

## FORECAST:

Four years of  
fair, forceful  
law enforcement

# Arapahoe County ARCHIVE

Vol. 1

A Record of Achievement



No. 1

ONE GOOD TERM  
DESERVES ANOTHER.

KEEP  
**MARTIN P.  
MILLER**  
AS DISTRICT ATTORNEY

## Vice Presidents Are Forgotten in American History

John Kennedy or Richard Nixon will become the 34th President of the United States, depending upon the wishes of American voters in November.

Lyndon Johnson will be vice president if Kennedy is successful. If Nixon wins, Henry Cabot Lodge will preside over the Senate for the next four years.

Following are the names of our presidents, the years they served and the vice presidents who were elected to serve with them:

George Washington (1789-97), John Adams; (Washington, incidentally, was the only man ever to run for the presidency without opposition); John Adams (1797-1801), Thomas Jefferson; Thomas Jefferson (1801-09), Aaron Burr (first term), George Clinton (second term); James Madison (1809-17), George Clinton (first term), Elbridge Gerry (second term);

James Monroe (1817-25), Daniel D. Tompkins; John Quincy Adams (1825-29), John L. Calhoun; Andrew Jackson (1829-37), John C. Calhoun (first term), Martin Van Buren (second term); Martin Van Buren (1837-41), Richard M. Johnson; William H. Harrison (1841—died in office), John Tyler; John Tyler (1841-45, succeeded to presidency on Harrison's death, leaving vice presidency open during his term);

James K. Polk (1845-49), George M. Dallas; Zachary Taylor (1849-50, died in office), Millard Fillmore; Millard Fillmore (1850-53, succeeded to presidency on Taylor's death, leaving vice presidency open during his term); Franklin Pierce (1853-57), William Rufus King; James Buchanan (1857-61), John C. Breckinridge;

Abraham Lincoln (1861-65), Hannibal Hamlin (first term), Andrew Johnson (second term); Andrew Johnson (1865-69), became president following Lincoln's death; Ulysses S. Grant (1869-77), Schuyler Colfax (first term), Henry Wilson (second term);

Rutherford B. Hayes (1877-81), William A. Wheeler; James A. Garfield (1881—died in office), Chester A. Arthur; Chester A. Arthur (1881-85, succeeded to presidency following Garfield's death); Grover Cleveland (1885-89), Thomas A. Hendricks;

Benjamin Harrison (1889-93), Levi P. Morton; Grover Cleveland (1893-97), Adlai E. Stevenson; William McKinley (1897-1901), Garret A. Hobart (died in office) and Theodore Roosevelt; Theodore Roosevelt (1901-09, succeeded to presidency after McKinley's death, leaving vice presidency open during his first term in office), Charles W. Fairbanks;

William H. Taft (1909-13), James S. Sherman; Woodrow Wilson (1913-21), Thomas R. Marshall; Warren G. Harding (1921-23, died in office), Calvin Coolidge; Calvin Coolidge (1923-29), Charles Gates Dawes; Herbert Hoover (1929-33), Charles Curtis;

Franklin D. Roosevelt (1933-45, died in office during fourth term); John N. Garner (first and second terms); Henry A. Wallace, third term; Harry S. Truman, fourth term;

Harry S. Truman (1945-53), Alben W. Barkley; Dwight D. Eisenhower (1953-61), Richard M. Nixon.

## Marty Miller Seeks District Attorney's Job



District Attorney Martin P. Miller

## As DA, Miller Hires Competent People—Regardless of Politics

Dist. Atty. Martin P. Miller believes in obtaining the best qualified men available to serve the citizens of Arapahoe County as deputies and investigators.

And if it happens that the man he wants is a member of the opposite political party, it makes no difference to Miller.

Three members of his staff are Republicans. And one of them has been with him since the day he took office. He is Richard Greene, an Englewood attorney and a deputy district attorney.

Another Republican on Miller's staff is Investigator Julian Skidmore.

Long before he took office, Miller said he felt the district attorney's office should be non-partisan. However, before Miller's appointment in January of

1959, deputy jobs always had been passed out on a partisan basis.

In addition to Skidmore and Greene, Miller's private secretary, Mrs. Judy O'Brien, also is a Republican. She served as his secretary when Miller was a district judge and followed him into the district attorney's office.

In asking Arapahoe County voters to return him to office for a full four year term, Dist. Atty. Miller promises to continue this non-partisan operation of this important county office.

"I am interested only in giving county residents the best possible enforcement of all county and state laws," he said. "To do that, I need the best possible assistants I can obtain."

