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SPEAKERS
Val Jenness, Jenn Tostlebe, Jose Sanchez

Jenn Tostlebe 00:14
Hey everyone. I'm Jenn Tostlebe

Jose Sanchez 00:16
and I'm Jose Sanchez. We are the hosts of the Criminology Academy podcast where we are criminally academic.

Jenn Tostlebe 00:22
Today we have Professor Valerie Jenness on the podcast to talk with us about the experiences of incarcerated transgender women, specifically regarding sexual violence.

Jose Sanchez 00:32
Valerie Jenness is a Distinguished Professor in the Department of Criminology, Law and Society at the University of California, Irvine. Her research is focused on law and inequality, correctional policy and practice, and gender and sexuality. Her published work on the prostitutes' rights movement, hate crime law, prison violence and victimization, and the prisoner grievance system in California has been honored with awards from professional societies, including the American Society of Criminology and the Law and Society Association, and has informed public policy. Valerie is on the 2022 election slate for 2023-2024 officers of the American Society of Criminology. [NOTE: Val is now the president elect of the American Society of Criminology].

Val Jenness 01:18
Well, thank you for having me, Jenn and Jose. Couple things, I really appreciate all the work you've done to kind of set the stage for this discussion today. Also, I just appreciate that you're doing the Criminology Academy Podcast as a real thing. You know, I know lots of work goes into it and you're busy people. So, I want to begin by just thanking you for inviting me, and for really creating impressive series of important conversations.

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Jenn Tostlebe 01:45
Thank you. Yeah, it's been really fun to get to talk to all of these different people, many of whom I don't think we would really have much of an opportunity to talk with otherwise about their research. So, it's been really cool in that way.

Jose Sanchez 01:59
Yeah. And you know, we tend to get so niche with our work and kind of a lot of the times we end up staying in our own little bubbles of whatever we specialize in. And this gives us a great opportunity to just learn more about what other people are doing and things that we don't know. So, we really appreciate people like you coming on and sharing your knowledge with us.

Val Jenness 02:20
Happy to do so.

Jenn Tostlebe 02:22
All right, so today's conversation, we're going to start off by talking about kind of a broad overview of transgender people in the criminal justice system and in custody, then we'll move into a paper authored by Val, which was the Vollmer address for the American Society of Criminology in 2019. And then we'll finish up by talking about the Transgender Respect, Agency, and Dignity Act, or SB 132, and some of Valerie's research regarding this act. So, to get us started, when some of our previous episodes, we've talked about racial and ethnic disparities within the criminal justice system, but so far, we haven't yet discussed disparities with sex and gender. Do transgender people experience injustices in the criminal justice system, whether that's from police encounters to the courtroom to correctional settings?

Val Jenness 03:14
Thanks, Jen. You know, we are going to talk about transgender people and transgender women in particular, and I don't want race and ethnicity to get lost in this. Obviously, there's some intersectionality going on. And we'll we'll try to keep that to the fore as we go forward. Let me start by saying there is a growing body of literature that shows transgender people and in particular transgender women and in particular, transgender women of color, are disproportionately in contact with the criminal justice system or the criminal legal system. And it's not just contact, they face considerable discrimination and other types of harm connected to that contact. So, I would say what we know the most about right now is the disproportionate contact with police, and the over representation in jails and prisons. I mean, these things are just clearly documented, perhaps less so about the court experience, for example. But what we have is a growing body of literature that just kind of takes as a fact that trans people have different contact with the system, especially in policing, and in jails and prison populations. I wanted to start to make this point by just alerting everybody to a very important landmark report that came out titled Injustices at Every tTurn, I knew we were gonna talk about injustice. So, this is report Injustice is at Every Turn. A report of the National Transgender Discrimination survey came out in 2011. It's about a decade old. And they surveyed 6,450 transgender folks and gender non-conforming folks from all 50 states, the District of Columbia, Puerto Rico, Guam, US Virgin Islands, so a really broad survey, and the report got a lot attention because it detailed the depth and breadth of this injustice in the lives of transgender, and gender non-conforming folks. Let me just give you a couple quick statistics to get us rolling. In this landmark report. Almost a fifth, 22%, of respondents in this study, who have interacted

with police reported harassment by the police with much higher rates for people of color, this is going to be a consistent theme. Almost half, 46%, reported being uncomfortable seeking police assistance, physical and sexual assault in jails and prisons is a serious problem. In this report, 16% of the respondents who had been to jail or prison reported being physically assaulted, and 15% reported being sexually assaulted. By the way in my work, the numbers are much higher on the sexual assault. We'll get to that in a minute. I just thought we should get this out front because this report was released over a decade ago. And these kinds of findings come up again and again in various outlets. And they certainly warrant a lot of inquiry and a lot of discussion. So kudos to you and Jose for putting this on the agenda in the academy podcast here. I really want to thank you for that.

Jose Sanchez 06:13
Yeah, absolutely. And I'm pretty sure I've mentioned this in some other episode, but my very first research project that helped me get my feet wet and sort of see if research was the thing for me was actually hate crimes against transgender women, project, the PI's were doing focus groups. And I got to listen to those interviews, and it was centered around police interactions. And so what you just said, basically falls in line with what we were finding when we were talking to these women. And a lot of the stories where my partner was physically assaulting me, I called the police and the police didn't really do much to help me, or the police were harassing me when I was walking down the street. And the stories ranged from the so intense that a part of you almost doesn't quite believe that that's what happened, because it's so like it was so heartbreaking to it was a huge range from incredibly bad to that still very bad. Like, they weren't very many. But one of the big things and the I don't know if you can speak to this a little more, but one of the things that we were finding that actually surprised us a little bit like the, the older transgender women at a much more negative view of the police than the younger ones. And the younger ones would often start tipping into more of a positive view of the police.

Val Jenness 07:47
That's really interesting. Jose, first of all, I think for as difficult as I know, it is to hear those kinds of stories. They're important. I began with giving some what I think to be pretty alarming statistics, their stories behind those numbers. And if you've ever had an opportunity to hear those stories, they are overwhelming, because they're real people's real lives, real bodies, real harm. The particular thing you said about the age observation, I'm going to tell you I don't know, that's the bad news. I can't think of a study that really interrogate the age distribution. But I will tell you, I'm currently doing some work with Stefan Vogler at the National Opinion Research Center. We are funded by the National Institute of Justice. And I want to thank NIJ and taxpayer support, basically, to do the first national probability sample of households to understand LGBTQ people's experiences with and attitudes towards the police and law enforcement. So, we're just about to launch a national survey. And we'll have 700 LGBT folks and 700 of their counterparts. And we're going to ask some of the most basic and some of the most innovative questions so that we can systematically understand kind of across the country, what does that look like? And of course, we'll pay attention to age and we'll see if there are differences. Of course sociologically, it's easy to imagine there are, we know that there's age effects, and all sorts of things that criminologist are interested in. And when it comes to the LGBTQ community, we know that older people have lived through different eras of policing and different eras of how being queer has been situated in this country. So, Jose, I think your memory of those conversations and pointing to age is very astute. Do another podcast with me when we get the survey findings back from the big study,

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but I don't have those findings yet. We'll try to unravel a lot of that. I will say I've worked a lot in various settings, one of which of course is Los Angeles close to where I live. And yes, when you talk with some of the older folks who have been around a while, and they've lived through generations and decades, they do have stories to tell about what it was like in the 70s, or the 80s, or the 90s, or the turn of the century. And those stories are lived experience based on being around for decades and accumulating those experiences. I'm not prepared to talk about a particular age effect today. But it's an easy hypothesis.

