

The CCRI worked with the [Bazelon Center for Mental Health Law](#) to produce this Fact Sheet in 2017. Please note that this document only offers an overview and simply serves as a starting point in considering the impacts of a particular condition on an individual. This Fact Sheet does not provide the level of detail, citations, medical terminology, or full diagnostic criteria that an expert or medical professional would need to make a diagnosis or that a lawyer would need to have to advocate most effectively on behalf of her client.

## Fetal Alcohol Syndrome Disorders

Fetal Alcohol Syndrome Disorder (FASD) is an umbrella term used to describe several developmental disorders that can occur when a fetus is exposed to alcohol. When a mother drinks, alcohol is passed through her bloodstream to the fetus, whose body is not yet able to process it without potential harm. After a baby is born, alcohol may still be passed on through breast milk, also creating a risk of reduced brain development.

FASDs can affect individuals physically, mentally, and behaviorally. The CDC has estimated that up to 1 in 20 U.S. school children may have one or more FASDs, but also has found that the disorders are commonly misdiagnosed or underdiagnosed. The neurological and birth defects caused by fetal alcohol exposure have lifelong impacts and FASD can cause physical and mental disabilities of varying levels of severity, including intellectual disability. However, early intervention therapy and ongoing support programs can help individuals affected by FASD reach their full potential and lead happier lives.

### Signs of Fetal Alcohol Syndrome Disorders

FASD symptoms include physical characteristics as well as mental and behavioral impairments. Certain individuals will experience symptoms to a greater degree than others, and in different combinations. Some symptoms can be identified at birth, while others become recognizable later in life.

#### *Physical Traits Associated with FASD:*

- Facial dysmorphism such as a small head, small eyes, a short nose, flattened cheekbones and an underdeveloped upper lip.
- Joint, limb and finger deformities.
- Growth problems. (Small at birth, with ongoing growth deficits.)
- Vision difficulties or hearing problems.
- Poor coordination, balance and motor skills.
- Heart defects, kidney and bone problems.

#### *Neurobehavioral Symptoms:*

- Difficulty processing information, remembering information, and understanding abstract concepts such as time or money.
- Short attention span and poor impulse control.
- Difficulty regulating emotions or regaining composure without outside assistance. Easily frustrated.
- Difficulty reasoning, problem-solving, and understanding cause and effect.

- Needing frequent cues and outside feedback to motivate action.
- Jittery or hyperactive.
- Higher risk of co-occurring mental disorders such as bipolar disorder, schizophrenia or ADHD.

### **How Fetal Alcohol Syndrome Disorder Might Impact Behavior**

Fetal alcohol exposure's damaging effects on the brain and central nervous system can lead to significant challenges for individuals with FASD in daily life. The difficulties that individuals with FASD have in functioning and interacting with others may manifest through the following behavioral patterns:

- Difficulty in school.
- Poor social skills and trouble getting along with others.
- Difficulty planning or working towards goals.
- Problems staying on task or holding down a job.
- Trouble adapting to changes in life or daily routine.
- Increased chance of substance abuse or psychiatric distress.
- Inappropriate sexual behavior. (Lack of understanding of boundaries.)
- Difficulty managing emotions, impulses, and stimulation; tendency to 'melt down.'

Individuals with FASD face higher arrest and incarceration rates. Neurobehavioral FASD symptoms, such as reduced impulse control and increased emotional volatility, put affected individuals at disproportionate risk of legal trouble. Approximately half of all people with FASD become involved with the criminal justice system at some point in their lives.

Persons with FASD may take things because they do not understand the concept of ownership, for example, or 'lie' and confabulate because they cannot remember past events. After arrest or incarceration, individuals with FASD may have trouble remembering the rules needed to comply with authorities such as probation officers. Their vulnerability to interpersonal pressure may lead them to commit a crime in order to please someone, or to make a false confession. During courtroom proceedings, individuals with FASD may be perceived as behaving inappropriately, and may not exhibit remorse due to poor memory or inability to fully understand cause and effect.

### **Resources for More Information**

- National Organization on Fetal Alcohol Syndrome, <http://www.nofas.org/>
- FASD and the Criminal Justice System Factsheet, <http://www.mofas.org/wp-content/uploads/2015/09/FASDcriminaljustice2015.pdf>
- FASD Experts, <http://fasdexperts.com/index.shtml>
- American Association on Intellectual and Developmental Disabilities, <https://aaidd.org/home>