# 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 suicidiality.

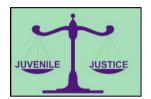
67%

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
- o 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/obisssprogram 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: <u>bit.ly/3FLkz0V</u>Juvenile: <u>bit.ly/4iS2bSC</u>

#### Tennessee Resources

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

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

TN Department of Health TBI Program:

https://tinyurl.com/3v5jrdt3



<u>Tennessee Brighter Futures' Resource Pages & Training for Brain Injury:</u>

https://www.tndisability.org/tbf-brain-injury



Resource Pages & Training for Juvenile Justice:

https://www.tndisability.org/tbf-juvenile-justice

TN Brighter Futures is organized and facilitated by Brain Links through a contract from the TN Department of Health TBI Program.



Juvenile Justice

Resources

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- 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









