# Intersections of brain injury

## Incarceration and the justice system

Research indicates that experiencing a traumatic brain injury (TBI) heightens the likelihood of becoming involved in the criminal justice system, including being incarcerated. Beyond physical alterations caused by brain injury (BI), prevalent cognitive, emotional, and behavioural symptoms or impairments often escalate the probability of encounters with law enforcement and the justice system.

43%: The prevalence of TBI among individuals in correctional facilities can be as high as 43%.

2.5x: Men and women who had sustained a TBI are about 2.5x more likely to be incarcerated than those who had not.

Challenges

Cognitive & Emotional Impairments: Individuals with TBI may experience difficulties with memory, attention, impulse control, and emotion regulation, which can complicate their interaction with the justice system and their rehabilitation​.

Misunderstanding & Misdiagnoses: Symptoms of TBI can be misunderstood as non-compliance or defiance by officials in the justice system, leading to inadequate support and management of these individuals.

A shift in focus is needed towards rehabilitation and treatment rather than punitive measures, and implementing long-term supports to tackle intersecting issues like unemployment, substance use, and housing insecurity that can hamper the successful reintegration of individuals with BI back into society. Addressing the needs of these individuals in the justice system requires a coordinated approach that includes screening, tailored interventions, and education for professionals.

For more info, visit braininjurycanada.ca