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Disability engages all aspects of human existence. Even so, the act of how disabilities interact with juvenile justice systems remains incompletely understood. People commonly lack awareness of the richness of disability history and of the complexities of disability politics. Too often, concern about disability in the juvenile justice systems proves to be minimal at best. Yet such circumstances are out of keeping with modern rights-based understandings of disability. They also fail to effectively advance juvenile justice policies and practices beyond punishment and revenge. Law and Neurodiversity: Youth with Autism and the Juvenile Justice System in Canada and the United States discusses both the nature of these policy gaps and approaches to interactions between juvenile justice systems and autism more in keeping with rights-based disability policy than in the past. Four primary questions guide the inquiry that follows: 1) Why consider autism in the context of juvenile justice? 2) How do juvenile justice systems particularly affect youth with autism and autistic youth? (The distinctions and commonalities between “youth with autism” and “autistic youth” are discussed later in this text. Essentially it depends on personal identity preferences within neurotypes and the degree to which autism is considered the primary identity characteristic in a given context.) 3) How can circumstances be improved for youth with autism, autistic youth, and the personnel who interact with them in juvenile justice settings? And, most importantly, 4) What does rights-based disability policy look like in the context of the
rehabilitation of children with autism and autistic children involved with juvenile justice systems?

Two primary reasons motivated the selection of autism as a case study exploring the intersections of rights, accountability, identity, and diversity in the context of disability in juvenile justice systems. First, over the past few decades, the clinically recorded prevalence of autism rose dramatically in both Canada and the United States. While the degree to which this increase represents a genuine change, neurodiversity in the population remains debated – the recorded increase has implications for public programs serving youth. The politics of neurodiversity remain under-recognized in both Canada and the United States. For example, in a study of English-language Canadian media attention to autism, Gregor Wolbring and Katie Mosig (2017) found only four articles including the word “neurodiversity,” and two of those articles referenced the neurodiversity movement only in passing. As they explain, “that these four articles are the only ones using the term ‘neurodiversity’ in the 300 Canadian newspapers surveyed reveals a clear deficit of coverage of the neurodiversity narrative ... in general, the newspaper coverage is biased toward a medical and negative framing of autism” (Baker 2017, 68). In the context of juvenile justice, implications of increased neurodiversity include heightened demand for a multitude of services but also gaps in expertise regarding disability as an element of diversity in public programs. Second, increased public awareness of autism motivates autistics and people with autism to exercise their rights by seeking accommodations in the juvenile justice system. Using these rights as a mechanism for better inclusion can help youth with autism and autistic youth reduce their interactions with justice systems. Juvenile justice institutions benefit from stakeholder awareness of how systems are designed around expectations of neurotypicality and from a singular definition of human worth and success rooted in the preferences and capacities of people considered neurologically typical. As a result of this awareness, scholars and stakeholders can better understand how to create more neuroethical justice systems.

The paradigm of neurotypicality has long dominated human pursuits. Ableism remains more broadly accepted than do other forms of discrimination. Social construction of “the normal” developed alongside democratic policy subsystems founded on principles of human and civil rights. Discerning which elements of disability policy subsystems are misconstructed and which elements are features essential for policy designed to affect the behaviour of human beings proves challenging at best. A comparative case
study of two closely related but distinct democracies illuminates how differences in federalist systems, institutional infrastructures, policy design, and practice manifest distinctions in the successes and failures in work with youth with autism and autistic youth.

Disability studies explores disability as a positive element of identity. Throughout much of the twentieth century, disability studies focused on two primary concepts. First, disability came to be understood as a social construct. This conception of disability exists in the intersection of embodied characteristics and inflexible social, political, economic, legal, cultural, and physical infrastructures (O’Donovan 2010). Where participation across capacity differences exists, disability vanishes. Second, disability studies aims to reveal and resist ableism. By focusing on the history of people with disabilities and disabled people and on contemporary factors limiting expression of disability as diversity, disability studies expands understanding of discrimination rooted in a preference for capacities considered typical.