Jose Sanchez 10:26
Right? Yeah, I'd be super interested to see what shakes out of those results. Because this was a very, very small study out of Los Angeles. So, you know, it could have just been sampling. But yeah, I'd be very interested to see what comes out of it.

Val Jenness 10:42
A lot of what we know right now is what I'd call cross-sectional data. So we take a snapshot, right. And we try to understand either the disparate connectivity to the criminal justice system, or we try to understand the variation there, in or around that, let me just cite one more right up front, I really want to hit home on this differential connectivity or differential contact with the criminal legal system. So, a more recent report came out and the title is even more telling, the title is called Unjust: The Broken Criminal Justice System Fails Transgender People, this came out in 2016 and again, it provides another one of these illuminating snapshots. And it shows not only how the criminal justice system has not served transgender people, but actually focuses on targeting them. So, I want to give you just a few more statistics, and then we will get into kind of the substance. So, here's what you can find in this report. Five percent of all adults in the US report spending time in a prison or jail, this is self report data. Compare that to 10% of transgender men, 16% of all transgender and gender non conforming people, and 21% of transgender women. So, these are very telling statistics, because they reveal once again, that transgender people are overrepresented in the criminal legal system. Now what I like about this particular report, and I hope your listeners will go take a look at it, is that it doesn't just provide this snapshot, it also speaks to what is becoming increasingly clear that these numbers relate to a whole host of other concerns, including that what we call the, pathways, heard that term and criminology are the mechanisms through which this differential contact comes into being. So, we're learning a lot, a lot at a rapid pace, about the connection between things like family rejection, and homelessness and connectivity to the criminal justice system, or unsafe schools and unfair disciplinary policies and or pervasive discrimination and other forms in other arenas of life, like employment or housing, or identity documentation. And healthcare is a big one. So, when we talk about this snapshot, and this disparate kind of connection to the criminal justice system, we also have to talk a lot about the criminalization of a whole host of things, you know, drugs, or sex work. And we have to talk about different policing strategies that surveil or target or push people, in very patterned ways, actually "pushes", I think, too subtle of a word. I do like the word institutional pathway, what are the pattern mechanisms that produce systematically, predictably, these kinds of contact disparities with criminal justice and you two both know a lot falls out of that contact? Right. So I just I really appreciate that you've heard those stories, Jose. And if we can keep those stories front and center, maybe we can rewrite from from here today, and also keep this kind of macro snapshot picture in the fore I think we can have a kind of really interesting conversation, not just the three of us, but the larger criminology community.

Jose Sanchez 10:50
Right. So talking about sort of the macro. So and this is probably, I feel like we can confidently say this is probably a little outdated by now. But the American Journal of Public Health, published a paper in 2017. And they estimated that about 390 per 100,000 adults in the US are transgender. And so this roughly equates to about a million Americans. Do you have any idea about roughly how many of them come into contact with the criminal justice system in a year?

Val Jenness 14:50
You know, I don't most of what I read and what I study talks about percentage who report right? And so I've given You some of those data, we know there's disproportionate contact and I don't think that's very debatable anymore. I can't say how many in absolute numbers, your math Jose sounded pretty impressive to me. I'm gonna have to go look at that and read that. So, maybe you answered your own question, if you do a quick back of the envelope, I'm very hesitant to say a specific number in absolute terms, we have debates about how many people are in any given sub population to begin with, but I'm not at all hesitant to talk about the disparate nature of it. And that really brings us down to rates and percentages and gaps. So, yeah, it was a sorry, I'm gonna balk from that one a little. I try to stay in my lane, but I'll go read that article.

Jenn Tostlebe 15:45
Well, no worries. So, in 2003, I believe hopefully, we looked at up correctly, the federal government passed the Prison Rape Elimination Act, or PREA, to deter sexual assault in prisons. Can you tell us Val, more about PREA? And any research that may have been conducted to see if it had the kind of impact or effect it was supposed to have?

Val Jenness 16:09
Yeah. So years ago, quite a while ago, actually, Michael Smith and I published a piece in the Stanford Law and Policy Review, in which we tried to chronicle the history and passage of the Prison Rape Elimination Act. It's a big deal that it passed. And we wanted to understand kind of the history and the politicking of that. So, I would refer your listeners to this piece. I think it's an interesting read. Other people have told me it's an interesting read. It reports really on the politicking that led to the passage of PREA. So to get to your question, Jen, here's basically the gist of Korea. And I cringe a little because there are people that are really way more expert on PREA than I am. But, you know, as you said, in 2003, then President Bush a conservative president, I might add signed PREA into law. And when he did, he really affirmed but what was then bipartisan support, congressional support and efforts to define prison rape as a national social problem that really is worthy of kind of government intervention, and federal funding, kind of put your money where your mouth is type of thing. So this law, kind of in the most basic sense, was designed to address sexual violence in prison and other types of facilities. And the focus was on developing and implementing standards for preventing sexual assault and rape. It certainly mandated zero tolerance for sexual assault mandated training, it really laid out an agenda for the country. If we were to get serious about conditions of confinement, that relate to kind of predictable patterns of sexual assault and rape. I think one of the most important things this law did was it established the National Prison Rape Elimination commission. So that was a really impressive working group comprised of people, lawmakers, advocates, prison rape survivors, and others that were charged

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with recommending standards to not just prevent, but when it does occur, to detect and respond to, and monitor sexual abuse of people who are incarcerated or detained in the US. Those standards are now in place. They were, in my view, a long time coming. It's a lot of work. And I take them to be kind of a manifestation of institutional change as an infrastructure, we now have standards in place. Now, your question about whether it's made a difference or not, that's always the tough one. Chronicling the history is kind of easy for me, I just go look up what happened. Whether PREA has had an effect or not is a good question. Maybe I can parse it out in two ways. I don't really follow the evaluation studies and the implementation of PREA, I'm going to cite one here just very quickly, because it came out in 2020. And there's people that I think can speak to the real instrumental effects of PREA much better than I can. But here's what I am going to go on the record saying, you know, in some ways, the mere passage of PREA and the establishment of that commission, and the codification of standards and the connecting it to federal funding, that's really a game changer. I mean, it's big, right? And in terms of just public recognition, and government intervention, so I never want to downplay what I think is really undeniable, which is the public recognition, the development of standards and the timing of federal funding to kind of getting in alignment with those standards. On that front, it's obviously been a success. Beyond this public recognition. You know, we do have changes in policy and practice. I know because I sometimes consult in this arena. I certainly have a front row seat when I visited jail or I go to a prison. I think what you're really getting at Jenn is have they made a difference in the experience of being incarcerated have they lowered the sexual assault rate and the prison rate, kind of what my mother used to say where the rubber meets the road? Yes, I don't know, I think there's debates about that, I will point you to a 2020 study. So it's not that old that came out by Hayden Smith. And it's interesting, it appears in Evaluation and Program Planning. And it kind of takes a lessons learned approach. And in this piece of work, they look at 19 correctional institutions and some community based pre-release work centers that kind of are responsible for housing about 22,000 people. So that's a big chunk. And Smith concludes the following. And now I'm quoting, "the implementation of PREA, in a southern US state prison agency was a success." Now, that's a bold claim. I'm not quoting anymore, but success meant in this study, it was supported by administrators, correctional officers, and people who are incarcerated. So, I think there's different ways to say has it made a difference in terms of being part of the correctional apparatus, gigantic difference, in terms of finding changes at the policy and practice level? Absolutely. I guess if I had to be bold, my observation from just working in this arena, is predictably, it's unevenly implemented, right, almost like any public policy. So, I would say, here's a final kind of tidbit about the just the embeddedness of PREA. I'm always struck when I'm in a prison or a jail, and I talk with people about PREA. And they use it as a verb. Think about that. PREA is a federal piece of legislation. And I've heard both people who are incarcerated use it as a verb, kind of I PREAed his ass. That means I file agreements, or I hear staff said, I was PREAed. I think that's an amazing kind of amazingly telling linguistic turn. It's part of the vernacular, everybody's aware of it. And that, to me means it's made a difference.

