

House Judiciary Committee

**HB940 – Criminal Procedure - Probation Before Judgment - Defendants
Diagnosed With Autism or Intellectual Disabilities**

2/18/2025

Position: Support

Chairperson, Vice Chair, and Members of the Judiciary Committee,

My name is James Orman, and I am an Autistic adult and an advocate for neurodivergent rights. I am here today in **strong support** of House Bill 940 because a truly just legal system must take the **whole person** into account—including disability—when determining accountability and consequences.

I run an organization for Autistic adults and other neurodivergent people, and I have listened to the experiences of many neurodivergent individuals who have faced **inequitable treatment** simply because their disabilities were not understood or accommodated. I have heard from individuals who were penalized for **Autistic traits such as difficulty with verbal communication, sensory overload, or differences in social interaction**. I have heard about families who struggled to get courts to recognize how a person's disability **directly influenced their actions**—and how, too often, the system responded with **punishment rather than support**.

House Bill 940 is not about excusing criminal behavior. It is about **ensuring fairness** and allowing the courts to **recognize when a defendant's actions were a direct manifestation of their disability**. This bill ensures that individuals with Autism or intellectual disabilities are given a **more equitable chance at rehabilitation**, rather than being funneled into a system that was never designed with neurodivergent people in mind.

The justice system already considers **mental health, trauma, and youthfulness** as mitigating factors. Disability must be part of this conversation, too. Ignoring its impact leads to disproportionately harsh outcomes for those who simply process the world differently.

I urge this committee to pass House Bill 940 and take a meaningful step toward making Maryland's justice system **more just, more humane, and more equitable for all**. Thank you for your time and consideration.

Thank you,

James Orman

Program Coordinator, People On the Go Maryland

Executive Director and Founder, Autism On the Go (AOG) and Neurodivergent Advocacy and Resource Group (NARG)