Early scholarship in disability rights focused on how social activism and legal litigation on behalf of persons with disabilities and disabled people afforded them opportunities to satisfy their basic human needs. While some areas of disability studies have arguably moved beyond a rights-based approach, how rights are established and protected in the context of juvenile justice remains insufficiently explored in current literature. As such, the intention in engaging the rights basis of public policy in this book is not to negatively essentialize disability or to ignore the fundamental interdependency of the human superorganism. Rather, we aim to highlight how rights can be better actualized in an environment where rights are both purposively restricted and of paramount, daily importance. Consideration of justice-involved youth with autism and autistic youth as an issue of rights provides an opportunity to understand how policy and practice can be strengthened for all stakeholders.

A Note on Language
Writing about disability can be tricky. This reality is not new. Each society uniquely and variously constructs disability. Designation of disability historically connotes systemic power differentials. Choice of words used to describe differences in capacity identified as relevant in a given society communicates many layers of meaning. Sometimes these layers have been intentionally selected by the author, sometimes not. Always the words chosen will fall short of the ideal for at least some readers.
In the twenty-first century, no universally preferred language form exists in either Canada or the United States. During the final decades of the twentieth century, efforts to create consensus on the use of person-first language gained salience across North America, including in Mexico (Baker and Leonard 2017). Appropriate writing about disability in this language form requires first mentioning that the person or people described are people and then providing either a specific diagnosis or a more general term. For example, person-first language would refer to “a juvenile with autism” rather than to “an autistic juvenile.”

Person-first language encumbers benefits. Human beings have a long history of othering individuals or groups considered decisively different. All too often, this othering harmed or oppressed persons and groups so identified. Responsible progression into the future of juvenile justice systems requires perennial remembrance of the fact that the differences called “disability” have been historically understood as crimes in and of themselves (Trent 2016). Detection of disability has been understood as reason enough to relieve individuals of their rights and to apply the harshest punishments imaginable, including death, torture, or lifelong incarceration (Baker 2011; Trent 2016). Given that much-forgotten history and the ongoing ableism in Western societies, use of person-first language appears prudent in much discourse about disability.

Furthermore, human identity is complex. Particularly in contemporary democracies, each individual belongs to various groups and embodies numerous characteristics considered relevant. Respect for lived experience and human agency requires allowing each individual the opportunity to decide which element of their own identity holds primary importance in a given context. For example, a diagnosis of autism may or may not mean that the individual prefers to lead with that element of his or her identity at school. Some students might form a club proudly designated as being for autistics and their allies, whereas others might prefer to spend time partaking in some other activity, such as the math club or playing basketball. As long as the choice of identity is freely made and, ideally, without a sense of shame surrounding the other components of the individual’s unique combination of identity characteristics, articulated individual preference prevails. Given that, in the absence of known preferences, person-first language remains (at least potentially) the most appropriate and correct use of language.

In any wicked problem, well-informed and honest stakeholders should frequently disagree. Absence of disagreement signals danger both in the
practice of science and in the development of public policy. In the context of the politics of autism in early twenty-first-century North America, strident disagreement with the preferred use of person-first language exists. Sources of opposition cluster on two ends of the continuum of comprehension of disability as an element of diversity (Pitney 2015). One attitudinal tribe is composed of those supporting the (less-than-completely-justly-labelled) proponents of the medical model of disability. Although diversity exists within this group of individuals who have yet to accept disability as an element of diversity, the primary characteristic of those who still use disability-first language is ignorance of the disability rights movement and the history of disability culture, particularly events of recent decades. Reasons for this stance vary from outright bigotry, to intellectual immaturity, to cultural differences, to belief in eugenics, to concerns that some of the more radical claims of the disability rights movement dismiss the very real pain and suffering associated with certain physical or mental conditions.

