# DIVERSITY IN CRIMINOLOGY AND CRIMINAL JUSTICE STUDIES

**Edited by** Derek M.D. Silva and Mathieu Deflem

SOCIOLOGY OF CRIME, LAW AND DEVIANCE

**VOLUME 27** 

## DIVERSITY IN CRIMINOLOGY AND CRIMINAL JUSTICE STUDIES

# SOCIOLOGY OF CRIME, LAW AND DEVIANCE

Series Editor: Mathieu Deflem

(Volumes 1–5: Jeffrey T. Ulmer)

#### **Previous Volumes:**

volume 6:	Ethnographies of Law and Social control, edited by Stacey lee Burns, 2005
volume 7:	Sociological theory and criminological Research, views from Europe and United States, edited by Mathieu Deflem, 2006
volume 8:	Police occupational culture: new debates and directions, edited by Megan O'Neill, Monique marks and Anne-Marie Singh, 2007
volume 9:	Crime and Human Rights, edited by Stephan Paramentier and Elmar Weitekamp, 2007
volume 10:	Surveillance and governance: crime control and Beyond, edited by Mathieu Deflem, 2008
volume 11:	Restorative Justice: from theory to Practice, edited by Holly Ventura Miller, 2008
volume 12:	Access to Justice, edited by Rebecca Sandefur, 2009
volume 13:	Immigration, crime and Justice, edited by William F. McDonald, 2009
volume 14:	Popular culture, crime and Social control, edited by Mathieu Deflem, 2010
volume 15:	Social control: informal, legal and medical, edited by James J. Chriss, 2010
volume 16:	Economic crisis and crime, edited by Mathieu Deflem, 2011
volume 17:	disasters, Hazards and law, edited by Mathieu Deflem, 2012
volume 18:	music and law, edited by Mathieu Deflem, 2013
volume 19:	Punishment and incarceration: a global Perspective, edited by Mathieu Deflem, 2013
volume 20:	Terrorism and counterterrorism today, edited by Mathieu Deflem, 2015
volume 21:	The Politics of Policing: Between force and legitimacy, edited by Mathieu Deflem, 2016
volume 22:	Race, ethnicity and law, edited by Mathieu Deflem, 2017
volume 23:	Homicide and violent crime, edited by Mathieu Deflem, 2018
volume 24:	Methods of criminology and criminal Justice Research, edited by Mathieu Deflem and Derek M.D. Silva, 2019
volume 25:	Radicalization and Counter-Radicalization, edited by Derek M.D. Silva and Mathieu Deflem, 2020
volume 26:	Media and Law: Between Free Speech and Censorship, edited by Derek M.D. Silva and Mathieu Deflem, 2021

# SOCIOLOGY OF CRIME, LAW AND DEVIANCE VOLUME 27

# DIVERSITY IN CRIMINOLOGY AND CRIMINAL JUSTICE STUDIES

#### **EDITED BY**

#### DEREK M. D. SILVA

King's University College, Canada

and

#### **MATHIEU DEFLEM**

University of South Carolina, USA



United Kingdom – North America – Japan India – Malaysia – China

Emerald Publishing Limited Howard House, Wagon Lane, Bingley BD16 1WA, UK

First edition 2022 Editorial Matter and Selection © 2022 Derek M.D. Silva and Mathieu Deflem Individual chapters © the respective Author/s Published by Emerald Publishing under an exclusive license.

#### Reprints and permissions service

Contact: permissions@emeraldinsight.com

No part of this book may be reproduced, stored in a retrieval system, transmitted in any form or by any means electronic, mechanical, photocopying, recording or otherwise without either the prior written permission of the publisher or a licence permitting restricted copying issued in the UK by The Copyright Licensing Agency and in the USA by The Copyright Clearance Center. Any opinions expressed in the chapters are those of the authors. Whilst Emerald makes every effort to ensure the quality and accuracy of its content, Emerald makes no representation implied or otherwise, as to the chapters' suitability and application and disclaims any warranties, express or implied, to their use.

#### **British Library Cataloguing in Publication Data**

A catalogue record for this book is available from the British Library

ISBN: 978-1-80117-002-4 (Print) ISBN: 978-1-80117-001-7 (Online) ISBN: 978-1-80117-003-1 (Epub)

ISSN: 1521-6136 (Series)



ISOQAR certified Management System, awarded to Emerald for adherence to Environmental standard ISO 14001:2004.

Certificate Number 1985 ISO 14001



### **CONTENTS**

About the Authors	vii
Introduction: Diverse Voices in the Fields of Criminology and Criminal Justice  Derek M. D. Silva and Mathieu Deflem	1
PART I DIVERSITY IN THE PROFESSION	
Chapter 1 Diversity in Teaching and Researching Criminal Law and Criminology Frances P. Bernat	9
Chapter 2 Lurking With/In Mainstream Criminologies as a Queer Criminologist: Learnings and Reflections  Angela Dwyer	25
Chapter 3 Anti-Blackness, Criminology and the University as Violence Work: Diversity as Ritual and the Professionalization of Repression in Canada  Tamari Kitossa and Gökbörü Sarp Tanyildiz	39
Chapter 4 Black on Blue, Will Not Do: Navigating Canada's Evidence Based Policing Community as a Black Academic – A Personal Counter-story  Kanika Samuels-Wortley	63
PART II DECOLONIZING CRIMINOLOGY AND CRIMINAL JUSTICE STUDIES	
Chapter 5 Power and Place: Mapping Indigenous Grassroots Organizing and Mobilizing for the MMIWG2S+ People Vicki Chartrand	83
Chapter 6 The Canadian Residential Schools and Indigenous Human Rights David Milward	99

vi CONTENTS

Chapter 7 The Intersection of Race and Gender in Human Trafficking Vulnerability and Criminalization Cassandra Mary Frances Gonzalez	115
PART III AXES OF INCLUSION AND EXCLUSION	
Chapter 8 The Nature and Necessity of Intersectionality to Feminist Criminological Work on Intimate Partner Violence Jordan Fairbairn	135
Chapter 9 Personal Troubles are Public Issues: End Mass Incarceration Shanell Sanchez, Kelly Szott and Emma Ryan	151
Chapter 10 Prenatal Testing, Down Syndrome, and Selective Termination: A (Critical) Criminology of Genocide?  Ryan Thorneycroft	167
Chapter 11 Blurred Consent and Redistributed Privacy: Owning LGBTQ Identity in Surveillance Capitalism Justin R. Ellis	183
Index	197

