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TESTIMONY ON SB#/0138- POSITION: FAVORABLE

Criminal Procedure - Sentencing - Domestic Violence as a Mitigating Factor (Providing Alternatives Through Healing for Justice-Involved Individuals (PATH) Act)

TO: Chair Smith, Jr., Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0138, **Criminal Procedure - Sentencing - Domestic Violence as a Mitigating Factor (Providing Alternatives Through Healing for Justice-Involved Individuals (PATH) Act)**

This bill seeks to authorize the introduction of evidence that a certain defendant was the victim of domestic violence and that the domestic violence was a significant contributing factor to the commission of a certain crime as a mitigating factor at sentencing of the defendant or a hearing on a motion for modification or reduction of a sentence; and establishing related procedures. It seeks to prevent the revictimization of the person who acted outside the law to protect themselves from violence in ways that might have been considered criminal.

This bill responds to problems documented by R Street in their report *From Victim to Defendant: How Justice Falls Short for Women*¹

For decades, the justice system has failed to recognize how deeply intertwined women's victimization and criminalization are. A serious response requires policies that account for trauma, economic instability, relational dynamics, health differences, and other factors that drive many women into the system.

Maryland can and should do better towards these domestic violence victims and this bill will facilitate that healing conduct in our judicial system.

I respectfully urge this committee to return an favorable report on SB#/0138.

¹ <https://www.rstreet.org/research/from-victim-to-defendant-how-justice-falls-short-for-women/>