

The Sun

Absentee vote fails to rally Hill Staton
With more than half counted, her chances fade in judges' race
Gelfman closes on Leasure
First black judge in county trails by 1,812 with 1,900 left

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Howard County's first African-American judge was all but mathematically eliminated from a Circuit Court seat on day one of the counting of an anticipated 4,800 absentee ballots.

County elections officials went through about 2,900 of the ballots yesterday with this result: Sitting Judge Donna Hill Staton, appointed by Gov. Parris N. Glendening last year to diversify the court, trails District Judge Lenore R. Gelfman by 1,812 votes, with about 1,900 absentee ballots left to be counted.

Now separated by only 256 votes, Gelfman still could catch the front-runner, Judge Diane O. Leasure, appointed along with Hill Staton. But either way, Gelfman and Leasure apparently will attain 15-year terms on the bench.

The fourth candidate in the race, Jonathan Scott Smith -- who acknowledged his defeat shortly after polls closed Tuesday -- trailed Hill Staton by 6,279 votes yesterday.

Because the margins separating the three women were relatively close, Hill Staton declined to concede immediately after the election, pinning faint hopes on the results of the absentee ballots -- although they seldom change the outcomes of county races.

Yesterday, she evidently still was not conceding.

Hill Staton did not return phone messages yesterday, but Carol Arscott, campaign consultant for Leasure and Hill Staton, said the latter "has gone through the ringer for the past year. She wants to give every voter the opportunity to be heard."

In the aftermath of the election, Gelfman supporters predicted that the district judge would overtake Leasure in the final counting. At that point, Gelfman was a close second, 389 votes behind Leasure and 1,604 votes ahead of Hill Staton.

But yesterday, despite narrowing the gap, Gelfman supporters downplayed the importance of whether she finishes first. "It's a virtual tie," said Republican state Del. Robert L. Flanagan, a key adviser to the Gelfman-Smith campaign. "The point is, it's very unusual to unseat an appointed judge. The reason Gelfman was able to do this was because voters must have had serious doubts about Glendening's appointment process.

"That's an established fact regardless of who ekes out a first-place win," Flanagan said.

Gelfman did not return a phone message left at her home yesterday. But her campaign chairwoman, attorney Deborah E. Dwyer, issued a statement early yesterday -- before the results of the absentee ballot count were available -- stating, "Being mindful of the Canons of Judicial Ethics, Judge Gelfman will not be responding to any issues of a political nature."

Leasure, who presided over a trial yesterday, said finishing first or second isn't a concern. "I'm just delighted and thrilled that so many people had the confidence in me to cast their vote for me," she said.

"I always hoped that I would be one or two and Donna would be the other," Leasure said. "Anything's possible. She just might do

it, but I wished the numbers looked different at this point."

Ethel Hill, mother of Hill Staton, said results from the first day's counting were not surprising because many of the absentee ballots were from western Howard County. "It's very conservative and that's where we did the poorest," she said.

Gelfman and Smith won in the more conservative parts of the county, Ellicott City, Elkridge and western Howard. Leasure and Hill Staton won in Columbia, a Democratic bastion responsible for 41 percent of the county's votes.

Challengers Gelfman and Smith charged Glendening with putting his quest for diversity above qualifications when he appointed Hill Staton and Leasure to what was long an exclusively white, male Circuit Court.

Many of Hill Staton's supporters yesterday continued to pin her defeat on racism, saying Howard's electorate was not willing to elect its first African-American to the bench.

"It's like you take three steps forward and four steps backward," Hilda Barrett said of Hill Staton's brief tenure on the bench, after observing for the sitting judges the opening of the absentee ballots at the county's Elections Board yesterday.

"I'm still holding on to a little bit of hope," Barrett said.

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