The other attitudinal tribe currently employing disability-first language includes those who have most actively engaged in the disability rights and identity movements. Of course, this diversity-language phenomenon is not unique to disability (Dolmage 2014). Reclaiming language can play a leading role in restoring or creating a positive version of an element of human identity (Rand 2014). In some circumstances, language reclaiming involves articulating by whom once exclusively derogatory terms or language forms can be justly used. For example, racial and ethnic minority group members have reclaimed terms, with the proviso that the language can be appropriately used only by members of the historically oppressed group. This use of language can promote positive in-group identity formation. In other circumstances, language reclaiming aims at changing the use and meaning of the term for the population at large. For example, the word “queer,” though once unequivocally derogatory, is being reclaimed by the communities at which it was aimed and its general use is encouraged by many activists and advocates, at least as part of the LGBTQIA+ acronym (ibid.).

Disability-first language has been reclaimed in both ways. Members of disability communities sometimes use once-derogatory terms within their groups as a way of building insular group identity. Proponents of disability-first language also tend to promote its general use by all stakeholders. In recent decades, advocates of disability-first language from this attitudinal tribe are often autistic (Silberman 2016). One reason voiced for this preference is that the experience of disability is too fundamental to the autistic way of being to be distinguishable from the person in question.
Given this, this language type is referred to as identity-first, rather than simply disability-first. As Lydia Brown explains in an article posted on the Autistic Self Advocacy Network’s website on the topic of identity-first language, “it is impossible to affirm the value and worth of an Autistic person without recognizing his or her identity as an Autistic person ... Referring to me as ‘a person with autism,’ or ‘an individual with ASD’ [autism spectrum disorder] demeans who I am because it denies who I am” (Brown, n.d., n.p.). Individuals and groups that consider autism a core element of their identity are appropriately described with their select identity first.

A shared way of being does not necessarily produce shared identity preferences. Furthermore, dynamic, varied, and passionate composition of individual identity preferences can be especially important to, and for, adolescents. There are individuals who dislike having autism either due to their lived experience or ongoing environmental factors associated with the condition or both (Silberman 2016). Others choose not to lead with neurological difference in describing personal identity because of the relative importance of other identity characteristics, such as nationality, gender, profession, religion, race, sexuality, political philosophy, or other disability. Furthermore, there are people with autism and autistic people who do not realize (or who have only just begun to realize) that they are autistic or are a person with autism. As a result, mandating identity composition through the use of disability- or identity-first language creates dissonance or discomfort for such individuals that can also be demeaning.

The language used in this book never aims to demean neurological difference. While we understand that intentions incompletely protect against harm, writing requires compromise. In salient political issues with rapidly evolving (or even punctuating) public policy, language becomes more poignantly compromised. In this book, both person-first and identity-first language are used simultaneously and, generally, together. When the language preference of the individuals or groups referenced is well established, language use reflects that preference. In direct quotes of policies, scholarly works, or other materials, the language used in the original text is maintained. Finally, when discussing infants, young children, or other people not yet able to communicate preferences with regard to rank order of elements of identity, person-first language is employed. To the extent that books are intended to facilitate back-and-forth communication, dynamic consideration of the language choices – including instances where the reader believes a more accurate or appropriate language choice exists than the ones made by the authors of this book – serves to enhance understanding.
of disability for all scholars and stakeholders. Readers wishing to communicate or discuss this with the authors are encouraged to be in touch and, importantly, to avoid making the perfect enemy of the good in the examination of the interactions between autism and the juvenile justice systems of twenty-first-century North America.

**A Note on Autism**

Autism was first described as a distinct condition in the first half of the twentieth century. Ongoing debate surrounds the exact origin of the diagnosis. While a full detailing of this history is beyond the scope of this book, current interpretation of this history has been documented recently in works such as *Neurotribes* (2016) by Steve Silberman and *In a Different Key* (2016) by John Donvan and Caren Zucker. No doubt this history will continue to be revised and enhanced as human understanding of neurolology increases as a result of our expanding ability to observe the functioning of living brains and as awareness of disability history grows.

