

# FOR THE DEFENSE

Volume 11, Issue 1

March 2026



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**AUTISM**

# Ten Things Every Defense Lawyer Must Know About Autism



Doug Passon, Dr. Nick Dubin  
& Dr. Laurie Sperry

**W**e strive to provide the best defense for every client. But when it comes to autism spectrum disorder (ASD), we are at risk of falling short of that goal, either because we miss the issue, or fail to understand its relevance. As such, every lawyer must understand what ASD is, and why it matters at every stage of a criminal prosecution.

There is much to learn about ASD, and a lawyer who understands it can achieve seemingly impossible results. The goal of this article is to give you the highlights and additional resources that will allow you to continue educating yourself on ASD. To that end, the following list was created by three individuals with unique perspectives on autism and the criminal process: a nationally recognized autism expert and clinician (Dr. Sperry); an author, teacher, and advocate who has firsthand experience with the criminal system (Dr. Nick Dubin); and, a thirty-year criminal defense lawyer who represents autistic clients nationwide (Doug Passon).

### **1. Autism Matters in Every Case, and at Every Stage of the Proceedings**

The latest statistics from the Centers for Disease Control and Prevention estimate that 1 in every 31 individuals is autistic.<sup>1</sup> That means every lawyer has likely represented several people “on the spectrum.” The truth is that those with ASD are deeply vulnerable; they are vulnerable to becoming victims of crimes, and they can be vulnerable to committing crimes, often unwittingly.

The most common cases involve online offenses, because that is where so many autistic people spend inordinate amounts of time and are most vulnerable. However, we see autism in many other situations, including cases involving white collar offenses, susceptibility to online radicalization,<sup>2</sup> and sometimes even violent crimes. Perhaps most disturbing, some *innocent* clients are charged and convicted because police and prosecutors misinterpret autistic traits as evidence of guilt.<sup>3,4</sup>

When a client has committed an offense, ASD puts the offense conduct in the proper context. It is not necessarily a defense, but it is *always* mitigating. When a client is innocent, ASD often explains innocent conduct, such as statements made during an interrogation, failure to express appropriate emotion when confronted with evidence, lack of eye contact, and so forth. A criminal defense attorney must educate prosecutors, judges, and juries about a client’s autistic traits at every opportunity. It is especially important to integrate ASD into plea negotiations and sentencing presentations, especially when there is a possibility of incarceration. It bears noting that every person on the spectrum is unique, and the disorder manifests itself in different ways. Not every characteristic described below will apply equally to every client. Notwithstanding these differences, we can say with certainty: ASD is going to be a main character in the story of your defense.

### **2. Mind the Gap: The Double Empathy Problem.**

The term “theory of mind” (ToM) was coined in the late ‘70s by psychologists David Premack and Guy Woodruff<sup>5</sup> and is central to understanding ASD. It describes the ability of a human being to imagine what others may be thinking or feeling. This ability helps humans navigate the social world.

Having an intact ToM enables neurotypical people to connect, understand others’ motivations and intentions, and predict their reactions and behaviors. This is not a skill humans are born with, but rather one that develops over years, through the course of the multitude of daily social interactions. But those with ASD struggle with ToM.

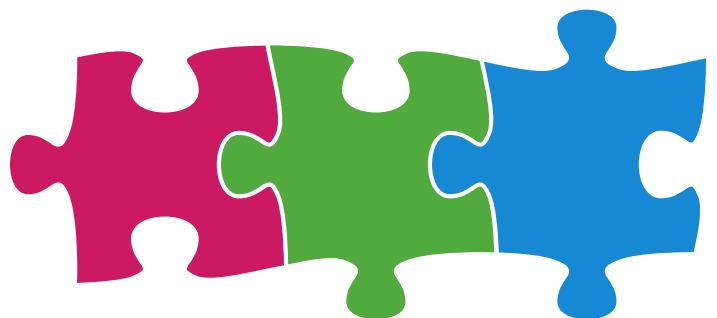
Indeed, renowned autism expert Simon Baron-Cohen says those on the spectrum are often “mind-blind.”<sup>6</sup> In other words, they can lack the ability to take the perspective of others and intuit what they may be thinking or feeling. They do not understand that others have their own thoughts and interests, independent of their own. This is one of many real and significant deficits that render those on the spectrum deeply vulnerable when it comes to navigating the social world and the criminal system. But mind blindness is a two-way street.

