

The Sun

**LETTERS
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Smith, others take chance to write on judges' race

I am writing in response to the Oct. 20 letter from the Shah family regarding the tragic loss of their father in a drunk driving collision.

My client took full responsibility for his crime and plead guilty in court. In fact, my client wanted to do penance by going to jail.

Not only did my client want to go to jail, he carried his victim's obituary in his wallet as a constant reminder of the innocent life he took as a result of drinking and driving.

Further, he volunteered to assist Mothers Against Drunk Driving by speaking and warning others of the tragic consequences of drinking and driving.

As a former criminal prosecutor, I prosecuted numerous drunken driving cases, including those resulting in fatalities. As a private lawyer, I have represented numerous victims of drunken driving collisions, including one of the most horrific cases to occur in Howard County. The inference of the Shah family's letter is either that people accused of crimes are not entitled to an attorney, or that any attorney who represents such a client is not qualified to be a judge. Such thinking ignores the fundamental right to counsel guaranteed by the Bill of Rights, and excludes the most experienced attorneys from judgeships. I suggest that the final resolution of the Shah family's pain and grief lies in prayer, not in a political campaign.

Jonathan Scott Smith

Columbia

The writer is a candidate for Circuit Court judge in Howard County.-----

As a past president of Howard County Mothers Against Drunk Driving, I want to make sure there is no doubt in the minds of citizens as to where I and two other presidents of our organization stand with respect to our support of Judge Lenore Gelfman and Jonathan Scott Smith for Circuit Court.

Although their opponents have tried to say something must be wrong with Judge Gelfman because she doesn't send everyone to jail or because she believes in rehabilitation where appropriate, the fact is what she does in her courtroom works when it comes to dealing with drunken drivers. Offenders are given sentences that not only match the seriousness of their crimes, but that attempt to insure that the problem won't be repeated.

MADD regularly assign monitors to the courts. We receive reports from concerned citizens as well.

Not once in her seven years on the District Court have we ever received a complaint about Judge Gelfman's sentencing practices. We applaud them.

Mr. Smith was also attacked by opponents for representing those accused of drunken driving.

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What they won't tell you, however, is that everyone is guaranteed, by the Constitution, the right to counsel. Lawyers take an oath to uphold the Constitution. They also don't tell you that Mr. Smith was a tough, aggressive prosecutor before entering private practice. We hope citizens of Howard County will look beyond the unfounded claims of their opponents.

Debbie Derwart

Ellicott City

Howard County Circuit Court judicial candidate Jonathan Scott Smith's campaign is filled with hypocrisy.

Mr. Smith complains routinely that Judges Donna Hill Staton and Diane Leasure were appointed because they knew someone who knew the governor. This is allegedly too much politics for Mr. Smith to bear.

In the fall of 1995, Mr. Smith, whom I have known for years, mailed me his application to be a Circuit Court judge, along with his request that I call or write the governor on his behalf.

I called Mr. Smith to discuss his request. He fully understood when he wrote me that I knew the governor and that I from time to time wrote or called the governor on behalf of individuals interested in appointments. I advised Mr. Smith by phone that I would not be speaking with the governor on his behalf.

All of Mr. Smith's griping, however, causes me to wonder whether he would be complaining today if he had been appointed.

Daniel M. Clements

Ellicott City

My reasons for supporting Judge Lenore Gelfman and Jonathan Smith probably have nothing to do with all the issues that have been discussed over and over in the press for the last year. Then again, maybe they have everything to do with it.

The day after the primary in March, I began wondering when all the signs for both sides would start coming down. I hoped soon. But I noticed something unusual and pleasant the same day.

A number of the Gelfman and Smith signs had a red "thank you" banner strung across them. Together, they won the Republican primary, and Judge Gelfman was the largest single vote-getter in the county.

When I called their headquarters, a campaign worker said the "thank you" wasn't just for the voters, but for all the volunteers who had helped in their effort. Maybe that says more about the candidates than anything else.

Jack Koenig

Ellicott City

We now learn, through your newspaper, that Diane Leasure, Gov. Parris Glendening's appointee to the Howard County Circuit Court, favored him with a \$17,000 fund-raiser just eight days before he appointed her as a judge.

You quote her as saying, "I feel like I was a bit player in a one-act play." If that's what she said, it shows she has little understanding of a process that should reflect the highest standards of ethics and independence.

Unfortunately, the result of such conduct gives, at the very least, an appearance of impropriety. Although there may be much that is undesirable about judicial elections, it, at least, gives us all the chance to have our voices heard.

David Dagold

Columbia