9	(*)
<i>Not Specified</i>	47.5	(47)	44.3	(27)	33.3	(7)	76.5	(13)
Spiritual ceremony or activity participation mentioned	34.3	(34)	34.4	(21)	47.6	(10)	17.7	(*)
Spiritual ceremony or activity accommodation requested	58.8	(20)	57.1	(12)	60.0	(6)	66.7	(*)
Applied for transfer to align with gender identity	16.2	(16)	23.0	(14)	0.0	(0)	11.8	(*)
Transfer Status at the time of coding								
<i>Denied</i>	18.8	(*)	21.4	(*)	-	-	0.0	(0)
<i>Approved</i>	62.4	(10)	64.3	(9)	-	-	50.0	(*)
<i>In progress</i>	18.8	(*)	14.3	(*)	-	-	50.0	(*)

Note. ^a The “other” group included: gender fluid, gender non-conforming/non-binary, intersex, two-spirited, or unspecified. *Cell counts with less than five were suppressed. [^]Thirty percent of IPs did not have this indicator recorded. ⁺Twenty-four offenders (24%) completed both men’s and women’s programming.

Based on file review, 16% of offenders had applied for a transfer to an institution that matched their gender identity. Of those that requested this type of transfer, 62% were approved, 19% were denied and 19% were in progress during the study period. The majority (88%, $n = 14$) of transfer applications to institutions that align with gender identity were for trans-women; 64% of the applications by trans-women were approved, 21% were denied and 14% were in progress.

Abuse and Trauma Histories of Gender Diverse Offenders

History of abuse was common among this study group, particularly during their

childhood (72%; see Table 6). Overall, in their childhood, 61% reported sexual abuse, 52% reported physical abuse, 43% reported emotional abuse, and 34% reported mental abuse. One-quarter (24%) of offenders reported abuse during adulthood; 15% reported physical abuse, 12% reported emotional abuse, 9% reported sexual abuse and 6% reported mental abuse. In addition, 71% of offenders reported a history of trauma. Among gender diverse Indigenous offenders, 78% had identified Indigenous Social History (ISH) factors in their IPs.

Offenders in the “other” group reported higher rates of abuse than trans-women or trans-men, particularly with respect to childhood sexual abuse. Three-quarters (77%) of offenders in the “other” group reported childhood sexual abuse, compared to 59% of trans-women and 52% of trans-men. Although OMS files were examined to determine any impact of abuse (childhood or adulthood), trauma, or ISH factors on the formation of gender identity or expression, there was no information available that linked the gender diversity of offenders in the study with these factors.

Table 6

Examination of abuse and trauma histories of gender diverse offenders

Indicator	All Gender Diverse Offenders (N = 99)		Gender Diverse Group					
			Trans-Women (N = 61)		Trans-Men (N = 21)		“Other” Group ^a (N = 17)	
	%	(n)	%	(n)	%	(n)	%	(n)
History of childhood abuse	71.7	(71)	72.1	(44)	61.9	(13)	82.4	(14)
<i>Sexual abuse</i>	60.6	(60)	59.0	(36)	52.4	(11)	76.5	(13)
<i>Emotional abuse</i>	43.4	(43)	34.4	(21)	57.1	(12)	58.8	(10)
<i>Physical abuse</i>	51.5	(51)	52.5	(32)	38.1	(8)	64.7	(11)
<i>Mental abuse</i>	34.3	(34)	27.9	(17)	42.9	(9)	47.1	(8)
Abuse during adulthood	24.2	(24)	24.6	(15)	23.8	(5)	23.5	(*)
<i>Sexual abuse</i>	9.1	(9)	11.5	(7)	4.8	(*)	5.9	(*)
<i>Emotional abuse</i>	12.1	(12)	13.1	(8)	14.3	(*)	5.9	(*)
<i>Physical abuse</i>	15.2	(15)	13.1	(8)	19.1	(*)	17.7	(*)
<i>Mental abuse</i>	6.1	(6)	8.2	(5)	4.8	(*)	0.0	(0)
History of trauma	70.7	(70)	70.5	(43)	66.7	(14)	76.5	(13)

Note. ^a The “other” group included: gender fluid, gender non-conforming/non-binary, intersex, two-spirited, or unspecified. *Cell counts with less than five were suppressed.

Gender Diverse Offenders with a Sex Offence History

Analyses specific to gender diverse offenders who had a history of sexual offending ($N = 33$) were undertaken. Almost all offenders (82%) with a sex offence history were trans-women. Table 7 presents the demographic and sex offence history information for offenders with sex offence histories. On average, these offenders were 42 years of age at the time of the study and two-thirds were serving their first federal sentence. Almost half (46%) were serving an indeterminate sentence. The majority (94%) of sex offences were committed while the offenders were living as their biological sex.

Sex offending information is also provided in Table 7. Almost two-thirds (64%) had committed a current sex offence with 88% convicted of prior sex offences. The majority (85%) committed an offence that caused death or serious harm to their victim(s) while 70% inflicted psychological harm on their victim(s). Examination of victimology shows that over half were children (58%) or female (55%). One-third of the offences committed had multiple victims (33%).

Examination of the risk and need profile of these offenders (see Table 8) indicates that the majority were high static risk (91%) and high dynamic need (94%) with almost half (42%) with a low CRI level based on past offending. A third (36%) had responsivity issues and half (58%) were engaged in their correctional plan. Moderate to high motivation (78%) and a moderate to high accountability (64%) characterize the offenders with a sex offence history. Two-thirds had a low reintegration potential (66%).

Table 7

Demographic and sentence information of gender diverse offenders with sex offence history

Indicator	Gender diverse offenders who committed sex offences (N = 33)	
	%	(n)
Gender diverse group		
<i>Trans-women</i>	81.8	(27)
<i>“Other” group</i>	18.2	(6)
Age at study <i>M (SD)</i>	42.1	(11.0)
First federal sentence	63.6	(21)
Sentence length		
<i>6 years or less/more than 6 years (determinate)</i>	54.5	(18)
<i>Indeterminate</i>	45.5	(15)
Most serious offence was sex related	63.6	(21)
Sex offence committed while living as biological sex	93.9	(31)
Schedule 1 offence that caused death/serious harm to victim	84.9	(28)
Current offence information		
<i>Victims were children</i>	57.6	(19)
<i>Threat of violence to victim</i>	33.3	(11)
<i>Violence used against victim</i>	45.4	(15)
<i>Psychological harm to victim</i>	69.7	(23)
Sex offence history	87.8	(29)
Sex offence victimology		
<i>Multiple victims</i>	33.3	(11)
<i>Sex of Victim</i>		
<i>Male only</i>	6.1	(*)
<i>Female only</i>	54.5	(18)
<i>Both</i>	24.2	(8)
<i>Unidentified</i>	15.2	(5)
<i>Age demographic of victim</i>		
<i>Minor only</i>	48.5	(16)
<i>Adult only</i>	9.1	(*)
<i>Both</i>	12.1	(*)
<i>Unidentified</i>	30.3	(10)

Note. M = Mean. SD = Standard deviation. *Cell counts with less than five were suppressed.

