



POSITION STATEMENT

*Adopted by NPJS Board of Directors ~
September 21, 2018*

IDENTIFYING AND RESPONDING TO YOUTH WITH BRAIN INJURIES WITHIN THE JUVENILE JUSTICE SYSTEM

STATEMENT OF THE ISSUE

Youth with brain injury are increasingly likely to be identified during their involvement with the juvenile justice system. At every contact, including community based or brief contacts (e.g., with juvenile probation intake officers or short-term facility placements), the Juvenile Justice System bears responsibility to assist with identifying and communicating about needs that arise from a possible brain injury. Currently however, juvenile justice programs and staff are often ill-equipped and under-prepared to assess, screen and provide appropriate supports for youth with impairments associated with brain injury.

DEFINITIONS

A brain injury (for the purposes of this Position Statement) is an injury resulting from a force or impact to the brain (not from hereditary or congenital causes) that impairs the cognitive abilities or physical functioning, commonly referred to as an Acquired Brain Injury or Traumatic Brain Injury.

NATURE OF THE ISSUE

- Justice involved youth are more likely to have experienced brain injury than the general population.
- Juvenile justice staff, mental health professionals, institutional education staff, and in many cases front line medical staff are not likely to have been trained or to have access to resources to screen youth for brain injury.
- Juvenile justice professionals are not likely to have access to professional resources to assess youth with identified brain injury for subsequent impairment.
- Community resources and rehabilitation services for brain injury are not properly linked with juvenile justice service providers to ensure youth are prepared to respond to the varying challenges associated with the cognitive and physical impairments that result from brain injury, limiting their ability to navigate toward successful independence and adulthood.
- Youth with brain injury display behaviors often mistaken for mental health and or behavioral or personality problems/disorders. These behaviors present as impairments in memory, problem solving, planning, decision-making, mental flexibility, judgement, communication skills, processing speed, attention, impulse control and social skills.
- When youth with brain injury within the justice system are not identified as impaired, they are less likely to receive the full benefit of evidence-based brain injury rehabilitation services that can reduce the risk for recidivism.

POSITION STATEMENT

The National Partnership of Juvenile Services (NPJS) strongly advocates that juvenile justice professionals have adequate resources to meet the needs of youth with brain injury, including; staff training, validated tools for screening, and intervention strategies to address associated behaviors, as well as access to trained education staff and/or local school districts to assist in providing appropriate educational supports. Additionally, brain injury specialists must be accessible to assess youth identified as having impairments as a result of brain injury to determine specific rehabilitation treatment needs. Local resources must be identified that can offer support, intervention, and/or treatment to address associated impairments while youth with brain injury are in custody and upon return to their community/home. Additionally, services that are designed to address recidivism as well as cognitive academic supports must be tailored for youth with impairments from brain injury.