

OASIS · AT A GLANCE

Autism and the Criminal Justice System: When Your Adult Child Is a Suspect, Victim, or Witness

Autistic adults are disproportionately represented in the criminal justice system, in every role that system has: accused, victim, and witness. Each role carries risks most families have never had to think about until it happens.

BY JIM PALASTY · 11 MIN READ · THREE ROLES, EACH WITH ITS OWN SPECIFIC RISK

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ROLES AN AUTISTIC ADULT MIGHT OCCUPY IN THE JUSTICE SYSTEM

Suspect or accused, victim, and witness. Each role carries distinct, documented risks that deserve preparation before an encounter happens, not during one.

How it works

THREE STEPS

STEP 1

As a suspect or accused person

Compliance-driven false confessions and difficulty understanding Miranda rights create real, documented risk during interrogation.



STEP 2

As a victim

Reports frequently aren't believed, and standard forensic interview techniques often aren't accessible or accurate for this population.



STEP 3

As a witness

Testimony can be dismissed as unreliable, and standard court procedures can overwhelm someone whose communication looks unfamiliar to the court.

Proactive steps worth taking now

Local registry	Ask whether your police department has an autism/disability registry
A know-your-rights conversation	Practice what to do if approached or questioned by police
Legal contact in advance	Identify an attorney familiar with disability-related cases before you need one
Communication card	A card explaining communication style, for any law enforcement encounter
Documentation habits	Keep records that could support a case as victim, witness, or accused

THE REGISTRY THAT CHANGED HOW THE STOP WENT



Franklin had registered his son with the local police department's voluntary disability registry two years before an officer stopped him for behavior that looked suspicious but was actually sensory overload after a loud construction site. The responding officer, alerted by the registry flag on the address, approached differently from the start, calm and patient rather than commanding. The encounter ended in fifteen minutes with no incident, a very different outcome than Franklin had feared for years.

TWO YEARS OF A REGISTRY ENTRY NOBODY HAD EVER NEEDED CHANGED EVERYTHING THE ONE TIME IT ACTUALLY MATTERED.

What matters, at a glance

Compliance-driven false confessions

A tendency toward compliance during interrogation is a documented, real risk factor that deserves proactive legal preparation.

Miranda rights comprehension

Understanding what Miranda rights actually mean in practice is a genuine barrier, not a matter of simply hearing the words read aloud.

Reports of victimization often aren't believed

Autistic victims are frequently disbelieved or their reports dismissed, particularly when communication style doesn't match expected norms.

Legal protections and accommodations exist

ADA-based accommodations and specific legal protections apply throughout the justice system, though they require active advocacy to access.

Court procedures can overwhelm

Sensory and communication demands of standard court proceedings can be genuinely inaccessible without requested accommodations.

Proactive registration helps

Registering with local law enforcement before an encounter is a real, low-cost step most families never think to take.

BRING THESE · CHECK AS YOU GO

☐ Confirmation of whether your local department has a disability registry

☐ A communication card describing communication style and needs

☐ Contact information for an attorney experienced with disability-related cases

☐ A know-your-rights script practiced together, if appropriate for your family member

☐ Documentation habits that support your family member in any of the three roles

YOUR MOVE

When your family member interacts with the justice system, here is how to prepare and respond

1

Register with your local police department's disability registry, if one exists.

2

Have a know-your-rights conversation and practice it together, if appropriate.

3

Identify an attorney familiar with disability and autism-related cases in advance.

4

Carry a communication card explaining communication style and needs.

5

If arrested, request an attorney immediately and avoid unaccompanied questioning.

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If reporting victimization, ask specifically for an accessible interview approach.

None of these risks are hypothetical. Every one of them has a real, learnable response, and preparation genuinely changes outcomes.

CRIMINAL JUSTICE ADVOCACY RESOURCES

The Arc's Center on Criminal Justice and Disability (thearc.org) provides resources and training on autism and disability within the justice system, for families, attorneys, and law enforcement.

The Autistic Self Advocacy Network (autisticadvocacy.org) publishes autistic-authored guidance on interacting with police and the legal system.

Informational only. Not legal or medical advice. Verify current program rules before acting.

ABOUT THE AUTHOR

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