



# AUTISM and the JUVENILE JUSTICE SYSTEM

In working with youth involved within the juvenile justice system, we are accustomed to supporting youth and families with a number of challenges, such as trauma, poverty, unemployment, mental health needs, and substance issues, among others. But we don't expect to find youth who have autism.

This handout is to help you become aware of autism and what it may look like in your work. Youth who are on the Autism Spectrum may come into contact with the juvenile justice system for behaviors that are misinterpreted; further, lack of understanding by those involved in the juvenile justice system may further penalize youth for the same reason.

Below are a number of challenges that individuals on the spectrum may experience and how behaviors related to those challenges may manifest and result in involvement with the juvenile justice system.

<b>Sensory Issues</b>	Youth on the spectrum may have physical outbursts in school or the community that catch the attention of the juvenile justice system for behaviors caused by sensory overload from the environment.
<b>False Friend Crimes</b>	Predatory peers may seek out this individual and befriend them to manipulate them into assisting them in a crime (Perhaps unwiring radios from cars) because they are not socially aware enough to realize the con.
<b>Poor social awareness</b>	Some of their difficulty with the law may be instigated by poor social awareness, such as repeatedly calling someone over and over again in the middle of the night. They may see it as being friendly; others may see it as stalking.
<b>Change in routines</b>	Change can cause anxiety and potentially heighten stress. If the individual doesn't know what transition is going to occur or is moved from a preferred activity to a non-preferred activity, they may appear to be agitated. The individual may become part of the fight flight phase.
<b>Misunderstanding Non-Verbal Communication</b>	Not being able to read the body language of others and not being able to display "appropriate" body language of their own can lead some youth to trouble (for example, a youth may turn their back to someone talking to them or cross their arms; the other person may interpret this as aggressive or offensive, leading to a fight).
<b>Victim of retaliation</b>	At times the individual may actually be a victim, but caught as the offender. Bullying and being teased happens to about 80% of the individuals on the spectrum.



There is a general lack of understanding by the judicial system of individuals with developmental disabilities or autism. These youth may seem socially awkward, unwilling to answer questions, disruptive or even aggressive. At times they slip through the cracks and aren't even diagnosed yet (this is particularly common for individuals with excellent verbal skills).

## So how would you know if a youth that you work with might have Autism, and what should you do?

This handout will give you a sense of the types of behaviors that you might see, why they are occurring and what you can do about them. You can use it to help yourself, as well as to help to educate others to help them appropriately interpret behaviors. For example, individuals on the spectrum lack eye contact and appear fidgety; the system may interpret these behaviors as indicators of guilt, shame, or defiance whereas they may actually be caused by sensory overload. Any standard interrogation techniques that utilize trickery and deceit can confuse a concrete-thinking individual with autism into producing a misleading statement or false confession.

All of these could be characteristics displayed by an individual with autism during initial contact with the advocate, during questioning or courtroom setting. If you work with an individual and you believe that they may be on the spectrum talk with your supervisor.

### 1) WHEN ASKED A QUESTION, IT MAY TAKE A WHILE FOR THE INDIVIDUAL TO RESPOND.

Some individuals have a processing delay. When asked a question they may need to sort through their brain for the response. If you notice an individual having a hard time responding or controlling themselves, you should give them time to deescalate. Then start over with questions, giving the individual ample time to process the question and formulate an answer. Do not continually ask the question over and over again at a rapid pace. Speaking slowly and briefly can help the individual have time to process and express their thoughts and answers. You can also write the question down for the individual to answer.

### 2) WHEN ASKED A QUESTION, THE PERSON MAY CHANGE TOPICS.

Individuals on the spectrum may have specific topics in which they like to talk about and feel comfortable discussing. It is common for a person on the spectrum to turn all conversations to that specific topic of interest. It can provide a comfort for them. To help, give them a time limit of when they can talk about their topic choice vs. your topic.

### 3) THEY MAY MISS OR MISUNDERSTAND OTHERS' NON-VERBAL CUES, SUCH AS WHAT EYE ROLLING OR RAISED EYEBROWS MEAN.

Non-verbal communication conveys about 90% of a message. Individuals on the spectrum are not always able to read non-verbal cues or even display appropriate non-verbal communication. As you get to know the individual you are working with, you will come to understand what they are or are not able to understand. Developing the relationship with them is key; from there you will know what skills to work on with the individual.

