

**TESTIMONY BEFORE THE MARYLAND
SENATE JUDICIAL PROCEEDINGS COMMITTEE ON SB 630
AND HOUSE JUDICIARY COMMITTEE ON HB 778**

Wednesday, February 12, 2025, at 1:00 pm

Presented by Marylin Pierre, a former candidate for Montgomery County Circuit Court judge

Good afternoon Mr. Chairman and members of the Senate Judicial Proceedings Committee/House Judiciary Committee,

I am here to testify in opposition to Senate Bill 630/House Bill 778.

My name is Marylin Pierre. I have been practicing law in Maryland for over 32 years. I am licensed to practice law in the State of Maryland, the District of Columbia, the State of New York, and the Commonwealth of Pennsylvania. I am a recipient of the Leadership In Law Award, a three-time recipient of the Daily Record's Maryland's Top 100 Women Award, and I am recognized as a bar leader by the Montgomery County Bar Foundation. I am a former officer in the United States Army Military Police Corps, a former chair of the Montgomery County Criminal Justice Coordinating Commission, a former president of Maryland's largest and most active specialty bar association, and a former public member of the Montgomery County Criminal Justice Coordinating Commission.

I have diligently represented my clients in hundreds and hundreds of cases. I applied to be a judge because I am qualified and I thought I could make a difference in the lives of others. I used to get good reviews from the judges until I began to apply to be a judge. Despite my stellar, the Montgomery County Trial Courts did not find me qualified nine times. Since I was tired of doing the same thing and expecting a different result, I ran for judge.

Many more candidates would run for judge but they don't run because they know they will face directly and indirectly intimidation by the system. In my case, the judges made life more difficult for my clients and me. The appointed judges sued me during early voting because of something that someone allegedly said about me when I wasn't even there. The media seemed to have found out about this case as soon as it was filed which was an indication to me that they wanted the voters to assume that I had done something wrong. They asked the court to dismiss the case as soon as the election was over. Like some other people who ran against the appointed judges, the former grievance commissioner seemed to develop a special interest in using the full investigative powers of her office to embarrass us, malign our reputations, and take our law licenses away.

The challenge in the judicial nomination process is, it has become too partisan where it is not always based on merit but on connections; it's gerrymandered where the outcome is predictable and the public good is not served.

The nomination process is not serving the voters in other ways. The Montgomery Circuit Court bench has not had an African American male judge since October 31, 2014, when Judge Eric Johnson retired. It has been over a decade since there has been an African American male judge on the bench. Is the commission saying they can't find an African American attorney male who qualifies to sit on the Montgomery County Circuit Court in a county that has almost 1.1 million people? This does not necessarily mean that justice is not being rendered but the research shows that it is not.

The Justice Policy Institute's research shows 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.

Safety is paramount. We cannot be our best selves if we are concerned about our safety. If the research showed that extremely long sentences made us safer, I would be in favor of them. The

research shows that extremely long sentences make us less safe. A fair sentence is what makes us safer. Maryland judges know what fair sentences are because they can give fair sentences to young White males.

As far as I am aware, no one has ever lost a retention election. An overwhelming number of Maryland's judges were chosen by the various unelected and unaccountable commissions. Until we develop a deep commitment to equity in the court system, we need to increase how judges are chosen in Maryland, not decrease them the way this bill would.

We need a "watchdog" to ensure that the process of nominating and appointing judges is being adhered to. Instead of proposing a bill that would hold the commissions accountable, Senate Bill 630/House Bill 778 would make them less accountable to the detriment of many people who are not considered to be part of the clique.

For these reasons and more, I ask that you vote against Senate Bill 630/House Bill 778.

Thank you for your time and attention.