Jenn Tostlebe 21:59
Yeah. That's really interesting. I know that I was just in a prison in the Oregon prison system a couple of weeks ago. And there was I noticed there was a poster of PREA on the wall, and it just caught my eye. I think, maybe because we were planning this episode. And I was like, oh, okay, there it is right there. I didn't hear anyone talking about it. But just the fact that it was hanging in like the staff room. That was something that definitely made note to me, and then using it as a verb. That's yeah.

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Val Jenness 22:30
it was a powerful moment. And I always worry when I go from recall, because my memory, like anybody's can be fallible. But when I first started doing some of the work that we're going to talk about here in a minute, I went to a hearing in a prison in California to discuss PREA. And this was right after it passed, and how are we going to implement it? And there were some authorities that a panel and they were listening to testimony, and a survivor of sexual assault, was telling his story. And one of the panelists, in a suit said, well, why didn't you report it? Right? Age old question that it's kind of still gets asked, unfortunately, why didn't you report it? And the person who was telling, you know, his story, who, the power dynamics are stunning, a panel of people in a suit, questioning, interrogating, I would say, a survivor of sexual assault. His answer was something like this not a direct quote, Sir, you don't understand prison life, do you? And I thought that was an appropriate response. Right? And it's just a hearing, it was a very memorable moment to me, because I thought, you know, we have to understand the interior and conditions of confinement. And that experience and the correlates there of. A) so we don't ask people why didn't report, B) so that we actually have the answer to that already. In fact, we do know, Jose mentioned in the intro, I studied the prisoner grievance system in California. I wrote a whole book on it funded by the National Science Foundation, again, your taxpayer dollars. Yeah. And we tried to answer not why didn't you report it? Because there's 10s of 1000s of grievances filed. But why do people continue to report when they don't have that much faith in the grievance system?

Jenn Tostlebe 24:27
That's an interesting question.

Val Jenness 24:29
That's another podcast. Yeah.

Jose Sanchez 24:33
Okay, so let's get into your article. I think we've set a solid foundation here. So, the article we're gonna be talking about was authored by our guest Val Jenness, it was written as a Vollmer Address in response to receiving the Vollmer Award from the American Society of Criminology in 2019. It is titled The Social Ecology of Sexual Victimization Against Transgender Women Who are Incarcerated: A Call for More rResearch on Modalities of Housing and Prison Violence, and it was published in Criminology and Public Policy in 2021. In this address, they'll provide some political context discussing how current President Joe Biden has spoken out about violence against transgender people. Val also discusses an emerging body of literature regarding sexual violence against incarcerated transgender women, policy responses to this form of violence, and provides a guide for future research. So, Val, the very first question we'd like to ask in this section is, what were you hoping to accomplish in this article as part of your Vollmer address, and winning the Vollmer award?

Val Jenness 25:42
Thanks, Jose, it was a nice overview of the article, you've done your homework, I can tell really, really nice summary. Well, first, let me say I was very honored, obviously, to receive the boomer Award from the American Society of Criminology, because it's a special award because it honors people who have scholarship and professional activities that have made a difference somehow, some way this particular

award focuses on the treatment or prevention of criminal delinquent behavior and other things. So, it's very, it's wonderful, it's humbling, it's nice, it's motivating to have your colleagues say, we think you've made a difference. I don't know what could be more flattering, really, to say somehow what you do matters. It's a little awkward, because a lot of my work has been done, collaboratively and collectively. So, I want to say although I'm the sole author of that piece, it really reflects a lot of work done with a lot of collaborators. And I think I should just give a little bit of a shout out to those collaborators. I can't do my work without them. I hope you know that. I know that. I hope they know that. And two in particular, Jennifer Macy and Laurie Sexton are really the collaborators with whom I've worked most closely on this long term project. So, I think of us as full partners in this enterprise. But that was my piece, I wrote it. And Jose, you did capture exactly what I was trying to do. I was first trying to capitalize on the moment in history when Biden was running for president. And in the intro I talked about, he was the first vice president to declare transgender rights, quote, "the civil rights issue of our time", that's pretty powerful from a vice president. Way before being elected president, he tweeted about the importance of transgender equality as a basic human right, he became the first president to mention transgender rights in an address. So, he really is a pivotal player in terms of elevating the visibility and the dialogue. And he made lots of promises. I say right in the beginning of that address, he made lots of promises. And time will tell if his administration fulfills those promises, really laudable promises, in my view. In some ways, he's kind of the apex of the increasing visibility of trans lives in this country and certainly, in the kind of perils of trans lives connecting with the criminal justice system. You know, the differential policing, the judicial discrimination, the pains of imprisonment, I could go on and on. This piece was designed to take all of that into account. And to step back for a minute, I'm an empirical researcher, who can get in the weeds very quickly. And I enjoy that part of research. But I decided in this address that I was going to step back and create what I thought to be kind of a published white paper. Right? And that is, if you will, a kind of opportunity to really lay out the relevant research. And to create a document that researchers advocates, policy communities can come together around to really think about in one document the very real problem of sexual violence against transgender people, particularly transgender women, where we have the most research in prisons, jails, and other types of detention facilities and carceral spaces. So, for me, kind of receiving the recognition was an honor. And getting to just step back, pause and think. So, in that piece, I tried to lay out for really diverse communities. What I think the next generation of research really needs to focus on. And I will say, it took us right back to a basic, basic question, which is, you know, what do we know about the sexual violence? What do we know about points of intervention? What do we know in particular about the relationship between modalities of housing and carceral spaces? And the experience of sexual violence? That's the piece. Yeah.

Jenn Tostlebe 29:48
Well, let's dig into it a little bit more than, so, this paper really starts off by discussing the sexual victimization of transgender women in prisons for men. The focus is here. And specifically you state that two realities distinguish transgender women as a unique prison population. First, there's the comparatively high rate of harassment and sexual assault that these women experience while incarcerated. And then second, the many ways that they can respond to the threats of prison life and what prison life presents to them as individuals with non-normative gender identities. So before jumping into this discussion, just to kind of lay the groundwork for people who may not be super familiar with correctional research, the concept of pains of imprisonment is really important moving forward. So can

you just briefly describe for our listeners what we mean by the pains of imprisonment, broadly speaking?