Table 8

Criminogenic risk and need information of gender diverse offenders with sex offence history

Indicator	Gender diverse offenders who committed sex offences (<i>N</i> = 33)	
	%	(<i>n</i>)
CRI level		
<i>Low</i>	42.4	(14)
<i>Moderate/high</i>	45.5	(15)
<i>No Rating</i>	12.1	(*)
Average CRI score <i>M</i> (<i>SD</i>)	10.1	(8.5)
Static factor rating - intake		
<i>Low/moderate</i>	9.4	(*)
<i>High</i>	90.6	(29)
Dynamic factor rating - intake		
<i>Low/moderate</i>	6.2	(*)
<i>High</i>	93.8	(30)
Reintegration potential - intake		
<i>Low</i>	65.6	(21)
<i>Moderate/high</i>	34.4	(11)
Motivation level – intake		
<i>Low</i>	21.9	(7)
<i>Moderate/high</i>	78.1	(25)
Accountability level – intake		
<i>Low</i>	36.4	(12)
<i>Moderate/high</i>	63.6	(21)
Responsivity issues	36.4	(12)
Engaged in correctional plan	57.6	(19)

Note. *M* = Mean. *SD* = Standard deviation. ^a CRI level categories are based on biological sex/legally recognized gender. *Cell counts with less than five were suppressed.

Indicators of Institutional Adjustment

Results for institutional adjustment prior to the disclosure of their gender diversity are displayed in Appendix C. Table 9 shows information regarding guilty disciplinary charges, institutional incidents, institutional transfers, and SLE admission after the identification of their gender diversity. Almost half (47%) of the study group incurred a disciplinary charge, where 43% had a minor charge and 26% had a serious charge. Over half of trans-men incurred a disciplinary charge (62% versus 41% for trans-women and 47% for the “other” group).

Two-thirds (66%) of the study group had institutional incidents, with trans-men having the highest proportion of incidents compared to trans-women and the “other” group (81% versus 59% and 71%, respectively). Almost half (49%) of institutional incidents for the study group were related to their behaviour¹⁷, with the highest proportion evident for the “other” group. Trans-women and the “other” group had comparable rates of institutional transfers (33% versus 29%, respectively) compared to trans-men (10%).

For disciplinary charges and institutional incidents prior to the disclosure of their gender diversity (see Table C1, Appendix C), 80% of the study group had a disciplinary charge, with all of the trans-men (100%) incurring a charge compared to 74% for trans-women and 77% for the “other” group. Similarly, the majority of the study group (90%) had an institutional incident, where all of the trans-men (100%) had an institutional incident compared to 89% for trans-women and 82% for the “other” group. While 22% of the study group had an admission to SLE after the disclosure of their gender diversity, there were no offenders in the study group that were admitted prior to their gender diversity disclosure.

¹⁷ Behaviour-related incidents include disruptive behaviour, disciplinary problems (fail to follow orders or disrespectful behaviour), minor disturbances (offender behaviour that impacts the routine of a unit), and major disturbances (offender behaviour that impacts the routine of the overall institution).

Table 9

Institutional adjustment of gender diverse offenders

Indicator	Gender Diverse Group							
	All Gender Diverse Offenders (N = 99)		Trans-Women (N = 61)		Trans-Men (N = 21)		“Other Group” ^a (N = 17)	
	%	(n)	%	(n)	%	(n)	%	(n)
Guilty disciplinary charges	46.5	(46)	41.0	(25)	61.9	(13)	47.1	(8)
<i>Minor charges</i>	43.4	(43)	39.3	(24)	57.1	(12)	41.2	(7)
<i>Average number of minor charges M (SD)</i>	1.5	(3.0)	1.1	(2.5)	2.1	(2.4)	2.4	(4.7)
<i>Serious charges</i>	26.3	(26)	21.3	(13)	28.6	(6)	41.2	(7)
<i>Average number of serious charges M (SD)</i>	0.7	(1.7)	0.4	(1.1)	0.5	(.9)	1.9	(3.3)
Institutional incidents	65.7	(65)	59.0	(36)	81.0	(17)	70.6	(12)
<i>Assault</i>	36.4	(36)	27.9	(17)	47.6	(10)	52.9	(9)
<i>Contraband</i>	34.3	(34)	26.2	(16)	47.6	(10)	47.1	(8)
<i>Escape</i>	2.0	(*)	1.6	(*)	0.0	(0)	5.9	(*)
<i>Behaviour</i>	48.5	(48)	42.6	(26)	52.4	(11)	64.7	(11)
<i>Death</i>	0.0	(0)	0.0	(0)	0.0	(0)	0.0	(0)
<i>Miscellaneous</i>	28.3	(28)	24.6	(15)	33.3	(7)	35.3	(6)
<i>Property</i>	5.1	(5)	3.3	(*)	0.0	(0)	17.6	(*)
<i>Self-injurious</i>	20.2	(20)	16.4	(10)	23.8	(5)	29.4	(5)
History of institutional transfers ^b	27.3	(27)	32.8	(20)	9.5	(*)	29.4	(5)
<i>Men to women</i>	5.1	(5)	6.6	(*)	0.0	(0)	5.9	(*)
<i>Women to men</i>	2.0	(*)	3.3	(*)	0.0	(0)	0.0	(0)
Average number of transfers <i>M (SD)</i>	0.5	(1.1)	0.6	(1.1)	0.1	(0.3)	0.7	(1.7)
SLE admission	22.2	(22)	16.4	(10)	38.1	(8)	23.5	(*)

Note. SLE = structured living environment. M = mean. SD = standard deviation. ^a The “other” group included: gender fluid, gender non-conforming, intersex, two-spirited, or unspecified. ^b History of institutional transfers included emergency, regional and inter-regional transfers; transfers were not restricted to those for gender identity purposes. *Cell counts with less than five were suppressed.

Correctional Programming and Interventions

Table 10 displays correctional programming¹⁸ and intervention participation for gender diverse offenders throughout their sentence. Almost all of the study group (98%) was referred for correctional programming, with 80% participating in a nationally recognized correctional program. Of those who participated, 89% completed the program. Comparisons across study subgroups demonstrated that the majority of trans-men completed moderate intensity programming (86%) compared to trans-women (64%) and the “other” group (53%). In contrast, about one-third of trans-men, compared to one-quarter of trans-women and the “other” group completed high intensity programming (33% versus 28% and 29%, respectively). Almost two-thirds (62%) of the study group participated in education, with trans-men having the highest proportion of education participation (86%) compared to trans-women (56%) and the “other” group (53%). In addition, two-thirds of trans-men participated in institutional employment (67%) while trans-women and the “other” group were less likely to participate (39% and 24%, respectively).

¹⁸ Correctional programming includes nationally recognized correctional programs with specialized program areas (previous program cadre) as well as CSC’s current holistic programming model (Integrated Correctional Program Model or Women Offender Correctional Programs).

Table 10

Correctional programming and intervention participation information for gender diverse offenders throughout their sentence

Indicator	Gender Diverse Group							
	All Gender Diverse Offenders (N = 99)		Trans-Women (N = 61)		Trans-Men (N = 21)		“Other” Group ^a (N = 17)	
	%	(n)	%	(n)	%	(n)	%	(n)
Referred for correctional programming	98.0	(97)	98.4	(60)	100.0	(21)	94.1	(16)
Participated in a main program	79.8	(79)	75.4	(46)	95.2	(20)	76.5	(13)
Completed main correctional programming	73.7	(73)	68.9	(42)	90.5	(19)	70.6	(12)
Completed moderate intensity	66.7	(66)	63.9	(39)	85.7	(18)	52.9	(9)
Completed high intensity	29.3	(29)	27.9	(17)	33.3	(7)	29.4	(5)
Participated in education	61.6	(61)	55.7	(34)	85.7	(18)	52.9	(9)
Participated in institutional employment	42.4	(42)	39.3	(24)	66.7	(14)	23.5	(*)

Note. ^a The “other” group included: gender fluid, gender non-conforming, intersex, two-spirited, or unspecified. *Cell counts with less than five were suppressed.

