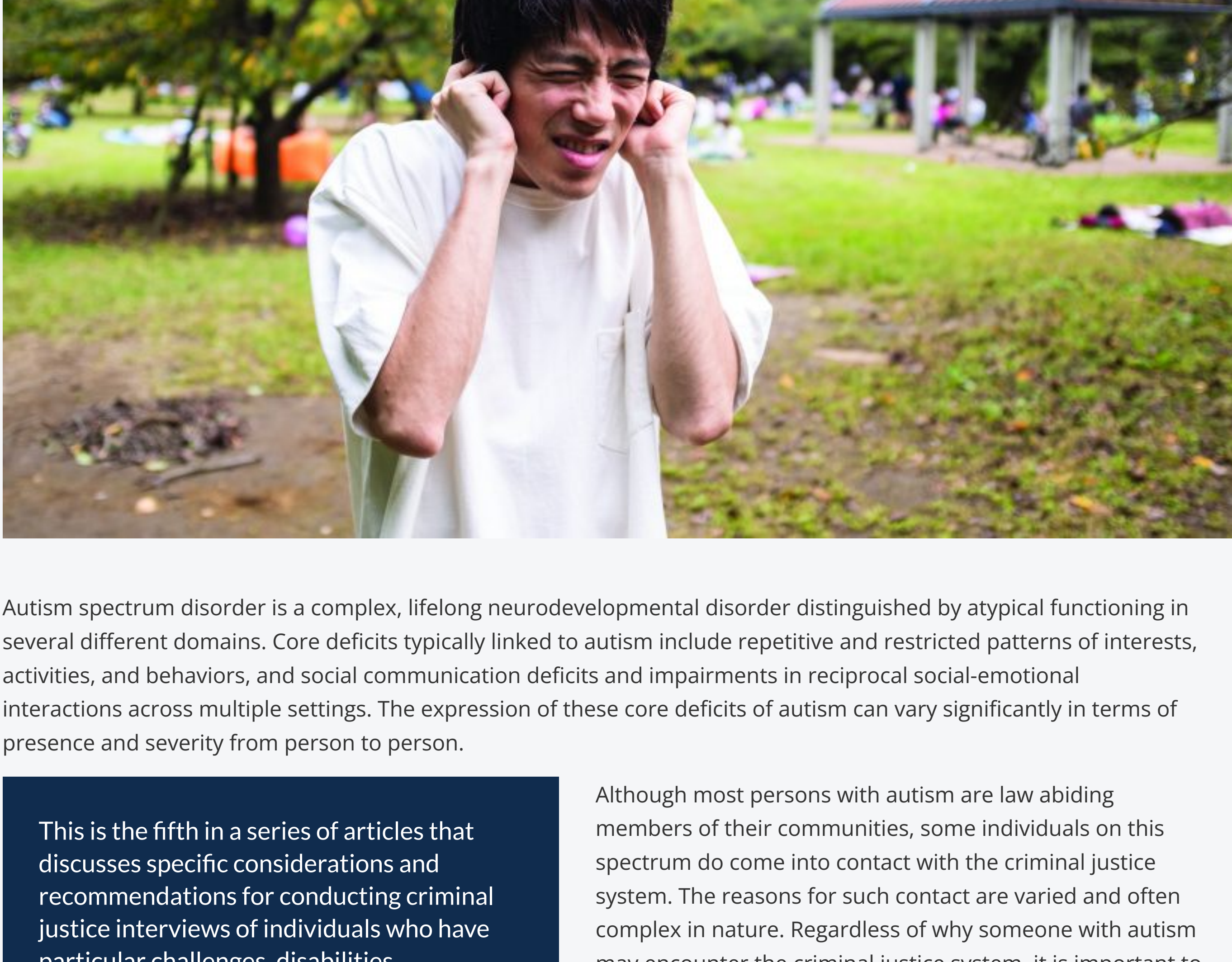


Criminal Justice Reform

Police Chief Magazine | Topics | Criminal Justice Reform | Interview Considerations – Autism Spectrum Disorder

Interview Considerations – Autism Spectrum Disorder

Jerrold Brown, PhD, MA, MS, MS, MS



Autism spectrum disorder is a complex, lifelong neurodevelopmental disorder distinguished by atypical functioning in several different domains. Core deficits typically linked to autism include repetitive and restricted patterns of interests, activities, and behaviors, and social communication deficits and impairments in reciprocal social-emotional interactions across multiple settings. The expression of these core deficits of autism can vary significantly in terms of presence and severity from person to person.

