

The Sun

**The crime game**

**Howard County: Judicial challengers irresponsibly play to fears with tough talk.**

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IF YOU BELIEVE the cable television ads, Howard County Circuit judges Donna Hill Staton and Diane Leasure are to blame for the county's crime rate. If you buy the rhetoric of Jonathan Scott Smith, who along with District Judge Lenore Gelfman is running for a judgeship on the Circuit Court, the criminal defense lawyer detests crime with unprecedented passion.

It is unfortunate that this tough talk is working, to a degree, for Mr. Smith. Residents interviewed by The Sun have been persuaded that he and Judge Gelfman would control crime as Circuit Court judges.

Mr. Smith began raising the crime issue late in the primary campaign after realizing that the message clicked with voters who welcomed someone speaking to their fears. The astute campaigner pounced on the theme. Judge Gelfman has failed to disavow his demagoguery.

It is misleading, if not dishonest, to imply that judges who have been on the bench for 11 months are responsible for the burglaries, robberies and thefts that bedevil the county.

Judges Hill Staton and Leasure, appointed by Gov. Parris Glendening last November, have many political foes at the courthouse but none has identified a single case in which a criminal defendant was given a slap when a stiff penalty was merited. The judges certainly are not sending signals that their courtrooms will be pleasant places for defendants.

Despite this, the judges cannot advertise themselves as being tough on crime. They are constrained by state code from expressing their opinions on legal and political issues, including positions on sentencing. Judge Gelfman also is constrained by this.

Mr. Smith is not a judge and therefore not prohibited by the code. He can continue making misleading statements to frighten the public about the incumbents and portray himself as a savior. He boasts of his past as a former prosecutor. But he does not elaborate on his present job -- defending the criminals whom he would have you believe are his enemies.

Of course, there is nothing wrong with his line of work as a criminal defense attorney. But making crime-fighting the centerpiece of his campaign is a politically expedient move on his and Judge Gelfman's part that stretches the truth beyond recognition.

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