Post-Release Outcomes

Table 11 displays the release characteristics and post-release outcomes for gender diverse offenders. In total, 27% ($n = 27$) of the study group were released into the community during the study period, with the majority of offenders (70%) having a statutory release. Trans-women were most likely to be released on day or full parole (58% compared to 9% and 0%). Slightly less than half of the study group (44%) had a residency condition imposed upon release, with trans-women least likely to have this condition than the other subgroups (25% versus 55% and 75%).

Results showed that 37% of the study group were suspended during the study period. Sub-analysis by subgroup indicates that trans-men had a higher proportion of suspensions (46%) compared to trans-women (17%); the “other” group (75%) also had a high proportion, but the number on release was quite small ($N = 4$). In terms of the reasons for suspensions, the majority of the study group (70%) had a suspension due to a breach of their conditions. Sixty percent of trans-men, 50% of trans-women, and 100% of the “other” group breached their conditions. Twenty percent of the study group had a suspension due to prevent a breach. Too few offenders returned to custody, therefore this was not possible to examine.

Table 11

Release characteristics and post-release outcomes of gender diverse offenders

Indicator	All Gender Diverse Offenders (<i>N</i> = 27)	Gender Diverse Group						
		Trans-Women (<i>N</i> = 12)		Trans-Men (<i>N</i> = 11)		“Other” Group ^a (<i>N</i> = 4)		
		%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)	
Release type								
<i>Day parole or full parole</i>	29.6	(8)	58.3	(7)	9.1	(*)	0.0	(0)
<i>Statutory release</i>	70.4	(19)	41.7	(5)	90.9	(10)	100.0	(*)
Residency condition on release	44.4	(12)	25.0	(*)	54.6	(6)	75.0	(*)
OSL at release								
<i>Minimum</i>	37.0	(10)	58.3	(7)	27.3	(*)	0.0	(0)
<i>Medium</i>	51.9	(14)	33.3	(*)	54.5	(6)	100.0	(*)
<i>Maximum</i>	11.1	(*)	8.4	(*)	18.2	(*)	0.0	(0)
Suspension of release	37.0	(10)	16.7	(*)	45.5	(5)	75.0	(*)

Note. OSL = Offender security level. ^aThe “other” group included: gender fluid, gender non-conforming, intersex, two-spirited, or unspecified. *Cell counts with less than five were suppressed.

Discussion

This is the first study to provide a profile of gender diverse federal offenders in Canada. Demographic, sentence and offence, and criminogenic risk and need information were examined, as well as institutional behaviour and post-release outcomes. In addition, file coding allowed for the examination of operational accommodation preferences for gender diverse offenders, abuse and trauma histories, and the sex offence characteristics for those in the study population with sex offending histories.

In total, 99 gender diverse federal offenders were identified, representing 0.4 % of offenders under CSC jurisdiction during the study period. Recent literature in Canada indicates that potentially 0.5% to 3% of the general adult population may identify as transgender¹⁹ (Bauer et al., 2015; Conron et al., 2012; House of Commons Standing Committee on Health [HESA], 2019), suggesting that of the 23,102 offenders under CSC jurisdiction at the end of 2019-2020,²⁰ 116 to 693 of offenders may be gender diverse. These estimates indicate that the number of offenders included in this study may underrepresent gender diverse offenders under CSC jurisdiction, as previous research suggests gender diverse people are overrepresented in criminal justice populations (Gorden et al., 2017; James et al., 2016; Meyer et al., 2017). It is interesting to note, as well, that almost two-thirds of the offenders in this study were serving a sentence of six years or more (39% indeterminate), compared to 47% in the general offender population. These findings suggest that gender diverse offenders serving shorter sentences may be less inclined to disclose that information or to request accommodation from CSC based on their gender identity. Although one could also infer that gender diverse offenders commit more serious offences based on the offence profile of this study, thereby serving longer sentences, some research indicates that gender diverse individuals are more likely to commit drug-related, sex trade, or property offences (Rodgers, Asquith, & Dwyer, 2017; Sexton, Jenness, & Sumner, 2010).

Almost half of the offenders in the study were Indigenous compared to one-quarter in the general offender population (CSC, 2020). On average, gender diverse offenders were forty years

¹⁹ Some groups include gender fluid, gender non-conforming, non-binary, intersex, and two-spirited people under the trans umbrella while others identify them as separate categories on the gender identity spectrum, therefore these estimates may be conservative (HESA, 2019; Kuper, Nussbaum, & Mustanski, 2012).

²⁰ Offender profile information provided by the Corporate Reporting System-Modernized (CRS-M) for FY2019-2020 (CSC, 2020).

of age with two-thirds indicating that they were single. This demonstrates an older population that is culturally diverse but that may not have strong familial support, especially as two-thirds have a moderate to high need in the marital/family domain. Sixty percent of gender diverse offenders were managed in the Ontario or Pacific regions, possibly allowing for targeting of specific supports and interventions for these offenders in those regions, as well as enhancing training for staff in those regions regarding gender diverse offenders.

Trans-women were the greatest proportion of gender diverse offenders (62%). Although some media sources indicate that trans-women are more visible in custody than trans-men (Sosin, 2020), there is also research showing that trans-women are more likely to experience verbal, physical, and sexual assault while in-custody, particularly when housed according to their biological sex (Routh et al., 2015). This may explain why a greater proportion of gender diverse offenders were trans-women, as they may have greater need for accommodations than other gender diverse offenders. A 2015 community based survey indicated that one-third of respondents as trans-women, 29% as trans-men, and 35% as non-binary or genderqueer (these categories would include gender fluid, gender non-conforming, intersex, and two-spirited; James et al., 2016). Based on these estimates, trans-women are likely over-represented within the study cohort, which decreases the overall generalizability of these findings to gender diverse offenders who do not identify as trans-women.

A majority of gender diverse offenders had committed violent crimes, while two-fifths were on a second or subsequent federal sentence, indicating that the study group had an entrenched and violent criminal history. The group is identified as high static and dynamic risk, with 60% assessed as having a low reintegration potential at intake. Responsivity issues were evident in this cohort, and personal/emotional orientation, substance abuse, and attitudes were the three main need domain areas of concern for the overall group. In addition, one-third of the offenders in the study had committed either current or past sexual offences; these offenders were higher static risk and dynamic need and were less engaged in their correctional plan than the overall study group. Sexual offending indicators showed that the majority of these offences were committed while the offender was living as their biological sex, and that the highest proportion of victims were children or female. In addition, a majority of this sub-group had caused death/serious harm to their victim(s). Due to these factors, gender diverse offenders with sex offence histories present unique operational considerations for institutional placement and

correctional programming. Further research to understand the criminal offence cycles of gender diverse offenders is warranted, particularly for offenders with a history of sexual offending.