When it comes to how most neurotypicals understand autism, they too can be prone to their own form of mindblindness. Autism researcher Damian Milton defined this as the “double empathy problem.”<sup>7</sup> This is often the most significant hurdle a defense lawyer must overcome when representing a client with ASD. Those who don’t know about autism, especially in the criminal system, have a total lack of empathy for how the autistic mind functions. They know how they see the world and can’t imagine any different way. They weaponize terms like “high functioning” or “level one” and point to things many autistic people *can do* (such as hold a job, earn a degree, or drive a car) to argue the issues are so “mild” they play no role in the case.

They call autism the “excuse de jure” and accuse defendants of using ASD to avoid consequences. But the truth is, while a client’s autism may appear mild to an ill-informed outside observer, the autistic deficits they experience are severe and often debilitating.

### **3. How to Recognize When Your Client May be Autistic; Late Diagnosis Should Not Be a Barrier**

Obtaining a diagnosis of ASD in adulthood can be an arduous task for several reasons. As people age, certain core features of ASD may be less obvious. As the field has evolved, so too have diagnostic tools, becoming much more sophisticated and sensitive to the people at either end of the spectrum. Depending on their age, many may come to you without a diagnosis, or with a diagnostic label that was being employed at the time of their diagnosis. For instance, those diagnosed between 1994 and 2013 may carry a diagnosis of Asperger’s Syndrome.



Pervasive Developmental Disorder (PDD) or PDD Not Otherwise Specified (PDD-NOS) was used synonymously with autism by many psychiatrists and psychologists for several years. The PDD-NOS was frequently used to describe adults and children who did not present as what was then considered classically autistic. Sometimes a client may have a veritable alphabet soup of diagnoses including Oppositional Defiant Disorder (ODD), Obsessive Compulsive Disorder (OCD), Social Communication Disorder (SCD), Sensory Processing Disorder (SPD) and/or Attention Deficit Hyperactivity Disorder (ADHD). Pay attention to their medical or psychological histories for diagnoses, that, taken together may be better reflected by the current criteria for Autism Spectrum Disorder (ASD) found in the DSM 5 tr.<sup>8</sup>

There may be other factors that play a role in late diagnoses. The literature clearly states that people of color are diagnosed later or not at all relative to Caucasian.<sup>9 10 11</sup> Lack of access to care in rural and remote areas and those in unserved and underserved communities may also be autistic, though never diagnosed. Where once, a diagnosis of autism was limited to a child who might be found in a corner, rocking and spinning a plate, the DSM5-tr identifies people who have language skills but are no less impaired by the intensity of their interests, the way they are able to access and use language and their significant social challenges. *It is the social impairments that impact the trajectory and every single aspect of their lives.*



I went through the criminal legal system and experienced how the effects of masking and scripting impacted me personally. For me, the strong urge to mask stemmed from a desire to appear intelligent, competent, and, most crucially, not “stupid” in the eyes of my attorney and others within the system. I wanted to project a level of knowledge I didn’t truly possess. Unfortunately, this “performance,” driven by embarrassment over my disability, only worked against me by obscuring my true needs, behaviors, and underlying disabilities that contributed to the commission of the instant offense. Focusing on masking while awaiting trial prevented me from seeing the “big picture.” This was because I mistakenly prioritized appearing neurotypical over my defense strategy.

My personal account of navigating the criminal legal system illustrates a specific risk: feeling compelled to “mask” competence with an attorney to avoid being perceived as unintelligent. This masking can manifest as false “confidence” or “competence,” where autistic individuals under extreme pressure may feign understanding or cooperation—a coping mechanism that ultimately harms their own interests. This observation is consistent with research indicating heightened anxiety and communication challenges for autistic adults during police-suspect interviews, warranting caution against standard investigative practices that risk misinterpreting autistic presentation.<sup>17</sup> False confessions can and do result from the perfect storm already set in motion.

