

January 23, 2026

The Honorable William C. Smith, Jr.

Chair, Judicial Proceedings Committee

2 East Miller Senate Office Building

2 East Miller Senate Office Building

Annapolis, Maryland 21401

RE: Support for SB 138, Criminal Procedure, Sentencing, Domestic Violence as a Mitigating Factor, PATH Act

Dear Chair Smith,

Maryland Latinos Unidos (MLU) is honored to express our strong support for Senate Bill 138, Criminal Procedure, Sentencing, Domestic Violence as a Mitigating Factor, Providing Alternatives Through Healing for Justice Involved Individuals, PATH Act. SB 138 authorizes the introduction of evidence that a defendant was a victim of domestic violence and that the violence significantly contributed to the offense as a mitigating factor at sentencing and in certain sentence modification contexts, and establishes related procedures. SB 138 is scheduled for a hearing in the Senate Judicial Proceedings Committee on January 27, 2026 at 1:00 p.m., and the bill's effective date is October 1, 2026.

This bill reflects a trauma informed, evidence grounded approach to justice. Survivors of domestic violence can face complex coercion, threats, and survival pressures that shape behavior, and courts should be able to consider that context in a structured and careful way. Research focused on immigrant Latinas documents substantial experiences of intimate partner violence and indicates that immigration related vulnerabilities can intensify risk and isolation.

For Latino and immigrant survivors, barriers such as language access, fear of retaliation, financial dependence, and concerns about interacting with systems can prevent early intervention. SB 138 helps ensure that when survivors become justice involved, courts can evaluate the role of abuse and prioritize pathways that support healing and reduce future harm.

MLU will amplify SB 138 by partnering with culturally specific survivor organizations, promoting know your rights education, and supporting service navigation so survivors have access to counseling, legal services, and stability supports that reduce cycles of harm.

MLU urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 138, advancing survivor centered justice and safer communities.

Sincerely,

Carlos Orbe, Jr.

Communications and Public Affairs Specialist

Maryland Latinos Unidos

[corbejr@mdlatinosunidos.org](mailto:corbejr@mdlatinosunidos.org)