This is the fifth in a series of articles that discusses specific considerations and recommendations for conducting criminal justice interviews of individuals who have particular challenges, disabilities, vulnerabilities, or other special circumstances.

Read the first four articles:

[“Interview Considerations—Complex Trauma.”](#)

[“Interview Considerations—Fetal Alcohol Spectrum Disorder”](#)

[“Interview Considerations—Alexithymia”](#)

[“Interview Considerations—Sleep Deprivation”](#)

Although most persons with autism are law abiding members of their communities, some individuals on this spectrum do come into contact with the criminal justice system. The reasons for such contact are varied and often complex in nature. Regardless of why someone with autism may encounter the criminal justice system, it is important to note, that suspects, witnesses, and defendants with autism may be at a significant disadvantage when trying to navigate the various stages of the system. This is especially true when autism goes unrecognized and undiagnosed, and when criminal justice professionals lack knowledge and awareness of the disorder. Despite these growing concerns, many criminal justice professionals still have not had advanced education and training pertaining to the best practices in interviewing individuals with autism. As such, there is a dire need for criminal justice professionals to understand the signs and symptoms of autism, as well as the potential consequences of interviewing individuals with autism in a manner that does not account for the symptoms of the disorder.

Important Reminders for Interviewers

There are several different symptoms of autism that all criminal justice professionals should consider when interviewing suspects, witnesses, and defendants with autism. These symptoms and characteristics are organized into five different domains: cognitive, affective, social communication, behavioral, and other concerns.

Cognitive

Abstract Reasoning Deficits. Abstract thinking is characterized by higher-order novel thoughts that require the memorization and recall of general knowledge and facts. Impairments in abstract reasoning are common in individuals with autism. These individuals may struggle to understand abstract concepts and become flustered or anxious as a result.

Executive Dysfunction. Executive functioning capabilities are high-order cognitive processes that guide day-to-day behaviors. Core aspects of executive functions include cognitive flexibility, inhibition, and working memory. Impairments in these executive functions are a core symptom reported among individuals with autism. Such impairments could manifest themselves in proneness to a host of vulnerabilities that place the individual at a severe disadvantage during the interviewing process. Further, individuals may respond promptly, without careful consideration, in a manner intended to please an interviewer. This could result in the collection of misleading information and false confessions during criminal justice interviews.

Memory. The intersection of memory and autism is complex and confusing. In fact, profiles of individuals with autism have characterized memory as both a strength and a weakness. Some researchers have found that episodic memory (i.e., memories of personal experiences) is impaired whereas semantic memory (i.e., general knowledge and facts) is relatively intact. Interviewers are encouraged to seek out additional education and training pertaining to the topic of memory in this population.

Mental Processing Speed Weaknesses. Individuals with autism often exhibit mental processing speed issues. This can be observed in difficulties with listening, conversing, following instructions, taking notes, solving problems, and taking tests. As such, individuals with autism might find it difficult to answer questions, particularly when they are asked in a rapid, repetitive, or demanding manner. These impairments in mental processing speed can lead to trouble in navigating criminal justice interviews.

Multitasking Deficits. Individuals with autism often struggle to process or perform more than one thing at a time (i.e., multitask). Further, this group often has difficulty following complex instructions or addressing nuanced questions. Because individuals with autism tend to be better with linear and sequential thought, any responses during criminal justice interviews may be limited in nature. Criminal justice professionals should be careful to not misinterpret such responses as dismissive or withholding.

Sluggish Cognitive Tempo (SCT). In some instances, individuals with autism may experience sluggish cognitive tempo (SCT). This condition is characterized by a cluster of symptoms that may include absentmindedness, apathy, blank staring, being lost in one's thoughts, and mental confusion or foggy, among others. Interviewees with SCT may present as bored, unmotivated, slow-moving, and struggling with the processing of information in a timely manner.

