

# Traumatic Brain Injury and the Justice System: **A Focus on Communication**

Human Services and Justice Coordinating Committee  
November 1, 2018

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# Brain Injury among Criminal Justice Populations: **Session Overview**



1. Our research: Traumatic Brain Injury, Mental Health and Addictions in Vulnerable Populations
2. Incorporating Sex and Gender into work and research; What does this mean and why is it important?
3. Traumatic Brain Injury in the Criminal Justice System; What we know & current research program
4. How can you be involved?

# Integrating Brain Injury, Mental Health, and Addictions

Colantonio, A. (PI). Chan, V. Mann. R., Balogh, R., Kirsh, B., Nalder, E., Kontos, P., Wiseman-Hakes, C., Matheson, F., Riopelle, R., Grigorovich, A., Haag, L.

Funding by  **Ontario**  
Ministry of Health & Long Term Care

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**Persons with Lived Experience and  
Caregivers of Persons with Lived  
Experience**



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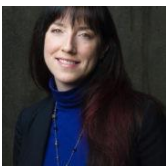


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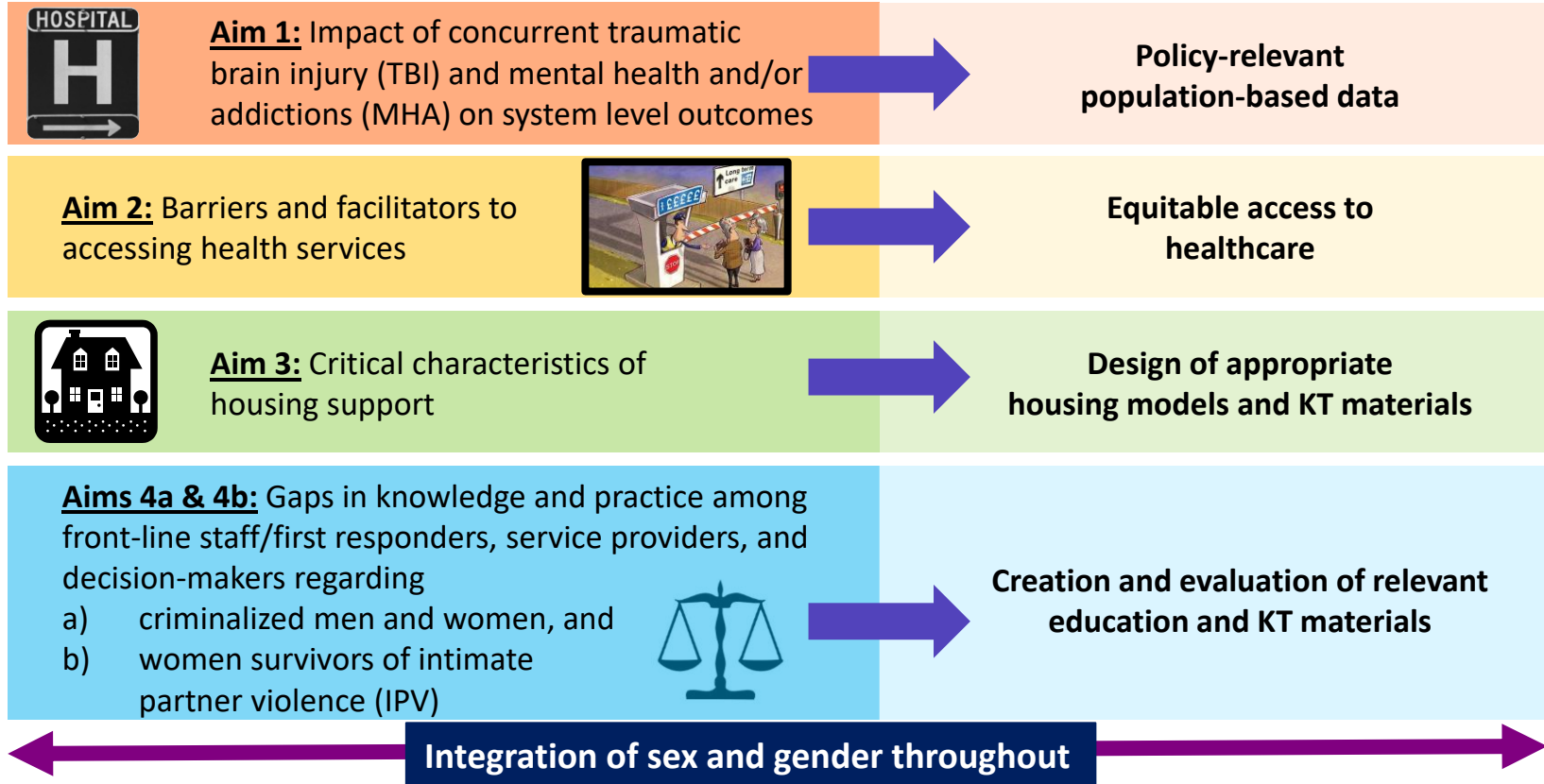
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# Program Advisory Committee (PAC): Membership

