# —An interview with Judge Cole

(Continued from Page 1)

People in the cities are more prone to become involved in criminal behavior. So I invoked probation on a tremendous scale. If I tried 90 individuals, maybe 75 would be given an opportunity to serve on probation.

AFRO: Could you give your opinion of the school hour curfew the City Council recently instituted?

Cole: Apparently it has served the purpose. The intent was to keep kids in school rather than running up and down the street and to impose some penalty and responsibility on the parents to make certain that they didn't stay on the streets and that they did go to school.

AFRO: Wouldn't this result in more arrests of black kids?

Cole: The statistics show that this is not the case. All the statistics that they've done on the curfew would indicate that it has worked.

AFRO: But it gives police the right. The right is always there.

Cole: All right. It's just that because of abuse in the past, we're prone to believe they are not going to properly enforce the law. But as I suggest to you, the facts are that there has not been the kind of abuse in which a whole lot of non-believers had anticipated.

AFRO: Why did you apply to the Maryland Court of Appeals?

Cole: I felt thaere was a need for representation in every sphere of activity which affects any group of people in this country.

Wanting to be a judge on the highest level in which I could aspire, I felt thais was it. This was an opportune time and they had a vacancy on the Court of Appeals.

AFRO: Will you attempt to change any questions on the Maryland Bar Examination since the Court of Appeals oversees the test?

Cole: I don't know what I will attempt to change anything as such. I am, however, conversant with the bar examination problem. As a matter of fact I'm also chariman of the Black Judges' Conference of Maryland, which includes all 13 black judges in the state.

That's 13 out of 180, so we're only scratching the surface of real representation. We have become conversant with the Maryland Bar Examination and the problems it gives the different people of different cultural backgrounds.

AFRO: As a Supreme Bench judge will you attempt to change any of the questions (on the exam.)?

Cole: When you say change the questions, I would hesitate to say that I would change a question which I haven't looked at. So I don't know. I can't tell you that.

My concern as a member of the Court of Appeals would be to make certain that it was a fair examination, one to which a person of a different cultural background could respond. I think that's the issue.

If a bar examination is geared so that it ignores that background, then of course the exam cannot properly respond to the question. Or the way he responds is totally misunderstood by the examiners.

AFRO: You took the bar examination. What are some of the things you noticed that may not be sensitive to blacks?

Cole: When I took the bar examination, I had no problems. As a matter of fact, when I took the bar examination there were 206 people who took it and I stood sixth in the full competition.

All I can tell you is that as a member of the Court of Appeals responsible for overseeing that examination, I would certainly feel responsible to go in and look to make certain that examination is fair in terms of all the persons who are going up having to take it.

AFRO: Why is it that until 1977 the Court of Appeals ever had a black jurist sitting on its bench?

Cole: A number of reasons. Before this vancancy, I believe there had been only one other time — maybe two at the most — when a black judge or a black person had aspired for appointment to the Court of Appeals.

Before 1956, blacks were not admitted to the Baltimore City Bar association or the Maryland State Bar Associations and they are the exclusive bodies to make recommendations for judgeships.

Then it was only after a period of time when they had served on various levels of judgeships when othrs, the community at large, was geared to accept them as being competent to serve.

AFRO: Are you saying racism in Maryland had a lot to do with there not being a black judge on the Court of Appeals until now?

Cole: Without a doubt! There is no question about it!

AFRO: There is no one on Acting Governor Blair Lee's cabinet who is black. Are no blacks capable of doing the job or has no one sought such posts such as you mentioned with right to the Court of Appeals. Could this also be because of racism?

Cole: Well, I'm not going to comment on who's on the governor's staff. Or who isn't on his staff. That speaks for itself. That's what makes it all significant that the doors barring progress be broken down.

What is even more important is that the person — whoever he is — makes himself qualified to serve. If he can't deliver he's not going to be able to get the favorable appointment or position.

You've got to be able to put it all together and be able to deliver. Not deliver just as a black because you're a black person, but deliver with the kind of excellence which makes you stand out irrespective of what the standard is.

AFRO: On that point, many people are saying that you are given this position because you were black and for political reasons.

Cole: What political reasons could there be for me to be appointed. I'm a Republican, he (Lee) can't get any advantage out of that. He said he wanted to appoint somebody else. You had four whites on the list.

Like ti or not, however they did, they excluded some of the other whites, some of which are judges, and they included me as being one of those who were qualified. By whatever standards they used, they did that.

AFRO: Do you believe that if you were white you would have the position?

Cole: If I were what?

AFRO: If you were white withe same qualification ...?

Cole: I can find no reason why they wouldn't.

AFRO: Evidently, there are more black judges than there were five years ago. Do you believe this has made an impact on the judicial system?