Theory of Mind (ToM). Another core symptom of autism is theory of mind (ToM) deficits. ToM is the capacity to recognize and comprehend the mental states (i.e., emotions, intentions, thoughts, desires, jokes, lies, and feelings) of oneself and others. Individuals with ToM deficits struggle to use verbal and nonverbal communication cues to make accurate predictions and anticipate the possible directions of social interactions and situations. Other manifestations can include atypical patterns of eye contact, inappropriate vocal tones, and insensitivity to the feelings of others. As such, ToM deficits can undermine a person's ability to understand the purpose and importance of a criminal justice interview and may make the interviewee appear suspicious or guilty.

Weak Central Coherence. A core symptom of autism, weak central coherence is the proneness to recall details rather than global meaning. This deficit negatively impacts global processing along with the ability to recognize and comprehend the broader context and consequences of actions and events. Nonetheless, weak central coherence could confer some benefits, including savant skills.

Affective

Alexithymia. Alexithymia is characterized by deficits in emotional processing and understanding, which can threaten overall emotional health and well-being. Individuals with alexithymia typically struggle to identify and describe their feelings to other people. As many as half of all individuals with autism may also experience co-occurring alexithymia.

Some researchers theorize that alexithymia could help explain many of the affective symptoms observed in individuals with autism.

Emotional Functioning Problems. A high percentage of individuals with autism experience emotional functioning problems. Such problems can increase anxiety, irritability, impulsivity, temper tantrums, disobedience, aggression, and self-injurious behaviors in this population. Emotional functioning problems are often exacerbated if the person is confused, stressed, tired, afraid, or faced with an unpredictable situation. These challenges can be quite problematic in the context of criminal justice interviews, where the interviewee may be overwhelmed by emotions (positive or negative) and behave erratically. As such, criminal justice professionals should monitor the emotional states of any interviewees with autism.

Social-Communication

Adaptive Functioning Deficits. Adaptive functioning consists of skills in three domains of functioning: practical skills, conceptual skills, and social skills. Individuals with autism commonly experience deficits in adaptive functioning. These deficits may be difficult to detect during initial encounters within controlled and predictable settings.

Echolalia. The meaningless repetition of the words, phrases, tones, and sounds of other people is called echolalia. This is a common symptom of autism, as well as some other disorders. In the context of criminal justice interviews, Individuals with autism may echo or repeat the words of the interviewer.

Gullibility. Criminal justice professionals responsible for interviewing individuals with autism need to be familiar with gullibility. When someone is gullible, the person is vulnerable to manipulation and deception. Further, gullible people may be overly trusting of others who do not have their best intentions in mind. This can result in a person being vulnerable during the interview as well as each stage of the criminal justice system. In some instances, gullibility should be carefully considered for its potential role in false confessions.

Humor Deficits. It is not uncommon for individuals with autism to struggle with comprehending and appreciating humor. Reasons for these humor deficits could include issues related to pragmatic language, theory of mind, executive functions, episodic memory, self-awareness, and abstract reasoning. Interviewers should be mindful of this when questioning individuals with autism.

Novel Situations. Individuals with autism commonly experience difficulties with novel situations. Novel situations can be described as unique, unexpected, unanticipated, unfamiliar, and unusual situations. Being interviewed in the criminal justice system would fall under this umbrella for most people.

Pragmatic Language Impairments. Pragmatic language relates to the use of language in social situations. Pragmatic language impairments are common among individuals with autism and may contribute to difficulties in communication across several settings. For example, individuals with autism often struggle with both verbal (e.g., tone of voice) and nonverbal (e.g., body language and facial expressions) aspects of communication. Further, individuals with autism might have difficulty comprehending humor, metaphors, or the use of irony.

Receptive and Expressive Language Impairments. Impairments in receptive and expressive language are quite common among persons with autism. Examples of receptive language issues could be difficulty carrying out a conversation or following directions. In contrast, expressive language issues could manifest in troubles with written expression or sign language.

Self-Awareness Deficits. The ability to recognize and understand one's own thoughts, emotions, and behaviors is self-awareness. Individuals with self-awareness deficits often struggle to not only identify their strengths and weaknesses, but also have difficulty understanding how others see them. Deficits in self-awareness are common in individuals with autism and can place them at a significant disadvantage during the interviewing process.