Gender diverse offenders have an extensive history of childhood abuse (72%) and trauma (71%) according to file review coding. Among those with available DFIA-R information, two-thirds of gender diverse offenders had a history of childhood abuse. In comparison, Stewart and colleagues (2017) found that one-third of men and over half of women offenders had a history of childhood abuse, although the type of abuse was not identified. Many offenders in the study group experienced multiple forms of abuse (sexual, physical, emotional, and mental), and one-quarter has experienced abuse during adulthood as well. These results demonstrate that gender diverse offenders would benefit from support and services that would assist them in dealing with their abuse and trauma histories. Research indicates that transgender offenders are more likely than other LGBTQ2+ groups and general offender and community populations to experience assault, abuse, and harm (Bauer et al, 2015; HESA 2019; James, 2016; Sosin, 2020).

This study also examined the specific accommodations requested by gender diverse offenders in relation to staff interactions, programming, and spiritual activity participation. Among offenders who indicated a preference related to staff interaction, offenders were more likely to identify preferences for female staff. One important consideration is that these preferences were recorded for instances where there was the potential for either physical contact (e.g., searches) or offender nudity (e.g., urinalysis testing or decontamination showers). Therefore, these results should not be considered as restrictive to the normal day-to-day operation of institutions or the assignment of case management staff to support offenders in their reintegration, but may help inform staffing ratios for correctional officers based on gender.

Almost half of the study group had a guilty disciplinary charge while two-thirds had committed an institutional incident during the study period.²¹ Behavioural related incidents were most common, regardless of subgroup. Trans-men had more problematic institutional behaviour as evidenced by the higher proportion of charges or incidents. They were least likely, however, to have institutional transfers during the study period. Trans-women, on the other hand, were more likely to have a history of institutional transfers, particularly from men's to women's

²¹ Although institutional behaviour examined two time frames (prior to gender identity disclosure and after), the post-disclosure behaviour is examined in the discussion. Also, comparisons across the time frames should be undertaken with caution as time at risk was not accounted for in these analyses; the median number of days prior to the study period was almost 1,000 compared to a year following the gender identity disclosure.

facilities. Based on the coding information, very few (16%) of the study cohort had requested a transfer specific to their gender identity, with the majority of these requests coming from trans-women offenders. These findings demonstrate that institutional transfers were not used as a management tool for offender behaviour but were more often the result of ensuring that gender diverse offenders were housed in a facility that aligned with their gender identity.

Three-quarters of gender diverse offenders completed correctional programs, with two-thirds completing moderate intensity programming. Correctional programming within CSC is designed to address the specific criminogenic risk and need profiles of women and men offenders based on research and best practices. Although the small number of offenders in the sample did not allow for an examination of the effectiveness of correctional programming or the appropriate stream for this population, future research in this area would be warranted once a sufficient number of gender diverse offenders has been identified. In addition, two-thirds of the study group also participated in educational interventions while almost half participated in institutional employment opportunities. Overall, these results indicate that gender diverse offenders were actively engaged in addressing their criminogenic needs during their incarceration.

One-quarter of the study cohort were released, with almost three-quarters released on statutory release. A high proportion of the study group also had a residency condition upon release. Despite these indicators of a higher risk/need group, slightly more than one-third of offenders had a suspension of their release during the study period. Although the follow-up period for release was less than a year, this indicates that gender diverse offenders can be supported in their reintegration into the community.

This descriptive profile of gender diverse offenders under CSC's jurisdiction is the first step in exploring the population of gender diverse offenders. CSC continues to enhance intake assessment practices and the OMS to ensure that gender diverse offenders are identified and supported. During the preliminary assessment process at admission to a CSC facility, case management staff is required to record whether the offender discloses their gender diversity. Furthermore, a new module in OMS formally captures the information from the individualized protocol, and is retroactive for all offenders under CSC jurisdiction as of December 2019. Finally, OMS allows for the identification of an "other" gender identity category for offenders who do not align with the male or female sex-based identification previously available in OMS.

With these data capture enhancements, the potential for an updated quantitative examination of gender diverse offenders in three to five years would increase our understanding and knowledge of this population.

Furthermore, with greater ability to identify gender diverse offenders, and once sufficient sample sizes are available, CSC can undertake research that would allow for the examination of the reliability and validity of risk assessment measures, examination of the impact of correctional programs and interventions, and explore the reintegration process for gender diverse offenders. In the interim, further quantitative research is planned to compare profiles of gender diverse offenders with in-custody populations at men's and women's federal correctional institutions. Qualitative research approaches may also be explored. Interviewing gender diverse offenders would allow CSC to examine their criminal offending patterns, institutional adjustment, and post-release experiences in their own words. Additionally, this may provide opportunities for gender diverse offenders who do not wish to have their gender identity needs formally accommodated to lend their voices to enhance CSC's knowledge of gender diverse offenders, what it means to have gender identity needs, and how their needs could be supported. In addition, examining the experiences of staff who work with gender diverse offenders, including how diversity training support these staff in their work, may be beneficial. Such research would also identify potential training or knowledge gaps for staff. Although some initial qualitative studies with federal offenders and CSC staff have been conducted, additional work in this area would be beneficial (Hebert, 2019, 2020; Ricciardelli, Phoenix, & Gacek, 2020; Vandenbroeck, 2020).

All research studies have limitations. A major limitation of this study is the small sample size. Although descriptive studies can provide a basic understanding of a group or population, we were not able to explore how these characteristics impact on offender behaviour in-custody, correctional program participation and completion, or post-release success. Furthermore, although we were able to examine characteristics across subgroups, it is evident from both these results and other research that the subgroups are heterogeneous and larger sample sizes would allow for a more in-depth examination of these subgroups (e.g., ethnocultural offenders, across age categories, etc.). Finally, as these offenders disclosed their gender specific needs to CSC, the results may not be generalizable to all gender diverse offenders under CSC jurisdiction.

Conclusions

This study provides an initial descriptive profile of federal gender diverse offenders. With enhanced data capacity for the identification of gender diverse offenders, future research will be able to expand on this work and enhance our knowledge concerning this subpopulation.

References

- Arizona Department of Corrections Rehabilitation and Reentry. (2021). 810 – management of LGBTI inmates. *Department of Order Manual*.
https://corrections.az.gov/sites/default/files/policies/800/0810_041521.pdf.
- Associated Press of Rio de Janeiro. (2015, July 28). Rio prisons aim to curb abuse against trans inmates with new regulations. *The Guardian*.
<https://www.theguardian.com/world/2015/jul/28/rio-prisons-abuse-transgender-inmates>.
- Beard, J. (2018). *Transgender offenders*. UK Parliamentary Papers (Report No. 07420). UK House of Commons.
- Bauer, G.R., Scheim, A.I., Pyne, J., Travers, R., & Hammond, R. (2015). Intervenable factors associated with suicide risk in transgender persons: a respondent driven sampling study in Ontario, Canada. *BMC Public Health*, 15, 525. <https://doi.org/10.1186/s12889-015-1867-2>.
- Bent Bars Project. (2011). *About the project*. Retrieved from:
<http://www.bentbarsproject.org/about>.
- California Department of Corrections and Rehabilitation. (2018). *Transgender inmates – authorized personnel property schedule*. Retrieved from: <https://www.cdcr.ca.gov/wp-content/uploads/sites/171/2019/06/transgender-inmates-authorized-personal-property-schedule.pdf>.
- Colorado Department of Corrections. (2019). Practices concerning transgender offenders. *Offender health services*. Retrieved from:
<https://drive.google.com/file/d/1JULY18Ojom9C4S9OKxEAKahBL0ZuAqI7J/view>.
- Conron KJ, Scott G, Stowell GS, Landers SJ. (2012). Transgender health in Massachusetts: results from a household probability sample of adults. *American Journal of Public Health*, 102, 118–122.
- Cook, James. (2020, February 11). The dividing lines over Scotland’s gender laws. *BBC News*.
<https://www.bbc.com/news/uk-scotland-51445579>.
- Correctional Service Canada. (2017). *Interim policy bulletin 584 Bill C-16 (Gender Identity or Expression)*. Ottawa, ON: Author.
- Correctional Service Canada. (2018). *Fact sheet for employees: CSC interim policy bulleting on gender identify or gender expression*. Ottawa, ON: Author.
- Correctional Service Canada. (2020). *Offender profile FY2019-2020*. Retrieved from the Corporate Reporting System-Modernized (CRS-M) on October 7, 2020.