Cole: You better believe it. But the worse thing that could happen to us in my judgement would be to have a black bigot on the bench. How much better is a black bigot than a withe bigot?

It's incumbent upon a black man when given the opportunity to rise above those strictures that be has been plagued with all of his life, and to do a job in spite of all the evil that might have occurred to him.

AFRO: You're black. There is no removing that. Do you consider yourself a judge first or a black first.

Cole: I consider myself a judge first. Yes sir. I'm a judge. Everybody knows I'm black. I don't even have to worry about that. They asked me what is the nature of discriminating against a black man and I made this speech in the Senate.

If you segregate me because I am poor I can get a job and work. If you segregate me because I am ignorant I can go to school and learn.

If you segregate me because I am unholy, I can go to church and learn to worship your God. If you segregate me because I am dirty, I can go and become clean.

But if you segregate me because I am black, I can do nothing, because I was born this way. The only thing the intelligent person can do is point out the instances of discrimination. That way you can embarrass the powers that be.

Believe me, we are not the powerful. We are the sentinels. We are the issue raisers. We are the ones that must point out all the inequities that exist here.

But when given the opportunity to perform, I must do it on the highest level that I am capable of doing, never forgetting that I am black. But never waving the flag.

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## Police agents named

There are now 189 agents employed with the Police Department and 21 of them are black.

A police agent is an officer who has graduated from college and receives a salary of $15,184 a year.

Agents usually receive special assignments but are often seen in uniform.

Agents who received certificates from Commissioner Donald Pomerleau Wednesday are Joseph C. Adams, Mark W. Bennett, Alan W. Copeland, Erroll L. Dutton, Innes R. Foster.

Also Charles Gaskins, Victor D. Gregory, Steven Herstich, Eric P. Husock, Dwight S. Johnson, Joseph Johnson, Brad A. Michael.

Also, Elmer R. Mooring, Mark W. Nelson, John J. Parker, Gary E. Raub, Albert Scrivens, Joe L. Shaw, Matthew Summerlin, David R. Sweet and Robert B. Trader.

There are now 21 black agents on the force and 16 of the 22 who received certificates Wednesday are black

## —Wiley Daniels dead at 48

(Continued from Page 1)

AT WJZ - TV, he anchored the noon news and had regular news features on the evening news. He was also producer and host of the talk show "Blackpoint" and hosted the education panel show "Metro."

Mr. Daniels was a member and vice - president of the Association of Black Media Workers; member of the Providênt Hospital Advocates, an active member of the Omega Psi Phi fraternity, member of the advisory committee of WEEA - Radio, member of the task force for Cultural Arts of Baltimore, part of the board of governors of the Goodwill Industries and a member of the NAACP.

He is survived by his widow, Mrs. Ruth Daniels; his father, Wiley E. Daniels of Los Angeles, Calif.; and one brother, Sherwood C. Daniels of Chicago.

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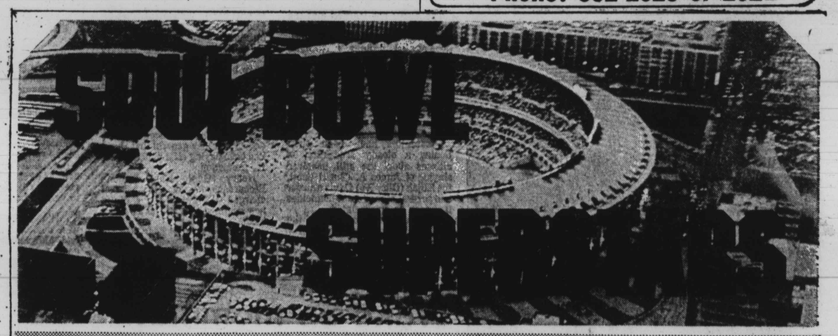

