

The Sun

This race leaves mud all over Justice's robes
Comment

by NORRIS WEST The Baltimore Sun

November 3, 1996 Page(s): 4B
Edition: HOWARD SUN
Section: METRO
Length: 869 words
Biographee: COLUMN, COMMENTARY

Record Number: BSUN480452

ONLY THE BIGGEST optimist would have believed Round Two in the race for two Circuit Court judgeships in Howard County would be less acrimonious than the first round.

Despite promises that campaigning would take the high road in the four-way campaign for two seats in the general election, there was only a summer reprieve after the primary before rancor and animosity dragged the race back into the gutter.

Gone is the glorious image of our judiciary as a genteel branch of government where decorum and impartiality come first. Tactics used in the campaign would make hardened politicians wince.

Until recent years, elections for appointed circuit judges were coronations. This started to change in 1990 when attorney JoAnn Woodson Branche challenged Judge James B. Dudley. Four years later, Elkridge attorney Charles Weyland challenged Judge Dennis M. Sweeney. Neither challenger mounted a serious threat.

But when challengers to newly appointed Judges Diane O. Leasure and Donna Hill Staton launched their campaign, they came out swinging with force.

District Judge Lenore R. Gelfman and attorney Jonathan Scott Smith formed the aggressive "Committee to Elect the Best." They have slugged non-stop, except for the break between the two rounds of elections.

They labeled the appointed judges inexperienced and less qualified, despite the fact that the two new judges brought backgrounds in complex civil law that had been absent from the court.

My predecessor forecast the storm that would come. "Batten down the hatches, Howard countians," the late Kevin Thomas warned last December. "You are about to be bombarded with what could be one of the nastiest local campaigns in recent memory."

He could not have been more prophetic.

The genesis of the vitriol became evident on a chilly day last January when flurries were starting to fall outside the venerable Howard County courthouse. The challengers convened a noon news conference to declare that this would be a war with teeth bared.

"We cannot afford judges with training wheels," Mr. Smith said matter-of-factly. It was an unfair and cheap shot at Judges Hill Staton and Leasure that set the tone for the campaign.

His remark removed any doubt that the race for the two judgeships would bear any semblance to judicial campaigns past. With Judge Gelfman in the sidecar, Mr. Smith made it clear that the campaign would have the tenacity of a trial lawyer.

For a month, the sitting judges tried to pretend they were not in a war, calling the campaign a distraction from their job of helping the court whittle its backlog of civil cases. Eventually they retaliated, with the campaign sending out a derogatory brochure that called the challengers "whiners" for stepping into the race only because they hadn't been appointed.

What followed were attack cable television ads and mailings from both camps.

Blow for blow, however, the sitting judges could not match the sharp rhetoric of the challengers, particularly from Mr. Smith, who

NewsBank, inc.

called his foes "sitting ducks" after all four candidates survived the primary election. The primary eliminated only veteran attorney Jay Fred Cohen, who at least brought some levity to Round One.

When the primary was over, lawyers who have handled some of the most contentious cases in the courtroom were rattled by the campaign. The Maryland State Bar Association knew that both camps were beating up on the legal profession as well as their opponents.

They pleaded for sanity in the general election campaign, but got an even heavier dose of the same down-and-dirty tactics.

New lows

The current campaign has stooped to new lows. The sitting judges have used pictures of an auto wreck in cable TV ads to criticize as too lenient Judge Gelfman's sentencing of a drunken driver who killed a Catonsville psychologist. In my mailbox Tuesday arrived a tabloid-style mailing from the challengers with a color picture of an assault victim in his hospital bed; the charge was that Judge Leasure was too lenient with his attacker.

Last week, my mailbox contained another tabloid-style brochure from the challengers that criticizes Gov. Parris N. Glendening, who appointed the sitting judges, and African-American Councilman C. Vernon Gray, who asked the governor to choose Judge Hill Staton.

Foes condemned the mailing as racist. What bothered me most was that it contained the same kind of misinformation and hypocrisy that made the primary and general campaigns unworthy of Howard County and the circuit bench.

Judges Leasure and Hill Staton deserve election, not only because they didn't sink to the depths of their opponents, but because they have handled their jobs well in the eye of this ugly storm.

But when the smoke clears and the votes are counted, there will be no winners -- only survivors.

Norris West is The Sun's editorial writer in Howard County.

Pub Date: 11/03/96

Copyright 1996 The Baltimore Sun Company