- Department of Corrections. (2015). Gender identification, care, and custody #432.01. *Chapter: Correctional Services*.
<https://doc.vermont.gov/sites/correct/files/documents/policy/correctional/432.01-gender-identification-care-and-custody.pdf>.
- Department of Correctional Services. (2020). Health and wellbeing – transgender and intersex prisoners. *Government of South Australia*. Retrieved from:
<https://www.corrections.sa.gov.au/prison/prison-life/prisoner-health-and-well-being>.
- Department of Corrections. (2018). *New transgender guidelines come into force*. New Zealand Government. Retrieved from:
https://www.corrections.govt.nz/resources/newsletters_and_brochures/corrections_works/2018/corrections_works_march_2018/new_transgender_guidelines_come_into_force.
- Division of Adult Institutions. (2011). Transgender inmates. *Policy and Procedures*.
<https://doc.wi.gov/DepartmentPoliciesDAI/5007027.pdf>.
- Elizabeth Fry Society of Edmonton. (2019). A handbook for provincially incarcerated women. *Human Rights in Action*. Retrieved from:
<https://www.efryedmonton.ab.ca/files/HRIA%20Handbook%20with%20bleed%2002-18-2018.pdf>
- Federal Bureau of Prisons. (2018). *Change notice – transgender offender manual*. (Report 5200.04 CN-1). <https://www.bop.gov/policy/progstat/5200-04-cn-1.pdf>.
- Federal Bureau of Prisons. (2016). *Clinical Guidance: Medical management of transgender inmates*. Federal Bureau of Prisons.
https://www.bop.gov/resources/pdfs/trans_guide_dec_2016.pdf.
- Georgia Department of Corrections. (2019). Classification and management of transgender and intersex offenders. *Standard Operating Procedures*. Retrieved from:
<https://www.powerdms.com/public/GADOC/documents/456684>.
- Gorden, C., Hughes, C., Roberts, D., Astbury-Ward, E., & Dubberley, S. (2017). A literature review of transgender people in prison: An ‘invisible’ population in England and Wales. *Prison Service Journal*, 233, 11–22.
- Hébert, W. (2019). Prisoner’s of paradox: Ambivalent trans-affirmation in the Canadian prison (Unpublished doctoral dissertation). University of Toronto. Toronto, Canada.
- Hébert, W. (2020). Trans rights as risks: On the ambivalent implementation of Canada's groundbreaking trans prison reform. *Canadian Journal of Law and Society*, 35(2), 221-244. <https://www.muse.jhu.edu/article/776079>.
- Her Majesty’s Prison and Probation Service. (2016). *Review on the care and management of transgender offenders*. Ministry of Justice.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/566829/transgender-review-findings-print.PDF.

Her Majesty's Prison and Probation Service. (2020). *The care and management of individuals who are transgender*. Ministry of Justice.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/863610/transgender-pf.pdf.

Hochdorn, A., Falerios, V. P., Valerio, P., & Vitelli, R. (2018). Narratives of transgender people detained in prison: the role played by the utterances “not” (as a feeling of hetero- and auto-rejection) and “exist” (as a feeling of hetero- and auto-acceptance) for the construction of a discursive self. A suggestion of goals and strategies for psychological counselling. *Frontiers in Psychology*, 8, 1-19. doi:10.3389/fpsyg.2017.02367.

House of Commons Standing Committee on Health [HESA]. (2019). *The health of LGBTQIA2 communities in Canada*. 42nd Parl., 1st sess. Rept. 28. Retrieved from: <https://www.ourcommons.ca/Committees/en/HESA/StudyActivity?studyActivityId=10450698>.

Indiana Department of Corrections. (2019). Transgender and intersex offenders. *Policy and Administrative Procedure*. Retrieved from: <https://www.in.gov/idoc/files/02-01-118%20Transgender%20Offenders%204-1-2019.pdf>.

James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). *The Report of the 2015 U.S. Transgender Survey*. Washington, DC: National Center for Transgender Equality.

Kentucky Department of Corrections. (2018). Lesbian, gay, bisexual, transgender, and intersex offenders. *Policy and Procedures*. Retrieved from: <https://corrections.ky.gov/About/cpp/Documents/14/ CPP%2014.8.pdf>.

Kuper, L. E., Nussbaum, R., & Mustanski, B. (2012). Exploring the diversity of gender and sexual orientation identities in an online sample of transgender individuals. *Journal of Sex Research*, 49, 244–254. <https://doi.org/10.1080=00224499.2011.596954>.

Louisiana Department of Public Safety and Corrections. (2017). Field operations (no. C-01-022). *Department Regulations*. <https://doc.louisiana.gov/wp-content/uploads/2020/06/C-01-022-Prison-Rape-Elimination-Act-PREA.pdf>.

Maine Department of Corrections. (2020). Management of transgender, gender nonconforming, and intersex residents. *Policy Number 18.8*. <https://www.maine.gov/corrections/sites/maine.gov.corrections/files/inline-files/41179328.pdf>.

Massachusetts Department of Correction. (2016). Identification, treatment and correctional management of inmates diagnosed with gender dysphoria. *Files*.