~Dr. Nick Dubin

Attorneys can mitigate these challenges by proactively learning the client’s communication style, developmental history, and how they function when not actively performing neurotypicality. Building rapport and assessing functional maturity can be achieved by exploring the client’s special interests and social history. Additionally, involving “family historians” can provide concrete, behavior-based examples of the client’s adaptive functioning across various settings and over time. A lawyer should constantly be confirming a client’s level of understanding as the process unfolds.

#### 4. Masking and Scripting - The Hidden Disorder

When an autistic client discontinues masking, they may show more noticeable challenges in areas like executive functioning (e.g., working memory, planning/generativity, cognitive flexibility), emotional regulation, and managing repetitive behaviors. These are domains where autism research documents measurable group-level difficulties, even in those with average intellectual ability.<sup>12 13</sup> These unmasked difficulties often align with clinically meaningful support needs to be captured by adaptive-functioning measures<sup>14</sup> which assess real-world social and daily living skills in autistic people.<sup>15 16</sup>

#### 5. Executive Functioning Deficits Give Context to Bad Choices

Executive functioning encompasses cognitive functions such as the ability to resist impulses; consider the impact of one’s behavior on others; shift attention and focus from one task/ thought to another; regulate the size of emotional responses; the ability to start activities; to hold information in one’s working memory; to plan, organize, and prioritize activities; and, to monitor one’s own progress on an activity/task.<sup>18</sup> The Behavior Rating Inventory of Executive Functioning -2 Adult version<sup>19</sup> is an excellent tool to assess the impact of executive functioning deficits on a person’s decision-making and actions. This assessment includes a self-report as well as an informant report which can be administered to your client’s parents, caregiver, or spouse.

While many of the clinical scales on the BRIEF 2A may help provide context to your client’s challenges and decision-making, there are a few clinical scales worth particular examination. The Inhibit scale measures how well a person can resist impulses and think through the “What Ifs” or consequences of their actions *before* they act. The Emotional Control scale measures how well a person can regulate their emotional responses. In other words, does the size of their response match the size of the problem? The Shift scale measures a person’s ability to change their thought channel from one person, idea, activity to another. The Self Monitor scale measures a person’s ability to notice how their behavior is affecting others or how others might view their actions. While many of the clinical scales are helpful in providing context, the aforementioned scales are often at play in decision-making that may result in contact with the criminal justice system.

The severe executive functioning deficits commonly associated with ASD helps a lawyer put a client’s conduct in the proper light. Rather than a cold, calculated criminal, we find a person who engaged in crimes with little understanding of the implications and consequences associated with their conduct or

an impaired ability to shift focus away from a bad idea and think through a better solution to a problem.

## 6. Autism is a Condition of Profound Isolation

Autism is frequently discussed in terms of social alienation and loneliness, with qualitative and autobiographical accounts often using “alien” metaphors to describe the experience of living in a social world that feels like a different culture.<sup>20 21</sup> Empirical and clinical-literature reviews likewise document elevated loneliness and social isolation concerns among autistic adults.<sup>22</sup>

Think of your client as functioning as a lifelong anthropologist on an alien planet, never quite understanding how the foreign civilization they are living in operates socially.<sup>23</sup> Your client has a social disability, leading to a perception of the world that can result in misunderstandings. Yet when misunderstandings are judged harmful, autistic defendants are still frequently assessed through neurotypical lenses. Research and practice-oriented guidance for justice professionals emphasize that autism-related affect, communication style, and stress responses can be misread as deception, defiance, or lack of remorse, and that accommodations and informed interviewing practices are critical.<sup>24 25</sup> As the attorney of record, your role is twofold: educate the prosecutor and the court on the nature of your client’s disadvantage and show how tailored structure and support can reduce risk and promote compliance.<sup>26 27</sup>



Like many autistic people, my deepest desire as a child was to fit in. However, making friends proved extremely difficult. This was due to my inherent rigidity, a set of idiosyncratic special interests that my peers did not share, confusion over my sexual orientation (I am now a member of the LGBTQ community), and extreme sensory issues. Consequently, my isolation during childhood was profound and involuntary. This isolation, combined with my failure to meet many key social milestones, contributed to my involvement in the criminal legal system.