- A key component of this Research Program is the promotion of meaningful cross-sectoral engagement with knowledge users, including persons with lived experience, caregivers of persons with lived experience, and service providers through collaboration and participation in research and knowledge translation and exchange (KTE) activities.
- Additional members may be recommended at any time



# Research Program Objectives & Anticipated Outcomes





# Incorporating **Sex** and **Gender** in Work and Research



# What is 'Sex' and 'Gender'?

## Sex

Typically refers to “...the biological and physiological characteristics that distinguish males from females”

## Gender

Typically refers to the “...socially constructed roles, relationships, behaviours, relative power, and other traits that societies ascribe to women and men”

- 
- Although sex (male/female) and gender (men/women) are both commonly discussed as discrete and binary concepts, CIHR acknowledges that both are fluid and dynamic
  - Sex and gender are interrelated; the relationships are complex

(CIHR, 2010)

# Traumatic Brain Injury in the Criminal Justice System: What We Know



# Brain Injury among Criminal Justice Populations: **What We Know**



- In lay terms, Traumatic Brain Injury (TBI) is defined as a blow or jolt to the head or a penetrating head injury, which disrupt the function of the brain either temporarily or permanently. (CDC Brainline.org)
- TBI falls under the umbrella of Acquired Brain Injury (ABI). ABI includes TBI and non traumatic brain injuries such as stroke, aneurysm, and anoxia.
- Concussion is also a TBI and is defined as a traumatically induced **temporary** disturbance of brain function i.e. an alteration in consciousness. Concussion can occur (and often does) without a loss of consciousness.
- A person does not need to hit their head for a TBI of any severity to occur
- Those with TBI (including concussion) are at higher risk of sustaining another, and, a history of multiple TBI's is associated with slower recovery.
- Common causes of TBI include falls, motor vehicle crash, assaults and domestic violence, sports injuries

# Brain Injury among Criminal Justice Populations: What We Know



- Traumatic brain injury (TBI) is highly prevalent among jail and prison inmates and those who have come into contact with the criminal justice system.
- As many as 80% of incarcerated adults have a reported history of TBI. (Williams et al., 2010; Schofield et al., 2006; McIsaac et al., 2016; Schofield et al., 2016)
- For youth, the rate is estimated from 16-72%. (Hughes et al., 2015; Wszalek & Turkstra, 2015)
- Previous work by Dr. Matheson's lab identified that in Ontario, men and women who sustained a TBI were about 2.5 times more likely to be incarcerated than men and women who had not sustained a TBI. (McIsaac et al., 2016)
  - Recent findings indicate that people with TBI are 14 times more likely to incur a serious charge and 12 times less likely to achieve discretionary release

# Brain Injury among Criminal Justice Populations: **What We Know**



- Having a TBI increases the risk of recidivism by **69%**. (Ray et al., 2017)
- Violence is both a cause and sequelae of TBI.
- These prevalence rates are so significant that the U.S. Centers for Disease Control and Prevention (CDC) have identified TBI among prisons and jails as a significant public health problem. (CDC Brainline.org)