- <https://www.mass.gov/files/documents/2016/09/qz/652.pdf>.
- Meyer IH, Flores AR, Stemple L, Romero AP, Wilson BD, Herman JL. (2017). Incarceration rates and traits of sexual minorities in the United States: national inmate survey 2011–2012. *American Journal of Public Health, 107*, 267–73.
- Ministry of the Solicitor General. (2016). Policy and guidelines. *Corrections – trans inmate policy*. Retrieved from: https://www.mcscs.jus.gov.on.ca/english/corr_serv/PoliciesandGuidelines/CS_trans.html.
- Moshtaghian, A., & Levenson, E., (2020, September 27). California requires correctional facilities to house transgender inmates based on gender identity. *CNN*. <https://www.cnn.com/2020/09/27/us/california-transgender-inmates-trnd/index.html>.
- New Mexico Corrections Department. (2017). Transgender inmates. *Policies*. <https://cd.nm.gov/wp-content/uploads/2021/04/CD-150800.pdf>.
- North Carolina Department of Public Safety and Prisons. (2018). Evaluation and management of transgender offenders. *Health Service Policy & Procedure Manual*. <https://files.nc.gov/ncdps/Transgender.pdf>.
- NSW Corrective Services. (2018). *Custodial Operations Policy and Procedures: Transgender and intersex inmates*. New South Wales Corrective Services. <https://www.correctiveservices.justice.nsw.gov.au/Documents/copp/transgender-and-intersex-inmates-redacted.pdf>.
- Ohio Department of Rehabilitation and Correction. (2018). Lesbian, gay, bisexual, transgender, intersex (LGBTI) policy. *Inmate Sexual Assault Policies*. Retrieved from: <https://drc.ohio.gov/Portals/0/Policies/DRC%20Policies/79-ISA-05%20%28July%202018%29.pdf>.
- Pennsylvania Department of Corrections. (2019). Prison rape elimination act (PREA). *Policy Statement*. Retrieved from: <https://www.cor.pa.gov/About%20Us/Documents/DOC%20Policies/dc-adm-008.pdf>.
- Phenix, A., Fernandez, Y., Harris, A. J. R., Helmus, M., Hanson, R. K. & Thornton, D. (2016). *Static-99R Coding Rules Revised, 2016*. Available at www.static99.org.
- Prisoner Correspondence Project. (2020). *About us*. Retrieved from <https://prisoner Correspondence Project.com/about-us/>.
- Rainbow Health Ontario. (2018). *Service provider directory: Stacey Love-Jolicoeur*. Retrieved from: <https://www.rainbowhealthontario.ca/service-directory/stacey-love-jolicoeur/>.
- Ricciardelli, R., Phoenix, J., & Gacek, J. (2020). ‘It’s complicated’ : Canadian correctional officer recruits’ interpretations of issues relating to the presence of transgender

prisoners. *The Howard Journal of Crime and Justice*, 59(1), pp. 86-104.
<https://doi.org/10.1111/hojo.12354>.

Rodgers, J., Asquith, N., & Dwyer, A. (2017). Cismornmativity, cirminalisation, vulnerability: Transgender people in prisons. *Briefing Paper No. 12*. Tasmania, Australia: Tasmanian Institute of Law Enforcement Studies.

Routh, D., Abess, G., Makin, D., Stohr, M., Hemmens, C. & Yoo, J. (2015). Transgender Inmates in Prisons: A Review of Applicable Statutes and Policies. *International journal of offender therapy and comparative criminology*, 61, 1-22.
<https://doi.org/10.1177/0306624X15603745>.

Scottish Trans Alliance. (2020). *Our Work: Training*. Retrieved from:
<https://www.scottishtrans.org/our-work/training/>.

Sexton, L., Jenness, V., & Sumner, J. M. (2010). Where the Margins Meet: A Demographic Assessment of Transgender Inmates in Men's Prisons. *Justice Quarterly*, 27(6), 835-866. DOI: 10.1080/07418820903419010.

Shaw, D. (2019, March 3). First UK transgender prison unit to open. *BBC News*.
<https://www.bbc.com/news/uk-47434730>.

Sosin, K. (2020). NBC News: Trans, imprisoned, - and trapped. Retrieved at:
<https://www.nbcnews.com/feature/nbc-out/transgender-women-are-nearly-always-incarcerated-men-s-putting-many-n1142436>.

South Carolina Department of Corrections. (2017). Care and Custody of Transgender Inmates and Inmates Diagnosed with Gender Dysphoria. *SCDC Policy*. Retrieved from:
<http://www.doc.sc.gov/policy/GA-06-09.htm.pdf>.

South Dakota Department of Corrections. (2021). Management of gender dysphoria (1.4.E.13). *Policy*.
<https://doc.sd.gov/documents/Management%20of%20Gender%20Dysphoria612021.pdf>.

State of Alabama Department of Corrections. (2018). Gender dysphoria (AR-637). *OPR: Office of Health Services*. <http://www.doc.state.al.us/docs/AdminRegs/AR637.pdf>.

State of Connecticut Department of Correction. (2018). Gender non-conforming. *Administrative Directive*. <https://portal.ct.gov/-/media/DOC/Pdf/Ad/AD0817.pdf?la=en>.

State of Delaware Department of Correction. (2018). Treatment of transgender persons. *Policy (E-14)*. https://doc.delaware.gov/assets/documents/policies/policy_11-E-14.pdf.

State of Iowa Department of Corrections. (2021). Management of gender dysphoria (HSP-704). *Policy and Procedures*. https://doc.iowa.gov/sites/default/files/hsp-704_management_of_gender_dysphoria_5.pdf.

- State of Washington Department of Corrections. (2020). Transgender, intersex and/or gender non-conforming housing and supervision. *Policy*. Retrieved from: <https://www.doc.wa.gov/information/policies/showFile.aspx?name=490700>.
- Stewart, L. A., Wardrop, K., Wilton, G., Thompson, J., Derkzen, D., & Motiuk, L. (2017). Reliability and validity of the dynamic factors identification and analysis – revised (R-395). Ottawa, ON: Correctional Service of Canada.
- Tasmania Prison Service. (2020). *Director’s Standing Order: Transgender prisoners*. https://www.justice.tas.gov.au/_data/assets/pdf_file/0020/562016/2-15-Transgender-Prisoners-DSO_VER-2.pdf.
- Texas Department of Criminal Justice. (2017). Safe prisons/PREA plan. *Correctional Institutions Division*. Retrieved from: https://www.tdcj.texas.gov/divisions/cmhc/docs/cmhc_policy_manual/G-51.11.pdf.
- Times of Malta. (2016, August 18). Transgender policy for prisons launched. *Times of Malta*. <https://timesofmalta.com/articles/view/trange-nder-policy-for-prisons-launched.622376>.
- Tokarski, L. (2016). Transgender offenders. *Government of Saskatchewan: Corrections and policing*. Retrieved from: <https://publications.saskatchewan.ca/#/products/102055>.
- UK Legislation. (2004). *Gender Recognition Act 2004*. <http://www.legislation.gov.uk/ukpga/2004/7/contents>.
- Vandenbroeck, L-R. (2020). The lived experience of a male-to-female transgender individual incarcerated in a men’s correctional institution (Unpublished master’s thesis). University of Manitoba. Winnipeg, Manitoba.
- Virginia Department of Corrections. (2019). Transferred offender receiving and orientation. *Offender Management and Programs*. <https://www.vadoc.virginia.gov/files/operating-procedures/800/vadoc-op-810-2.pdf>.
- Wagner, M. (2014, November 19). ‘We’re their family’: inmates in L.A. jail’s gay wing form close-knit, creative community behind bars. *New York Daily News*. <https://www.nydailynews.com/news/national/inmates-jail-gay-wing-form-close-knit-community-article-1.2016306>.
- Webb, A., Heyne, G., Holmes, J.E., & Peta, J.L. (2016). *Which box to check: assessment norms for gender and the implications for transgender and nonbinary populations*. Society for the Psychology of Sexual Orientation and Gender Diversity. Retrieved from: <https://www.apadivisions.org/division-44/publications/newsletters/division/2016/04/nonbinary-populations>.

Appendix A: Glossary of Gender Related Terminology²²

Gender diverse offenders: For this study, gender diverse offenders are individuals who requested accommodation due to their gender identity or expression as defined in the Interim Policy Bulletin 584. This includes offenders who are transgender, non-binary, gender fluid, intersex, and two-spirit.

Gender identity: a person's internal and individual experience of gender. It is their sense of being a man, woman, both or neither or anywhere on the gender continuum.