~Dr. Nick Dubin

## 7. Restricted and Repetitive Behaviors and Interests; Rigid Thinking and “Rule Following”

Restricted and repetitive behaviors are core characteristics of Autism Spectrum Disorder. These may include repetitive movements (hand flapping, body rocking) and repetitive speech (i.e. repeating words or phrases immediately or repeating phrases heard in videos). Restricted and repetitive behaviors may come in the form of resistance to change, including rigid rituals or routines. Some people have interests that are highly unusual in their focus (pad locks, duct tape) and/or the pursuit of their interests becomes so intense as to interfere with their lives and the lives of those around them.

When considering the actions and decision-making of your clients, it would be helpful to consider what role, if any, their deep interests play. For instance, perhaps their deep interest is duct tape, its uses, its tensile strength, its composition. So,

they begin exploring that topic on the Internet, only to stumble across an entire subgenre of Child Sexual Abuse Materials (CSAM) involving duct tape. Perhaps, their deep interest has a shelf life. They may have been very interested in WWII airplanes as a young child and once they satisfied their need to know and exhausted the well of knowledge, they turned to WWII artillery, which resulted in Internet push algorithms sending them content about Nazism and genocide. Suddenly, they find themselves at the attention of law enforcement. In the case of stalking charges, the person may become their deep interest. Combined with deficits in self-monitoring and perspective taking, they may not be aware of the impact their behavior has on others.

Those on the spectrum often exhibit rigid thinking and rigid rule following. This often helps them navigate what is for them, the chaos, and confusion of the neurotypical world. It’s hard to reconcile how and why a person with ASD might then break the rules. More often than not, they do so because they simply do not understand the rules, particularly the rules of social engagement. That said, when the rules are clearly defined, they typically remain unbroken. Rigid rule-following may be something your client insists on, not only for themselves but for others. When others “break the rules” they may feel compelled to point that out or impose a consequence on the rule breaker, which paradoxically carries its own consequences.

Along the same lines, those with ASD can be rigid in their thoughts and opinions about certain things. It may be relevant to offense conduct, and it may also cause conflict in preparing a defense, negotiating a plea, and making other important decisions in a case. When the attorney-client relationship is strained due to what is likely the result of autistic traits, counsel should seek the guidance of an expert on how to navigate conflict and set the relationship back on track.

## 8. The Need for QUALIFIED Experts

Lawyers are busy, and we’ve spent a long time cultivating a battery of top-notch experts. We know the court and the prosecution knows them, and they are our first call when we have a client with any suspected mental health issues. But, as good as they may be, they are likely the *wrong* experts for a case involving autism. Many (if not most) forensic experts have a surface-level understanding of what ASD is; the many ways it can impact a client; and most importantly, that it is almost certain to be relevant to the offense conduct, competence, or even innocence. This is one reason why so many of our clients come to us without a diagnosis in the first place—an otherwise qualified expert completely missed the issue, and/or misdiagnosed it.

Another problem with generalist forensic experts is that they usually do not conduct diagnostic tests that are essential to fully understanding the client’s level of executive or adaptive functioning. The typical tests overlooked by unqualified experts are the ADOS-2, ADI-R, brief 2A, and Vineland.<sup>28</sup> These are tools that help pull back the curtain and reveal the full truth of a client’s deficits.

For example, in a recent case, a client was charged with setting fire to a Tesla. This client had a stellar IQ, graduated with a degree in electrical engineering, and solved complicated math proofs in his free time. Imagine trying to explain to a decision

maker that this person didn't have a full understanding of the consequences of his actions, or the ability to talk himself out of this terrible idea once he decided to do it. But the testing supported those exact mitigators. The Vineland test showed that despite his high level of intellect, his emotional and adaptive functioning was on par with that of an eleven-year-old child. A decision maker can relate to the truth that even the smartest 11-year-old can do some really dumb things. When all this information was presented to the judge, she declined to follow the government's harsh sentencing recommendation and imposed the minimum.

