



TESTIMONY FOR HB0084

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

Bill Sponsor: Delegate Smith

Committee: Judiciary

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in strong support of HB0084 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

This bill is a very welcome change to criminal law in Maryland for victims of domestic violence. Domestic violence is a horrible crime that leaves both physical and mental scars on an individual for life. It is also used, in some cases, to destroy the victim's life even further by coercing them to commit crimes that result in jail time.

This bill, if enacted, will allow the proof of domestic violence to be used as a mitigating factor in the sentencing, or reduction in sentence for someone already convicted, as long as they are within 5 years of their original sentencing date. The victim would have the burden of proof, but they can call on family members, friends, law enforcement, counselors, advocates, or social workers to support their claim.

Victims of domestic violence are truly victims, even though they have been forced to commit other crimes. The real perpetrator is the person who has committed the violence and has coerced or threatened the victim into committing criminal acts.

We strongly support this bill and recommend a **FAVORABLE** report in committee.