

# Caring for Individuals with Autism Spectrum Disorder

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- I do not have any relevant financial relationships with any commercial interests
- This informational presentation was developed by independent experts. The information provided in this presentation is not the official position of NCCHC but rather expert opinion. This information is not intended to be appropriate for every clinical situation nor does it replace clinical judgment.
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# Objectives

- Learning Objective 1: Identify behaviors that might indicate someone in a correctional facility has autism spectrum disorder (ASD)
- Learning Objective 2: Describe how attitudes toward individuals with ASD might affect their experiences in law enforcement, judicial, and correctional settings
- Learning Objective 3: Describe three accommodations that can be used when interacting with an individual with ASD

# What is Autism

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A Neurodevelopmental  
Disorder

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Present at birth (most  
cases)

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Symptoms last a lifetime

# Demographic Overview

Affects 1:44  
children

Ratio Male to  
Female: 4:1

1:27 males  
(3.7%  
population)

1:116 females  
(0.9%  
population)



# Understanding Symptoms and Identifying Behaviors

# Diagnostic Criteria



Social Communication and  
Interaction Impairment

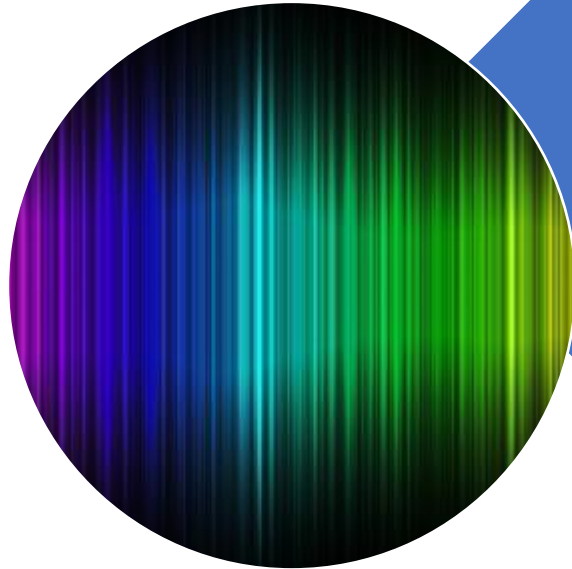
Restricted, Repetitive  
Behavior/Interests

Must have been present in early  
childhood

Clinically Significant Impairment  
in social, occupational or other

Not better explained by ID,  
GDD

## Diagnostic Variability



### Across the Spectrum

- 31% have ID
- 44% have IQ  $\geq$  85
- 3% IQ above-average
- 10% savant
- 70% have LD
- 40% non-verbal



# Level of Severity (aka Specifiers)

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LEVEL 1 – SOME  
SUPPORT

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LEVEL 2 – SUBSTANTIAL  
SUPPORT

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LEVEL 3 – VERY  
SUBSTANTIAL SUPPORT



# Social Communication and Interaction

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- Social-Emotional Reciprocity
  - Back and forth conversation
  - Sharing of information, interests
  - Social interactions
- Nonverbal communication
  - Eye contact
  - Use of gestures
  - Lack of understanding of gestures
- Relationship deficits



# Restricted, Repetitive Behavior/Interests

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- Restricted or inappropriate use of objects
- Ritualistic behaviors or utterances
- Idiosyncratic phrases and echolalia







# Secondary Symptomology

- Eating difficulties
  - Swallowing
  - Food sensitivity
  - Narrow food preferences
  - Prescribed diets in the community
- Uneven intellectual abilities
  - Gaps in learning, comprehension, ADLs
- Gross and fine motor deficits
- Hypo/hypersensitivity to sight, sound, smell, taste, touch

## Juvenile Concerns



Nearly half of all children engage in elopement

Leading cause of death is drowning (90% deaths under age 14)