## 9. The Need for Autism Specific Treatment to Reduce Recidivism

Those on the spectrum will almost never recidivate, provided they receive the proper treatment. But, again, like the "anthropologist on Mars," those on the spectrum are essentially living in a world that wasn't built for the way their brains function. Unfortunately, most treatment programs suffer the same problem because they are designed to treat neurotypical individuals. While people *without* autism may intuit unwritten rules, autistic people benefit from being taught explicitly where social, sexual, and legal boundaries exist. When they are not explicitly taught these rules, they may be forced to learn through trial and error. If it has been said once by a defendant with autism, it's been said a thousand times "I learned the rules by breaking them."

Adding insult to injury, when people with autism do cross social and legal boundaries, they are typically placed in the general population of a prison and treated using the same offender treatment programs that do not take their disability and learning characteristics into account.

The research is very clear that autism specific treatment results in the best outcomes and lowest rates of recidivism.<sup>29</sup> Given the social, communication, executive functioning and even sensory challenges of clients with autism, participating successfully would be nearly impossible. As a result, many are expelled from these groups because they cannot interact with the group in a typical manner, they may not be able to keep pace with the information that is presented verbally and have often been told they lack perspective-taking. Challenges with perspective-taking or Theory of Mind deficits are a core component of ASD. In other words, it would be akin to requiring a person in a wheelchair to make it up the stairs like everyone else and if they couldn't, they would be failed out of the program.

Again, here's the good news: when autism specific treatment is available and provided in a supportive environment which takes into account the learning characteristics, communication styles and social and behavioral challenges of people with autism, the rates of recidivism are substantially reduced.<sup>30</sup> This serves the dual purpose of improving the skill set of the individual while reducing recidivism and keeping society safer. It is imperative that decision-makers understand amenability to treatment, lest they believe that their disorder renders them dangerous and likely to reoffend. In fact, anecdotal evidence shows that recidivism rates among autistic defendants is nearly zero.

## 10. Changes are Happening, Slowly but Surely

The true breakthrough for change has come in Virginia, which was, in large part, made possible by the relentless advocacy of the nonprofit organization Decriminalize Developmental Disabilities.<sup>31</sup> The Virginia Model<sup>32</sup> provides a defined legislative solution for deferred disposition for persons with autism or intellectual disabilities. The law applies "[i]n any criminal case" with key exclusions (including capital murder, "acts of violence" as defined elsewhere in the Code, and crimes that already have their own deferred disposition statutes).

The Virginia concept is potentially being adopted in other jurisdictions. In South Carolina, pending House Bill 3749 (2025–2026) would establish an "Autism Spectrum Disorders and Intellectual Disabilities Pretrial Intervention Program."<sup>33</sup> The bill excludes "violent crime" (as defined by South Carolina statute), requires a qualifying diagnosis, requires a clear and convincing disability–offense nexus ("caused by or had a direct and substantial relationship"), and authorizes deferral into pretrial intervention with procedures for successful completion and violations governed by the state's pretrial intervention framework.

In Maryland, pending House Bill 940 (2025) would create a distinct mandatory "probation before judgment (PBJ)" pathway for defendants with ASD or intellectual disability when statutory criteria are met: following a guilty plea, nolo contendere plea, or finding of guilt, the court "shall" stay entry of judgment, defer further proceedings, and impose PBJ if it finds by clear and convincing evidence that the criminal conduct was a manifestation of the disorder or disability and that PBJ serves both the defendant's best interests and public safety/justice.<sup>34</sup>

Juvenile specialty-court models are also instructive. In Nevada, specialty dockets in Clark County such as the DAAY Court (Detention Alternative for Autistic Youth) and NEAT Court (Neurobehavioral court programming) have been publicly described as treatment- and supports-focused pathways for youth, with very low recidivism reported in local coverage (e.g., approximately 11% in one report) and dismissal outcomes tied to successful completion. Nevada has also codified and expanded autism-related juvenile court programming through statewide legislation.<sup>35</sup>

