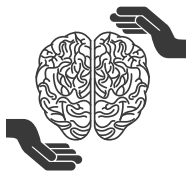


## Challenges Navigating the Correctional System for People with Brain Injury

Acquired Brain Injury (ABI) is widespread among people who are justice-involved, with a range from 6-100%.<sup>1</sup> The majority of ABIs among people in prison reflect Traumatic Brain Injuries (TBI).<sup>1</sup> A TBI can be defined as damage to the brain caused by an external force such as a blow to the head, a fall, a motor vehicle collision or a sports-related injury.<sup>2</sup>

As many as **80%** of incarcerated adults have histories of TBI compared to 12% of the general population.<sup>3 4</sup>

### Memory



TBI can limit your ability to remember important information related to a corrections order or community supervision order.<sup>5</sup>

An inability to recall the conditions of these orders—such as forgetting to attend court or treatment at a specific place and time—could result in further criminal justice involvement, including rearrest and return to custody.<sup>6</sup>

TBI can result in difficulties with communication (listening, speaking, reading, and writing).<sup>3</sup>

The complex language and social interactions in criminal justice settings create accessibility barriers for people with histories of TBI.<sup>7</sup> Court may feel "scary" and "confusing."<sup>6</sup> It may be difficult to follow conversations due to deficits in attention, concentration and remembering.<sup>3</sup>

### Communication



### Misconceptions & Awareness



There is limited awareness and accommodation of TBI in the criminal justice system.<sup>6</sup> Examples include:

- Lack of awareness that the majority of people in prison are survivors of TBI.<sup>8</sup>
- Lack of awareness of the need for accommodations for survivors of TBI to ensure they can make informed decisions during criminal justice proceedings.<sup>6 8</sup>

Research suggests some common TBI-related misconceptions within the criminal justice system, creating additional challenges.<sup>8</sup>

For example, the cognitive, emotional, and behavioural challenges related to TBI may be misperceived as signs of deception, aggression, or intoxication.<sup>3 6</sup> Similarly, lawyers may be reluctant to reveal whether clients have a TBI, fearing the court would be more likely to view them as a risk to community safety.<sup>6</sup>

## Potential strategies to address these challenges



- Affordable and supportive housing options for survivors of TBI and incarceration<sup>6</sup>
- Adequate funding of community services to support people post-release<sup>6</sup>



- System-navigators to guide individuals through the justice system's procedures to ensure just, equitable and positive outcomes.<sup>6</sup>
- Training on TBI and its implications for people who work in the criminal justice system<sup>6</sup>



- Holistic, individually-tailored support<sup>9</sup>
- Day programmes to assist people with TBI and their families<sup>6</sup>
- Social rehabilitation to provide individuals routine and structure in their lives<sup>6</sup>

- Prioritized behavioural screening for those with history of TBI<sup>10</sup>
- Coordinated care between courts, correctional agencies, and health services<sup>6, 9</sup>



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