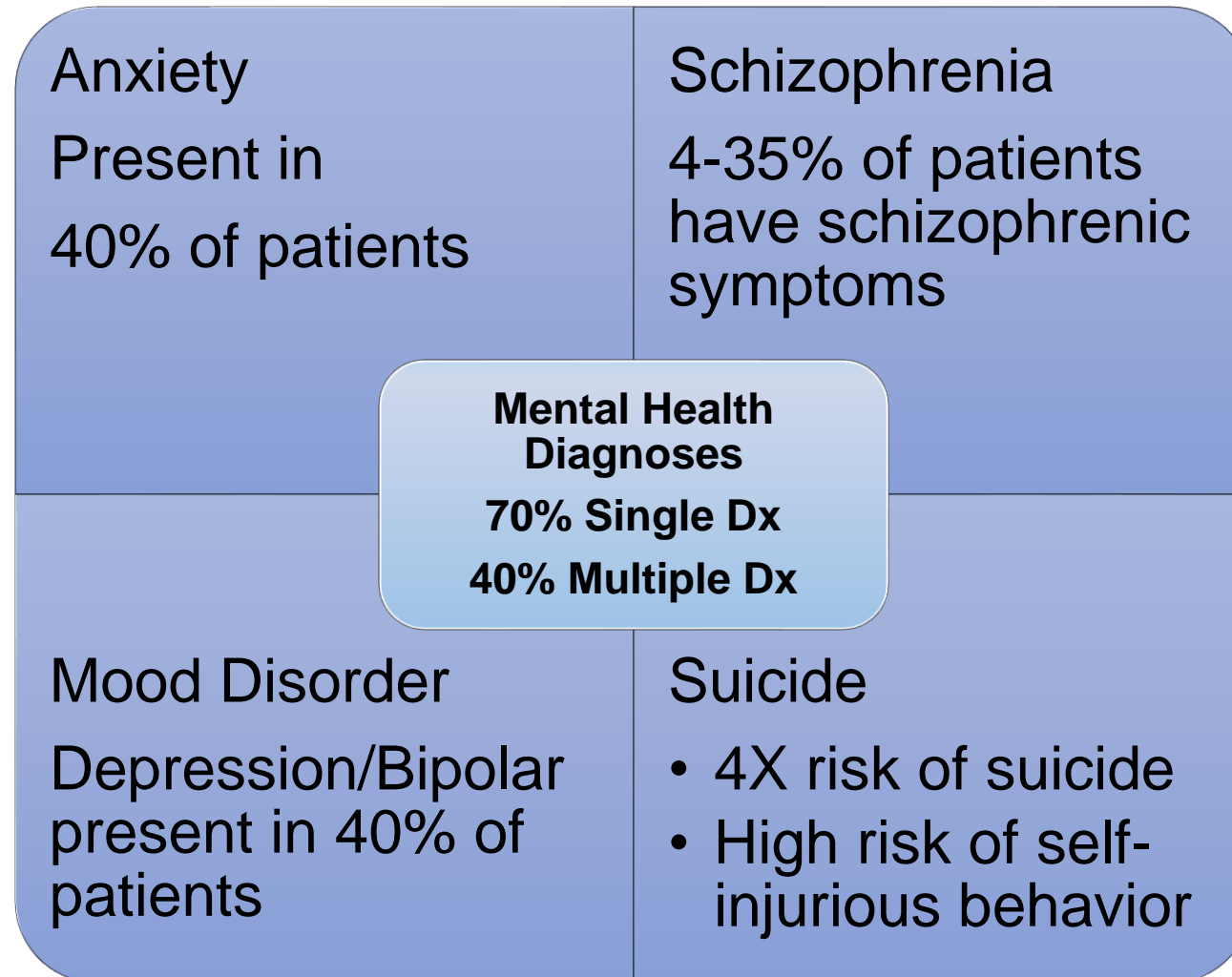
2/3 are bullied

1/3 engage in self-harm

1/2 have sleep problems

800% more GI disorders

# Mental Health



# Treatment

Early intervention increases positive prognosis

- ABA based treatments are the “gold-standard”
- Psychiatric and mental health treatment for associated mental conditions
- Speech Therapy
- Occupational/Physical Therapy
- Sensory Integration Therapy
- Feeding Clinic
- Social skills training (for high functioning adolescents and adults)
- Vocational Rehabilitation