Val Jenness 30:49
Yeah, that sounds like one of those PhD comp questions. Yeah, let's see how I do. So you know, the quote unquote, pains of imprisonment is a concept that's been around for quite a while it was first introduced by Graham Sykes, I think in about 1958, somewhere there around. And it refers to kind of a series of depravations, as Sykes saw that are characteristic of prison life. So, let me see if I can remember what they are. This is the test part, I'm sure, obviously, the deprivation of liberty, the deprivation of goods and services, right? Because you're confined deprivation of heterosexual relationships. Remember, we're going back to 1958. Certainly the deprivation of autonomy, kind of part of the liberty component. And interestingly, the deprivation of security, which I always find interesting, given that if you hang around with enough corrections people, one of their refrains is safety and security. That's what they're there to provide. So since Sykes, I mean, now we're going over a half of a century plus forward, these kinds of ideas, these pains of imprisonment, kind of the fundamental features of characteristic of prison life, they've been taken up by many scholars, they've been applied to many populations and sub populations in a diverse range of contexts, activities, etc. So it's a very important, very, very important concept to try to really say, what are the pains of imprisonment? And how do they distribute across activities, populations, historical moments, etc? Certainly geographic locales. So, I think I will pass the exam on that but maybe not with an A plus maybe a B plus,

Jenn Tostlebe 32:34
We'll give you an A plus.

Val Jenness 32:38
I think in the piece when I talk about and I did not go back and reread what I wrote. So you know, I hope my thinking evolves like everybody else's. And maybe what I wrote then is not what I think now. Was recently, can I do a sidebar that has nothing to do with criminology?

Jenn Tostlebe 32:55
Yeah, of course.

Val Jenness 32:56
So I love stand up comedy. And I was listening to an NPR Interview with Sarah Silverman, great comedian. And she's talking about looking back over her career as a stand up comedian and some things she's done over, and said, over the course of her career that make her cringe. And in particular, she talks about a skit she did that involve blackface, and she's mortified by that. So, I'm listening to this interview, and she's a person reflecting on her career. And I don't have to quote exactly right, but she said something like this. If you don't look back over your career and cringe, then you're not growing and developing. And I kind of made a mental note, you know, there's some things that I changed my mind on that I rethink. So I can't recall what I said in that article. But what I was interested in were kind of how do the pains of imprisonment look, when you look at this unique population? The things I just mentioned, are there the deprivation of liberty, the restriction on goods and services, the freedom, one of the things I've been interested in is trying to understand those pains of imprisonment for this

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population that is increasingly visible, in part because of PREA . And I'm trained in sociology. So of course, social location matters, and culture matters. And what I've tried to do is understand how does the status of being a transgender woman in a prison particularly prisons for men, how does that matter in the context of the pains of imprisonment, so I've looked mostly at trans women in prisons for men, and, you know, historically, we've sex segregated our prisons, so that matters. And prisons as we know are have a lot of kind of cultural meaning particularly loaded around masculinity. And these trans women are positioned in that stratification order, in that culture, and visa vie kind of really interesting codes of conduct, if you will, to use another term that It's been around for quite a while. One of the things that I've written about is that in this prison hierarchy, they're often objects of derision. And you can hear that in the language, you can certainly see it in the violence rates. And you can hear it in their own self reports. You know, a recent book came out by Laurel Westbrook talking about the lives transgender people live and how we focus too much on harm. And kind of arguing and a subsequent piece, we should focus on joy as well, peace she just had come out. I think that's the point well taken. And you know, I've studied pains of imprisonment. It's a particular slice of transgender life that kind of has occupied my research.

Jenn Tostlebe 35:46
Yeah, if I remember, right, that is exactly where you go with the pain of imprisonment and talking about this, like almost lower tier social status that they tend to fall in and that they acknowledge and know that they're discriminated against. And so how do they deal with that aspect of the prison life?

Val Jenness 36:06
Not just Yeah, discriminated against is such a important leaves, turn verbiage. It's also very polite, or I mean, they're abused. Yeah. Right. Not everybody, you know, but we have a statistic we produce Laurie, Jen and I, that gets cited a lot. I've seen it in a video on the web. It's in some legislation here in California, but we basically say by a factor of about 13, we actually put a number on it. So when we talk about these things, we're talking about patterns and trends. And Jose, thank you so much. We're talking about real stories, real people with real experiences. In the piece and criminology that we published, we tried to do both, we tried to give some patterns and trends and rates. And we tried to give a lot of voice as well, all in a short article with page constraints.

Jose Sanchez 36:55
Yeah, that's quite the undertaking, but it's important work to do, right? So, it is often depicted in movies and TV shows, and the one that came to my mind was Oz. I don't know if either of you have seen it. But it's basically a TV show set in prison, and showed like the lives of prisoners, and they even have, like, I think at some point, they call it a gang, but they call them the gays. And it's just like this band of homosexual men. And it gets depicted that these like non normative identifying people, or those who are part of the LGBTQ community, in prison settings, it can have some pretty dire consequences. And I think that gets depicted in the media. And in your research, you highlight that these individuals are particularly vulnerable to things like assault, both sexual and non sexual, compared to others who are incarcerated. What does the research tell us in terms of statistics for this type of vulnerability compared to other incarcerated individuals?

Val Jenness 38:02

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Yeah, so I've done two studies. The second one, I think, is a better study than the first one. But interesting, they corroborate on this point. In the first study, we found that about 59% of transgender women, for example, report being sexually assaulted while incarcerated, whereas likely more than 4% of their counterparts reported. In the second study, we found 58.5%. So this is kind of a researchers dream, you do two studies and the number converges. Yeah, I will say it gets even better. Because shortly after we submitted a report on this research, the Bureau of Justice Statistics, put out their number. And it was about the same, you know, there's always some error here. But these numbers are starting to converge. That really point to this differential vulnerability of transgender people. Now BJS also looks at other groups in the LGBT community. And while the numbers move up and down, the disparity kind of remains constant. So I think we're at a place in our collective kind of research, understanding advocacy, policy development, we're we're not really debating the differential harm anymore. And by the way, I've been at this long enough where I used to hear the debates, right? People would critique the study or people would talk about other things. So, in my mind, there's just no doubt that there's differential harm based on these rates.

Jenn Tostlebe 39:29
Those are alarming rates, too.

Val Jenness 39:31
If you want to read a really good I always like your listeners to kind of have something to go look at my colleague and collaborator at UCLA, Elan Meyer did a wonderful piece, the Elan's a public health person and published on sexual and gender minorities in carceral contexts and differential rates of harm. So, if people really want to parse that out, I would say go look up Elan Myers work. Really kind of I think that piece to read.

Jenn Tostlebe 39:59
Yeah. All right, so that kind of talks about this first reality that you mentioned in your paper. So, let's move then into this discussion of the second reality. That is the many ways that transgender women respond to threats, given what the prison life presents them. Given that they're aware of these threats and insults that come their way, they must attempt to adjust to prison life by managing their environment in some way. And there's a catch phrase that you mentioned in your paper, fight or fuck, which references the two options that transgender women see themselves as having for managing these hostile situations? Perhaps it's obvious, but what does this catchphrase mean? And would you say that this catchphrase was born out of the correctional context? And if so, how?

