

How you can Help a Teen or Adult Avoid Trouble with the Law

Supporting a teen or adult with FASD can be difficult. There are many tough issues faced by families and caregivers. Helping a teen or adult stay safe and avoid getting into trouble is one of these tough issues. Even when you do your best to help avoid trouble with the law, it can happen. Because of brain differences, those with FASD are easily convinced to do things that are unsafe or illegal. They may take the blame for things they did not do, things they do not remember or events they do not understand. Risky activities with peers can also create a sense of belonging. Teens and adults with FASD are commonly charged with theft, property damage, and assault. Risks of carrying out criminal behaviour or being the victim of criminal acts are greater because they may:

- be impulsive and take risks,
- have a poor understanding of what might happen next,
- not understand which actions might get them into trouble,
- have a poor understanding of ownership and personal boundaries?
- repeat offences due to problems generalizing and learning from mistakes.

Here are some real life examples and tips...

Example #1:

You find several music CDs that do not belong to your teen in her backpack. The CDs are still wrapped and not the kind of music she listens to. You know she does not have the money to buy these items. At first she claims that a friend gave them to her then later says that she found them.

How you can help

STAY CALM. Seek support or guidance if you feel unsure. It usually takes a bit of talking, but try to find out how the CDs got into her backpack. Once you find out, the police may be involved but it helps if FASD and your teen's unique needs are explained to the police. If at all possible, the teen should not be charged. Alternative measures can be used instead of legal charges. Some sort of supervised restitution should be carried out. The items must be returned by your teen to whomever she took them from. A letter of apology, written by your teen, should be given to the victim. FASD is not an excuse for getting away with something illegal. A person with FASD must realize there are consequences; the consequences just need to be ones that are understood.

Example #2:

Your 25 year old son Brian has been charged by the police because of damage to property. He was at a party and was involved in a fight. Later, the headlights of a car were smashed. Brian admits that he smashed the lights and witnesses confirm that it was him.

How you can help

There is no easy answer or quick solution. Brian needs to be supported to understand his emotions and to learn ways of solving problems without violence and aggression. Many people with FASD have trouble making friends, understanding and using social skills, solving problems and controlling emotions. Advocate for a person with FASD when they get involved with police, lawyers and judges. Gather resources and provide information to those who need to understand FASD.

FASD Tip #19

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Please feel free to photocopy
and use these sheets.

Some Tips to Help Avoid Trouble with the Law and Tips if Trouble Happens:

1. Talk about important issues like safety, ownership, right and wrong. Begin these talks early and repeat often.
2. Teach about these ideas in real life settings. Practice the skills by using role play and demonstration to teach about right and wrong. Consider videotaping the practice sessions to watch at other times.
3. Create a few clear and direct rules that are understood.
4. Create a circle of support with friends and family. Each member can act as an “external brain” for a person with FASD. An external reminders, like a phone call to remind about curfew, can help with decision-making and help avoid impulsive acts.
5. Minimize negative influences. Get to know who your son or daughter hangs out with. Make a list of names addressees and phone numbers in case you need to contact them.
6. Some adults carry a card that states they have FASD. The card has contact information for a support person or parent and explains that due to a brain injury they do not understand their legal rights and do not consent to a search or admit to criminal acts.
7. It is the right of an individual charged with an offence to understand the charges and the legal process. Everyone has a right to fair representation. Because of the brain injury, people with FASD will need things explained in a way they understand and is fair.
8. Police officers, lawyers and judges should always use plain language. What they say is very important and needs to be stated clearly to help with understanding.
9. Be prepared. Gather documents and information about diagnosis, assessments, the supports available and the supports needed. Provide information to lawyers, judges, police officers and others involved. Inform others that FASD is a permanent brain injury and by punishing we do not teach. No amount of jail time will rebuild brain cells.
10. Advocate for restorative justice, mediation or a sentencing circle. Try to make sure that the individual understands what to do and is actually able to do what is instructed or expected. They will need support in carrying out or complying with conditions.
11. Look for ways to create structure and build stable routines into everyday life. Provide chances for safe activities that promote success. Look for strengths. Everyone has things that they are good at. When we can use our strengths and are supported we can avoid problems or deal with our legal troubles in better ways.
12. Remember, you do not have to face difficult situations alone. Look for support and someone to talk to. Call the Network to be matched with another parent.