Other states show different (but still explicit) approaches. West Virginia law directs development of a statewide strategic plan using the Sequential Intercept Model to divert adults and juveniles—including those with developmental and cognitive disabilities—away from the criminal justice system and into treatment, emphasizing continuity of care and interagency coordination.<sup>36</sup> Indiana's statutory framework for forensic diversion includes explicit consideration of participants with developmental disabilities (including ASD) through its diversion architecture and conditions.<sup>37</sup> And Florida's Chapter 916 provides a specific statutory framework for defendants found incompetent to proceed due to intellectual disability or autism, including options such as designated forensic facilities and conditional release grounded in community-based training plans.<sup>38</sup>

These advancements in the law not only give us hope for widespread change, but also they can and should be used to

validate the significance of ASD in criminal prosecutions. In other words, pointing to changes in the legal landscape can be used to break through the wall of indifference in jurisdictions where decision-makers are still debilitated by the double-empathy problem.

## Conclusion

Prosecutors, judges, legislatures, and commissions are beginning to understand ASD and why it matters. Lawyers who understand the issue and develop it thoroughly can achieve seemingly miraculous outcomes. But there is more work to be done to achieve system-wide reforms that aim to improve fairness, reduce unnecessary incarceration, and maintain public safety through disability-responsive legal pathways.

While the legislative progress in states like Virginia offers hope, the burden remains on defense counsel to bridge the gap between a rigid system and a neurodivergent client. We are moving past the era where autism is invisible or ignored in the criminal legal system. It is now our obligation to see what others miss, to contextualize what others judge, and to ensure that a disability is never mistaken for criminality. 🤖

## NOTES:

<sup>1</sup> CENTERS FOR DISEASE CONTROL AND PREVENTION, Data & statistics on autism spectrum disorder (Mar. 2023), <https://www.cdc.gov/ncbddd/autism/data.html>.

<sup>2</sup> S. Wijekoon et al., *Neurodivergence and the Rabbit Hole of Extremism: Uncovering Lived Experience*, AUTISM IN ADULTHOOD 1-8 (2024).

<sup>3</sup> S. L. Mabe, *Neurodiversity in the Courtroom: Expanding Jury Service Accessibility Beyond Physical Disability*, 49 SEATTLE UNIV. L. REV. 293-315 (2025).

<sup>4</sup> Innocence Project, <https://innocenceproject.org/cases/robert-roberson/>.

<sup>5</sup> D. Premack et al., *Does the Chimpanzee Have a Theory of Mind?* BEHAVIORAL AND BRAIN SCIENCES, 1(4), 515-526 (1978).

<sup>6</sup> M. V. Lombardo et al., *The Role of the Self in Mind-Blindness in Autism*, 20 CONSCIOUSNESS AND COGNITION 130-140 (2011).

<sup>7</sup> D.E. Milton, *On the Ontological Status of Autism: The 'Double Empathy Problem.'* 27 DISABILITY & SOCIETY 883-887 (2012).

<sup>8</sup> AMERICAN PSYCHIATRIC ASSN, DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS (5th ed., text rev.2022), <https://doi.org/10.1176/appi.books.9780890425787>.

<sup>9</sup> N.D. Emerson et al., *Predictors of Age of Diagnosis for Children with Autism Spectrum Disorder: The Role of a Consistent Source of Medical Care, Race, and Condition Severity*, 46 J. OF AUTISM AND DEV. DISORDERS 127-138 (2016).

<sup>10</sup> K. Burkett et al., *African American Families on Autism Diagnosis and Treatment: The Influence of Culture* 45 J. OF AUTISM AND DEV. DISORDERS 3244-3254 (2015), <https://doi.org/10.1007/s10803-015-2482-x>.

<sup>11</sup> R.M. Gourdine et al., *Autism and the African American Community*. 26 SOCIAL WORK IN PUBLIC HEALTH 454-470 (2011), <https://doi.org/10.1080/19371918.2011.579499>.

<sup>12</sup> E.A. Demetriou et al., *Autism Spectrum Disorders: A Meta-Analysis of Executive Function*, 23 MOLECULAR PSYCHIATRY 1198-1204 (2018), <https://doi.org/10.1038/mp.2017.75>.