Val Jenness 40:49
Oh, very good question. So, that phrase, which I would, we did hear that not from everybody, obviously, when we interviewed 300+ trans women, you know, you start hearing phrases that become refrains, like because I'd call it a refrain, right, that was expressed by some of the folks that we interviewed and listen to their stories of their lives. And I took from that phrase, that's kind of a shorthand acknowledgement of the difficult circumstances in which they exist in the carceral space. And that for those that use that phrase, it was a way to tell us, you know, these interviews lasted about an hour on average. So, there's a lot of, you know, reporting of some things and not other things. But it was a kind of shorthand way of acknowledging their circumstances. And to say, within that, they have to manage

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prison life. There's a term in sociology and criminology called secondary adjustment that kind of captures how do people adapt to new institutional environments. This refrain is, in some ways, kind of connected to this secondary adjustment. That is if you understand the structure and operation and culture of these carceral spaces and then if you put kind of as a nexus, the way in which gender and sexuality plays out in those spaces, you understand very quickly that these groups of people who are incarcerated have to manage a very difficult environment. Sometimes I've said a uniquely predatory environment over time, I'm not so sure it's unique. But I think I've used that phrase before. And so here, what we get is kind of an environment that demands that they manage, because they're targeted in certain ways. And the fight or fuck, I think kind of tells you how they see two of their modal options. Right?

Jenn Tostlebe 42:41
Both sad and heartbreaking options.

Jose Sanchez 42:46
Yeah, absolutely.

Val Jenness 42:48
I think if you read the criminology piece, and I know you to have, that refrain will become kind of more understood, when you read the voices that we've presented in various publications.

Jenn Tostlebe 42:59
I will say that paper is incredible. I really enjoyed reading that paper. And it was actually on my comp list to go back to comps here.

Val Jenness 43:09
Really? Somebody put that on your comp list? Yeah, Jenn, what did you mean, enjoy is a weird word, because it's kind of a tough, but what did you, what did you appreciate about it, and I'm not fishing for a compliment, although I love to be complimented. I'm wondering how people read it. You know, you spend a lot of time writing a piece, that piece was years in the making. And it's suffered through quite a review process. And if you ever run into Jen or Laurie, they have stories to tell about that process, as do I. So you see the final product and so what could a person like you who I take to be the future of criminology, what did you appreciate about it? What was the message of it?

Jenn Tostlebe 43:51
Yeah, I mean, so it's been like a year or so since I've read it.

Val Jenness 43:56
You've read it more recently than I have. Okay.

Jenn Tostlebe 43:59
I mean, this is not like my specific area of research at all. So, it was kind of a unique perspective. It was within my comps, like subsection on correctional life. And I do a lot of work on violence. So, it kind of tied in in that way. But I always enjoy, like a good story. And a good way of framing a paper, which then

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leads really well into the results section, and like actual voices, and that we don't get a lot of from people who are actually incarcerated. And so I think it was really just this mix of storytelling from you all on the part of the authors, as well as then providing kind of stories from people who are incarcerated, that we don't hear much of unfortunately, I think that's becoming more prevalent in the research now but it's definitely still kind of a rarity in my mind and something that we need a lot more of because, like, how can we understand these experiences if we're not talking to the people who are actually going through it? And so I think that was kind of like the main reason that I really enjoyed the paper without going into specific details that I wouldn't need to reread the paper more recently now. But yeah.

Val Jenness 45:21
I'm really, I really appreciate that. I mean, in my mind, good work has to kind of capture, you said the story or the voices, you know, you have to capture it somehow, some way as hard in an article because it's short, I'd much prefer to read a book. I'd never thought about it. There's us as the narrator's there's the participants in the study, there's the models, we present, tell the story, write the statistics. So thank you, that's really nice to hear. That's always the goal. I will say some people like the story, and some people don't like the story, I serve in policy circles, or in advocacy circles or practitioner circles. You know, once you lay out a story, people, then we have the reception of that story. Yeah. How do people hear it? So?

Jenn Tostlebe 46:08
And I'm sure, I mean, the work that you do has to be very divergent. When it comes to those different groups that you're talking to, you know, the politicians, there's, you know, segments within that, and I'm sure some of them, like what you're putting out there and others are not as big of fans.

Val Jenness 46:25
It's true. It's true, you know, and I've long since learned, I think, when people like your story, they tell you, it's good work. And when they don't like your story, they critique your methods, or they tell you what's right theory, right, that there's a kind of a reverse engineering that often goes on, right? Yeah, I think part of the story we tell is a pretty harsh story over the course of my work on this and other projects, some people wish I would tamp the language down, like the refrain we just talked about. Yeah. Some say, come on, Val, tell the truth. There's worse than that. I mean, people have different thresholds for how you even tell the empirical realities of the story. I put on students I work with, I tell them all to go read this book called Sociologists Backstage. It's edited by Nicky Jones and Sara Fenstermaker. And they go to each chapter is a working social science type. And they interview him about the real details of the work. There's chapter on my work in there where the, backstage work, how did you really do it, we've read your methods piece. Now, tell us the backstage, you know, like, what really went on? I think it is a wonderfully illuminating volume, because you can juxtapose it with how we all learn to do research kind of the textbook. And then these researchers that are really out there doing it telling you how the sausage is made.

Jenn Tostlebe 47:45
Yeah. And challenging. In, prison research alone is challenging.

Val Jenness 47:50

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Research alone, and the ethical problems and the concerns. And in my case, you know, I mean, how do you manage sitting in alone in a room in a prison somewhere and hearing these stories? You know, how do you deal with that? So, thanks for liking the piece. It was a hard orange piece, trust me.

Jenn Tostlebe 48:07
I'm sure.

Jose Sanchez 48:10
I'll have to go give it a read. Okay, so one of the other things that you mentioned is that there are a variety of housing strategies for transgender prisoners. Can you tell us a little more about these strategies? And where is the policy surrounding these headed as we move forward?

Val Jenness 48:29
Yeah. So this kind of gets us back to the Vollmer piece, in which I lay out a core question about what is the relationship between housing decisions and modalities, and the kind of typography of violence. And in the piece, I lay out that there's kind of three modalities we can talk about. The first and I think this is where you're going with this, Jose, but cut me off, if not, is what I call an integrated context. And what that means is that, you know, historically, and certainly in mostly in the modern era, lesbian, gay, bisexual, transgender, queer folks, they're housed in facilities that align with their sex assigned at birth. So that's kind of what you see most frequently. That's why transgender women are often housed in prisons for men, because there's this kind of assignment mechanism, often, then you can, and indeed, you do see, let's just say the trans women for now, in prison settings in ways that that leave them routinely interacting with their counterparts across the prison. And that, as we've already talked about, presents some challenges for their safety and well being. That's what I call integrated. You're situated in a carceral space that leaves you in contact with in proximity to your counterparts. I juxtapose that against something that we could call a segregated context. We all know what the word segregated means. It means to divide So, in a carceral space, you could segregate LGBTQ people, or transgender women. In the case of my focus. The most, I think high profile example of this is actually in the LA County Jail. Sharon Dolovich, who's a colleague of mine at UCLA, she looks at what's called the case six G unit. And it's a segregated unit for gay bisexual, trans. It's gotten a lot of attention in the press, she calls it state sponsored identity based segregation and her work, really wonderful work, I encourage people to take a look at it. So, those are just two modalities you can find in jails and in prisons, of course, there's a third modality, which we would call isolation. So, this is kind of the extreme form of segregation. So, it's kind of taking this logic of strategic segregation to the extreme, and it puts people in isolation, protective custody, restrictive housing, solitary confinement, ad seg, you've probably heard all these words before, it is the most restrictive modality. And there's all sorts of problems with that in terms of the pains of imprisonment, right? Recent article in criminology by Wildeman and Andersen, they talk about restrictive housing as a devastating experience that humans can endure. Danielle Rudes, has a new book out on restrictive housing, wonderful book, by the way, I hope people are reading it. For my purposes, here, I'm raising three modalities where LGBTQ people can be situated visa vie housing assignments, you know, lots of people in corrections will say, you know, the housing decision is one of the most important decisions you make about somebody, because so much falls out of that location. That's what I mean by different housing arrangements. And of course, now, history is unfolding. And we're seeing kind of new strategies in my state of California, we have a new