## As Judge, Miller Decided Many Difficult Cases

On Aug. 16, 1958, a suburban district judge sitting in Denver ruled the city's income tax proposal was unconstitutional.

On Aug. 30 of the same year, the Colorado Supreme Court sustained the opinion rendered by Martin P. Miller.

Miller, who later became the first district attorney of the 18th Judicial District, feels this decision was one of the high points in his career as a judge.

In that decision Miller held the Denver proposal of taxing incomes of all persons working in Denver—regardless of where they lived—was unconstitu-

tional.

Before reaching his decision, Miller, who is seeking a second term as Arapahoe County district attorney, read an estimated million words of law dating back to income taxes levied by Napoleon during the Napoleonic Wars.

It is this thoroughness, this devotion to duty, this proven ability that makes Miller an outstanding public official.

While serving as a judge, Miller's "favorite" cases were ones involving tough legal controversies—like the income tax

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Martin P. Miller, incumbent district attorney for Arapahoe County and a former district judge, is asking county voters to return him to office for a four year term.

Young, energetic and able, Miller has a record of proven ability and devotion to public duty.

His background as a judge plus 10 years of teaching criminal and civil law eminently qualifies him for this important position.

As district judge and incumbent district attorney, Miller has participated in over 1500 criminal cases. Not

## Miller Saves Businessmen Check Losses

Arapahoe County businessmen and citizens were saved more than \$18,000 last year by Dist. Atty. Martin P. Miller and his staff.

Savings were effected through collections by Miller and his assistants of short and no account checks.

Total collections in 1960 are running ahead of last year and will top the \$20,000 mark, Miller estimated.

Whenever possible, the district attorney, who is seeking a second term in November, said his office prefers collections on fraudulent checks to the filing of criminal charges.

When businessmen or citizens report short or no account checks, Miller said, a member of his staff contacts the check writer. The check writer is advised to make the check good immediately. If he fails to do so, a warrant is issued for his arrest.

The largest fraudulent check collected by his office last year was for \$2,100. Most are much smaller, however.

"We have collected some as small as \$1 or \$2," Miller said. "It doesn't matter how large or how small—we are interested in protecting all citizens—especially businessmen—from being victimized."

Dist. Atty. Miller warned that writing a check without having an account is a felony and carries a prison sentence of 1-to-5 years upon conviction.

A short check is a misdemeanor and carries a sentence of up to one year in county jail upon conviction.

He also had a word of advice for persons cashing checks.

"The best way to protect yourself from no account checks," he said, "is to know the person for whom you are cashing the checks."

one of these cases has been reversed by the Colorado Supreme Court.

Included in this record are 20 homicide or murder cases. Not one of these has had to be tried over—a record that has meant a tremendous saving to the county since a murder trial usually costs the taxpayers \$3,000 to \$15,000.

Since his selection as the first district attorney for the 18th Judicial District which embraces all of Arapahoe County, Miller has enforced the law effectively and intelligently.

Miller firmly believes all citizens have the right of protection under our laws and the parallel responsibility of respecting and abiding by these laws.

It was this firm conviction that led him on a lonely, difficult and sometimes unpopular investigation that resulted in criminal charges being filed against some members of the county sheriff's staff.

## PRESSURE AND CRITICISM

Despite personal vilification, pressure from many sources to drop the probe, and constant criticism by an Englewood newspaper, Miller was not swayed from his duty.

This investigation is continuing. It has resulted in the calling of a grand jury in Arapahoe County and in Denver.

Miller and Dist. Atty. Bert Keating of Denver have pledged the investigation will continue until all citizens are satisfied and all dishonest elements are rooted out of law enforcement agencies in both counties.

It is this kind of unbiased law enforcement—enforcement that rejects favoritism—Arapahoe County residents have a right to expect and will continue to receive from Miller.

## COUNTY RESIDENT

A resident and taxpayer in the county, Miller lives with his wife, Edythe, and four children at 949 Troy st. in Aurora. He maintains a law office in Littleton.

He has lived in this area since his discharge from Fitzsimons Army Hospital in 1947.

Following his graduation from Denver University with a law degree in 1951, Miller opened law offices in Denver and was named to the faculty of Westminster Law School.

This love of teaching prompted him to organize a bar refresher course which has been attended by more than 1,000 practicing attorneys in Colorado.

Only 36 years old now, Miller became the youngest district judge in Colorado's history when he ran for and won election to the district bench in 1954.