<sup>13</sup> S. Panera et al., *Executive Functions and Adaptive Behaviour in Autism Spectrum Disorders with and without Intellectual Disability*, PSYCHIATRY J. (Jan. 14, 2014), <https://doi.org/10.1155/2014/941809>.

<sup>14</sup> A.S. Carter et al., *The Vineland Adaptive Behavior Scales: Supplementary Norms for Individuals with Autism*, 28 J. of Autism and Dev. Disorders 287-302 (1998).

<sup>15</sup> S. M. Kanne et al., *The Role of Adaptive Behavior in Autism Spectrum Disorders: Implications for Functional Outcome*, 41 J. OF AUTISM AND DEV. DISORDERS 1007-1018 (2011).

<sup>16</sup> S. PANERA ET AL., *supra* note 13.

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## About the Authors



**Nick Dubin** was diagnosed with Asperger's Syndrome (now ASD level 1) in 2004. He holds a Bachelor's Degree in Communications from Oakland University, a Master's Degree in Learning Disabilities from the University of Detroit Mercy, and a Specialist Degree in Psychology and Psy.D. from the Michigan School of Professional Psychology. Nick had a profound speech delay—he was nonverbal until age 4—and experienced poor fine motor skills, jumped up and down, flapped his arms, was in special

education from K-12, and had significant developmental delays that affected him throughout his childhood and teenage years. Despite this, he has authored many books on autism spectrum disorders including his most current one entitled *Autism Spectrum Disorders, Developmental Disabilities and the Criminal Justice System*. In 2009, he co-wrote a peer-reviewed article with Professor Janet Graetz on how spirituality manifests in autistic people, which was published in the journal *Religion, Disability & Health*. He has co-authored two academic book chapters with defense attorney Elizabeth Kelley, which published by Carolina Academic Press and Springer Publishing Company. He has spoken to the American Bar Association, the National Public Defender conference in Milwaukee and the Federal Defenders for the Western District of New York and the District of Kansas. Nick has personal involvement in the criminal justice system and intimately understands how the process works. Nick serves as board secretary for Decriminalize Developmental Disabilities (DThree). He advocates strongly for D3's mission and philosophy of prevention, intervention, and diversion.

**Doug Passon** is a practicing criminal defense lawyer with 30 years' experience in state and federal court. He has a national practice focused on holistic, narrative-based sentencing advocacy and autism-informed defense. ([www.dougpassonlaw.com](http://www.dougpassonlaw.com)).



Passon is also an accomplished documentary filmmaker, having directed, filmed and edited award-winning short and feature-length documentaries that have played throughout North America and beyond. He has long

been recognized as the pioneer in using short documentary films for mitigation in criminal and capital cases. Passon incorporates this form of visual advocacy into plea bargaining, sentencing and post-conviction relief. The goal is to use "legal documentaries" to humanize his clients and put their conduct in the proper context.

Passon produces and hosts a weekly podcast called Set for Sentencing ([www.setforsentencing.com](http://www.setforsentencing.com)), the goal of which is to bring more awareness, fairness and hope to the sentencing process.

**Dr. Laurie Sperry** is a Licensed, Board-Certified Behavior Analyst-Doctoral and the Founder of Autism Services And Programs and Autism Forensics, in Wheat Ridge, Colorado. She has worked as a developer of the Neurodiverse Student Support Program at Stanford University, School of Medicine, Department of Psychiatry. Prior to joining Stanford, she was an Assistant Clinical Faculty at Yale University, Department of Psychiatry where she was a founding member of the Autism Forensics Group.



In 2006 she was added to the Fulbright Scholarship's Senior Specialist Roster for Autism. She moved to Australia in 2010. Her research focuses on people with ASD who come in contact with the criminal justice system to ensure their humane and just treatment. She has provided training to secure forensic psychiatric facilities across the globe and has published numerous articles and book chapters. Dr. Sperry has collaborated with the Behavior Analysis Unit of the FBI on cases involving people with autism and has worked with numerous law enforcement agencies to educate and support officers and other first responders.