Social Communication Deficits. Individuals with autism present with social communication challenges. Often described as one of the areas of core deficits in autism, examples of some of the social communication impairments found in this population include nonverbal communicative behaviors, body language, facial expressions, and eye contact, social initiation skills, perspective-taking, friendship making, and imaginative play among others.

Social Naivety. Individuals with autism are prone to naivety in social contexts. This predisposition can result in a lack of situational awareness as well as susceptibility to manipulation and exploitation. As such, individuals with autism could be vulnerable to false confessions during interrogations. Additionally, social naivety may place individuals with autism at greater risk of financial deception and vulnerability in the online world.

Suggestibility and Compliance. Research suggests that individuals with autism may not be any more prone to memory distortions (e.g., confabulation and suggestibility) than the general population. However, this disorder may increase the risk of compliance in demanding and stressful situations. For example, individuals with autism could be vulnerable to doing things (e.g., confessing to a crime that they did not commit) to please others, particularly those in a position of power.

Behavioral

Restricted Repetitive Behaviors (RRBs), Interests, and Activities. Another typical set of symptoms presented by individuals with autism are restrictive and repetitive behaviors (RRBs) and interests. For instance, individuals with autism often display repetitive motor movements (e.g., finger clicking, body swaying, and hand flapping); ritualistic behaviors (e.g., organizing items in a specific order); speech patterns (e.g., idiosyncratic language and echolalia); and interests (e.g., preoccupations and obsessions). Further, individuals with autism are often resistant to change and struggle adapting to even small changes, let alone larger life transitions.

Rigidity. Commonly observed among individuals with autism, rigidity can be defined as difficulty with adapting to emerging information or demands. This can be viewed as the opposite of cognitive flexibility. Individuals with rigidity typically struggle with perspective-taking, recognizing the thoughts and feelings of others, and demonstrating empathy. Also, rigidity is generally accompanied by resistance to change, stubbornness, and proneness to interpersonal conflicts.

Sensorimotor Impairments. Individuals with autism usually experience sensorimotor impairments. Some of the more common sensorimotor impairments reported in this population include sensory processing deficits, visuomotor coordination impairments, postural instability, and clumsiness. As such, individuals with autism function best in environments that minimize distractions and avoid bright lighting.

Stimming. Stimming behaviors are sometimes observed in individuals with autism. Stimming can include repetitive movements, head-banging, sitting on the ground, or hand flapping. These behaviors may be caused by over- or under-stimulation, sensory overload, attempts at emotional management, or efforts to reduce pain. In some instances, stimming may be a sign of a medical problem.

Unusual Facial Expressions. Individuals with autism may exhibit tendencies for unusual facial expressions. These expressions may include facial expressionless, difficulties with producing spontaneous expressions, and not always matching the facial expression to the situation (e.g., the person may appear unemphatic in some situations). Other tendencies may include odd mannerisms, prolonged staring, lack of eye contact, and laughing or crying at inappropriate times.

Other Concerns

Adverse Life Experiences. Research reports that individuals with autism are at an elevated risk of experiencing various forms of adversity relative to the general population. This includes experiences such as bullying, peer rejection, maltreatment, exploitation, and risk of injury. Considering this, criminal justice professionals who conduct interviews should consider seeking advanced training in the area of trauma-informed interviewing practices.

Developmental Vulnerability. Some individuals with autism may suffer from developmental delays, which means they might not function at their chronological age. For example, a 20-year-old person with developmental vulnerabilities may only function socially and emotionally at the level of a 10- or 12-year-old. Nonetheless, these developmental vulnerabilities may not always be readily apparent to others. Instead, others may mistakenly believe that the individual with developmental vulnerabilities could be disinterested or uncooperative. Further, individuals with developmental vulnerabilities may be likely to acquiesce or attempt to please authority figures. As such, criminal justice interviewers should consider the complexity of any questions and consistently check for comprehension throughout the interviewing process.

