

TESTIMONY BEFORE THE MARYLAND HOUSE JUDICIARY COMMITTEE

TUESDAY, February 24, 2021, AT 1:30 PM HOUSE BILL 0035 and HOUSE BILL 447

Presented by Marylin Pierre, 2018 and 2020 candidate for Montgomery County Circuit Court judge

Good afternoon Mr. Chairman and members of the House Judiciary Committee.

I am here to testify in opposition to House Bill 0035 and House Bill 447.

Intrinsic in the right to vote is the right to vote for the candidate of your choice. How many times have we heard voters say that they do not vote because there is no one on the ballot that they want to vote for? House Bills 0035 and 447 seek to restrict the voters' choice of candidates even more than they are now.

All of the candidates for Circuit Court judge are qualified. They have submitted the judicial financial statement, paid the \$50 filing fee, and got the approval from the Administrative Office of the Courts before the Maryland State Board of Elections placed their names on the ballot.

I implore you to ask yourselves if you would be here if you had to go through an unelected and unaccountable commission before your name could be placed on the ballot. How many of you would not be selected based on race, gender, age, religion, family's lack of connections, lack of a social network, social-economic background, gender identity, sexual orientation, disability, or the myriad of other conscious and unconscious reasons that the commission perceives to be a necessary factor but which have no bearing on your actual qualification for the office?

We only need to look at Maryland's federal bench to see what will happen if HB 0035, HB 447, SB 295, or similar bills were to pass. Maryland has very few people of color on its federal bench in comparison to its general population.<sup>1</sup> Maryland has never had a Black woman or a woman of color judge on its federal bench in spite of the brilliant, dynamic, passionate, and well-qualified Black women and women of color

who have applied. Maryland has never had a judge who self-identifies as LGBTQ on its federal bench and, to my knowledge, has only had one judge who self-identifies as LGBTQ on its state bench.

Research has shown that there is a huge problem with Maryland's bench. Even though Maryland does not have the highest crime rate and our young Black males are not more criminally inclined than anywhere else in the country, Maryland incarcerates a higher percentage of its young Black males than any other state in the country because of the extremely long sentences they are given by the Maryland judges.<sup>ii</sup>

If you close the existing door on qualified candidates for Circuit Court judge, these shameful statistics and others that I do not have time to discuss right now, will become worst to all of our detriment. For these reasons and more, I urge you to vote against HB 0035 and HB 447.

Thank you for your time and attention.

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<sup>i</sup> Examining the Demographic Compositions of U.S. Circuit and District Courts by the Democracy and Government Reform Team February 13, 2020, 12:01 am  
<https://www.americanprogress.org/issues/courts/reports/2020/02/13/480112/examining-demographic-compositions-u-s-circuit-district-courts/>

<sup>ii</sup> [POLICY BRIEFS 2019] Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland  
[http://www.justicepolicy.org/research/12702?utm\\_source=%2fMarylandYoungAdult&utm\\_medium=web&utm\\_campaign=redirect](http://www.justicepolicy.org/research/12702?utm_source=%2fMarylandYoungAdult&utm_medium=web&utm_campaign=redirect)