Some arcs of history are particularly relevant to the topics explored in this book. First, as mentioned, the numbers and proportion of individuals understood as being autistic or having autism increased dramatically in recent decades. Second, autism is not usefully understood as a new human experience. When recorded incidence and prevalence of autism rose, one response was to search for a causal explanation for a novel human experience. Among the most influential of the hypotheses was that childhood vaccines or specific components of vaccines – in particular thimerosal, a mercury-based additive – caused autism (Baker and Stokes 2007; Silberman 2016). Sustained study demonstrated no such link (Taylor, Swerdfeger, and Eslick 2014). More importantly from the perspective of autism history, however, vaccine avoidance showed how – for some proportion of the population at least – parents proved more willing to risk the death of their child and others’ than have a child with a neurological difference. This choice reflects ongoing bias and discrimination against individuals with neurological differences and the neurodivergent.

The history of formal recognition of autism is also relevant to the topics explored in this book. Practitioners began using autism to describe a handful of people during the first decades of the twentieth century. As a formal diagnosis in North America, autism is defined by the American Psychological Association’s *Diagnostic and Statistical Manual of Mental Disorders* (DSM). This manual was first published in 1952, after several years of work by a committee. The DSM-1 was not the first formal effort to classify
the neurology of humans. After all, the World Health Organization added information about mental disorders to the sixth edition of its *International Statistical Classification of Diseases*, published in 1949. Even so, the DSM became the leading source of information about mental disorders, and, by extension, neurological differences, used by diagnosticians, educators, service providers, and other stakeholders in North America.

The content of the DSM has changed over time, both to reflect advances of scientific understandings of human beings and in response to changing social mores. Most famously, homosexuality was removed as a disorder in 1973 in response to evolving understandings of normal human sexuality. Autism has been specifically included as a standalone condition in the DSM since 1980, at which point it was officially distinguished from childhood schizophrenia. First called “infantile autism,” the name of the condition in the nomenclature was revised by the DSM to “autism disorder” in 1987 and then came to include “Asperger’s syndrome” in 1994. In DSM-5, released in 2013, the diagnostic categories connected to autism were collectively reclassified as “autism spectrum disorder.” In DSM-5, the diagnostic criteria for autism include “persistent deficits in social communication and social interaction across multiple contexts” and “restricted, repetitive patterns of behaviour, interests, or activities which manifest in childhood, [and] exist to a degree that is considered clinically significant and cannot be better explained by an intellectual disability” (Autism Speaks, n.d.[b]). The text also includes specific examples of behaviours fitting the diagnostic criteria, intended to be useful in identifying the condition.

From the perspective of juvenile justice and autism, it is important to understand that autism is a behaviour-based diagnosis rooted in observation of social interactions. It is also important to understand that while autism diagnoses may be a point of consensus among many professionals, said diagnoses can nevertheless become politicized or operationalized to serve various motives. For example, a family in the United States might pursue a diagnosis of autism on behalf of their child with a neurological difference that includes only a few of the diagnostic criteria because they or their attorney believe that it will facilitate access to desired special education services in a public school. On the other hand, another set of parents might reject the diagnosis for a neurologically similar child because of their bias against individuals with autism and autistic individuals or for fear that their child will face discrimination resulting from the label that he or she might otherwise avoid. Finally, although less prevalent a problem now than in the
past, a child in North America with a racial or ethnic background originating outside of Europe might not be diagnosed with autism as a result of a discriminatory belief that autism affects only white people (Silberman 2016).