law, SB 132. And it has a provision that not only allows and enables, but the word shall is in it, people shall be housed in facilities that align with their gender identity. That's historic. Because what it does is it enables the opportunity, the possibility, the provision, that for example, a trans woman sitting in a men's prison can be transferred to a women's prison. That's gigantic. So, that's another modality that's emerging, and one that I'm very interested in.

Jose Sanchez 52:36
Right. Yeah, that's really interesting. So, we want to ask you about some of the opposition and criticism that we've seen with housing transgender women. And it seems the people that oppose this will typically really highlight certain events. For example, when, in February of 2020, my belief was in Illinois, a female prisoner filed a suit claiming that a transgender prisoner raped her within the prison. And that was just like all over Twitter, of course, you know, of course, it's Twitter, right? So. And the other big one was the was and this wasn't in an incarceration setting. But a big one that a lot of people used was an MMA fighter, Fallon Fox, who is a transgender woman. And you have people like Joe Rogan, saying, well, first of all, she's not a she. She's a dude. And they were going on about bone density. And they were kind of using this to highlight like, they're different, right? Like they can. They're physically imposing they can hurt biological women. And so like, I don't know if we should caveat that again, like this is Twitter and Twitter's kind of a special place. But how would you respond to these like criticisms?

Val Jenness 54:04
Well, I mean, I hear you on Twitter, we should all be apprehensive about Twitter. I myself am a TikTok person. So we should be apprehensive about that, too, right? Yeah. Let's not just Twitter and tick tock. I mean, last week, there was another article in The New York Times about NCAA swimming, and kind of you can go back and look at it, you know, who should get to swim in women's swimming? Who shouldn't? Why? In that article, there's all sorts of experts chiming in. We're not even in a carceral space here. But we are having kind of a national discussion about sex about gender, about historically segregated activities, be them sports prisons, schools, so I would say that it's the kind of most macro level. This is a national discussion and you don't have to be on TikTok or Twitter. You just have to read the New York Times. And again, I would invite the listeners to go back and look at that article from last week. In some sense, those discussions are now kind of part and parcel of policy and practice discussions in carceral, spaces, jails, prisons, detention, facilities, ICE, etc. Those housing questions are coming up again and again. And I'm gonna focus on California for a minute, because it's where I live. And it's where my current kind of research is gazing. And we have a law called the Transgender Respect, Agency, and Dignity Act, SB 132. And it was signed into law in 2020. And it went into effect in 2021. So we're a year plus into the implementation of this law. And what makes it particularly kind of historic in my view, has lots of provisions by the way about pronoun use, about searching, lots of very important stuff. The part I'm focusing on is the housing provision, because it creates the law literally says shall write transgender, non binary intersex people shall be housed in facilities, blah, blah, blah, blah, blah. Now, there's lots of exceptions to that, unless the safety and security concern can be pointed out, etc. So it creates a discussion. And that's what's happening in corrections. By the way, Jose, I think the other case is in New Jersey right now, high profile case, I know nothing about this wrestling situation, sorry, it's not part of the culture I'm involved in, and I have a dialogue, right after this, I'll go look it up and try to get, you know, get up to speed on that. But there's just a national discussion

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going on. And prisons and jails and carceral spaces are a part of that. They're a particularly intense environment for this discussion, because of these deeply, deeply embedded cultural logics. In corrections, as I said earlier, kind of an anchoring organizational logic of safety and security. So, there's a different kind of inflection point when we talk about this. And so you get kind of both sides. And there is a pretty vitriolic debate, actually, some saying this is an important expression of trans rights and some saying, this is a complicated maneuver, because we have other obligations, obligations around safety and security. So, that's the fundamental collision course. One of the articles that just came out that captures as well as out of Canada, a kind of scholar, William Hurst, I think is the person's name, I have to look that up, William, kind of showing this collision course between trans rights and compliance and concerns about safety and security. And by the way, when I say concerns, I'm not issuing those and I'm not validating those. I'm telling you the discourse. So that's really kind of the moment we live in. And I'm not surprised when you mentioned wrestling happening there, New York Times the article on NCAA swimmers. And it's happening in other places as well. To me, it takes us right back to where we started, which is, what is the kind of experience of I'm gonna say LGBTQ folks while incarcerated. How is that contextualized by our notions about gender, we haven't talked enough about race and ethnicity, but that's kind of runs through this as well. And we're changing policy and practice. I don't have answers yet. Because I think a boatload of research needs to be done. The Vollmer piece is calling for that research.

Jose Sanchez 58:43
Right? Yeah. So I know, the MMA thing was like not in incarcerations setting, but it feels like a lot of times the people that like to levy, the criticisms will kind of grasp on to any event, kind of regardless of the context and try to generalize it across every context. So, just like a little more background, so what ended up happening was she was in a fight with another MMA fighter, she won, but her opponent suffered some injuries. One of them was like a broken orbital bone. And like, these aren't uncommon in that sport, but people seem to use that as a well, of course, she bashed her face in like that's a man pretending to be a woman. And then the Ages was just like a firestorm. Yeah, because it ultimately gets reduced to a discussion on strength. Yeah, so the whole gist of the whole thing became centered around bone mass. So like, biological men have denser bone mass, so they hit harder. And that was like the big sticking point and like people were coming out, like doctors, researchers, people that are incredibly not qualified to talk about this, still giving their unqualified opinions But then I would also see people saying like, well, she did that in a ring with like rules and the referee and regulations, imagine what could happen if you put her in a place like a prison or a jail, that kind of damage that you might see done there. So, we just want to get your thoughts on that.

Val Jenness 1:00:18
Yeah, I can see why you're raising that as an analog or parallel. You know, that discussion is certainly happening in the context of prison policy and administration. And whenever you do anything innovative, like move people who have had kind of assignments and carceral spaces that align with their sex assigned at birth for decades, you know, just it's just all people know. And now we're going to do this pretty. By the way, I think in California, we've transferred, you know, 25 or so people. So, it's not a lot of people. But it's gigantic when you go from zero, right? And so, yeah, people were interested in and what happens, right, and you said it, Jose, there are these kind of in the media expressed concerns, certainly around, you know, Illinois or New Jersey, there's also conversations that aren't in the media.