Virtually unknown, considered a young upstart by experienced politicians, a novice in the business of running for a public office, Miller surprised friends and foes alike with his

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# Editorials

## Re-Elect Martin Miller as D.A.

Reprinted from the Sept. 1, 1960 Edition of the Aurora Star

Among the politicians of Arapahoe County the race for district attorney is regarded as a key one, not even second to the election of two commissioners.

This is partly because the Republicans have always regarded Arapahoe county as their own special preserve and Democrat Martin Miller is regarded somewhat of a poacher in that preserve, first as District Judge, and then by appointment as District Attorney of the new Judicial District.

Many political observers thought that Judge Miller would run for the Colorado Supreme Court this time and there is no question but that he could have had top designation by the Democratic convention.

The Supreme Court this year also looks like a much easier race to make than for District Attorney in Arapahoe County where the Republicans are obviously aroused and eager to get back control.

So many were surprised when Marty Miller chose the toughest fight he could find and decided to run for re-election as district attorney.

In return the Republicans went out and got the ablest candidate they could find—Richard Banta, a former state representative who has a good record as a vote getter and a good reputation as an able public servant.

In any other year you could sit back and say:

"Both parties have good candidates; may the best man win; either way it will be fine."

But this year, the re-election of Martin Miller is imperative. He has begun to get to the bottom of a situation that is a festering sore in the law enforcement of the metropolitan area. It exists not only in Arapahoe County. There is evidence that the infection has spread between areas, and back to reinfect again.

We aren't implying that the Republicans were a crooked gang, but we are implying that a bad situation might have been checked out more thoroughly with a little more inter-party rivalry at times.

But let's leave the parties out of it and come back to the office.

As District Attorney, Martin Miller has been effective in starting the kind of cleanup that is required.

His defeat could only give heart to those who want to keep a sloppy house, who hope for the return of gambling—legal or illegal—who would rather have the mess being exposed by Martin Miller swept under the rug and forgotten.

We cannot afford to give any comfort to those people.

A smashing victory for our present district attorney would not be the party victory the Democrats would label it.

It would be much more a victory for law enforcement.

We have no idea how the election is going in Arapahoe County this year. But we believe the people of Arapahoe County will return Martin Miller to the position of District Attorney for another term, to continue the job so well begun.

## Miller Gets the Job Done!

Reprinted from Sept. 1, 1960 Edition of The Aurora Advocate

We are proud of Aurora's Martin P. Miller, district attorney of Arapahoe county. While sheriff and district attorney in Adams county are at each other's throats and while investigations of Arapahoe sheriff's deputies and Denver police make headlines Miller's D. A. office functions smoothly without sensationalism.

Miller, better known as Marty, gets his job done with little fanfare. But his work is thorough. By organizing a competent staff of attorneys and investigators Marty has saved taxpayers some thousands of dollars in the last eighteen months.

Last fall Marty exposed a burglary ring operating out of the Arapahoe county sheriff's office. He and his staff untangled a web of crime which led to convicts in Oregon. At the time Miller said Denver police were involved, but it was not until recently that his statement was proved and a Denver grand jury called to investigate.

In a less spectacular, but nonetheless important field, Miller has cracked down on fraudulent check passing in the county and has set up a system whereby the merchants can more easily recover their losses. This has saved Arapahoe merchants some \$35,000 in 18 months.

Miller knows how to prepare a case because he has been on both sides of the bench. He was elected district judge when Adams, Arapahoe and Jefferson were all in one judicial district. Aurorans will remember Miller's decision ruling the Denver city income tax unconstitutional. This decision was later upheld by unanimous opinion of the state supreme court.

In January 1959 Marty resigned his judgeship to accept appointment as district attorney of the newly formed Arapahoe county judicial district. He seeks election to this post this fall.

Marty's public service is not confined to law enforcement or prosecution. He is also chairman of the Aurora Public Library board, and is serving on the Home Rule Charter study group.

Miller also holds an annual school for law enforcement officers to help them in their work.

With quietness and determination Martin Miller is giving Aurora and Arapahoe county an efficient district attorney's office. For this achievement we salute a Hometown citizen.

## Littleton District Court Handles 750 Cases Yearly

(Reprinted from the Dec. 6, 1957, issue of the Littleton Independent)

By Peggy Fish

The west end of the second floor of the Arapahoe county courthouse is a quiet place. Two or three groups of people may be talking quietly outside the doors ajar to the modern, light-mahogany paneled courtroom, and inside, waiting tensely but patiently, are members of the jury list, plaintiffs and defendants, sometimes a child or two.

