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**Adviser creates stir in campaign
Sitting judges hire Arscott, a Republican**

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The first battle in the fierce political war to claim two seats on the Howard County Circuit Court bench was fought months before any campaign commercials were aired or debates held.

The four candidates needed a strategy, and a year ago the two tickets wooed the same woman to develop it: Carol A. Arscott -- one of Maryland's pre-eminent paid political consultants and a veteran Howard County Republican activist.

Sitting Circuit Judges Donna Hill Staton and Diane O. Leasure won out -- even though they were appointed by Democratic Gov. Parris N. Glendening, against whom Arscott helped wage a strong campaign in the 1994 election.

"She went for the money, no question about it. We got outbid," says attorney Jonathan Scott Smith, who, with District Judge Lenore R. Gelfman, is challenging the sitting judges in the Nov. 5 general election.

Both tickets in the nominally nonpartisan race have won some support from members of both parties. Nevertheless, the race has a partisan logic that Arscott's choice defies.

The sitting judges won the Democratic primary, and the challengers won on the Republican side. The incumbents have been labeled "the Glendening appointees" by their challengers.

And Arscott -- a former chairwoman of the Howard GOP Central Committee who is partially credited with leading the Republican resurgence in the county and around the state -- served briefly as press secretary for Glendening's Republican rival, Ellen G. Sauerbrey.

She also is a part-time, though influential, legislative aide to Robert H. Kittleman, a Howard County Republican and minority leader of the House of Delegates.

So Arscott's choice of the sitting judges has left some of her fellow party members questioning her loyalty and some Democrats questioning her gall.

"I don't know what Carol is learning about the Democratic Party working this close to the governor's appointees. Maybe she's going to use something against us," says Democratic Del. Elizabeth Bobo, a supporter of Hill Staton and Gelfman.

"She's very much involved in developing the Republican agenda in Annapolis. I would think it would be a concern for the governor," Bobo says.

Bruised feelings

Privately, some Republicans are harboring bruised feelings over Arscott's temporary defection, even as many publicly declare their admiration for her.

"Republicans are disappointed in Carol. A lot of them are. I hear it all the time," says Margaret D. Rappaport, a Republican supporter of Gelfman, for whom Arscott conducted polls in her successful bid in 1994 for the Circuit Court clerkship.

"It perturbed Carol because I supported some Democrats" in 1994, Rappaport says. "So it surprised me to learn of her involvement with the Glendening's appointees. But I'm not personally concerned because she's being paid for what she's doing. It would be a different story if she was volunteering."

Meanwhile, other Republicans are taking great pains to make it clear Arscott has not endangered her good standing within the party, and they are looking forward to her involvement in the effort to increase Republican gains in the county and state in 1998.

"I wish she was on my side, but our friendship is protected from this race," says Republican Del. Robert L. Flanagan, an avid supporter of the Gelfman-Smith ticket.

Adds Allan H. Kittleman, president of the county GOP Central Committee: "Carol is very committed to the Republican Party. I don't think she would have taken that position with the sitting judges if they were running as Democrats."

Arscott herself says her paid work for the sitting judges is hardly a defection from the Republican side.

Nonpartisan race

She has never worked for Democratic clients -- and says she never will. Providing services to registered Democrats Leasure and Hill Staton in the judges' race doesn't undermine that political commitment, she says, because the race is nonpartisan.

"In politics you can't burn bridges," Arscott says. "This is no different than supporting someone different in the presidential primary. When it's over, everyone will move on to a new race."

Accounts differ on just how Arscott -- vice president and co-owner of Annapolis-based Mason-Dixon Campaign Polling and Strategy Inc.-- came to be the sitting judges' consultant.

After both tickets approached Mason-Dixon in October 1995, Smith says, Arscott said she would send a proposal to both campaigns. The next day, he says, she called to tell him her company had been retained by the sitting judges.

But Arscott says she doesn't remember promising Smith a proposal because the sitting judges hired her on the spot.

Only professional

Arscott remains the lone hired professional working in the judicial race. From November 1995 until February 1996, the sitting judges spent more than half of their campaign funding on her company.

The sitting judges doled out \$43,000 for services, including consultations, developing cable television ads and producing and distributing direct mailings. A campaign financial disclosure form is due Friday.

"I don't think anyone expected this of a judicial campaign," pollster Brad Coker of Howard County says of the high-priced, deeply divisive judicial race. "This {campaign} is a strange bird that dropped from the sky. It'll be interesting to see if the pattern continues in future judicial races."

Coker, owner of Columbia-based Mason-Dixon Opinion Research, sold his firm's political consulting arm to Arscott and her partner in 1993. Coker's company conducts political polls for media companies and has no financial ties to Arscott's company, he says.

All four judicial candidates approached Arscott because local races are becoming more sophisticated and hiring a pollster and consultant is almost necessary, Coker says.

Grass-roots effort

But none of the challengers' paid consultants from the primary have remained with the campaign. Arscott therefore stands out as a particularly experienced political player shaping the campaign. By contrast, Gelfman and Smith say they have opted for a grass-roots effort run by volunteers.

That claim, Arscott asserts, is bogus.

"The notion that they are running this `aw-shucks' campaign with just them and their volunteers is nonsense. They don't need to hire media consultants because they have their family members," she says, referring to Gelfman's husband, WJZ-TV consumer affairs reporter Dick Gelfman, and Smith's father-in-law, WCBM-AM morning show co-host Frank Luber.

The challengers both say their relatives with media-related careers aren't playing major roles in their campaign beyond offering loyal support.

Gelfman and Smith supporters assert the sitting judges are paying a hefty price for Arscott, who has opted to run what they consider to be an aggressive, if not, negative campaign.

Herbert C. Smith, a former consultant for the challengers' campaign and a political science professor at Western Maryland College -- and no relation to candidate Smith -- says: "She's doing what a campaign strategist does. She was able to make aspects of the campaign an issue -- like holding up a sign at a intersection."

Smith says Arscott attempted to make sign-waving an "indicator of judicial temperament," referring to the sitting judges' vow to not wave signs or campaign door-to-door because the activities might conflict with judicial decorum.

The sitting judges' campaign pushed that message by alerting reporters to a September car accident to which Gelfman and Smith may have contributed while they were waving signs at rush-hour traffic.

Aggressive style

The tip reflected Arscott's aggressive style, Smith says, a "logical extension {of} what she was doing with the {sign-waving} issue."

Supporters of the challengers also say the sitting judges launched the first attack ad on TV since the primary -- a 30-second spot that referred to District Court as "traffic court," in a slap at Gelfman's experience as judge.

Since then, the sitting judges have followed up with two other attack ads -- one each aimed at Smith and Gelfman -- questioning the validity of their tough-on-crime campaign theme.

The challengers have responded with an attack ad of their own -- a TV spot directed at **Leasure**, charging that her appointment to the bench was a reward for helping to organize a fund-raiser for Glendening.

None of this disturbs Arscott. She says political -- and now judicial -- campaigns are not meant to be civil affairs.

"Campaign is a war term," she says. "The object is to win."

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Caption:
PHOTO

Caption: Consultant: Carol A. Arscott was hired by Glendening appointees.

Credit: SUN STAFF

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