# **Traumatic Brain Injury:**

## **Cognition, Communication and Behaviour**



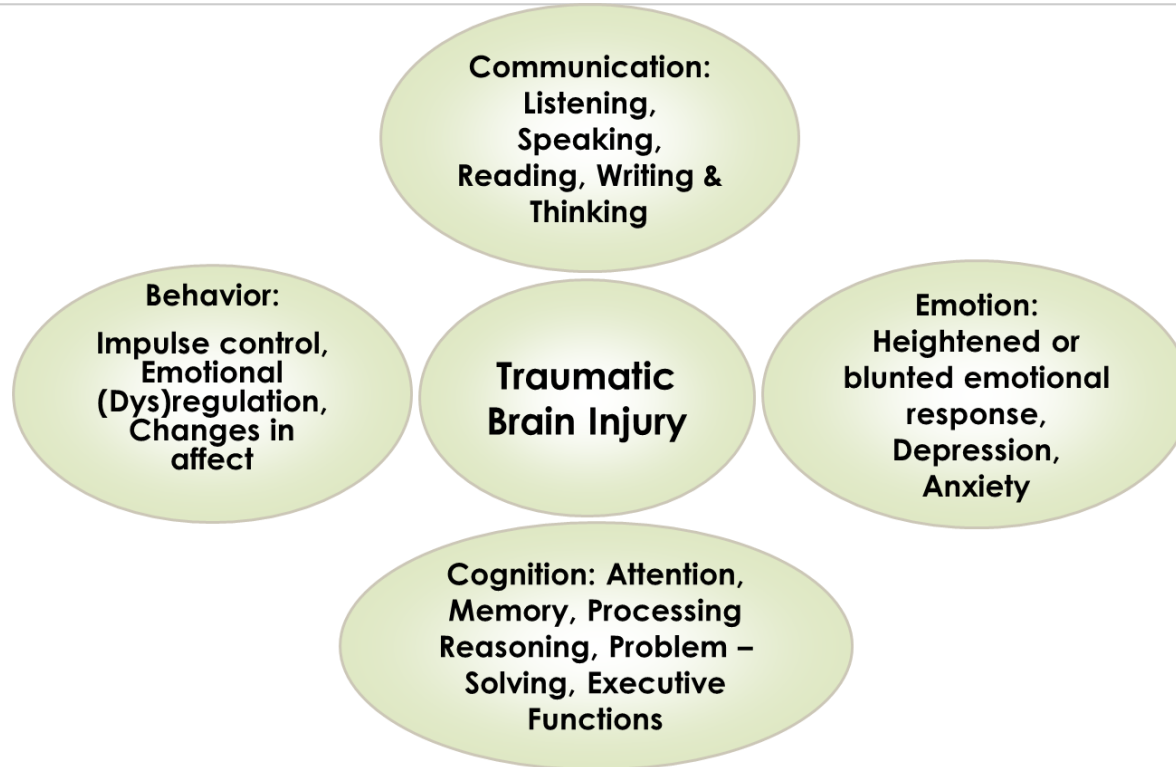
# Brain Injury among Criminal Justice Populations: **What We Know**



- TBI is associated with a number of cognitive, communication, emotional and behavioral challenges that complicate management during incarceration and create barriers to successful community reintegration.
- Cognitive challenges include alterations in; attention, memory, multi-tasking, self-monitoring, planning and organizing, problems solving and reasoning
- Emotional challenges may include increased lability, or reduced affect and initiation, depression is prevalent
- Cognitive-communication refers to difficulties with any aspect of communication; listening, understanding, speaking, reading, writing and thinking, due to underlying cognitive impairments



# The Impact of TBI on Cognition and Communication: How We Think and How We Interact with Others



# ***Professional Misconceptions***



All of these challenges can be misinterpreted as; (Snow & Powell, 2012)

- Non compliance
- Rudeness
- Defiance
- Poor motivation
- Disengagement



# Why is This Important Within the Context of Criminal Justice?



The trajectory of criminal justice i.e., from first responders to interactions with police, and front-line workers, probation and parole officers, to formal proceedings, (e.g. bail hearings, court trials) involves complex social interactions that typically require high-level and fast paced processing of information, understanding and responding. Wszalek JA, Turkstra LS, (2015).