Suddenly a young, dark-haired, dark-eyed man wearing the flowing black robes of the district judge appears

from a door at the right. Lawyers and clients take their places, the clerk and reporter are ready to record the day's proceedings, and the court comes to order.

In 1954, at the minimum legal age for a judge, 30, Martin P. Miller was the youngest judge ever elected to a district court in Colorado. A veteran of infantry fighting during World War II and twice wounded, he is a graduate of the University of Denver Law School. Because of his scholarship, he was elected to Phi Beta Kappa. In 1947 he received an American Grant scholarship to Oslo, Norway, for a year's study.

### Campaigned in 5 Counties

"I had been teaching seven years when the chance came to run for district judge," Miller explained. "I campaigned by horseback, foot, jeep, bicycle, and car thru the five counties, to get to know the voters, and have them get to know me. Actually, my election must have been an accident—I was the only Democrat to get elected on an otherwise clean Republican sweep."

Judge Miller is described as a very fair judicial official by those who know him best, and he himself feels he could not be called a "tough" judge. He says he finds his job very interesting and very stimulating.

"I think my favorite cases are ones that involve good tough legal controversy; ones that require a lot of thought, consideration, and research."

### Works Over Weekend

"Arapahoe County is a good place to serve for this, because there have been so many challenging litigation questions, since so much of the county has been annexed to Denver. In the recent case involving the airport-power line decision, I spent the whole previous weekend studying the question, testimony and law books."

"I guess I spend about 40 hours a week in the courtroom, but I spend an equal amount of time briefing up on the cases beforehand, and studying before writing a decision. It is a very interesting and exciting job, with a varied assortment of suits. In addition to being a judge, every year I conduct a 26-week lecture course to prepare students to pass the Colorado bar examination."

### 750 Cases Per Year

District court handles all criminal cases, except for lesser crimes involving persons under 18, and civil cases involving amounts over \$2,000, except for adoptions and probate.

"We'll handle about 750 cases this year," Judge Miller explained. "The number of cases is increasing all the time, of course, and just this year the state passed a law allowing the district judges to stay in the same court for 10 months, instead of rotating day by day."

### Miller Here Till Fall

"There are three judges serving in one district in our case, the five counties of Arapahoe, Adams, Jefferson, Clear Creek and Gilpin. Judge Osmer Smith is now at district court in Golden, and Judge Christian D. Stoner is at Brighton. During the two summer months, we fill in where needed during others' vacations. Then in the fall we change to another court."

"This procedure this year has allowed us to catch up on the backlog of cases, and by July we expect to be nearly up-to-date," he added.

"Selection of Juries

"I think one thing people may be interested in is our system of selecting people for jury service."

"Every year we send out about 2,500 applications to people on the list of registered voters. From these returns, we eliminate those who should not be asked to serve, such as mothers with little children, persons over 65, etc."

"We put the names of the ones left, about 1,000, in a big wheel, and every 30 days draw out between 80 and 100 names at a time. These people are notified that they are on call for that month, and when a jury trial is scheduled we ask 30 or 40 to come to court."

"They are paid \$3 a day and 7½¢ per mile each way. If they are actually chosen to sit on a jury, they are paid \$6 per day for serving. In a murder trial, it will be necessary to call many more prospective jurors because of their beliefs."

## Seeks DA's Job...

(Continued from Page 1)

astounding victory.

He staged an exhaustive campaign—a Miller trademark now—and traveled more than 10,000 miles in the five counties that made up the First Judicial District.

He was the only Democrat elected to a suburban district judgeship that year, an accomplishment he credits to the 300 persons who actively worked for his election. But these same 300 workers insist it was Miller's own tremendous energy and vote-getting appeal that brought the victory.

As a judge, Miller quickly won the respect of other jurists and the admiration of practicing attorneys for his knowledge of the law and for the firm but fair manner in which he presided over his court.

When the 18th Judicial District was created in 1959, Miller accepted appointment as its first district attorney.