# Adult Concerns

## Increased morbidity

- Increased epilepsy
- Feeding issues
- Disrupted sleep
- Mental health
- Increased cardiovascular disease
- Higher incidence of early-onset Parkinson's Disease

## Mortality

- 20-36 year shorter life-expectancy due to all causes



## Adult Concerns



- **Adults with autism struggle with same issues as children**
  - Sensory issues
  - Abrupt changes
  - Self-care
  - Executive function modulation
  - Aggression (approximately 50%)
  - Employability (between 17-50% are employed at some point)
    - Supported employment
    - Part-time
    - Very few have highly successful careers

# Adult Dependency

- 85% have cognitive and/or adaptive limitations preventing them from living independently
- 50% of parents > 50 years still live with ASD adult child





# Attitudes in Law Enforcement, and Judicial Settings

# Human Rights

- Autistic vs Person with Autism
  - Seeing autism as an attribute instead of a disability
  - Contradicts current non-bias language guidelines in APA





## Legal Capacity

- **Legal Capacity to make decisions**
  - **Guardianship (conservatorship)**
  - **Informed Consent**
  - **Assent vs Consent**
- **Control**
  - **Guardianship can be financial**
  - **Can be total decision making**
  - **Most restrictive human condition in the U.S.**
- **Abuse**
  - **Over 70% of all persons with disabilities report being abused**
  - **Underreporting due to fear of retaliation and lack of understanding**



# Law Enforcement Attitudes

- A study from the UK
  - 42% of police were satisfied with their interactions with individuals with ASD
  - 37% had received training working with ASD
  - Individuals with ASD and their caregivers were dissatisfied with the interactions
  - Both law enforcement and families agreed more training was needed



# U.S. Law Enforcement Systematic Review

- 600 Studies
- Only 2 were eligible



72.2 % of police reported no training for working with individuals with ASD



Officers with training felt more prepared to respond to calls



Regardless of training, outcomes did not differ

- Study of 124 officers
- 80% unable to identify ASD features
- 35% associated ASD with “rain man”



# Perceptions of Officers

- Barriers to Understanding
  - Time constraints
  - Lack of training
- 48% reported “well-equipped” despite lack of training and time constraints
- 42% reported satisfactory interactions
- Only 13% of caregivers were satisfied with interactions
- Only 15% of individuals with ASD were satisfied





# Police Contact

- People with ASD are seven times more likely to have police contact than other citizens
- People with ASD are more likely be a victim of a crime than a perpetrator
- The more unusual the behavior, the more likely the interaction with law enforcement
- Can be a traumatizing experience
- Less likely to be prosecuted but more likely to be charged with serious charges or violent offences





# Suspicious Behavior

- Behaviors that lead to police contact
  - Hand-flapping
  - Verbal stimming (tics)
  - Sniffing objects
  - Pacing
  - Self-harming
  - Elopement
  - Aggression

# Unexpected Reactions



Behaviors  
that might  
be  
encountered  
during  
police  
contact

- Elopement
- Distress due to lights, sirens, pat-downs
- Inappropriate affect
  - Inappropriate smiling
  - Unexpected emotional responses
- Increase in self-stimulatory behavior
- Running into danger, instead of away
  - Running back into a house fire
- Refusal to cease and desist, sit quietly, or to speak

## Autism and Courts



- CA Superior Court Judges Interview
  - Entire circuit participated
  - N=21
  - 15 reported knowledge of HFA would be important factor in sentencing
  - 9 discussed HFA as a mitigating factor when considering actions as willful or not
  - 3 judges considered HFA as an aggravating factor considering inability to control behavior
    - Judges were concerned about future behaviors as they considered current sentencing
  - Most judges agreed that traditional correctional interventions are not effective

# Juries

Restoration to Competency: Can an autistic individual be restored?