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How do we make this transfer viable and doable? You know, people in corrections are often thinking about how to situate folks within a carceral space, right? That's why we have intake, that's why we do reception, we do a lot, not we I'm not in that business, but the system. And so this becomes part of that discussion, as well. So, not so much a resistance. But uh, now let's do what we do, which is to kind of land the plane softly as it were. And then, of course, I don't think we should forget, another strategy is to decarceration. I mean, we sometimes forget about this, right? And we're seeing this in some jurisdictions, and I don't want to lose track of this. Some jurisdictions are simply releasing people. And I don't mean simply because that's a big decision. But I mean, that becomes the option that makes the most sense. So, I never want to forget that we're kind of in a decarceration moment in California. I mean, our prison population has shrunk immensely over the last few years. So, another is to say, well, none of these options are viable or acceptable. We know the harm trans women face in prisons, for men, it's well documented. We don't know as much about what happens when we transfer folks, either for them, or for the other people who are incarcerated in that prison. And then we know that under certain conditions, we can release people. So, I would like to have more discussion around the decarceration move. Right? Yeah, that's another option.

Jose Sanchez 1:02:48
Yeah, I think you're right. People do tend to forget that it is an option.

Jenn Tostlebe 1:02:53
Yeah. Yeah. I mean, we've been so focused on incarceration for so long, I think now, this goes back to your point of this is what we've been doing for X number of years for hundreds of years. And this is what we know. So changing that discourse, or changing policy is hard. Well, you know, the discussion of it is even hard, I'm sure in some circles. So.

Val Jenness 1:03:16
You know, when you frame it that way, Jen, I will say so I taught my first class in 1987. I published my first article in 1990. So I've been at this a while right? And studied different topics. I will say one of the things that's always intrigued me whether I did the prostitutes rights movement, or I did hate crime law when it was forming, or this trans project or even SB 132 with my collaborators at Cal State and UCLA. I've always liked to be in a zone where something new and interesting is happening. So, the prostitutes rights movement, I was just fascinated by the idea of working girls, as they called themselves, trying to decriminalize prostitution. And the name of the organization was Call Off Your Old Tired Ethics, COYOTE, what a phrase tell them to call off your old tired ethics. And later I found out I've never confirmed this. Coyotes apparently mate for life. They're one of the most monogamous animals. So, just a series of kind of interesting, creative political kind of maneuvering. And, you know, nobody had studied it. I was interested in kind of what are they doing? How are they doing that as an act of political mobilization? My work on hate crime law, it was these laws were emerging. There was lots of debate about their appropriateness. Jim Jacob wrote a really good book questioning, you know, the criminalization of things, criminalization of bigotry as another kind of leveraging of the state. This project way back when I was asked to do the first study because PREA was about to pass or had just passed, I can't remember. And the Secretary of corrections needed to know some things about her own system and actually wanted independent research to address that. I like going in spaces where not much has been done. So, for me the interesting part about SB 132 that I'm working on with, again, Elan Meyer

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and Jen Macy is this is a new law. It kind of cuts new space institutionally. And we want to see how it works. Yeah. That's actually a great segue into kind of the next question, which, as you said, you're doing research on this with your colleagues, Elan, Elan, I don't want to Elan Meyer, OK. And Jennifer Macy. Yeah.

Jenn Tostlebe 1:05:38
Yep. And so you've mentioned this a couple of times. Can you just briefly again, describe what this act is the Transgender Respect, Agency, and Dignity Act? And then what exactly this research is that you're doing?

Val Jenness 1:05:52
Yeah. So the transgender respect agency and Dignity Act, it was signed into law in 2020. That went into effect in 2021. And it mandates and I'm quoting this now "safe, humane, respectful and rehabilitative environment for transgender, non binary and intersex people in the custody of the California Department of Corrections and Rehabilitation". That's landmark that is like big. In fact, and I'm gonna quote again, when it passed the Secretary, Ralph Diaz at the time, he said, "no one deserves to be treated disrespectfully because of their gender identity or expression. And it is our sworn duty to protect people from sexual assault and violence. promised" and I'm quoting again, "to bolster our ongoing efforts to address the inequities and complex needs the incarcerated transgender non binary intersex community faces." That's the promise. So what, what we want to understand is the implementation of this legislation, and there's multiple parts to it. It's a multi phase project, we want to understand who, I'm going to give you some quick numbers here. I just looked him up, because I thought you might ask, we got about 95,000 people locked up in California Department of Corrections prisons. Last count, we got about 1,400, transgender, non binary intersex folks, we got about 300, that requested a housing transfer, right, got about 43 that were approved. These are estimates, I don't know, this is what you can get on the web. Right? We got about nine that were officially denied, and got about 200+ pending. And we got about 25 that have actually transferred. Okay. That's just some stuff we found on the web. We're not approved to do the research yet. We're writing proposals. Okay. What we want to understand is now that this law's in place, how will this unfold? Who will request? Which requests will get approved? Who will actually get transferred? What does that experience look like? What are the collateral consequences of that transfer? And what can we learn about the implementation of the law? That's the bare bones of the proposals we've written? We've written two proposals, okay. What I want to know, is what does all of this tell us about prisons as stratifying institutions? So, I'm borrowing from colleagues that use this term all the time, Sarah Wakefield, for example, at Rutgers that prisons draw on stratification, differential incarceration of certain groups of people. They create collateral experiences and consequences that produce stratification. What I really want to know is how does the implementation of this law kind of motor in that larger context as well. So, there's the nuts and bolts implementation. And there's the kind of, you know, arguably more academic question about the role of a prison as a stratifying institution. You know, some of my colleagues study education, some study employment, some studying, these are institutional arenas that have dynamics of stratification. Yeah. So, that's kind of what we're working on. Now. I will say, for the record, we're writing proposals. We're hoping to get approvals and access and some of that, and we hope to do the research, but we haven't started it yet.

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Jenn Tostlebe 1:09:23
Okay. Yeah. So I mean, a couple of questions, just when you were like throwing those numbers out, which I don't know if you actually know this, since you haven't started the research, but like, why would people get denied if they requested a transfer? And then thinking back to your Vollmer address, you did mention I think in a footnote, you know, grad students, we read the footnotes and all that good stuff, that some transgender women actually prefer to stay in facilities for men. And so those would be people who wouldn't request a transfer then, and just kind of thinking about why exactly they would prefer to stay in those facilities versus being transferred, but I don't know if you have answers to either.

