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Judge Beard's Quiz Show

It may have been a bit much to expect, but when Washington's Court of General Sessions was reorganized and upgraded to become the Superior Court, some of us liked to feel that maybe now, past instances of erratic behavior by our local judges might give way to more circumspection—at least commensurate with the new dignity accorded the court.

The problem wasn't really with the majority of the judges, who did—and still do—approach their important duties with knowledge, compassion and fairness; it had to do with the courtroom conduct of a certain few judges who periodically let their comments from the bench get the best of them, thereby undermining public trust in the system as a whole.

But the court's change in status has by no means meant the end of such performances, as shown all too well in a series of reports by staff writer Maurine Beasley over the past few months. In covering the court for this newspaper, Mrs. Beasley came across cases in which transcripts indicated varying degrees of judicial imprudence on the part of several judges, generally in the form of gratuitous and insulting commentary directed at defendants or witnesses.

The latest case to surface involves Judge Edward A. Beard, who seems to take special pleasure in playing quiz games with those who appear before him. You may recall that it was Judge Beard who not long ago was reported in a transcript as having given an impromptu spelling test to a 17-year-old drug addict enrolled in a high school program at Federal City College. In that proceeding the judge demanded that the youth spell "cat" for him.

Now, in another case, Judge Beard apparently decided to step up the game with tougher questions, as a prelude to some ridiculing of a 22-year-old defendant convicted of possessing heroin. "Let's find something out," said the judge. "You got away from high school. What's the binomial theorem?" Then, as a group of Montgomery County junior high school pupils looked on, Judge Beard continued:

"You see those little kids sitting out there? They know what the binomial theorem is. See if you do. Do you?" Before the defendant could finish wrestling with an answer, the judge interrupted, saying, "We'll stop there." Then he told the defendant-contestant to define "a simple one—the small figure 'i' in mathematics," and went on to quiz him on his

knowledge of English, asking, "Who wrote the poem, 'Ozymandias'?" and then asking him to "define an adverb."

When the defendant couldn't muster any sophisticated discussions of Percy Bysshe Shelley, or how you raise a mathematical expression consisting of two terms connected by a plus or minus sign to any power without performing the multiplications, or what there is to know about the square root of minus one, Judge Beard said, "They gave you a high school diploma to get rid of you. You didn't learn anything in high school."

Well, the ninth-grade pupils in the courtroom certainly learned something that day, and so noted in a letter to *The Washington Post*. "... We are appalled by the judge's treatment of the man after the verdict was decided," wrote the Leland Junior High School students. "No human being should be subject to such harassment. Is Judge Beard typical of the majority of District judges? If so, then the American people should be made aware of the actual situation."

We can only hope that these concerned students will be able to visit some other courtrooms and then conclude that as a whole, the Superior Court judges do not go in for the broadside dressing-down of witnesses or defendants who come before them. Still, there is no question that the impression made on courtroom visitors by any one judge can serve to damage public confidence in the entire judicial setup.

Fortunately, the D.C. Commission on Judicial Disabilities and Tenure—established in the same bill that created the Superior Court, as a group to examine complaints about judges—is keeping tabs on these performances. Chairman Newell W. Ellison reports that the commission is currently investigating "25 to 26 complaints relating to five or six judges," although he is barred by law from disclosing the names, he told Mrs. Beasley that "most of what we're investigating has appeared in your newspaper."

The procedure calls for a closed hearing, unless the judge involved in a complaint requests that the findings be made public. In the meantime, Mr. Ellison had some blunt advice that we trust was heard by all the judges: "Some of these judges ought to grow up and quit talking so much. They talk about things that are not pertinent to the matter before them and this causes trouble and it is improper."