

The Sun

**Leasure, Gelfman lead
Fewer than 2,000 votes separate top 3 candidates
Attorney Smith loses
Hill Staton refuses to concede defeat in circuit judges' race**

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After one of the nastiest judicial races in Maryland history, Howard County voters likely elected judges Diane O. Leasure and Lenore R. Gelfman to the Circuit Court bench yesterday -- and rejected Howard's first black judge, Donna Hill Staton.

Fewer than 2,000 votes separated the top three of the four candidates vying for two 15-year judgeships -- with all but the absentee ballots counted last night.

Election officials expect to receive about 5,500 absentee ballots still to be tallied.

The final count might not come until Nov. 15.

The only certain result was that Ellicott City attorney Jonathan Scott Smith, Gelfman's running mate who ran the most aggressive campaign focusing heavily on the fear of crime, did not win.

If the results hold, they are at least a partial rebuke of Gov. Parris N. Glendening, who appointed Leasure and Hill Staton the Circuit Court's first women judges a year ago -- in part to diversify the bench.

Carol Arscott, campaign consultant for Leasure and Hill Staton and a former chairwoman of the Republican Central Committee in Howard, said the election turned on race.

"It wasn't a slap at Glendening because Diane {Leasure} came in first, and she was tied closest to Glendening," Arscott said. "It wasn't crime because Diane was attacked hardest on that. And Smith came in dead last."

"The only thing left is race," she added. "I'm ashamed for the county."

Hill Staton refused to concede the election last night, saying the absentee ballots might yet give her victory.

Defiantly noting her role as the county's first black judge even as she faced losing the bench, she said: "No matter what the results are, we can't change history."

The election also might have turned on the enormous name recognition that Gelfman enjoys thanks to seven years on the District Court and her husband, WJZ-TV consumer affairs reporter Dick Gelfman, who has been on Baltimore television for more than 18 years.

With yesterday's apparent victory, Lenore Gelfman claimed the bench that Glendening had denied her by appointing Leasure and Hill Staton a year ago.

"The people have spoken, and I'm grateful for the people's support," Gelfman said at campaign headquarters on Route 108 in Columbia.

"I wish Leasure well in her success, and I hope that Donna Hill Staton has much success in her career," Gelfman added.

Her running mate, attorney Smith, lost yesterday but showed considerable political skill as he focused the campaign on the fear of crime and attacked the sitting judges while allowing Gelfman to largely avoid public comments.

"I felt like a winner before it began," said Smith.

"The Lord has a plan for me. My job is to determine what it is and follow it faithfully," Smith added.

Leasure, a soft-spoken former civil attorney who mostly practiced in Prince George's County before becoming a judge, said after her victory became apparent, "The race was difficult for me. It took a lot out of me emotionally."

As for Gelfman's declaration of victory over Hill Staton, Leasure added, "It's very presumptuous of her. There are a lot of absentee votes. The margin is real tight. It's too soon to tell."

The close vote was a fitting end to a sprawling, expensive, nasty epic of a campaign that focused on race, crime and Glendening as much as it did the on future of Howard's judiciary.

The battle began a year ago, when Glendening appointed Leasure and Hill Staton for two seats.

Gelfman and Smith, a Democrat and a Republican passed over by the governor for those seats, entered the race almost immediately, accusing Glendening of rewarding political friends and putting his quest for diversity above qualifications.

"We cannot afford judges with training wheels," Smith said at a news conference in January.

Round one of the fight climaxed in the March primary, in which Leasure and Hill Staton won the Democratic side and the Republican side went to Gelfman and Smith.

After that, both sides vowed to run a gentler campaign in the fall, but the negative tone returned in recent weeks.

The two sides have traded sharply worded -- in many cases misleading -- campaign publications and television ads, spending \$360,000 raised by both campaigns, as of the last campaign finance report on Oct. 25.

If Hill Staton indeed lost last night, she could step down from the bench as soon as today, but it likely won't be until the final outcome of the race is known.

Howard County circuit court judge

Diane O. Leasure 41,995 27%

Lenore R. Gelfman 41,606 26%

Donna Hill Staton 40,002 25%

Jonathan Scott Smith 34,835 22%

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Caption:
COLOR PHOTO 1
COLOR PHOTO 2
PHOTO 1
PHOTO 2

Caption: Voting: Diane O. Leasure (above) voted at Manor Woods Elementary School yesterday as her son, Kevin, 11, watched. In photo at right, Lenore Gelfman (on left) greets a well-wisher. SAME AS COLOR PHOTO 1 Campaigning: In photo at left, judicial candidate Jonathan Scott Smith (left) talks with voter Neal Vermillion at Hammonds Middle and Elementary Schools yesterday. In

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photo at right, Judge Donna Hill Staton (right) greeted voter Joy Zimnisky at Pointers Run Elementary School. SAME AS PHOTO 1

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