No biomedical test for autism exists, meaning that diagnosis always takes place in a social context. Importantly, autism is not in any sense of the word contagious, despite the tendency of some authors and other stakeholders to refer to “an autism epidemic.” The intention behind the description of autism as a spectrum disorder is to illustrate the essential diversity of the condition itself. Of course, all experiences of human minds, bodies, and spirits are unique, and the construction of the norm constitutes an artificial human invention. This reality is augmented in experiences understood as different from the norm (or the ideal). For example, everyone who experiences asthma or diabetes will experience these conditions and their adverse effects slightly differently. Similarly, everyone who experiences human differences more or less universally understood as positive, such as extraordinary physical attractiveness or strength, will experience these conditions and their positive effects slightly differently. Organizing differences into taxonomies remains useful, since grouping around shared characteristics is one way for humans to manage large-scale projects of any kind. As long as the description is understood as general rather than definitive, a neuroethical approach to neurodiversity can be maintained.

Objections to the removal of Asperger’s syndrome from the DSM continue, in part because of connections between neurological difference and identity that are just beginning to be understood (Silberman 2016). Owing to the habitual characterization of individuals with Asperger’s as high functioning, some have raised objections to their (perceived) dominant role in defining and communicating first-person experience of autism to the general public. Responses to this objection include that such characterizations originate in a misunderstanding of autism as ranging from low functioning to high functioning and a failure to fully respect the lived experiences of neurodivergence. A core aspect of the experience of young people with autism and young autistics involves the formation of identity. When it comes to autism in contemporary North America, this identity formation exists in tensions between essentialist and constructivist elements of disability. Ken Gobbo and Solvegi Shmulsky explain:

As diagnoses increase, more adolescents and emerging adults may be forming identities amidst two movements that disagree on the best way to
understand autism. The autism acceptance movement, which stems from a disability studies perspective, maintains that autism is a normal human variation that should be accommodated by an informed mainstream. Efforts associated with autism acceptance include the neurodiversity movement, autistic self-advocacy, and autism rights. The medical model perspective, from which a great deal of scientific and educational research has emerged, views autism as a pathology in need of a cure. (Lim 2016, 2)

How to best negotiate these understandings in the contexts of increased comprehension of human neurology, postmodern identity construction, and expanding understanding of disability as an element of diversity represents an ongoing challenge for contemporary democracies. In the meantime, effective and ethical public management of juvenile justice programs involves maintaining a high level of awareness of the politics of autistic identity and the necessity of understanding autism not simply as a disease. It is also important for scholars and practitioners of juvenile justice to understand that experiences of autism and responses to those experiences will vary greatly within and among individuals. One especially important concern involves avoiding the assumption that intellectual capacity is correlated with the ability to speak, as recent research establishes no such relationship (Nader et al. 2016). Maintaining a dynamic and evolving understanding of neurological difference rests at the centre of appropriate approaches to the design and implementation of juvenile justice programs in neurodiverse societies.

A Note on Age-Based Terminology
This book focuses largely on a specific population of young people involved with the juvenile justice system. Throughout the book, we refer to people under the age of majority using various words, including “juveniles,” “youth,” and “children,” with preference for the terms appropriate for a given topic. Even so, there are no universal definitions of “juvenile,” “youth,” “child,” or for that matter, “childhood” (Ansell 2016). At times, juvenile justice practitioners informally use the terms “juveniles,” “youth,” and “children” interchangeably. More formally, however, practitioners select the language depending on the context, often in regard to the terms used in relevant legislation or administrative policy.

The term “juvenile” commonly refers to any person under the age of eighteen years. In the United States, each state has the power to choose the age at which a juvenile reaches the age of jurisdiction to enter the juvenile
system (18 U.S.C. § 5031). For example, in Washington State, the age of jurisdiction is between eight and seventeen years. In comparison, age seven is the minimum age of jurisdiction in the state of New York. In Canada, the Young Offenders Act of 1984 eliminated the province-to-province variation for the age of criminal responsibility based on the position that such inter-provincial variation is unconstitutional. Canada recognizes criminal law as federal jurisdiction and therefore sets the age of jurisdiction for the nation as a whole between twelve and seventeen years (Hoge 2008). In Canadian practice, the terms “juvenile,” as well as “offender” and “delinquent,” are used to refer to this age group in all criminal and judiciary matters.