- A study of 422 Jurors
  - Read a vignette
  - Explicit presence of ASD diagnosis resulted in fewer guilty verdicts
- Guilt
  - Insanity Defense
  - Exonerates from criminal responsibility
- Guilty but mentally ill
  - Guilty but required to undergo treatment



# Violence

## *Most common crimes*

- *Arson*
- *Sex offense (some)*

There is no evidence that ASD population is more likely to offend than general population

Individuals with ASD are less likely to be convicted of criminal behavior

Individuals with ASD are more often victims of crimes

Among prison population, prevalence of ASD is greater than the general population

Autism is not a direct cause of violence

# Sociopathy/Psychopathy

## ASD vs Narcissism

- Psychopathy-Antisocial
- Autistic – “Asocial”

## ASD vs Psychopathy

- Autism – naïve, reactive
- Psychopathy – manipulative, proactive

### Comorbidity

- Psychopathy
- Narcissistic traits
- Unmanaged mental health symptoms
- History of being bullied

### Opportunity

- Access to weapons
- Lack of supervision
- Lack of community supports



# Correctional Settings and Accommodations



## Correctional Officers face the same challenges as police officers

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- Little information on how correctional officers interact with inmates
- Inmates with ASD are vulnerable when using typical correctional management protocols
  - Difficulty with gross motor skills
  - Breathing issues when restrained
  - Swallowing issues
  - Taste/smell aversion
  - May not follow commands
  - May return to harm's way
  - May not understand commands





## Correctional Settings

- Three Major Stressors for all detainees or inmates
  - Interactions with Correctional Officers
  - Interactions with Medical Staff
  - Fear of Other Inmates



# Incarceration Risks

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- Increased risk for Suicide
- Exacerbation of mental health conditions
- Loss of adaptive supports
- Loss of access to services
- Vulnerable to exploitation
- Difficulty communicating with staff

## Prevalence in Corrections



- 4.4 % of incarcerated individuals have ASD
  - National prevalence in general population at 1:54 males is 1.8%
  - Individuals in this study were mostly older individuals and not a part of the “autistic boom”



## Accommodations



- Correctional Settings can be safe
  - Structure
  - Meals
  - Supervision
  - Shelter
- Correctional Settings can be challenging
  - Noise
  - Dietary issues
  - Lack of autonomy and agency
  - Lack of access to accommodations
  - Lack of access to supports
  - Vulnerable to exploitation

# Opportunities for Change

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- There is no universally accepted approach to identifying, diagnosing and treating symptoms once incarcerated
- There is no universally accepted approach to managing the care of an individual with ASD while incarcerated
- Accreditation agencies and certain states are beginning to focus on personalized treatment
- Lack of appropriate medical/mental health service provision is a civil rights violation (both passive and active)
  - Deliberate Indifference
  - Estelle v Gamble
  - Injury or harm does not need to be demonstrated for deliberate indifference to have occurred



## Managing Crisis

Thanks to the Autism Society of North Carolina for sharing this YouTube Video.

Link is in reference section



## Recommendations

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Education Accommodations

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Therapies

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Dietary Accommodations

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Self-regulation activities

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CIT Training – autism training