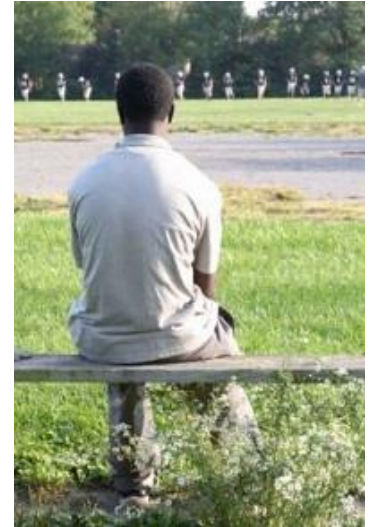


**4) THEY MAY RESPOND IN A VERY BLUNT AND FACTUAL WAY; OR THEY MAY PROVIDE MORE DETAILS THAN NECESSARY, SEEMINGLY UNABLE TO SUMMARIZE OR GIVE A SHORT REPLY.**

This is another manifestation of their challenges understanding the rules of conversations. Most individuals learn how to have conversations by watching others; it may take individuals on the spectrum more time and effort to learn. Be patient, practice and model conversation skills.

**5) THEY MAY TALK IN A VERY LOUD OR SOFT TONE OF VOICE.**

They are not doing this to be disrespectful, nor are they trying to be difficult. Rather, they may have trouble with self-regulation and automatically adjusting their tone of voice based on location or environment. This skill may need to be practiced with them. Sometimes, working with them to develop a 1-5 scale to describe voice volume and when it is appropriate can be helpful.



**6) THEY MAY NOT LOOK WHOEVER IS SPEAKING TO THEM IN THE EYE.**

Individuals with autism indicate that they have difficulty concentrating and understanding what others are saying when looking people in the eye. Eye contact can be hard. At times they can focus and attend better when they do not make eye contact. Do not demand eye contact. If you do, the individual may not be able to hear your question or statement.

**7) THEY MAY SAY “YES” TO A QUESTION DESPITE BEING UNCLEAR OF WHAT IS BEING ASKED.**

If uncertain on how to answer or unclear about what is being asked, individuals with autism have learned that saying “YES” or giving an affirmative answer can get them out of a difficult situation. To prevent this situation, use short, clear questions; rephrase if they appear unclear, and give them time to process questions.

**8) ANSWERING QUESTIONS VERBALLY MAY NOT ALWAYS BE EASY.**

Processing questions can take time and it can be hard to formulate answers, especially if they are having stress with sensory challenges. At times it can be easier for an individual on the spectrum to write down their answers to the questions. Also, if the individual is upset, it can be easier for them to see a question written to them than to hear the question.



## 9) THEY MAY MISUNDERSTAND THE CONTEXT OF QUESTIONS.

For example, they may be asked: "When did you turn 15?" and the person may respond "on my birthday." This type of response is not a wise-crack, but an honest attempt to answer the question. Individuals with autism may struggle with understanding context. Be clear and direct when asking questions, and try to avoid questions that may have hidden or multiple meanings.

## 10) THEY MAY MISINTERPRET ANALOGIES OR METAPHORS.

Analogies and metaphors may be hard for individuals on the spectrum to follow because they are often literal and concrete thinkers. For example, "it's raining cats and dogs," is a phrase used when it is pouring rain outside. Individuals on the spectrum may think that dogs and cats are falling from the sky if you make such a comment to them. Choose your words carefully. If you get a strange response from the individual you are working with, rethink and rephrase your comments.

## 11) THEIR SENSES MAY BE EASILY OVERSTIMULATED.

Lights may be brighter, noises louder, smells stronger or touches hurt. Take this into consideration when possible. If you find that the individual has sensory sensitivities, help them prepare for the environment (e.g. let them wear sunglasses; let them bring their iPod and earbuds; avoid wearing perfume; ask the individual before you touch them; give them frequent breaks so help their body and mind can recover from the stress of the over-stimulation).



**FOR MORE INFORMATION**

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