#### **ABOUT THE AUTHORS**

**Frances P. Bernat**, Texas A&M University System Regents Professorship and Professor of Criminal Justice at Texas A&M International University; Emerita, Arizona State University (USA), specializes in immigration, criminal law and procedure, cybercrime, human sex trafficking, and youth resilience.

**Vicki Chartrand**, Department of Sociology, Bishop's University (CAN), is also a Mama and Adjunct Professor in the Department of Criminology, University of Ottawa. She has over 15 years of experience collaborating for and with women and children, Indigenous communities and people in prison.

**Mathieu Deflem**, Department of Sociology, University of South Carolina (USA), specializes in the sociology of social control, terrorism, policing, sociology of law, and sociological theory. He is the author of four books, including *The Policing of Terrorism* (Routledge, 2010) and *Sociology of Law* (Cambridge University Press, 2008).

**Angela Dwyer**, is an Associate Professor, Policing and Emergency Management, School of Social Science, Deputy Director of the Tasmanian Institute of Law Enforcement Studies, University of Tasmania, (AUS), who specializes in the intersection between sexuality, gender diversity, and criminal justice.

**Justin R. Ellis**, Newcastle Law School, University of Newcastle (AUS), specializes in norm formation through digital media technologies and its impact on vulnerable populations, such as LGBTQ communities. He has authored numerous articles on this subject and a book, *Policing Legitimacy: Social Media, Scandal and Sexual Citizenship* (2021).

**Jordan Fairbairn**, Department of Sociology, King's University College at Western University (CAN), is an Associate Professor who specializes in gender, crime, violence, and media, with a focus on social responses to intimate partner violence and sexual violence.

Cassandra Mary Frances Gonzalez, Department of Criminal Justice and Criminology, Sam Houston State University (USA), utilizes qualitative methods to examine the lived experiences of Black women and girls sex trafficking survivors and their navigations through the criminal justice system.

**Tamari Kitossa**, Department of Sociology, Brock University (CAN), specializes in Blackness, anti-Blackness, Black masculinities, African Canadian leadership,

anti-criminology and counter-colonial criminology and interracial unions. He is a Contributing Editor to three major book projects: *African Canadian Leadership: Continuity, Transition, and Transformation* (University of Toronto Press), *Nuances of Blackness in the Canadian Academy: Teaching, Learning and Researching While Black* (University of Toronto Press; forthcoming), and *Appealing Because He Is Appalling: Black Masculinities, Colonialism and Erotic Racism* (University of Alberta Press).

**David Milward**, Faculty of Law, University of Victoria (CAN), specializes in criminal law, evidence, Indigenous justice, and Cree law. He has published numerous articles and chapters in these areas, as well as three books, *Aboriginal Justice and the Charter: Realizing a Culturally Sensitive Interpretation of Legal Rights, The Art of Science in the Canadian Justice System: A Reflection on my Experiences as an Expert Witness, and Reconciliation and Indigenous Justice: A Search for Ways Forward.* 

**Emma Ryan**, Department of Sociology, University of Northern Colorado (USA), is a graduate student specializing in social inequality, social justice, and inequality in the criminal justice system.

**Kanika Samuels-Wortley**, Institute of Criminology and Criminal Justice, Carleton University (CAN), is an Assistant Professor whose research aims to explore the complex relationship between race and crime and committed to better understand the overrepresentation of Black and Indigenous youth in the criminal justice system.

**Shanell Sanchez**, Department of Criminology and Criminal Justice, Southern Oregon University (USA), is an Associate Professor who focuses on social change and justice, inequality, and comparative crime and justice.

**Derek M. D. Silva**, Department of Sociology, King's University College at Western University (CAN), specializes in sport, inequality, punishment, and terrorism and radicalization studies. His most recent work can be found in peerreviewed journals *Punishment & Society, Sociological Forum, Race & Class*, and the *Sociology of Sport Journal*.

**Kelly Szott**, Sociology and Anthropology Program, Southern Oregon University (USA), is a Medical Sociologist who studies drug use, addiction, and harm reduction responses. Her current work uses qualitative methods to examine the opioid crisis, needle exchange, and medication-assisted treatment in the rural USA.

Gökbörü Sarp Tanyildiz, Department of Sociology, Brock University (CAN), focuses on the relationship between embodied social relations, formations, and subjectivities within contemporary capitalism through anti-racist, feminist, queer, and Marxist social theories. His research demonstrates that the aporias frequently encountered in contemporary critical theories lay in the antinomies of classical

About the Authors ix

sociology. In so doing, he emphasizes the necessity for sociological analyses that are commensurate to the social and political problems of our time.

**Ryan Thorneycroft**, School of Social Sciences, Western Sydney University (AUS), is an early career researcher interested in the pathologization of marginalized populations, and particularly disabled people. He uses crip and queer theory in his work, and has published in many leading journals, including *Theoretical Criminology* and *Disability and Society*.