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**Hill Staton refuses to be bitter about loss  
Comment**

by Norris West The Baltimore Sun

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THE MORNING after losing a bid to retain her Howard Circuit Court seat, Judge Donna Hill Staton displayed true judicial temperament.

Judge Hill Staton, as she still can be called for a few more days, did not gripe about the outcome. A day after her short stay on the bench came crashing down, she comforted herself with the satisfaction of owning an indelible place in history.

She was, and always will be, the county's first African-American jurist.

Judge Hill Staton did not rage against the obvious: that racial attitudes helped motivate a vicious campaign against her, and by association, against her running mate, Judge Diane O. Leasure. Race also was a reason for her defeat Tuesday.

Anyone doubting this only has to look at past county elections. Never before has a sitting judge in Howard lost an election -- it is no coincidence that the first was an African-American. Only two black candidates had ever won countywide before, once for council and once for school board.

Judge Hill Staton's words on Wednesday morning said she was waiting for absentee ballots in the close race before she would concede defeat, but her voice carried a tone of finality. After finishing out of the running in third place, she reached into the bitter totals and found something good.

"This was a countywide race and it was very, very close, which means there are a lot of right-thinking people who tried to do everything they could to make sure progress continued," she said.

She did not blame the electorate, although the electorate deserves blame for spitting racial progress in the eye.

When Gov. Parris N. Glendening appointed Judge Hill Staton and Judge Leasure, he thought he was bringing racial and gender diversity to a judiciary that had been the domain of white males throughout its history.

Voters upheld the governor's gender diversity but overruled him on race by electing Judge Leasure and District Judge Lenore R. Gelfman. Attorney Jonathan Scott Smith finished fourth.

It was a bittersweet outcome for Judge Leasure, whose triumph was dampened by Judge Hill Staton's loss. She said only race could explain the results.

"The only difference between Donna and me is our race," Judge Leasure said. "If it had been only about Glendening, I would have done worse. If crime was the issue, Jonathan would have done a lot better."

Judge Gelfman ran on high name recognition and the shoulder of Mr. Smith. The challengers ran a campaign of misinformation, half-truths and deception that was distasteful by even a trial lawyer's standards. They sought to anger white voters by linking Judge Hill Staton politically to C. Vernon Gray, an African-American county councilman whose popularity wanes in conservative areas outside Columbia.

Mr. Smith's manipulation of facts and demagoguery show why he has been successful in court. But, of course, the same might be said of Johnnie Cochran, also a smart, skilled criminal defense attorney who wins by any means necessary. Either of these men should be called when one of your close relatives is in legal trouble, but neither belongs in public office.

It can be argued that both sides ran nasty campaigns, but Judge Hill Staton and Judge Leasure's high road was a striking contrast to the gutter tactics of their challengers.

"At least I can say I ran an honest campaign," Judge Hill Staton said. "That makes it easy to live with myself, win or lose."

It is too early to think about what happens next, she said. She would not say whether she would be interested in occupying Judge Gelfman's District Court seat, a position for which she is overqualified, considering her background in complex civil law.

Legitimacy for the courts

Judge Hill Staton's defeat is Howard County's loss. Ever so briefly, the circuit bench started to resemble its community, a subtle but important factor in bringing legitimacy to the courthouse.

"What's sad for me is that I had been hearing, particularly from the black community, people say, 'Your being there makes a difference in the perception of the court.'" Judge Hill Staton said.

She got there playing by the rules, by excelling academically and at work.

In Judge Hill Staton, voters rejected a woman who studied at Princeton University, was on the prestigious Law Review at George Washington University Law School, clerked for a history-making federal judge and became a partner at one of Baltimore's most prestigious law firms.

So have African-American parents been wrong by telling their children that society will embrace them if they value education, hard work and accomplishment?

Judge Hill Staton's judgment remains sound. "You can't be discouraged because change is slow," she said in her final days as a judge.

She believes history will frown upon the electorate's verdict the way it rejected George Wallace's opposition to desegregation.

I wonder how the enlightened Governor Wallace would have voted in this one.

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

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