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Cautious use of force

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Sheltered housing

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Autism specific programming

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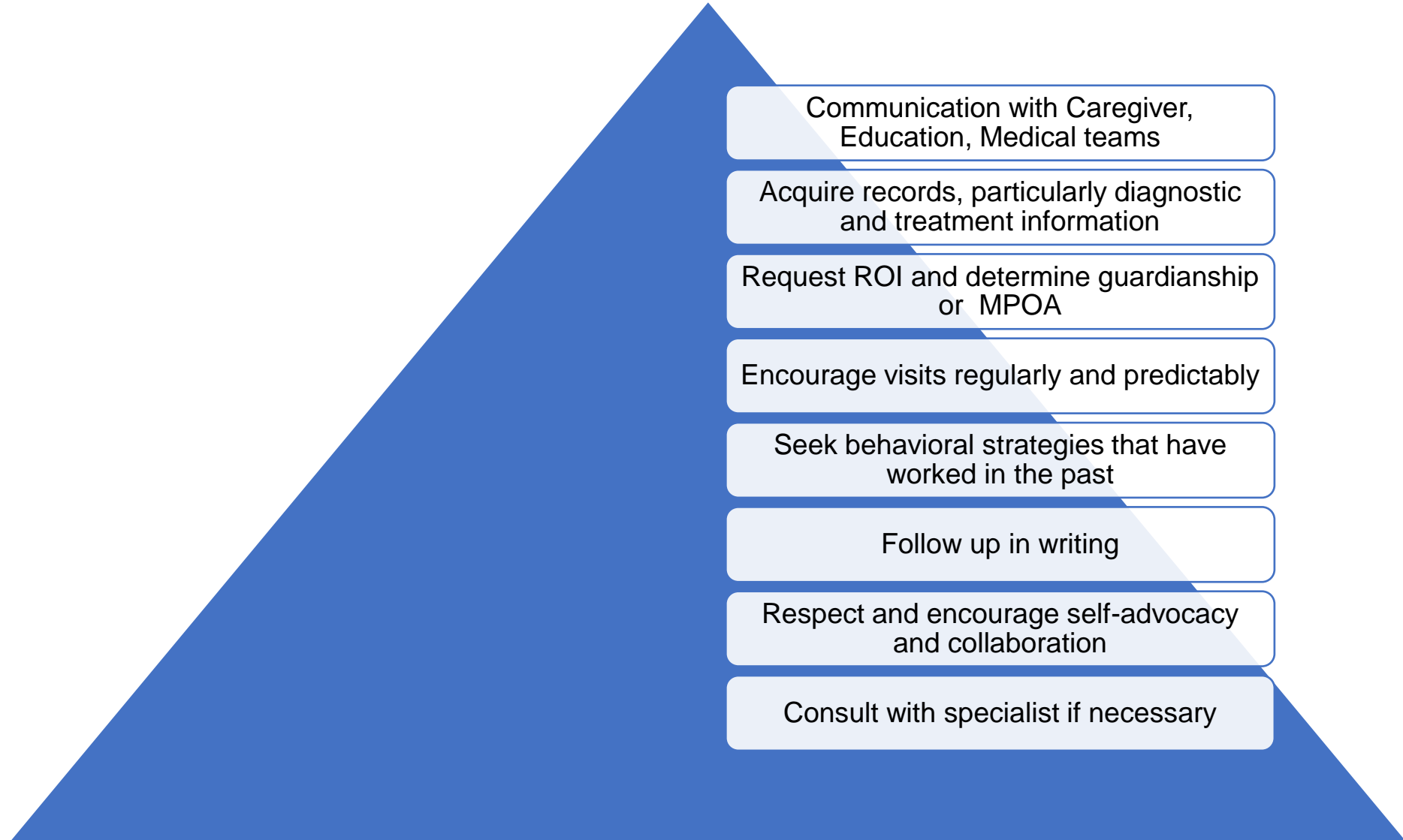
Sensory friendly environment



## Accommodations

- Visual supports increases effective communication
- Visual communication in housing areas and day-areas can increase compliance and reduce anxiety
- “Participative Walkthroughs” can reduce anxiety and confusion
- Speak slowly
- Allow 10-15 seconds for verbal response
- If safe, allow physical distance during interaction
- Announce pat-down prior to making physical contact
- Allow use of self-regulatory accommodations such as textured tiles, weighted blankets etc.
- Consider acoustic improvements to housing

# Collaborate with Caregivers



# Autism Resources

Association for Science in  
Autism Treatment (ASAT):  
[www.asatonline.org](http://www.asatonline.org)

Autism Society of America:  
[www.autismsociety.org](http://www.autismsociety.org)

Autism Speaks:  
[www.Autismspeaks.org](http://www.Autismspeaks.org)

National Alliance Mental  
Illness (NAMI):  
[https://www.nami.org/Learn-  
More/Mental-Health-  
Conditions/Related-  
Conditions/Autism](https://www.nami.org/Learn-More/Mental-Health-Conditions/Related-Conditions/Autism)

The ARC organization –  
[www.thearc.org](http://www.thearc.org)

[jkenney@wellpath.us](mailto:jkenney@wellpath.us)  
(480) 518-6040

# Questions?

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# Thank You!





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