
Tips on Youth Trauma

FOR JUVENILE DEFENDERS

NOV 2017

NATIONAL JUVENILE DEFENDER CENTER
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As a defender, it is important to consider how trauma and mental illness may have played a role in the behaviors that led a young person to become your client. Below are five points to guide your advocacy.

1 EXPERIENCING TRAUMA IS NOT UNIQUE TO YOUTH OF A CERTAIN RACE, ETHNICITY, OR LOCATION

Many youth have experienced traumatic events in their lifetimes, but a number of factors can influence who will experience and display trauma reactions in response to these events. These factors include resilience, coping styles, and how the adults in their lives help them process the events. When learning about your client's background, do not forget to ask about traumatic events. As you work the case, consider how your client's behavior may be indicative of a reaction to prior traumatic events. Rates of trauma exposure and mental illness are higher among youth who are involved in the juvenile justice system.

2 TRAUMATIC RESPONSES AND THEIR POTENTIAL IMPACT

Youth may engage in a variety of behaviors to manage their traumatic responses. Unfortunately, these same behaviors may be the reason they come into contact with the law. According to Diagnostic and Statistical Manual of Mental Disorders - 5th Edition (DSM-5), traumatic responses include:

- Avoidance of things related to or that remind a person of the traumatic event.
- Negative changes in thoughts and feelings (e.g. losing interest in things enjoyed before the traumatic event, blaming oneself for the traumatic event, relentless feelings of anger, fear, guilt).
- Changes in arousal or reactions to things related to or that remind the person of the traumatic event (e.g. changes in heartbeat, breathing, hypervigilance, disturbance of sleep or concentration, increased anger and irritability).
- Reoccurring intrusions related to the event (e.g. dreams, flashbacks, and physical responses).

Traumatic response can disrupt a youth's life. The scenarios on the following page demonstrate how understanding the connection between your client's traumatic responses and behaviors can improve your advocacy in court.

Consider the Following Scenarios:

SCENARIO A

Imagine that over time you learn that your client, Anna, has experienced traumas in her home and neighborhood. In addition to blaming herself for these events, she also runs away from home to her grandmother who lives across town as a means of avoiding things that remind her of the traumas. Understanding why she runs away can be valuable information to use at various stages of the court proceedings. For example, you could use this to argue for why she should not be detained for violating a condition of release, but instead could be successful if placed with another family member who does not live in her neighborhood.

SCENARIO B

Now imagine a situation where you meet with your client, John, in the detention center for the third time. To date, John has not spontaneously disclosed experiencing any traumatic events; however, you appreciate that it is important to explicitly ask about traumatic experiences. When asked, John acknowledges having experienced the traumatic event of seeing his best friend fatally shot two years ago. You ask John a series of questions to gauge if he has traumatic reactions related to this experience. John acknowledges that a couple of times a week he "sees the shooting happening." You then ask him if he does anything to make what he sees go away or not happen. John explains that when he smokes marijuana or gets drunk, he does not have any flashbacks and can think more clearly. This exchange with John provides valuable information that allows you to understand the function of John's illicit behavior. Imagine how you might be able to use this information as you strategize for the trial or for John's disposition hearing.

3 YOUTH ARE RESILIENT

Resilience is the ability to prevail in the face of adversity. It is a dynamic, not a static, concept. Interventions such as evidence-based treatment, mindfulness, meditation, and expressive writing programs can promote resilience among youth who are court-involved, including those who have traumatic reactions to previous experiences.¹

The capacity for developing resilience is heightened during adolescence due to the increased neuroplasticity – or malleability – of the brain. Experiencing traumatic events can impact the structures of the brain, including the prefrontal cortex, amygdala, and hippocampus. These changes do not have to be permanent. Following treatment, adults who were traumatized as children have fewer brain abnormalities related to the trauma,² reflecting the inherent malleability of the brain.

4 TRAUMATIC RESPONSES CAN BE TREATED EFFECTIVELY

Although treatment can be effective, it is rare for any adolescent, including those in the justice system, to spontaneously express interest in treatment. Consequently, you should anticipate the need to set aside time to counsel your client about the benefits of treatment, explain how some of their behaviors may be related to traumatic experiences, and discuss how treatment can help them learn different ways of responding. This is not a quick or easy conversation to have with your client. Motivational interviewing techniques can help your client understand the benefits of treatment. The following links provide information about motivational interviewing techniques.

