

TESTIMONY BEFORE HOUSE JUDICIARY COMMITTEE

HOUSE BILL 434 (AGAINST)

To: Committee Members

From: Sharon Brown, Disabled Veteran and Citizen of the State of Maryland.

I submit my written testimony, before you today to urge logical and careful consideration of House Bill 434, as its passage would further remove transparency and deepen the disconnect between the judiciary and the people of Maryland. This bill is not in the best interest of the people—it undermines constitutional rights by limiting the electoral process, effectively institutionalizing partisan practices that do not serve the broader public interest.

The absence of community representation within the judiciary of Anne Arundel County is well-documented. Currently, the county maintains an all-white magistrate judge panel and all-white court auditors. It took the Anne Arundel Circuit Court **369 years** to appoint its first African American female magistrate judge, yet there has been a subsequent return to a judiciary that does not reflect the demographics of the county. The current judicial appointment process does not align with stated equal opportunity for all standards, as evidenced by the historical pattern of appointing minimal or no candidates of color.

Passing House Bill 434 will not remedy this long-standing issue; rather, it will likely reinforce existing disparities and further disenfranchise the judiciary with the community. The Anne Arundel County Judicial Nominating Commission has historically nominated all-white candidates at disproportionately high rates. Since Judge Elizabeth Morris' s appointment in 2018, the Commission continued to submit shortlists composed entirely of white candidates, including in 2019. This trend is not isolated but follows a negative pattern dating back to at least **2005 through 2015 and re-emerging from 2019 through 2022**. Without a structured mechanism for oversight and accountability, the Commission is positioned to continue a nomination process that fails to include merit defined as competition among all qualified candidates, including those of color. The result is creating a judiciary that is not representative of the community it is warranted to serve.

The Maryland legislature must take pride in its duty to be on the right side of history and provide a fair and transparent legal process for those who are unfairly excluded from judicial nominations. An overwhelmingly white judiciary compromises the integrity

of our justice system—especially not in our state’ s capital. Maryland’ s history of systemic bias in sentencing should give every legislator pause before rushing to change an open electoral process into a closed, exclusionary one.

As a citizen of Maryland, I urge you to consider the long-term implications of this bill. House Bill 434 will not improve our judicial system—it demonstrates the consolidation of power from the constituency and into the hands of a few; deliberate in silencing the voices of those most impacted by judicial decisions. The rule of law and a with a sound unbiased legal system is paramount, especially now.

Thank you, Committee Members, for your time and thoughtful consideration of this critical issue