

## Reckoning with the connection between brain injuries and criminal behavior

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In 2016, Marchell Taylor lay in a cell in the Denver County Jail again, only 36 days after being released after serving time for drug and robbery convictions. Because of his record, Mr. Taylor faced 300 years of imprisonment. He asked himself: Why am I back here?

Answering his question may require looking back to 1978, when he was 9 years old and his family's car slammed into a wall. The brain injury he sustained went untreated. Shortly after that, his behavior changed, and he became snappy and violent. In 1993 he was picked up for aggravated robbery and ended up in a maximum security facility. For the next two decades, Mr. Taylor was in and out of institutions like this.

That is until the Brain Injury Alliance of Colorado diagnosed him with a brain injury in 2016. Psychologists gave Mr. Taylor access to therapies which taught him about his brain, and he says it has made all the difference.

Experts are only now beginning to recognize the connection between brain injury and incarceration. It's estimated that nearly 45 percent of people who have been involved with the American criminal justice system have a history of brain injury.

Brain injuries often result in overwhelming feelings of disinhibition, mood swings, overreaction and even acts of rage, which can lead to criminalized behaviors. Survivors of brain injury can struggle with social interaction, skill acquisition, planning and follow-through. This can make it hard to get and maintain employment and housing. (One study in Colorado found that 71 percent of housing-insecure people surveyed reported a history of brain injury.) Brain injuries frequently go unnoticed because they are invisible and because they often affect people who are themselves unseen. Few Americans are more invisible than those living in prisons and jails. Today the country's largest mental health facility is not a hospital or asylum. It is part of the Los Angeles County jail system.

A few states are taking meaningful steps to treat the extant effects of brain trauma among incarcerated people. A law passed by Colorado in 2021 — written in part by Mr. Taylor while he was still in prison — requires the state to offer screenings for brain injury to individuals about to be sentenced. Colorado's Department of Corrections started a program in 2022 at La Vista Correctional Facility. The women who demonstrated a history of brain injury were invited to participate in weekly group sessions focused on teaching coping strategies for memory loss, impulsivity and grief, as well as skills for organization and emotional regulation.

These efforts should be scaled up nationally. Such measures help not only people in prisons but also the professionals who work with them daily. And ongoing support during the first few weeks after release from prison, when people are more susceptible to arrest in connection with new crimes, could help reverse the cycle and prevent victimization of others.

In 2017 a judge, persuaded by new research and by Mr. Taylor's recovery after treatment, issued a 16-year suspended sentence. As long as Mr. Taylor remains a law-abiding citizen, he will not serve another day in a prison cell. In this new life, he is helping to heal others. If the United States is ready to confront the reality that brain injuries can lead to incarceration, he will be far from the only one to make this transformation.