- Erie Institute of Law: Motivational Interviewing for Lawyers <http://www.eriebar.org/files/Course%20Material%20-%20Motivational%20Interviewing%20for%20Lawyers.pdf>
- United States Courts: Motivational Interviewing for Probation Officers: Tipping the Balance Toward Change http://www.buildmotivation.com/images/28_mi-2_federal_probation.pdf

Youth who express an interest and engage in effective treatment (especially evidence-based treatment) can experience significant reductions in traumatic reactions. Effective treatments teach youth about traumatic reactions, help them identify the ways in which they react to and think about the traumatic event, and teach them new ways of reacting and responding to things related to the trauma. Among incarcerated youth, research has demonstrated that using a manualized treatment consisting of eight, 60-minute group sessions, reduces trauma symptoms by 50 percent.³

¹ Green & Javdani (2017); Winters & Beerbower (2017); Kuban (2015)

² Thomaes et al. (2014)

³ Ahrens and Rexford (2002)

When advocating for your client’s expressed treatment needs, it is imperative you understand treatment modalities and the symptoms they address or disorders they treat. Below are some web-based databases of effective, evidence-based treatments:⁴

- Centers for Disease Control and Prevention (CDC): Children’s Mental Health
<https://www.cdc.gov/childrensmentalhealth/index.html>
- National Child Traumatic Stress Network (NCTSN): Treatments that Work
<http://www.nctsn.org/resources/topics/treatments-that-work/promising-practices>
- SAMHSA: National Registry of Evidence-Based Programs and Practices (NREPP)
<http://nrepp.samhsa.gov/landing.aspx>
- Society of Clinical Child and Adolescent Psychology: Effective Child Therapy: Evidenced-based mental health treatment for children and adolescents
<http://effectivechildtherapy.org>

5 BE KNOWLEDGEABLE ABOUT THE TRAUMA TREATMENT AND PROVIDER FOR YOUR CLIENT

Although effective treatment exists, not all treatments nor treatment providers are equal. Research has compared therapists who were trained on a manualized form of treatment – such as trauma-focused cognitive behavioral therapy (TF-CBT) – and who received ongoing consultation with an expert in TF-CBT, with those therapists who received only the training.

Those therapists who received both training and ongoing consultation had clients who were more engaged in therapy, less likely to terminate therapy prematurely, and displayed greater symptom reduction.⁵

When advocating for your client to access treatment, or when your client has received or is receiving treatment, consider asking the provider or director of services a series of questions, including:

Is the treatment based on a particular curriculum or manual?

If so:

- Which one?
- What is done to assure fidelity to the treatment model?
- Conversely, what is done to limit the tendency to drift from the evidence-based method or curriculum?
- How were/are the providers trained?
- How can you learn more about that model/curriculum?

If not:

- Is anything published demonstrating the effectiveness of the treatment modality for the specific symptoms?

What training did the other staff members receive on the curriculum?

What training did the other staff members receive on the potential impact of trauma?

Defenders can also use these questions to challenge recommendations offered by probation or the prosecution to consider if the appropriate services are being recommended for their client. In preparing for a transfer hearing, knowing the answers to these questions can be helpful if one of the criterion to be considered has to do with history of services. If the questions are posed to previous treatment providers, then you are better suited to answer the question: “Did your client receive effective treatment?”

By understanding and employing these points, you will be more informed and better positioned to successfully advocate for outcomes that best align with your client’s mental health needs and situation.

⁴ Conversely, if your client received treatment, these resources are helpful in determining if they received the appropriate type of treatment given their symptoms or diagnoses.

⁵ Cohen et al. (2016)

PRACTICE TIPS

1

As you work the case, consider how your client’s behavior may be indicative of a reaction to prior traumatic events.

2

Traumatic responses can lead to behaviors that bring youth to the attention of the court system.

3

When advocating for your client’s expressed treatment needs, it is imperative you understand treatment modalities and the symptoms they address or disorders they treat.

4

Not all treatment and treatment providers are the same. Ask questions to determine if the treatment and provider are appropriate for your client.

5

As the prominent adolescent brain researcher, Adriana Galván, Ph.D. noted, “Although plasticity during this window [adolescence] renders the adolescent more vulnerable to negative influence, it also makes adolescence an ideal time to positively influence or redirect problem behaviors.” We urge you to consider Dr. Galván’s quote as you work with, and advocate for, your youth clients at each stage of the court process.

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This project was supported by Grant No. 2015-MU-BX-K002 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office Justice Programs, U.S. Department of Justice. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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