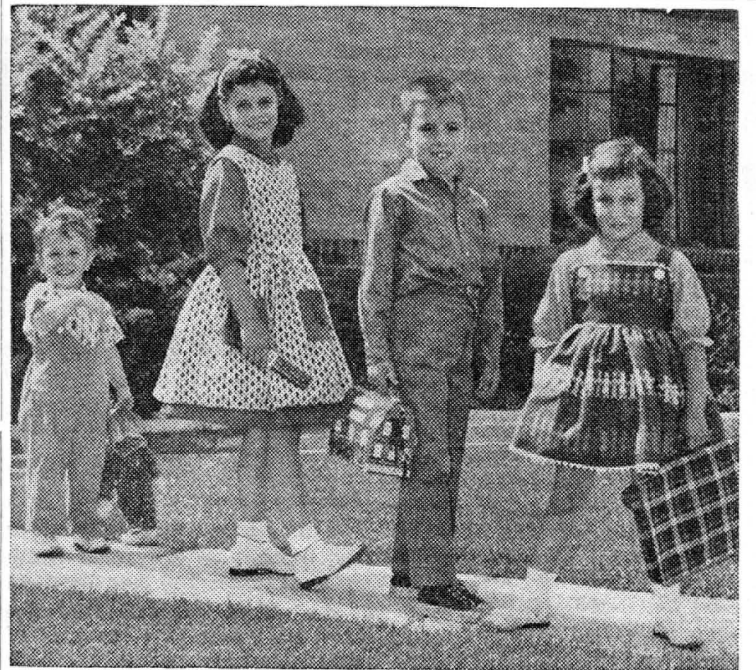
The job paid less—\$6,000 as opposed to \$12,000—than the judgeship, but it enabled him to maintain a private practice, which he could not do as a judge.

Many members of Miller's political party urged him to give up the district attorney's job and run for the State Senate or for the State Supreme Court this year.

But he rejected the urgings, feeling that county voters should be given the opportunity to accept or reject the programs he has initiated as district attorney.

On Nov. 8, county voters will have this opportunity.

Miller stands on his record—a record of vigorous, fair, impartial, honest enforcement of the law.



It's off to school for the four Miller children. Well, three Miller children, anyway. Young Danny, left, has to be content waving goodbye. The school-bound youngsters, children of Dist. Atty. and Mrs. Martin P. Miller, are Lucy, 9; Michael, 7, and Katy, 5. Danny is just 2.

## The Income Tax Decision

Reprinted from Editorials in the Rocky Mountain News

IN A BRILLIANTLY PERSUASIVE decision District Judge Martin P. Miller ruled last Saturday that the City of Denver cannot levy an income tax.

He ruled that the income tax charter amendment, slated to be voted on Sept. 9, is unconstitutional. He imposed a permanent injunction against the city holding this election or any other election for income tax purposes, unless the State Legislature specifically gives Colorado cities this right.

Very properly, however, he granted a 10-day stay of execution of the injunction so that the City might have time to make an appeal before the State Supreme Court.

NO ONE, of course, can guess whether the Supreme Court will sustain or overrule Judge Miller's decision.

## Without a City Income Tax

THE COLORADO SUPREME COURT ended on Saturday the long and often heated debate over a municipal income tax for Denver.

The high court—sustaining an opinion handed down in District Court by Judge Martin P. Miller two weeks ago—ruled unconstitutional any city effort to impose this tax.

That wipes off the Sept. 9 ballot the tax proposal and bars any other efforts by the city—without an amendment to the State Constitution—to levy an income tax.



## PROFILE OF A LEADER

# When Ex-GI Lost at Poker, Colorado Won Martin P. Miller

Reprinted from the Nov. 26, 1959, edition of The Denver Post

By TOM HUTTON

Denver Post Staff Writer

If it had not been for a run of bad luck in a poker game, Colorado might not have heard of Martin P. Miller.

Miller, 35, now nearing the end of his first year as district attorney for Arapahoe County, walked away discharged from Fitzsimons Army Hospital in Aurora one afternoon in 1947.

He was 23, limping, deaf in one ear and still carrying shrapnel in one lung. His background included 15 years in a New York state orphanage and five years of soldiering and convalescing from near fatal wounds.

In his pocket was \$375—his mustering out pay.

That night in a poker game he lost it all to a group of other ex-officers and Fitzsimons acquaintances.

### SIMPLE DECISION

With an empty wallet Miller made a simple decision. He would remain in Denver rather than return to the East as planned.

That decision has influenced the lives of thousands of Colorado residents.

He spent the night in a drab little room at the Denver YMCA. Seven years later—Jan. 11, 1954—he was sworn in as the youngest district judge in Colorado history.

Currently, besides holding down the DA post, Miller is teaching law at the University of Colorado—six hours weekly, carrying on a private legal practice specializing in personal injury cases, and serving as "master" of a \$200,000 fund returning illegally collected "school fees" that was collected by the Arapahoe County building department—\$125 with each building permit.

