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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB0084-Criminal Procedure- Sentencing- Domestic Violence as Mitigating Factor (Providing Alternatives Through Healing for Justice-Involved Individuals (PATH) Act

Hearing: February 5, 2026, 1:00pm

Chair Sandy Bartlett, Vice Chair Debra Davis

Judiciary Committee

HB0084 is about ensuring that our courts are permitted to consider the full context of a person's lived experience when imposing a sentence. Specifically, the toll that domestic abuse can take on an individual's behavior and decision making.

It is commonly acknowledged that domestic abuse is not limited to physical harm. It often includes coercion, psychological manipulation, financial control, and sustained trauma that can profoundly affect an individual's actions over time. Judges regularly hear evidence related to abuse throughout the course of a case, yet current law does not clearly authorize courts to weigh trauma as a mitigating factor at sentencing. HB 84 addressed that gap.

HB 84 does not excuse criminal conduct, nor does it mandate a particular outcome. Instead, it gives judges the discretion to consider credible evidence of domestic abuse alongside all other relevant factors, allowing for sentences that are fair, individualized, and proportional.

****Of note, amendments have been introduced to remove sextortion and sex trafficking as offenses eligible for relief.**** These crimes involve severe exploitation and victimization, and excluding them ensures that HB 84 remains narrowly focused on its core purpose of addressing the impact of domestic abuse without undermining accountability.

By permitting courts to consider the realities of domestic abuse at sentencing, we acknowledge the complexity of these cases while preserving judicial discretion and public safety.

For these reasons, I respectfully request a favorable report for HB 84

A handwritten signature in black ink that reads 'Stephanie M. Smith'.

Delegate Stephanie Smith