

The Sun

**Judges call challengers' flier racist
Opponents say accusation is `preposterous'
`This brings a new low'
Bitter contest continues for judicial seats
CAMPAIGN 1996**

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Howard County's bitter judicial race became even more so yesterday with the sitting judges' campaign labeling as racist its challengers' recent campaign literature.

"They come up with a piece of literature that now appeals to our worst instincts, to our prejudices, and tries to add racism into this campaign," said Neil Axel, co-chairman for the campaign for appointed Circuit Court Judges Diane O. Leasure and Donna Hill Staton.

"There isn't anyone I've spoken to who has seen this piece who hasn't said it's racist," Axel said at a news conference in Columbia. "This brings campaigning to a new low."

Howard County Councilman C. Vernon Gray -- featured in the challengers' recent eight-page flier that has been distributed to some county households -- compared it to an infamous ad that used a black felon to attack Democratic presidential candidate Michael S. Dukakis in 1988.

"I resent being Willie Horton-ized," the 2nd District Democrat said.

Neither of the challengers returned repeated telephone calls yesterday. Television personality Dick Gelfman, the judge's husband, would not comment.

A statement from their campaign last night said the literature was meant to highlight the political nature of the sitting judges' appointments last fall by Gov. Parris N. Glendening.

`Preposterous {and} divisive'

It called the charge of racism "not only preposterous but divisive. Race has never been and never will be an issue in this campaign. The only ones who have mentioned it is our opponents in a last-minute attempt to inflame the passions of voters."

Literature from the challengers -- District Judge Lenore R. Gelfman and attorney Jonathan Scott Smith -- features one page with side-by-side pictures of Gray and Hill Staton, both African-Americans.

Above the photos is a banner headline that reads, "And Glendening didn't forget to reward his friend, Vernon Gray," referring to Glendening's appointment of Hill Staton.

The implication, the sitting judges' supporters contended yesterday, is that Gray had to lobby for Hill Staton to receive her appointment and that she won it on the basis of her race, regardless of her qualifications. The flier is intended to engender a backlash against affirmative action, they argued.

`Divide our community'

"I think the whole flier is offensive," Hill Staton, who did not attend the news conference, said later. "I think their whole campaign has tried to divide our community by race and gender. I don't think that's what people want as a judge."

An attack on Leasure featured on another page of the flier criticizes her for her role in planning a fund-raiser for Glendening right before she was appointed, but it does not carry Glendening's picture next to Leasure's.

In a phone interview, state Del. Robert L. Flanagan, a Howard County Republican and a key adviser to the Gelfman-Smith ticket, said the positioning of the Gray and Hill Staton photos -- as well as the rest of the campaign literature -- was intended to show how the process of judicial appointments had become overly political.

Gray, he said, stalled the process of the governor selecting new judges until he could handpick a choice. "Vernon Gray held a gun at this county's head," Flanagan said. "We had been waiting years for a judge."

But Gray said of the challengers' campaign literature: "It's not about political ties at all, because each of the candidates has their own ties and linkages. It's about sending coded messages and symbols out to the people. I think the public should reject this."

Earlier yesterday, neither Gelfman nor Smith attended a forum sponsored by the African-American Coalition -- an event at which Hill Staton and Leasure spoke.

One of the forum's organizers -- Sherman Howell, first vice president of the county's chapter of the National Association for the Advancement of Colored People -- said he told the challengers' campaign about it Tuesday night.

Howell criticized the challengers for not attending the forum. "This certainly would seem to be a sign that they don't consider the concerns of the African-American community," Howell said.

Flanagan said Gelfman and Smith were not notified about the forum until late Wednesday. Forums are meant to be sponsored by neutral parties but the coalition recently released a newsletter criticizing Democrats for supporting Gelfman, he said.

"This is not a neutral group," Flanagan said. "In fact, Gelfman and Smith had campaign activities that were already planned."

This is not the first time race has come up in this heated campaign -- in which the stakes are high for Howard's African-American community.

Last fall, Leasure and Hill Staton became the first two women to join the Circuit Court bench and Hill Staton became the county's first black judge as part of a move by Glendening to diversify the state's judiciary.

From the beginning, the Gelfman-Smith ticket has challenged the appointments, saying the governor traded quality for diversity -- which the sitting judges' campaign pointed to yesterday as further signs of the campaign's racist attitudes.

In the primary season, Smith labeled Hill Staton and Leasure "judges on training wheels" and affirmative action appointees. But some of that criticism subsided in the general election campaign as the challengers focused more on crime and sending an anti-Glendening message.

A watershed appointment

Many in Howard's African-American community consider Hill Staton's appointment a watershed and are watching the race closely. If she is voted out of office, it will be considered by some to be a slap in the face.

"It's important to send a good signal to other African-American youngsters in the community," said Howell of the NAACP. "The greatest loss {would be} after 26 years, we still would not have an African-American participating in the criminal justice system."

About 25 supporters of the sitting judges came to their news conference, held beneath the "People Tree" sculpture by Lake Kittamaquidi, the symbol of unity in a planned community that always has prided itself on racial tolerance.

Standing by the sculpture, May Ruth Seidel, a longtime Columbia figure, invoked the legacy of Columbia's deceased founder. James W. Rouse "would probably turn over in his grave today if he saw this," she said.