Gender expression: how a person publicly presents their gender. This can include behaviour and outward appearance, such as clothing, make-up, and voice. Chosen names and pronouns are also gender expression.

Transgender: an umbrella term for a person whose gender identity differs with their sex assigned at birth. This can include but is not limited to persons who identify as non-binary, gender non-conforming, gender fluid, androgynous, and two-spirit.

Non-binary: a gender identity that may include elements of male, female, androgynous, fluid, multiple and even no gender.

Gender fluid: a person whose gender may vary over time, and may include male, female and non-binary gender identities.

Intersex: a person born with genetic, reproductive or sexual anatomy that does not conform to what is typically expected for a boy or girl.

Two-spirit(ed): term used in some Indigenous communities to describe gay, lesbian and transgender people. It can also describe a person with both a male and female spirit.

Pan-sexual: an individual with the capacity for emotional and physical attraction anywhere on the gender spectrum.

²² Correctional Service Canada. (2018). *Fact sheet for employees: CSC interim policy bulleting on gender identify or gender expression*. Ottawa, ON: Author.

Appendix B: Gender Diverse Offenders in Other Correctional Jurisdictions

Jurisdiction	Assessment Practices	Management Practices	Intervention Practices	Limitations	Reference/link
United Kingdom					
England and Wales	Changes to current practices not indicated.	Gender Recognition Certificate (GRC) allows individual to officially declare gender identity. Required to transfer institutions based on gender identity. One transgender wing in a women's facility in England – houses three transgender offenders that are segregated from general population.	Bent Bars Project: pairs up LGBTQ2+ offender with penal from LGBTQ2+ community outside the institution.	Do not house transgender offenders in a facility that matches the gender of their victim(s), even if it matches their gender identity.	Beard (2018) Bent Bars Project (2011) Shaw (2019).
Northern Ireland	Case-by-case basis.	Case-by-case basis.	Case-by-case basis.		Beard (2018).
Scotland		Also has GRC but is not necessary for any accommodations, like transfers, based on gender identity.			
Italy		At least three institutions house trans-women offenders in a sub-wing that is segregated from the rest of the prison population. Offenders are permitted to wear female clothing, use make-up and continue their hormone therapy treatments.		Policy is not clear regarding trans-men offenders.	Hochdorn et al. (2018)

Jurisdiction	Assessment Practices	Management Practices	Intervention Practices	Limitations	Reference/link
Australia					
New South Wales		<p>Offenders declare their gender identity at intake. If offender has legal documentation of their gender identity, they are automatically placed in the corresponding facility. Those that do not have such documents are assessed to determine appropriate action.</p> <p>All strip and frisk searches are done by staff member of appropriate gender.</p> <p>Offender may choose clothing that best represents gender identity and expression.</p> <p>May access hormone therapy if desired, following medical assessment.</p>	Offenders have access to all services and when possible, community and legal services specific to the LGBTQ2+ community.		NWS Corrective Services (2018).
Tasmania	<p>Correctional Primary Health Services (CPHS) are responsible to assessing needs and risks of trans offenders. CPHS is involved in assessing placement and involvement in programs.</p>	<p>Offenders declare gender identity at intake.</p> <p>Until decision is made concerning placement, offenders with gender diverse offenders are placed in a single-cell unit with separate toilet and showers.</p> <p>Offenders are not allowed to undergo gender confirming surgery while in custody but may continue hormone therapy at their own expense.</p>			Tasmania Prison Service (2020).
South Australia		An individualized support plan is created for transgender and intersex offenders (no additional information available).			Department of Correctional Services (2020).

Jurisdiction	Assessment Practices	Management Practices	Intervention Practices	Limitations	Reference/link
New Zealand		Offenders can request an individualized support plan. The ‘transgender’ alert must be reviewed every three months. This alert includes preferred name and pronouns, and their preference for searches.			Department of Corrections (2018).
United States		Except in rare cases, offenders are kept in the institution that matches their biological sex. Institution transfer to match gender identity only occurs after meeting conditions outlined in the Transgender Offender Manual.	Prisoner Correspondence Project is an organization that matches an LGBTQ2+ offender with a pen-pal from the LGBTQ2+ individual from the community.		Federal Bureau of Prisons (2018).
Alabama		Offender needs a diagnosis of gender dysphoria. Following diagnosis, the Gender Dysphoria Committee determines the treatment plan to address offender’s needs (i.e., medical/physical health, security and personal adjustment needs). Unclear if transfer to another institution to align with gender identity is possible.			State of Alabama Department of Corrections (2018).
Arizona		Transgender/intersex committee makes recommendations on housing based on needs (i.e., safety; gender identity is not only determining factor).			Arizona Department of Corrections Rehabilitation and Reentry (2021).
California		Allows transgender offenders to order clothing from both or either the male or female clothing catalogues in order to dress according to their gender identity. On September 27, 2020 California passed a law that requires offenders to be housed based on their gender identity.			California Department of Corrections and Rehabilitation (2018); Moshtaghian & Levenson (2020).

Jurisdiction	Assessment Practices	Management Practices	Intervention Practices	Limitations	Reference/link
Colorado		Offender declare their gender identity at intake, but are not automatically placed in a gender identity-aligning institution. Offender is assessed to diagnose gender dysphoria; correctional staff determine the risks for the offender (i.e. risk of assault, self-harm or suicide) and the institution's population.			Colorado Department of Corrections (2019).
Connecticut		Gender Non-Conforming Review Committee (a multi-disciplinary group) provides recommendations regarding offender's management plan. Transfers must be in accordance with policy regulations (gender identity is not only determining factor).			State of Connecticut Department of Correction (2018).
Delaware		Individualized assessment of needs for gender diverse offenders and may also include specific housing placements.			State of Delaware Department of Correction (2018).
Georgia		Decisions on which institutions to house the offender are decided on a case-by-case basis, taking into account the offender's health and safety, and whether the placement would present management and security problems. Criminal history and appearance are also taken into account.			Georgia Department of Corrections (2019).
Indiana		The offender can declare their gender identity at intake. In order to decide which institution to house the offender, their criminal history, likelihood of victimization and institutional capacity to provide private and safe showers and cell, etc. are evaluated.			Indiana Department of Corrections (2019).

Jurisdiction	Assessment Practices	Management Practices	Intervention Practices	Limitations	Reference/link
Iowa		Requires diagnosis of gender dysphoria. Following diagnosis, offender's mental health and medical care professionals prepare an Individualized Mental Health Care Plan. Transfers to an institution that matches gender identity is made on a case-by-case basis.			State of Iowa Department of Corrections (2021).
Kentucky		Decisions on institutional housing of offenders are on a case-by-case basis, taking into account the offender's health and safety, and the management and security of the institution.			Kentucky Department of Corrections (2018).
Louisiana		Case-by-case basis.			Louisiana Department of Public Safety and Corrections (2017).
Maine		Case-by-case basis.			Maine Department of Corrections (2020).
Massachusetts		Requires diagnosis of gender dysphoria. Once diagnosed, staff create an individualized Treatment Plan (includes elements such as a mental health care plan and gender-confirming clothing).			Massachusetts Department of Correction (2016).
New Mexico		Transgender offenders are identified at intake. Separate cells, showers and toilets are available to transgender offenders after they submit a request to the warden.			New Mexico Corrections Department (2017).
North Carolina		Diagnosis of gender dysphoria is not necessary. Transgender offenders can request accommodations including but not limited to hormone therapy, undergarments, hygiene items, hair products, and private showering.			North Carolina Department of Public Safety and Prisons (2018).