Val Jenness 1:10:04
In our previous work that Lauren, Jen and I did, we asked that question. And I don't remember the exact wording, but pretty close, because I did a lot of the interviews myself. Yeah, it was something like this. If it were up to you, comma, and it's not this is way pre SB 132? Would you prefer to be housed in a prison for men or Prison for Women? And whichever one they chose, we would ask why, right? In that, which is now you know, it's over a decade old, and lots have changed. So I don't want to put too much weight on this, these data are old now. The majority set up prison for men. And that was a surprising finding. For some folks in the advocacy community, in the corrections community. We don't know if that will come up the same. But the numbers I just gave you are telling that you can find those numbers on the web, they changed monthly. Okay. But you know, the majority have not requested a transfer. Right? According to the CDOC. I don't know why that is, we need to kind of interview people. And we need to ask them, you know, why did you request to transfer? Why didn't you What did you expect? What was your experience? I mean, going back to what you said, Jen, we need to understand their experience and their voice? Yeah. And we need to capture it accurately and fairly, and kind of do some analysis of what are the patterns and trends in that, by the way, there's always patterns and trends, I don't even worry about that. It's just you can't be a sociologist and a criminologist and not assume the world pattern and trended right. So, I guess that's the fun part is genuinely having a question. I don't know the answer. If I knew the answer, I don't need to do the research, right. I mean, so to me, that's kind of an institutional sorting that I want to understand. Just be like, if I did a study of who gets into Ivy League colleges and who doesn't, right, you got all these people that don't even apply, because they began, get all these people that apply, get rejected, we get some that get in, you get some that actually accept the offer. Okay. These are kind of basic institutional sorting questions. I just happen to be interested in carceral spaces as particularly harmful, harsh and consequential spaces. Yeah. I think a lot hangs in the balance in that sorting.

Jenn Tostlebe 1:12:26
Yeah, yeah, absolutely. And I guess those questions just come up in my mind, because if we were in a space where all of a sudden, you know, assignment was no longer based off of biological sex that changed to gender, and those individuals who wouldn't want to go according to their gender assignment that almost then brings up a whole nother problem. So yeah, it's an interesting question. And I hope that's something that clearly you're planning on looking at if this comes to fruition.

Val Jenness 1:12:57
Well, it's yeah, it's a big gift, right? I don't know if I'm a fool, or if I should be prideful. But I do take the long shot on occasion.

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Jenn Tostlebe 1:13:05
That's good. We need those people.

Val Jenness 1:13:07
Yeah, have access, you have to get approvals. You know, it's a lot of work on the front end, in the hopes that you get to do the back end research. And I think you'd be surprised at how many projects I have in a file drawer that never went anywhere after years of trying. Oh, yeah, what you see is the criminology piece, right? Yeah. It worked out, it is great. Or the Vollmer award. You know, that's what you see how we structured our work lives. We report on the successes you won't see on my CV, anyplace where I report every project that took a dive. Yeah. And we talked a little bit about how you were experiencing the pandemic and how you had to adjust your own research agenda. Remember, you and Jose and I talked about this. There's a lot of things that happen that prevent us from doing ideally what we wanted to do, or maybe, you know, in an ideal world should have gotten to do.

Jenn Tostlebe 1:14:03
Yeah, well, as we've come to find out during this podcast, and just from our experiences, you know, failure's the modal outcome in our profession of choice.

Val Jenness 1:14:13
Is that true?

Jenn Tostlebe 1:14:15
That's what we've been told over and over again,

Val Jenness 1:14:17
People are telling you to mnage your own expectations?

Jenn Tostlebe 1:14:21
Scott Decker, in particular we'll reference him but yeah.

Jose Sanchez 1:14:24
yeah. And even when I was a master's student applying to PhD programs, I got told the same thing. And the professor even said, if I made a CV of all my rejections and all my failures, it'd be three or four times longer than my CV right now.

Val Jenness 1:14:40
Yeah, no, I think that's right. I once had a student that was pretty upset at getting an article rejected and it was brutal. You know, reviews were tough. I was trying to express sympathy because it's horrible. I mean, we've all been through and it's like, no, but the student looked at me and said, Well, you don't understand and I said, No, I do. I mean, no, no, and Okay, I made some remark about, you know, my publication record and I said, Oh, but you don't see all the rejections and I turned, and I opened my file cabinet and gave the student the most recent one, which was also kind of brutal. And I said, there, and I remember the student read it, and kind of looked at me like, ouch, ouch. Because we don't often share

that part. Right? We don't often say, you know, here's the nasty things that were said about my work. Yeah. Oh, yeah. So but it is, I think, you know, and I guess this is, particularly for people that are starting out in their career and building their careers. But it's for me to, you know, suffering, or at least managing rejection is part of what we do. And I'd like to say it gets easier. Not sure. It's just not fun, right? It's like, yeah, that was a waste of time, or back to the drawing board. So, yeah, I'm very excited about this work. I'm very excited about the people I'm getting to work with, you know, I keep mentioning these names, because you're nice enough to interview me. But these are really team projects. And if I had any advice to people would be get the right team. And I got the right team. And so I'm just very excited and hopeful. But I also know sometimes things work out sometimes they don't. But I know this for sure. If you don't try and get in the lane, it certainly doesn't work.

Jose Sanchez 1:16:24
Yeah, yeah, definitely. Yeah, some you have to take the shot, take the shots and see what happens. Well, before we finish or wrap up here, do you have any final comments or points that you would like to make anything that maybe you want to talk about that we didn't touch on?

Val Jenness 1:16:40
No, no, I think you two have done a great job preparing me and also doing the interview. I'm really impressed. And I want to say I think these kinds of dialogues are really important in general, for our community, and by community. I mean, criminologist, people that are interested in these issues, community of scholars, researchers, however you want to frame it, I think in a pandemic, it's even more important, because they provide us with a moment of connectivity. And I mean, it genuinely when I say thanks, not only for inviting me, but thanks for doing this series. It's the kind of thing that I think serves the collective. So, very happy to do it. Happy to help you get other people to do. So. Thanks for waiting on me for the timing to be right. I appreciate it.

Jose Sanchez 1:17:22
Yeah. Yeah, we felt this was an important conversation to have. And we were very excited to talk to you. So it was not a problem whatsoever. And you know, thank you for agreeing to come on here. And talking to

Val Jenness 1:17:38
Happy to do it.

Jose Sanchez 1:17:45
Yep. So is there anything that you would like to plug anything coming out in the near future that we should be on the lookout for?

Val Jenness 1:17:55
It's interesting? Is that what people want to do? I want to say you're going on the road of the new tour,

Jenn Tostlebe 1:18:04
show up and

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Val Jenness 1:18:06
I hope throughout this, I've given my collaborators enough credit, because I really, when you publish an article, and there's many names on it, that tells you a lot. But when you do an interview like this, it's not as obvious. So, I really do want to acknowledge that people with whom I've worked. I believe the work is better because of the team and happy to do a one on one interview, but rarely is that how I work is actually done.

Jose Sanchez 1:18:33
And finally, where can people find you? So Twitter, email, Google Scholar, that type of thing.

Val Jenness 1:18:39
When I go to that wrestling match, I guess. Just email. I do do TikTok. I don't post I just watch him. Yeah, email. We'll get

Jenn Tostlebe 1:18:51
that posted up on our website so people can find it too. Okay, great. But yeah, thank you again, and keep us up to date on the SB 132 stuff.

Val Jenness 1:19:00
We'll do. Okay, thanks a lot. Take care you towo. Bye. Bye.

Jenn Tostlebe 1:19:05
Bye. Hey, thanks for listening.

Jose Sanchez 1:19:07
Don't forget to leave us a review on Apple podcasts or iTunes. Or let us know what you think of the episode by leaving us a comment on our website thecriminologyacademy.com

Jenn Tostlebe 1:19:16
You can also follow us on Twitter, Instagram and Facebook @thecrimacademy.

Jose Sanchez 1:19:27
or email us at thecrimacademy@gmail.com