The term “child” as used in this book refers primarily to a person below the age of puberty. Sometimes it is used more generally to refer to someone under the age of majority, especially when a reminder of the essential lack of maturity of teenagers is important to the topic at hand. Of course, in the context of disability, “child” represents an especially contested term given, for example, the long history of infantilization of people with disabilities and disabled people. The ongoing tendency to employ phrases such as “adult children” to refer to disabled adults and adults with disabilities and the disabled, either economically or otherwise dependent on their parents or guardians, further intensifies the precariousness of this term. In juvenile justice systems, practitioners also use the term “child” in specific circumstances, such as to describe a person who is a dependent, meaning, through no fault of their own, which they find themselves being removed from their home by the state because of abuse or neglect.

The term “youth” refers to a person under the age of eighteen years. Broader use of “youth” exists in juvenile justice contexts than do the other terms referring to minors. Practitioners use the terms “youth” or “client” in regular communication with service providers, as it is perceived as less stigmatizing than “juvenile” or “offender.” Language can affect how youth perceive themselves and whether they believe that the juvenile system, and its services, will indeed help them. In this book, the authors use the specific language that refers to the person or population as appropriate to the formal context of the language described above.

A Note on Intersectionality
Modern identity is inherently complex. Furthermore, the movement away from defining individuals on the basis of a preselected, single characteristic constitutes a foundational design element of democracy. As discussed above, individuals in modern democracies are understood as being free to
construct their identity by highlighting whatever elements of identity they prefer. Even so, in the consideration of public policy and administration, particularly in areas as complex as juvenile justice, combinations of some sets of characteristics tend to result in more systematically differentiated experiences than others. This book focuses primarily on a single identity characteristic. Even so, at least some consideration of intersectionality of identity is crucial to the consideration of autism and the juvenile justice systems in Canada and the United States.

Particularly in the United States, writing about identity in the context of criminal justice requires specific consideration of intersection with racial and ethnic background. During the second decade of the twenty-first century, the plight of racial minorities, especially males, in interactions with some members of the police became more public, largely as a result of smart-phone technology enabling the rapid distribution of videos through social media. Differential experiences of racial minorities with justice systems in the United States have a long, tragic history. For example, as Booth et al. (2016, 87) explain, “public discourse is replete with details publicizing the dire straits of African American boys and men in comparison with other members of society.” In both Canada and the United States, intersectionality involving Native populations also holds tremendous relevance owing to past and ongoing social and economic injustices, in addition to the differential legal status of Indigenous peoples. Not only are people of colour more likely to be arrested, they are also more likely to have more stringent sentences assigned to their crimes (Alexander 2012). In the United States, such disparities were exacerbated by the implementation strategies employed as part of the War on Drugs (ibid.; Wagner and Rabuy 2017). Canada also waged a war on drugs, but to a lesser degree than in the United States and involving fewer complications resulting from the economic incentives related to privatization. While some of the policies created during the time of Stephen Harper’s administration seemed to be veering toward more punishing approaches, under Prime Minister Justin Trudeau, this pattern has been reversed. Nevertheless, in both Canada and the United States, the drug policy design of the late twentieth century has resulted in increased incarceration of youth, and has had pronounced effects on youth from racial and ethnic minority backgrounds (Omura et al. 2014; Wagner and Rabuy 2017). Finally, in the United States, policies targeting those seeking asylum in the United States and without documentation allowing for legal long-term residence have not only horrified the general public but also augmented the fears of many who are (or might be believed to be) recent immigrants.
Gender also constitutes an important intersectional characteristic within juvenile justice systems. Women and girls have historically been under-represented in juvenile justice systems (Epstein, Blake, and González 2017; Gaarder, Rodriguez, and Zatz 2004). While there may be less difference in underlying tendencies and actions than was once considered to be true, the crimes for which young people are detained also differ along gender lines (Epstein, Blake, and González 2017). Beyond separating youth from adults, many juvenile justice systems segregate boys from girls, often according to traditional binary gender, as well. Contemporary conceptions of gender, including divisions along gender lines, create new opportunities and complications for all spaces and organizations. In both Canada and the United States, awareness of gender as a continuum rather than as a binary has increased. Importantly, this observation of more than two genders has existed in other cultural contexts for extended periods (Hollimon 2015). Despite these precedents, in Western democracies, public conceptions of gender that have been historically understood as being exclusively male and female persist. Until very recently, strong socio-cultural reinforcement of restrictive gender roles connected to gender was observed at the moment of birth, which therefore constrained human identity. Resistance to gender diversity rooted in a sense of connection to these traditions persists across North America.

