

Brain Injury and the Juvenile Justice System



Justice-involved youth with a traumatic brain injury (TBI) have more psychiatric distress, an earlier start to criminal behavior, earlier substance abuse, more lifetime substance use and suicidality.

67%



As high as 67% of detained youth have a **history of brain injury**.
The brain injury occurred **before** the criminal offense in the majority.

3.38
times



Juvenile offenders are almost **3.4 times more likely**
to have a TBI than non-justice involved youth.



69%



With a TBI, they have a **69% higher chance of re-offending**.

BEST PRACTICE

The Juvenile Justice
System should:

- **SCREEN** for prior history of Brain Injury
- **ASSESS** Cognitive & Functional Impairment
- **EDUCATE** staff on Brain Injury
- **EDUCATE** the person about their Brain Injury
- **PROVIDE** and **TEACH** Accommodations
- **CONNECT** person served with Community Resources

COMMON PROBLEMS

After Brain Injury,
we often see
problems with:

- Attention, memory and new learning
- Slowed speed of processing
- Organization, problem solving & impulsivity
- Irritability, frustration & agitation
- Balance, dizziness & headaches
- Poor awareness of deficits & difficulties
- Difficulty being flexible, poor self-monitoring

WHAT TO LOOK FOR

Juvenile Justice
personnel may see:

- Looking uninterested because they cannot pay attention
- Appearance of defiance because they cannot remember the rules
- Slow to follow directions because they cannot process quickly
- Getting into fights because of irritability, anger and impulsivity
- Falling into things, often getting hurt
- Difficulty in school or holding a job
- Vulnerability to being exploited by others
- Cannot express themselves, becoming frustrated, then aggressive

Many studies have shown that while youth crime is a growing international concern, harsh sentences and punitive approaches **increase** the chances that youth will re-offend.

-Coalition for Juvenile Justice

Common Accommodations for Brain Injury Challenges

Here are some common and simple accommodations:

- Working for shorter periods of time
- Getting rid of distractions around you, like noise or movement
- Taking notes (on paper, in a notebook, on a phone or computer)
- Using a phone to set timers to remember appointments
- Repeating information to the person
- Slowing down when talking; giving them more time to respond
- Giving the person a list of house rules, written directions, or pictures to help them understand and remember
- Coaching the person with the injury to "Stop, think and plan" then act
- Coaching the person to take deep breaths when feeling angry or anxious



Tools for Best Practice

Brain Injury Screening Resources:

- **NASHIA's OBISSS:** <https://www.nashia.org/obissprogram> – The OBISSS is highly recommended. It is made up of the OSU screening tool, a Symptoms Questionnaire and Strategies. It can be used electronically, on a computer, phone or ipad. It can be self-administered.
- **OSU TBI Identification Method:** <https://wexnermedical.osu.edu/neurological-institute/neuroscience-research-institute/research-centers/ohio-valley-center-for-brain-injury-prevention-and-rehabilitation/osu-tbi-id>

Brain Links' Strategies & Accommodations Tool: <https://www.tndisability.org/rehabilitation-symptom-questionnaire-and-cognitive-strategies>

- Adult: bit.ly/3FLkz0V
- Juvenile: bit.ly/4iS2bSC



Tennessee Resources

Brain Links' Website with many resources:
tndisability.org/brain

Brain Links' Toolkits (for Service Professionals and Survivors): <https://www.tndisability.org/brain-toolkits>

TN Department of Health TBI Program:
<https://tinyurl.com/3v5jrdt3>



Tennessee Brighter Futures' Resource Pages & Training for Brain Injury:
<https://www.tndisability.org/tbf-brain-injury>



Resource Pages & Training for Juvenile Justice:
<https://www.tndisability.org/tbf-juvenile-justice>

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References:

- Nagel, D., Vaccaro, M., et al. (2021). *Brain Injury in Justice-Involved Youth: Findings and Implications for Juvenile Service Professionals*. National Partnership for Juvenile Services. <http://npjs.org/jajjs/>
- Gordon, W.A., Spielman, L., et al. (2017). The Relationship between TBI and Criminality in Juvenile Offenders. *JHTR*. 32(6).
- TBI and Youth Justice, McMaster University website: <https://tbi-youth-justice.org/>
- Over-Representation of Brain Injury in Adult and Juvenile Criminal Justice Populations. www.biausa.org/
- Dettmer, J. Criminal and Juvenile Justice Best Practice Guide: Information and Resources for State Brain Injury Programs. (2020). <https://www.nashia.org/cj-best-practice-guide-attachments-resources-copy>



Juvenile Justice
Resources



<https://www.tndisability.org/brain>
@BrainLinksTN



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