Jurisdiction	Assessment Practices	Management Practices	Intervention Practices	Limitations	Reference/link
Ohio		The placement of transgender offenders is made on a case-by-case basis, taking into consideration the risks to the offender within the institution and any risks the offender may pose to the institution population.			Ohio Department of Rehabilitation and Correction (2018).
Pennsylvania		The placement of transgender offenders is made on a case-by-case basis, taking into consideration the risks to the offender within the institution, any risks the offender may pose, and conducting a mental health assessment.			Pennsylvania Department of Corrections (2019).
South Carolina		After declaring their gender identity, the Multidisciplinary Management and Treatment Team (comprised of a variety of different correctional staff) evaluate the offender's vulnerability to victimization, gender expression and identity, likelihood for offender to victimize others, etc. to evaluate a transfer to an institution that matches their gender identity.			South Carolina Department of Corrections (2017).
South Dakota		Gender Dysphoria Committee review transfer requests to institutions that align with their gender identity. Institution housing and programming assignments are made on a case-by-case basis.			South Dakota Department of Corrections (2021).
Texas		The correctional staff evaluate the offender's risk of victimization, their criminal history, and the offender's own view of their safety to evaluate transfers to an institution that matches their gender identity – on a case-by-case basis.			Texas Department of Criminal Justice (2017).

Jurisdiction	Assessment Practices	Management Practices	Intervention Practices	Limitations	Reference/link
Vermont		Legal name used in database but referred to as chosen name. May wear clothing according to gender identity. Multi-disciplinary team review placement and programming assignments at least every two years to ensure safety of offender and other inmates. Separate showers available. Transfers to institutions that better align with gender identity are made on a case-by-case basis.			Department of Corrections (2015).
Virginia		Strip searches conducted by staff of a gender indicated by offender.			Virginia Department of Corrections (2019).
Washington		If the offender feels unsafe or is being victimized, the offender can be given a single cell, but only if there are no other options to separate the offender from the abuser.			State of Washington Department of Corrections (2020).
Wisconsin		Gender identity is flagged in the computer system when self-identified to the staff. Housing placements made on a case-by-case basis.	Case-by-case basis.		Division of Adult Institutions (2011).

Jurisdiction	Assessment Practices	Management Practices	Intervention Practices	Limitations	Reference/link
Brazil		<p>Offenders are supposed to be addressed by their preferred names and pronouns. They are allowed to wear clothes and do their make-up/hair in accordance with gender identity and expression.</p> <p>LGBTQ2+ offenders are permitted conjugal visits.</p> <p>In a federal male prison, policy dictates that offenders are supposed to be housed according to their legal sex. As a result of the prison director's personal decision, trans-women are housed in the same cell as homosexual cis-gender men to separate them from the general prison population.</p>			<p>Associated Press of Rio de Janeiro (2015).</p> <p>Hochdorn et al. (2018).</p>
Canada					
Alberta		<p>Offenders declare their gender identity and are addressed with their desired name and pronouns. Unless there are overriding health and/or safety concerns, offenders are housed in the institutions that matches their gender identity.</p> <p>Offenders are provided clothing that best matches their gender identity and expression.</p>			<p>Elizabeth Fry Society of Edmonton (2019).</p>
Ontario		<p>Self-identification of gender identity required.</p> <p>Unless there is an over-riding health or safety concern, trans offenders are placed in a gender-confirming institution and choose gender-confirming clothing.</p> <p>Individual access to showers and toilets.</p>			<p>Ministry of the Solicitor General (2016).</p>

Jurisdiction	Assessment Practices	Management Practices	Intervention Practices	Limitations	Reference/link
Saskatchewan		<p>Offender must self-identify as transgender (in that staff will never ask about gender identity or sexual orientation), but staff also look for supporting factors (i.e. behaviour, information from outside sources, outward appearance, etc.).</p> <p>Unless there are overriding health and/or safety concerns, transgender offender are housed in a facility that best matches their gender identity.</p> <p>Offender states their preference for male or female staff for strip and frisk searches, which is recorded in their case management file.</p> <p>Transgender offenders are offered single cells and private toilets and showers.</p>			Tokarski (2016).
Other jurisdictions examined but no information available					
Canada: British Columbia, New Brunswick, Newfoundland and Labrador, Northwest Territories, Nova Scotia, Nunavut, Prince Edward Island, Quebec, and Yukon.					
Europe: Denmark, Finland, France, Norway, and Sweden.					
Australia: Northern Territory, Queensland, Victoria, and Western Territory					
United States: Remaining 26 states					

Appendix C: Additional Data Tables

Table C1

Institutional adjustment of gender diverse offenders prior to the study period

Indicator	Gender Diverse Group							
	All Gender Diverse Offenders (<i>N</i> = 99)		Trans-Women (<i>N</i> = 61)		Trans-Men (<i>N</i> = 21)		“Other” Group ^a (<i>N</i> = 17)	
	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)
Guilty disciplinary charges	79.8	(79)	73.8	(45)	100.0	(21)	76.5	(13)
<i>Minor charges</i>	74.7	(74)	68.9	(42)	95.2	(20)	70.6	(12)
<i>Average number of minor charges M (SD)</i>	7.2	(10.3)	6.9	(11.3)	7.1	(7.3)	8.7	(10.1)
<i>Serious charges</i>	54.5	(54)	47.5	(29)	66.7	(14)	64.7	(11)
<i>Average number of serious charges M (SD)</i>	3.6	(6.2)	3.7	(7.0)	2.5	(3.6)	4.7	(5.3)
Institutional incidents	89.9	(89)	88.5	(54)	100.0	(21)	82.4	(14)
<i>Assault</i>	65.7	(65)	59.0	(36)	81.0	(17)	70.6	(12)
<i>Contraband</i>	63.6	(63)	62.3	(38)	71.4	(15)	58.8	(10)
<i>Escape</i>	7.1	(7)	6.6	(*)	9.5	(*)	5.9	(*)
<i>Behaviour</i>	74.7	(74)	75.4	(46)	71.4	(15)	76.5	(13)
<i>Death</i>	2.0	(*)	1.6	(*)	4.8	(*)	0.0	(0)
<i>Miscellaneous</i>	64.6	(64)	63.9	(39)	76.2	(16)	52.9	(9)
<i>Property</i>	22.2	(22)	23.0	(14)	14.3	(*)	29.4	(*)
<i>Self-injurious</i>	44.4	(44)	44.3	(27)	42.9	(9)	47.1	(8)
History of institutional transfers	62.6	(62)	68.9	(42)	42.9	(9)	64.7	(11)
<i>Men to women</i>	12.1	(12)	11.5	(7)	14.3	(*)	11.8	(*)
<i>Women to men</i>	7.1	(7)	3.3	(*)	14.3	(*)	11.8	(*)
<i>Average number of transfers M (SD)</i>	4.0	(5.9)	5.3	(6.9)	2.0	(3.4)	2.0	(2.9)
SLE admission	0.0	(0)	0.0	(0)	0.0	(0)	0.0	(0)

Note. SLE = structured living environment. M = mean. SD = standard deviation. ^a The “other” groups included: gender fluid, gender non-conforming, intersex, two-spirited, or unspecified. *Cell counts with less than five were suppressed.