

The Compassionate Justice Fund for Survivors of Traumatic Brain Injury
among Vulnerable Populations, in partnership with the Ontario Brain
Injury Association



Who are we? The Compassionate Justice Fund was developed to bridge a critical gap in funding and available rehabilitation services for people who have suffered a traumatic brain injury through means of violence, abuse, intimate partner violence, and those who have experienced unstable housing or homelessness. The fund provides financial support and resources that individuals with brain injuries and their support team (i.e. caseworkers, probation officers, etc.) can access through a case by case application to help pay for rehabilitation services such as occupational therapy, physiotherapy, psychological counselling etc. We are also developing a roster of brain injury clinicians who are willing to pro-rate or donate their services.

Meet Isaac: As a teenager, Isaac (not his real name) was an A student and a high level hockey player. Isaac was smaller than most of the other players, but he was fast and scored a lot of goals. This made him a target for the other teams who would repeatedly check him and slam him into the boards. Because Isaac was shorter than the other players, instead of his shoulder hitting the boards, it was his head; over and over again. Routinely he reported seeing stars, feeling dizzy, and he couldn't remember what happened, but he just kept on playing.

Eventually, he had chronic headaches, he felt 'foggy' and couldn't concentrate in school, he suffered from depression, and he couldn't sleep. Today, Isaac's coaches, parents and teachers would know he had repeated concussions. Now we know that a concussion is a traumatic brain injury (TBI), and while most people recover fully from a first ever concussion, we know the effects are cumulative. But back then, everyone thought he had a bad attitude. He started smoking marijuana and drinking to feel better. His grades slipped, he got dropped from the hockey team and his parents threw him out of the house.

Now in his mid-thirties, Isaac struggles with substance use, he's currently homeless and he's been involved with the criminal justice system on several occasions. He's been on and off the streets ever since he left his parents' home.

Sadly, Isaac's story is not unique. *Did you know* that approximately 80% of people who have been charged in the criminal justice system have a history of traumatic brain injury (TBI)? Did you know that most of these people had their first brain injury as a teenager and long before their first interaction with police and the legal system? Did you know that TBI is also common among women survivors of intimate partner violence, their children, and those who have been assaulted, and or abused? Did you know that more than 50% of Toronto, Ottawa and Vancouver's homeless population has a history of TBI and experienced before they became homeless? Did you know that the majority of these people go on to suffer from mental health conditions and substance use?

Outcomes could be helped by specialized rehabilitation support including case management, speech and language therapy, occupational therapy, counselling, physiotherapy and other services, as well as education about concussions/brain injuries, how to self-manage and how to access resources. Unfortunately, there is no publically funded specialized care for these individuals. In Ontario, people only get medical care for a concussion or TBI immediately after an injury, and that's only if they go to the hospital or their doctor and get a diagnosis.

The Compassionate Justice Fund is pleased to partner with the Ontario Brain Injury Association, a non-profit award-winning association with over 30 years of service to the brain injury community.

Learn More:

[Background: TBI, Concussion/mTBI in Vulnerable Populations; \(Criminal justice system, victims of assault, intimate partner/domestic violence, homeless or unstably housed\)](#)

Traumatic brain injury (TBI) is more prevalent than breast cancer, HIV-Aids and Multiple Sclerosis combined. It is the leading cause of disability among people under the age of 40 worldwide. However, it does not receive the same amount of recognition or funding. Sadly, TBI is also highly prevalent among jail and prison inmates and people who have come into contact with the criminal justice system.

What is Traumatic Brain Injury?

TBI refers to a blow or jolt to the head, or a penetrating head injury, which disrupts 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.

A concussion is a TBI defined as a traumatically induced temporary disturbance of brain function. Current evidence suggests that long-term alterations in brain function are associated with concussion in some individuals. A concussion can occur, and often does, without a loss of consciousness. The effect of multiple concussions is cumulative and can cause serious long-term consequences in some individuals.

A person does not need to hit their head for a TBI of any severity to occur. Moreover, those with a history of TBI, including concussion, are at a higher risk of sustaining another concussion. Also, a history of multiple TBIs is associated with slower recovery. Common causes of TBI include falls, motor vehicle collisions, assaults and domestic violence, and sports injuries.