Finally, both juvenile justice systems and the history of autism intersect with socio-economic status. Children and youth from families of lower or middle socio-economic status are more likely to be incarcerated than are children from families of high socio-economic status for same offence (Annamma 2014; Barker et al. 2015). In the United States, costs of public defenders and fees resulting from involvement with the juvenile justice system create extreme economic burdens for youth and their families of origin. Furthermore, failure to pay fees can extend time under supervision for no other reason than that of youths or their families cannot afford to pay fees levied by juvenile justice systems. While such extension typically means more time on probation at the first pass, being on probation increases the likelihood that a youth will spend time in detention for behaviours in which young people commonly engage, such as underage drinking or verbal arguments at school (Humes 2015). Finally, whereas children from wealthy families can afford to pay for private attorneys and interventions courts might consider programs or services in lieu of detention (for instance, attendance at a drug treatment facility), these options are beyond the economic reach of most families. These realities can become especially punishing for families of
children with special needs, since the costs of education, medical care, child care, and other interventions tend to be greater for children with special needs than for those without (Sharpe and Baker 2011). Given such program and policy designs, attention to intersectionalities of socio-economic status is crucial to the understanding of autism and the juvenile justice systems in Canada and the United States.

A Note on Theory
This book includes insights drawn from the areas of disability studies, sociology, criminology, juvenile justice, political science, public administration, and public policy, with the intent of helping close the gap between contemporary knowledge of autism, disability rights, and the theory and practice of criminal justice directed at young people in North America. The aforementioned academic disciplines include a multitude of theories into which scholars situate their work.

However, because this book focuses on the juvenile justice system of two nations, the text that follows primarily highlights theories drawn from comparative public policy analysis. Readers of this book need not have substantial prior experience with comparative policy theory. In his book *Explaining Politics*, Oliver Woshinsky (2008, 88) describes how most people “are not interested in politics most of the time” because of lack of time and resources. Even so, both crime and disability have historically polarized communities, stakeholders, and political parties. Autism and the juvenile justice systems of Canada and the United States intersect broadly with the interests, hopes, goals, fears, and expectations of too many communities and stakeholders to be safely ignored.

Furthermore, comparing social policy is not necessarily an automatic instinct in public policy, in part because of the influence of social, history, and cultural contexts on policy design (Baker and Steuernagel 2009). Frequency of such comparisons is further reduced by American exceptionalism, rooted in a belief that the United States holds a special and unique position in the world. However, previous works have demonstrated the potential for learning across North America. Despite their geographic proximity and substantial shared history, Canada and the United States have not taken fully congruent paths in the development of juvenile justice or disability policy.

The next six chapters of this book each briefly summarize an aspect of relevant policy and administrative history in Canada and the United States. The comparative policy analysis herein is a blended theoretical framework
drawing from regime theory, institutional frameworks, punctuated equilibrium, punishment theories, and conceptualizations rooted in the intersectionalities of gender, ethnicity or race, and socio-economic status. In each chapter, one or two of these theoretical frameworks serves as a backbone for the discussion of that topic. This framing does not imply that those aspects of autism and juvenile justice situate only in that particular theoretical perspective, however. Readers of this text are encouraged to build on the practices, recommendations, and suggestions presented and to think broadly about adapting them to enhanced neurodiversity in juvenile justice.