

AFRO INQUIRING REPORTER

Supreme Bench judges give views

The AFRO Inquiring Reporter also sought reaction from the Supreme Bench itself.

JUDGE FOSTER

Chief Judge Dulany Foster reached in Las Vegas where he is attending a convention, said:

"I don't think it would be appropriate for me to comment on Judge Howard's charges. The matter is now in the hands of the Department of Justice so I have been advised this morning.

"I am confident that the department will find that there is no discrimination on our bench. We have filed an affirmative action plan with LEAA and that plan has been approved and we are adhering to it."

Asked by the AFRO to comment on the fact that the personnel committee of judges which makes recommendations for appointments is all white and judges vote by secret ballot, Judge Foster answered, "I can answer the first of your question that the personnel committee is appointed for a year at a time and at present there are no blacks. I would seriously doubt that they vote secretly. I am not a member of the personnel committee."

JUDGE CARDIN

Here are reactions of other members of the Supreme Bench.

Meyer A. Cardin: "I don't think I ought to comment. Frankly, I am fond of Joe Howard. Joe Howard made that statement and you ought to look into it. I have nothing to say. I prefer not to."

JUDGE LISS

Solomon A. Liss: "I make the point to you that the newspaper says the Justice Department is going to enter the investigation. I am not about to comment.

"If and when an investigation is made and they ask my opinion I will be glad to give it but at this point I say I am not going to prejudice my own standing and opinions, nor am I going to get into a controversy or agree for that matter with Judge Howard."

When pressed by the AFRO reporter who explained AFRO readers are concerned about what the judges think of the problems, Liss continued:

"If an investigation is made I am sure we will be asked to say what we think. I will be glad to say it at that time.

"I make this point to you, Judge Howard said that he and some of the white judges on the Bench apparently have tried to correct the situation. He was not kind enough to say who the white judges were and frankly that puts all of us in a position where either we've got to say we don't or else we look like a bunch of damn fools. I am not about to get involved in this sort of thing. I think Joe was unfair, but that's beside the point."

Advised that he as a reporter was simply trying to get the facts, Judge Liss responded, "There is no sense of my trying to get in the newspaper before the investigation is made. That's the purpose of the investigation.

"I know what you have to do and I am not quarreling with you. The AFRO and I have been on excellent terms for many years and I am not going to change now. There is no point in my making comment on what Joe Howard said—a vague thing. In my opinion it was somewhat unfair."

Still later, in the interceded ten minutes and spanned the discussion of the appointment of court clerks, Judge Liss concluded, "employment in the court house is far from what it ought to be and I am the first one to admit it. It is just an unfortunate thing."

"I am frank to say to you that it is the kind of thing we have got to work on and I hope that this problem won't becloud the issue and that is to try to be fair to everyone."

JUDGE SKLAR

Judge Albert Sklar answered: "Since this might be a matter of investigation by the Department of Justice, I would rather have no comment. I know that disappoints you."

Advised that AFRO read-

ers say they want to know which one of the judges is being openminded about some of the problems, and want to know how they feel about certain things, Judge Sklar responded: "Basically or generally, I have found no indication of discrimination. You can quote me on that."

Pressed to discuss Judge Howard's charge that the judges vote on candidate for jobs by secret ballot, Judge Sklar admitted the personnel committee is all white "at the present time."

He then shed this light on the Briscoe bypass: "but the personnel committee recommended three applicants whom they thought were qualified from a point of view that all applicants had been interviewed. It's always been the practice to vote secret ballot."

Asked about Judge Howard's statement that on five of the six floors in the courthouse most of the employees are white, Judge Sklar said, "I doubt if that's factually correct. Don't forget the clerks make their own appointments of the different courts."

"The bench has nothing to do with that. As a matter of fact," he added, "court reporters have several ladies who are black. They are very good. They have served in my court and I find them extremely efficient, at least several."

Later on in the long interview, Judge Sklar said, "I don't know what the figures are, to tell you the truth. I am concerned about people doing a good job. I see quite a lot of black employees who are doing good jobs in the court house."

"Of course Judge Howard is entitled to his opinion and I respect his opinion. I think he is a good judge, and a good friend I might say. I hope I have cleared up something for you."

JUDGE PERROTT

Judge James A. Parrott when asked for comment said, "No, you don't want any comment from me, absolutely no comment. My

record so far as I am personally concerned speaks for itself."

Pressed by the reporter that he was quizzing each of the 20 judges, Judge Perrott responded: "I will tell you what I will do. You kind of caught me in a conference. May I call you back? This is not a dodge. If I tell you I will call you, I will call. I will be happy to do it. I will tell you whatever I feel I properly can."

(Editor's note: Judge Perrott returned the reporter's call this morning (Friday), to state: "I have nothing to say. We've all decided that in view of the prospects of any investigation, nobody should make any comment so I can't be of any help, but I promised to call and I've lived up to my word.")

JUDGE LEVIN

Judge Marshall A. Levin: "If Judge Howard chooses to place something before the Justice Department out of deference to the judge that does that surely I am not going to comment on it."

Asked how he sees equal opportunity practiced in the court house, Judge Levin responded: "Well, if he has placed this subject matter before the Justice Department I really think it will be very improper of me to comment at all on the subject matter that he has put there. I am sorry."

JUDGE GRADY

Judge J. Harold Grady, one of the judges, said:

"I have no comment to make on the validity of the charges. I have no qualms about an investigation by the Justice Department."

Asked his reaction to Judge Howard's charges that no black people of any substance are employed in the court house and the number of black people and women is minimal, Judge Grady said, "If that's his point of view. I am not interested in contravening or playing any statistical games. I have no comment."

