

## STATEMENT OF JOHN S. ARNICK

Just three weeks ago today, at this very hour, I experienced the finest moment of my professional career. In the presence of 300 friends and relatives, my sister held our family Bible as I took the oath of office as a judge of the District Court of Maryland for Baltimore County. That happy occasion is a distant memory today because of what has taken place in the last nine days.

I have spent this week preparing for yet a third hearing in which the evidence would again demonstrate — as it clearly did last Friday — that I am indeed well qualified for judicial service. I have always been a fighter, in my early athletic career, during my service in the Marine Corps, and on the floor of the legislature. I have been called many things, but never a quitter, and I do not wish to be called one now.

For me, however, this process reached its conclusion yesterday afternoon at the home of my mother in Dundalk. My mother is 87 years old. She is the victim of an aneurysm in her brain which has left her both physically and mentally fragile. Yet her condition did not stop a Baltimore television station from invading the privacy of her home and interviewing her on camera yesterday afternoon. As I watched my own mother on the evening news late last night, I knew — at that moment — that things had gone too far — that this process had become so distorted — that the media frenzy was so intense — that I could not expect fair and impartial judgment. No matter what I said one year ago, my mother and my family deserve better than this.

I see in the newspapers and on radio and television a John Arnick who has been portrayed as racist, as sexist, and as a vulgar man. That John Arnick is a stranger to me. It is not me. It is a John Arnick that is unknown to the thousands who have worked with me in public and private life for 30 years.

On Friday, over 40 witnesses testified to my strong character, my temperament and my integrity. The testimony was plainly compelling to members of the Senate committee, who voted 14-4 to support my nomination. The facts of my life, as expressed in that hearing, went virtually unreported in the public press. Instead, two detractors were given wide coverage. Members of the Senate were subjected to an unprecedented media campaign to reach a conclusion regardless of what the additional evidence might show.

This has convinced me that no matter what further testimony might now be presented on my behalf, no

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matter how compelling the evidence might be on Friday, that a fair and impartial inquiry could not be conducted in this environment.

This process has raised deeper questions than my qualifications for the District Court. At its heart, it asks what kind of person is John Arnick?

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The Baltimore Sun asked this same question three years ago when historians opened the diaries of one of its own, H. L. Mencken, who had recorded many shocking thoughts and deeds. *The Sun* rejected those who summarily branded Mencken racist and anti-Semitic based on his diaries, calling those judgments wildly off the mark and asking readers to view these comments in the context of his whole life, and his record on these issues.

I am no H. L. Mencken, in either talent, temperament, or viewpoint, but I am bold enough to ask for the same standard of judgment.

And so today I can only hope that those who worked so hard to oppose my nomination will take the same time and make the same effort to truly ask what kind of a lawyer and public servant I have been for the last 30 years, and more importantly, what kind of human being I truly am.

People from all walks of life who have known me for three decades have already made informed judgment about my ability and integrity. In time, I have confidence in the ultimate judgment of my fellow Marylanders about my character when the current media frenzy has subsided.

And time will ultimately be the test of those judgments. In the meantime, however, I have too much respect for the government of this great state — and each of its branches — to carry on a battle which the media decided that I should lose before it even began. There is much important work to be done in Annapolis this session and I do not wish to be a distraction to those who must now do it. Therefore, I will ask Governor Schaefer to withdraw my nomination tomorrow to be a judge of the District Court of Maryland for Baltimore County.

I thank Governor Schaefer for his trust and confidence in me and his willingness to stand by me in this process that I now conclude. To my family, who have been with me in good times as well as the bad, to my colleagues in the legislature, with whom I have worked proudly for so many years, to my fellow lawyers, with whom I have been associated in the successful practice of law, to the thousands of people I have represented for 30 years, and to my many friends, who have known me for a lifetime, let me say that I am sorry you must share this sad day with me.

I will leave for another day more detailed comments on the confirmation process and on the fairness of waiting to attack a judicial nominee at the 11th hour and the 59th minute.

Instead, I ask you to step back for a moment — all of you, even my most ardent detractors — and take a look at my life.

Twenty-six years ago, I came to this city as a freshman delegate. I was elected six times to the General Assembly. Three terms as majority leader. Chairman of the Environmental Matters Committee. Chairman of the Judiciary Committee. Three years on the Magistrate's Court. Thirty years of public service. Never a blemish.

I practiced law for 30 years with great distinction and with complete with complete ethical propriety.

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I applied for a District Court judgeship. In a competitive ballot, I was rated among the 33 lawyers who applied for this judgeship by the 658 lawyers in Baltimore County who voted. I received the highest endorsement of the Women's Bar Association. I was endorsed by the Women's Caucus. I was reviewed by the Judicial Nominating Commission, an independent process. My name was submitted to the governor by that commission. I was interviewed and nominated by the governor.

I resigned my chairmanship. I resigned my delegate seat. I gave up my law practice and closed my office. I was sworn into the District Court. I trained and sat on the Court for two weeks. And then I attended the first Senate confirmation hearing, and suddenly, an 11-page detailed statement was submitted against me for an event which occurred one year ago.

I do not seek your sympathy, but simply say to you that fundamental fairness demands a better process. Future nominees must be asking themselves now what risks await them and their careers. I care enough about the system to know that some well-qualified future nominees are watching this process carefully and will be reluctant to take the same risks that I have taken.

I leave public office now after three decades with my head held high, with enormous pride in the legislative, executive and judicial branches of our government, and the role I have played in shaping those institutions and our state since 1966.

Life is too short to harbor any bitterness toward any person or group. That is not my way. Instead, I return to private life with great hope and confidence. I will continue as a private citizen to serve the state I love so dearly and have served so long.



BARBARA HADDOCK/STAFF PHOTO

Former Del. John S. Arnick is comforted by Del. Marsha G. Perry, an Anne Arundel Democrat, before his news conference.