# Brain Injury: What We Also Know



- While TBI occurs across all levels of sociodemographic status, evidence suggests a strong socio-economic gradient with individuals from disadvantaged backgrounds being at greater risk. (Colantonio et al., 2014; Hwang et al., 2008; Williams et al., 2006)
- We also know that the sequelae of TBI are most often superimposed on pre-existing language and literacy impairments as well as mental health, substance use and addictions challenges. (Hughes et al., 2012; Snow et al., 2012; Snow et al., 2016)



# Brain Injury among Criminal Justice

## Populations: *Professional Misperceptions*



- There exists a general lack of awareness regarding the impact of a TBI, which results in pervasive environmental, attitudinal and information barriers which marginalizes those with TBI. (Goldblum and Alant, 2009)
- This can *impede effective practice*.
- Case workers, Front- line- staff, First- responders and Legal/Justice system professionals need training in *identifying TBI*, and, in *managing, communicating with*, and *providing resources* for those with TBI or suspected TBI in the criminal justice system.

# Bridging the Gaps through Applied Research:

## Communication Partner Training



- Currently we are conducting a qualitative research study, co-designed and co-created with community stakeholders including individuals with lived experience of TBI, with the end goal to develop staff training materials called 'Communication Partner Training'.
- This involves in-depth semi-structured interviews with service users and focus groups with staff
- The overarching aim of this research is to improve the communication experience for both the clients and staff, which may help to improve outcomes.

# Bridging the Gaps through Applied Research:

## Communication Partner Training



What is communication partner training (CPT)?

- CPT is an evidence based method of enhancing/ optimizing the communication process and the communication environment where communication partners receive specific training on how to:
  - ✓ modify their communication,
  - ✓ engage the person with the communication difficulty in conversation and,
  - ✓ identify specific communication breakdowns and repair them.
- Communication partner training programs can empower service providers to interact with greater knowledge and confidence, with individuals with TBI, which will potentially facilitate deeper participation for both parties. (Goldblum and Alant, 2009)

# Bridging the Gaps through Applied Research: Communication Partner Training



Example: Communication Partner Training in the Criminal Justice System

***Training communication partners of people with traumatic brain injury: A randomised controlled trial: Togher et al., 2004: Aphasiology***

- This study evaluated the effectiveness of a training program aimed at improving the communication of police officers during service encounters with people with TBI.
- Trained police had learned strategies to successfully establish the nature of the inquiry, provide a clear answer to the inquiry, and ensure appropriate leave taking, resulting in more efficient, focused interactions.



# How Can **You** Get Involved?



# Discussion



- What are the training needs for members of HSJCC regarding TBI and MHA?
- What types of knowledge translation materials would be most useful?
- Potential opportunities



# Resources



- <https://www.brainline.org/article/traumatic-brain-injury-guide-criminal-justice-professionals>
- <http://www.abistafftraining.info/>
- <https://www.nhchc.org/2011/03/diagnosis-treatment-traumatic-brain-injury/>  
(Webinar recording: Diagnosis and treatment of TBI: National Healthcare Council for the Homeless)



# Thank You!

***Any questions ?***

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# **Bridging the Gaps through Applied Research: Intimate Partner Violence (Aim 4B)**



## **Knowledge & Practice Gaps Regarding Women Survivors of Intimate Partner Violence**

### **Research Goals:**

- Explore the degree of understanding of first responders about challenges experienced by brain injured women survivors of IPV
- Identify gaps in service
- Particular interest in issues related to communication
- Develop knowledge and training materials to improve interactions with first responders

# **Bridging the Gaps through Applied Research: Criminal Justice (Aim 4A)**



## **Traumatic Brain Injury and the Justice System: A Focus on Communication**

### **Research Goals:**

- To identify gaps in knowledge and practice among front-line staff, service providers, and decision-makers regarding criminalized men and women with a TBI and MHA
- Focus on issues related to communication and communication practices
- Additional focus on sex and gender specific needs
- To create knowledge and training materials to support communication best practices for front-line workers