Digestive Health Issues. The overwhelming majority of individuals with autism experience digestive health problems. These digestive issues typically include constipation, diarrhea, reflux, abdominal bloating, and even pain. Digestive health issues may exacerbate anxiety and stress, irritability, sleep problems, rigid-compulsive behavior, self-injurious behaviors, and externalizing behavioral problems (e.g., noncompliance to demands) in this population.

Psychiatric Comorbidity. Individuals with autism typically experience co-occurring mental health issues. Some of the more common comorbid conditions reported in this population include attention-deficit/hyperactivity disorder (ADHD), depression, anxiety, and obsessive-compulsive disorder (OCD).

Sleep Disturbances. The majority of individuals with autism also experience sleep disturbances. Interviewees with sleep deprivation are at a significant disadvantage relative to well-rested individuals. Sleep problems can negatively impact learning, communication, decision-making, and problem-solving abilities. Criminal justice interviewers are encouraged to appraise the possibility of sleep disturbances when interviewing any suspect, defendant, or witness.

Conclusion

As highlighted in this brief article, effectively interviewing individuals with autism can be a challenging process. The social, communication, and behavioral symptoms of autism complicate the typical procedures of criminal justice interviews. This is particularly true when the interviewee has not been properly identified as having autism or the professional conducting the interview has a limited awareness and understanding of autism. As such, criminal justice professionals who perform interviews are strongly encouraged to seek and receive advanced training that develops their interview skills for this population. Further, criminal justice professionals are encouraged to make adjustments (see Table 1) that maximize the accuracy of any information elicited during interviews. Such steps may decrease the likelihood of miscarriages of justice (e.g., false confessions and wrongful convictions) and improve short- and long-term outcomes for individuals with autism. ♥

Table 1. Important Reminders About Autism for Criminal Justice Professionals.	
Area	Important Reminders
Overview	<ul style="list-style-type: none">The etiology of autism is nuanced and multifactorialAutism persists across the lifespanThe prevalence of autism has significantly increased in recent decadesAutism commonly co-occurs with other psychiatric and medical conditions
Symptoms	<p>Autism includes a wide spectrum of symptoms that can vary in severity from mild to serious:</p> <ul style="list-style-type: none">Adaptive functioning skill deficits (e.g., decision-making and problem solving)Difficulty following and understanding rules, particularly when unwrittenExecutive function skills (e.g., information processing and memory) deficitsNonverbal communication issues (e.g., difficulties recognizing and understanding facial expressions and body language)Language processing and comprehension problemsPerspective-taking deficitsRepetitive and obsessive behavioral patternsSensory processing sensitivities (e.g., bright lights and loud noises)Struggles with changes in routine
Attributes	<p>Individuals with autism may display wide-ranging levels of these attributes:</p> <ul style="list-style-type: none">Cognitive stylesCommunication skillsInformation-processing stylesIntelligenceMotivationResilienceStrengths and protective factorsTalents and skillsWell-being
Criminal justice concerns	<p>Individuals with autism often struggle in criminal justice interviews for several reasons:</p> <ul style="list-style-type: none">Atypical behaviors elicited by high-stress environmentsUndetected autism and unaccounted for, especially among higher-functioning individualsAutism symptoms mistaken for defiance of law enforcementCommunication issues exacerbated by stressful settingsDeference to and fear of authority figuresDifficulties coping with stressful situationsPoor recognition and understanding of time relationshipsProneness to acquiescence may contribute to false confessions and inaccurate testimony

Jerrold Brown, PhD, MA, MS, MS, MS, is an assistant professor and program director for the master of arts degree in human services with an emphasis in forensic behavioral health and a second emphasis area in trauma, resilience, and self-care strategies for Concordia University, St. Paul, Minnesota. He has also been employed with Pathways Counseling Center in St. Paul, Minnesota, for the past 19 years. He is the founder and CEO of the American Institute for the Advancement of Forensic Studies (AIAFS). Email: Jerrod01234Brown@live.com

Read the next article in the series.

Please cite as

Jerrold Brown, "Interview Considerations – Autism Spectrum Disorder," *Police Chief Online*, October 5, 2022.

Share this article with anyone using the following URL:
<https://www.policiechiefmagazine.org/interviewing-considerations-autism-spectrum-disorder/?ref=908b2860f06eb8a03ac7dc687d57ecade>