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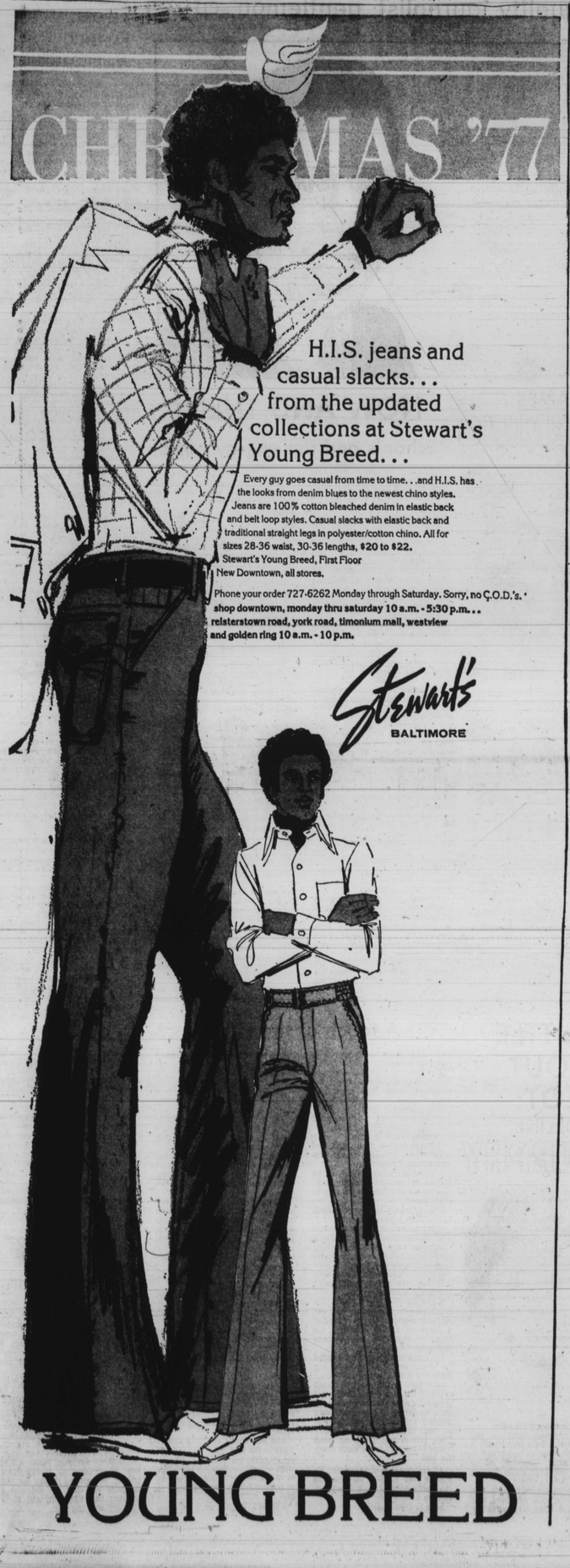


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# AFRO Q&A

**Q. I read where Bishop Monroe Saunders just got elected to the school board. I know a Dr. Elijah Saunders at Provident Hospital. Are they related? J. M., Edmondson Ave.**

A. Elijah Saunders, chief of medicine and the division of cardiology, is Bishop Saunders nephew.

**Q. Is it true that Clarence "Du" Burns wants to be president of the City Council? P. W., Harlem Ave.**

Yes. Since Walter Orlinsky is running for governor in the 1978 race Burns believes he has a better than average chance of winning the top City Council chair in 1979.

Dennis Holly

Walter Orlinsky Before, in 1972

WALTER ORLINSKY After, in 1976

**Q. How much weight has Walter Orlinsky lost? How did he lose it? A. S., Towson.**

A. Orlinsky, president of the City Council, has lost 78 pounds. He once weighed close to 300 pounds. He reduced down to 199 pounds. His diet for the first week was nothing but coffee, tea and club soda and a club salad the second week. He now weighs about 225 pounds.

**Got a question about Baltimore or Baltimoreans, ask us. We'll give it our best shot or tell you who could possibly be of further aid.**

**Write Q and A, Baltimore AFRO - AMERICAN Newspapers, P. O. Box 1857, Baltimore, Md. 21203. Include your name and address. No phone inquiries, please.**

**Q. I haven't seen Dennis Holly, Channel 2's anchorman on TV lately. What happened to him? Also, is he married or single? C. J., Coldspring Lane.**

A. Holly, who is a bachelor, is in the hospital recovering from a knee injury he suffered at recent Santa Claus Anonymous football game.

**Q. I've only been in Baltimore for a couple of months and I've always wanted to attend plays and concerts at the Kennedy Center or Capital Center but I don't know where to get tickets without traveling all the way to Washington. Can you help? T. R., Gilmor St.**

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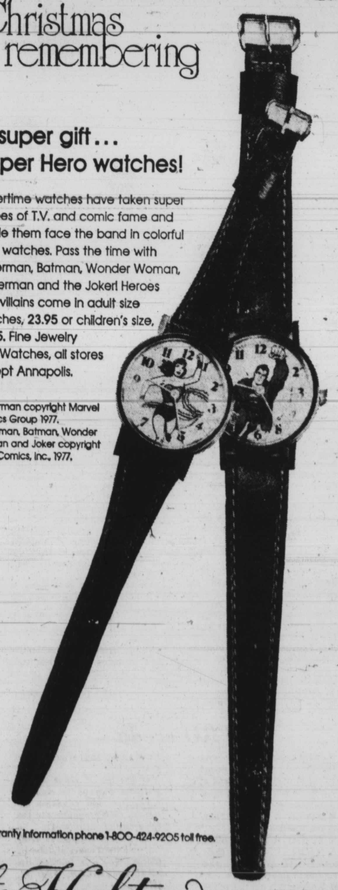

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