How Does TBI affect people?

A TBI that happens during childhood can lead to long term developmental challenges, especially in the area of social 'intelligence' and social communication. These challenges can lead to poor school performance, early school leaving, disengagement, and mental health challenges. TBI often results in problems with attention, memory, headaches, difficulty following and responding in conversation, poor sleep, behavior changes, and self-regulation. These changes can make it challenging to stay in school, hold down a job, and maintain relationships. It can be hard to pay the rent and bills when you cannot keep a job. As a result, many become unstably housed or homeless. Many people turn to substances or get caught up in petty criminal activities by default.

TBI and the Criminal Justice System

Research data on the prevalence of TBI within the criminal justice system varies across studies however, it suggests that approximately 80% of adults in the CJS have a history of TBI. Recent Ontario research (by Wiseman-Hakes and Matheson) identified that a sample of adults with history of TBI and criminal justice system involvement had sustained an average of 3.5 TBI's (range 1-9) and the majority occurred prior to adulthood and before their first interaction with the legal system. Some had moderate-severe injuries, but more often, these injuries were 'mild by definition, severe by functional implication and consequences.' For youth, the rate is estimated as being up to 72% (Hughes et al., 2015), however 100% of youth who have been sentenced to death have a history of TBI. (Hughes et al 2015)

TBI can also result in people being vulnerable to exploitation and abuse. Cognitive challenges associated with the injury and a desire for friendship may result in the person being coerced to engage in criminal activity without fully understanding what they are doing. They may have difficulty reading where the other person is coming from and can be taken advantage of. 'James' (not his real name) who had a severe brain injury as a child stated that his involvement in the legal system happened in part because "I started hanging out with some 'shady not so good' people". I wanted to be liked and I know they took advantage of my brain damage".

Did you know?

- In Ontario, men and women who sustained a TBI were about 2.5X more likely to be incarcerated than men and women who had not sustained a TBI? (Mclsaac et al., 2016)
- Recent findings also indicate that people with TBI are 14X more likely to incur a serious charge and 12X less likely to achieve discretionary release (Mclsaac et al., 2016).

- 1 in 4 women will experience intimate partner violence in their lifetime. Although there is increasing awareness of the high prevalence of concussions and anoxia from attempted strangulation, most of these women have no idea they have a brain injury and no access to rehabilitation supports (Haag 2018, Valera 2010, 2018)
- Greater than 50% of Toronto's homeless and vulnerably housed populations have a history of brain injury, concussion, or repeat hits to the head (Hwang, 2009), in Vancouver, the numbers are 69% and in Ottawa, 64% (The Lancet 2020).
- Ontario's Probation and Parole officers need help in supporting their clients with history of brain injury because there are no publicly available rehabilitation services to help these individuals (Wiseman-Hakes & Turkstra ONF report 2020). As well, the challenges associated with a brain injury are often misinterpreted as defiance, or non-compliance (Snow 2019).
- Outcomes could be helped by rehabilitation support including case management, speech and language therapy, occupational therapy, counselling, physiotherapy as well as education about concussions/brain injuries and how to self-manage and how to access resources. In the U.S., Australia and the U.K., this has been shown to help break the cycle of recidivism which is highly prevalent in this population.

These individuals could easily be our children, neighbours, teammates, colleagues, and friends. Through circumstances beyond their control, these are good people who have and continue to experience great hardship, and their brain injuries play a significant role in these difficulties.

The *Ontario Brain Injury Association* and *Brain Injury Canada* receive numerous calls from former inmates, people involved in the criminal justice system, and survivors of intimate partner violence for help, demonstrating the immense need for support.

HOW TO DONATE

Please go to the Ontario Brain Injury Association website <http://obia.ca/> and click on the 'Donate' button. Select 'general' for donation type and, in the comments section, please indicate that the donation is for the Compassionate Justice Fund. You will receive an income tax receipt from OBIA for the full donation.

Thank you for supporting the Compassionate Justice Fund