

The Sun

**Accusations still clouding judicial race
Two campaigns trade allegations, call photo, TV image misleading
CAMPAIGN 1996**

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The last week of Howard County's heated judicial race is marked by a continuing flurry of accusations that the candidates are trying to mislead the public -- including an allegation that one tried to fake a family to appeal to voters.

A flier for the challengers, attorney Jonathan Scott Smith and District Court Judge Lenore R. Gelfman, features a picture of Smith's wife holding a baby next to a quote in which she praises her husband.

The problem, says the campaign for sitting Circuit Judges Diane O. Leasure and Donna Hill Staton, is that the Smiths do not have children.

The Gelfman-Smith "campaign has been on an emotional level and {the picture} is meant to stir emotions to relate to people who have fears about their children," Leasure said in an interview Friday.

Smith said the small child -- Anna Weymouth -- is the niece of his wife, Linda -- the daughter of Linda's twin sister. Smith said he was not trying to be deceptive by putting the picture in the flier -- noting that the same page of the flier bears another picture of his wife's twin sister, her husband and the child, all identified as the "Weymouth family."

He attacked Leasure for criticizing the picture, alleging Leasure knows his wife has had a difficult time getting pregnant.

"My wife miscarried in the primary and she just recovered from surgery," Smith said. "I think {Leasure's} accusation is disgusting. It's savage and it's despicable, and it is nothing more than a direct personal attack on me and my wife."

In response, Leasure said her statements had nothing to do with Smith's personal situation. She said she knew they were trying to start a family, but did not know about the miscarriage.

"I was just commenting on the impression that {the picture} was meant to give to the public," Leasure said. "I wish everyone success and luck in conceiving if they want to have children."

The caption underneath the picture in question makes no mention of the baby and identifies only Smith's wife.

"It's a beautiful picture of my wife," Smith said. "It is such a low blow. It doesn't even rise to the level of the ground."

Deborah C. Dwyer, campaign chairwoman for the Gelfman-Smith ticket, said the sitting judges have employed misleading images in their campaign as well -- pointing to one of their cable television ads, which criticizes a sentence Gelfman handed down.

The ad features footage of children climbing onto a bus with a voice-over that says that Gelfman "didn't give a single day of jail time to a school bus driver convicted of drunk driving."

The woman was arrested when she was off-duty. She was given a 60-day suspended sentence and was ordered to undergo counseling.

"I'm certain it's intended to imply that the school bus driver was driving the school bus at the time she was stopped by police," Dwyer said. "I think it reflects poorly on them to represent it that way, and I think the voters are intelligent enough to know it."

Carol Arscott, political consultant for the sitting judges, said the point of the ad was the leniency of the sentence and was not meant to mislead the public.

"It's a TV ad and you need a picture," Arscott said. "What would they suggest we use a picture of?"

The accusations of misrepresentations are not new. The sitting judges have criticized the challengers for using a picture of a bloodied man injured in a fight in one flier that tries to paint **Leasure** as lenient on criminals. The man was not the victim in the case before **Leasure**.

And yesterday, Gelfman accused supporters of sitting judges of lying about her interest in the presidential race.

A flier released by a group -- the Republicans to Retain the Sitting Circuit Judges -- says Gelfman "continues to espouse her strong affirmation for the Democratic Party and is supporting Bill Clinton."

Howard County Councilman Dennis R. Schrader, a member of the group, said that Gelfman is a lifelong Democrat and that she and Smith had released a flier during the primary with a picture of Clinton on it.

Gelfman said that as a judge she is restricted from indicating her political beliefs.

"I've never made any statement about who I've supported for president," Gelfman said. She acknowledged that one of her campaign's primary fliers had used Clinton's picture, but she said it was only to grab the attention of Democratic voters to call for openness in the judicial campaign.

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Caption:
PHOTO

Caption: Photo draws fire: Linda Smith, wife of Jonathan Scott Smith, poses with her niece. Use of the photo drew criticism from Circuit Judge Diane O. **Leasure**. The challengers' campaign criticized foes' television ad.

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