JUDGE ARABIAN

Judge Mary Arabian when asked how valid she thought Judge Howard's charges were responded,

first... I really don't know how many women are employed there, nor do I know how many of the blacks are employed there because of the work shift. I haven't been there a year yet." **JULY 28 1975**

Later in the interview Judge Arabian told the AFRO reporter, "I would like to have a lot more information. I would also like to know the reaction of the judges as a whole rather than on an individual basis because if the accusation is directed to the bench I don't see how we can do anything about the clerkship, but I am not sure exactly what he is referring to."

JUDGE JONES

Judge Shirley Jones: "No, it really wouldn't be appropriate to comment. I am sorry I cannot assist you at this point, not just because it is before the Justice Department. I am sorry. I just don't have any comment for you."

JUDGE COLE

Judge Harry A. Cole: "Nobody would argue with the fact that the bench ought to address itself to discrimination. At least some of us have been concerned."

JUDGE DORF

Judge Paul A. Dorf: "Why don't you get in touch with Judge Foster or Judge Grady who is head of the personnel committee?"

"If you want any information, I tell you what to do. Why don't you get in touch with Chief Judge Foster or Judge Grady who is head of the personnel committee... I don't wish to comment on Judge Howard's remarks... If he wants to make his own personal remarks, it's entirely up to him but I don't wish to comment on it..."

JUDGE HAMMERMAN

Judge Robert I. H. Hammerman: "I support Judge Howard's position. I think that the Bench has not treated the black community fairly in apportioning the positions and jobs of importance and responsibility in the court house and I said this to the Bench." **JULY 28 1975**

"At the bench meeting on June 12, when the selection of the new Juvenile Court master was taking place, there were three candidates being considered. The black candidate, a white candidate, and a white female candidate."

"I vigorously supported the black candidate, Briscoe, and I told the Bench I supported him for two reasons. He was the most qualified, leaving race aside entirely."

"I felt of the three candidates he had the best qualifications. And, the second reason I supported him was that I felt there was a very dire need for much better black representation in the Juvenile Court."

"I pointed out that the Juvenile Court has seven masters and one judge in 8 courts that are functioning and there are two black faces here (2 black masters out of seven) and by actual statistics 80 per cent of the kids who come into Juvenile Court are black. I told the Bench this was not a matter of minority representation, this was a matter of majority representation. **AFRO-AMERICAN**"

"I told the Bench I have never taken the position to support an unqualified black to sit in the Juvenile Court, a sensitive court like that would be a disservice to the black children."

"Until the Court house becomes sufficiently integrated, not with tokenism but with meaningful integration. I said this to the Bench—it isn't enough to give menial jobs to black people and say okay we've given 'x number of jobs to black people."

"It isn't enough to give the minuscule kind of jobs, shuffling papers and things like that."

"I said what is important is to give the black people meaningful jobs where they have real impact on the lives of people—such as a judge or master. These are the kinds of positions where it is important that the black community share properly."

"My position is, I said it at the Bench meeting and I said it at a meeting last night and I say it to you now—unless and until the black community feels this court house belongs to them in full measure, until the black community feels this is their court house as much as it is any other citizen's court house, then you are going to have the resentments, the hostilities

and the alienation and you're going to have them feel that justice is just not being done properly."

"My feeling is there is too much tokenism and the blacks who have been appointed have been what it has been sort of convenient to do so, it should be when it is right to do so."

"I support Judge Howard's position and I am glad he has taken it because I think it will be a catalyst for improvement and change and I've told him that."

"I'm going to make a

motion at the first Bench meeting in September that the personnel committee be expanded from three members to five members so there can be broader representation on that committee."

JUDGE HARRIS

Judge Charles D. Harris: "To be perfectly truthful with you, I haven't checked the information he has alleged in his letter. I was under the impression that the Bench had made an honest effort to avoid discrimination of any kind, but I would rather keep an open mind until after any kind of investigation is made by Congress or any other agency. I'm sorry to say I don't have any direct knowledge of his allegations." **AFRO-AMERICAN**

JUDGE HARGROVE

Judge John R. Hargrove, one of four black Supreme Bench judges: "I don't know that much about the Supreme Bench system... I don't know how many jobs. I know more about the District Court because I was administrative judge there."

"Now that court (District Court)... if you've been down there is just about as wide-open court for hiring, as you've ever seen, in this country."

"It probably has more black employees in top positions and throughout the system than any court I know of in the state of Maryland, but that's only because the people who operate the court are concerned about the problem, that is Judge Sweeney, and when I was there... I think that's the difference..." **AFRO-AMERICAN**

JUDGE THOMAS

Judge Basil A. Thomas: "I really have no comment to make that I think would contribute anything to the discussion. I don't agree with him, but that is not to say that there are not some valid points, if I understand his position. As I say, I haven't scrutinized it carefully."

"On the other hand, I don't feel that decision (appointment of masters), was motivated by any racial bias. It doesn't strike me that way. If it were, I would be amazed."

"That's about all I can say, and as I say I haven't examined carefully Judge Howard's letter to Senator Beall. I've got a copy of it which was sent to me. I really have no further comment." **JULY 28 1975**

Other members of the Supreme Bench. **AFRO** was unable to reach by deadline time is one of the black judges, Robert W. Watts, who was in N.Y. attending a meeting.

Also Judge Anselm Sodaro, David Ross, Robert Karwacki and James W. Murphy.



JUDGE JOSEPH C. HOWARD
Supreme Bench judge hits actions of his fellow judges.



JUDGE J. HAROLD GRADY
"I have no comment on actions of his fellow judges."



JUDGE JOHN HARGROVE
"The District Court is wide open..."



JUDGE R. I. HAMMERMAN
"I support Judge Howard's charges"



JUDGE HARRY COLE
"At least some of us have been concerned"



JUDGE SOLOMON LISS
"In my opinion it is somewhat unfair"