### LAW SCHOOL TEACHER

He is hearing some 1,100 cases, about 40 a week on the refund duty.

Miller has taught a bar refresher course every year since he graduated from the University of Denver as a Phi Beta Kappa in 1950. He first taught at Westminster Law School and is now at the University of Colorado.

More than 1,000 Colorado attorneys have taken his refresher course. Last year, 70 per cent of the lawyers admitted to the bar were students in Miller's classes.

Miller considers the affirmation by the Colorado Supreme Court in 1958 of his ruling as a visiting district judge in Denver as his greatest professional achievement.

He ruled that a Denver proposal to tax incomes of all who worked in Denver was unconstitutional.

He read more than one million words of law, dating back to income taxes levied by Napoleon during the Napoleonic Wars, before ruling on the proposed Denver tax.

He did this at home evenings because he was at that time still Littleton district judge and doing "extra work" sitting for Judge Edward J. Keating in Denver.

In chronological order, Miller was:

1. Born Jan. 4, 1924, in Philadelphia, Pa.

2. Placed in Homecrest Home for Boys at Yonkers, N. Y., at the age of two.

3. Discharged from the school and on his own in New York City at 17 working in a stationery store and attending night school learning typing.

4. One of the first machine

Vote for Martin P. Miller, Democratic candidate for District Attorney of Arapahoe County, on Nov. 8.

shorthand writers in the country—still at 17. He learned Stenotyping at night school too, and his first year out of the orphanage he became a secretary and runner for a Wall St. brokerage firm.

5. Outfitting Liberty ships in the Bethlehem steel yards in Baltimore, Md. in 1941 at the outbreak of the war.

6. Drafted in 1942, trained as an infantryman and later became, through his knowledge of the Stenotype, a courts-martial reporter.

### INFANTRY OFFICER

7. Graduated a second lieutenant in November, 1943 from Officers' Candidate School at Fort Benning, Ga. and assigned to the 69th Infantry Division.

8. A machine gun and mortar platoon leader, Company I, 271st Infantry Regiment and nearly fatally wounded at the outskirts of Cologne, Germany on Feb. 28, 1945.

He stepped on a "bouncing Betty" land mine and lay 18 hours on the battlefield before assistance reached him. Twenty-seven blood transfusions later he was in an Army field hospital with chest and legs shattered and deaf in both ears.

In the field hospital "dead room" he told the chaplain, "I'm not ready to die. Get me a three-day pass to Paris if you want to do something for me."

What he got was two years of convalescence in hospitals in Europe, England, New York, Pennsylvania and finally at Fitzsimons. The government gave him a Purple Heart medal and helped put him through school under the GI bill.

### TOO SHORT TO DIE

Miller is still deaf in one ear, has a synthetic muscle in one leg and carries shrapnel.

Only 5-feet 5, Miller says his shortness saved his life. (The type of mine Miller stepped on is released by a spring and explodes a little over head high for a six-foot man.)

At DU, Miller was awarded a year's American grant scholarship to Norway where he specialized in a study of juvenile problems. He took and passed the Colorado Bar before he completed law school, but returned from Norway to DU and obtained his law degree in 1950.

He opened law offices in Denver and also was named to the faculty of Westminster Law School.

Four years later he rode 10,000 miles by motorcycle campaigning for one of three judgeships in the 1st Judicial District.

He was the only Democrat elected to a suburban district judgeship that year. He insists it was the 300 people working for him that got him elected rather than his own personal campaigning.

### DISTRICT CARVED UP

Miller strongly urged additional judges for the then five-county First District when the court work load became apparent to him. He found instead he was being politically undermined as the Legislature carved up the district into the 17th and 18th districts.

The redistricting left Miller, a Democrat, in strongly Republican Arapahoe County, but a judge in the First District, which by then included only Jefferson, Clear Creek and Gilpin Counties.

To continue to hold a judgeship in the First District, Miller felt he must move from Aurora and become a resident of the district he served.

He decided against moving, and on Jan. 1 this year stepped

down from his \$12,000-a-year post as district judge and accepted the \$6,000-a-year appointment as district attorney for Arapahoe County.

Miller is married and the father of four children, Lucy, 8, Michael, 7, Katy, 4, and Daniel, 20 months.

He met his wife, the former Edythe Stern of Brooklyn, N. Y., while at DU. She holds a master's degree in economics and is the only woman on the state Democratic party executive committee.

Miller's plans?

In 1960 he will seek either re-election to the DA post, or election to the State Supreme Court. He hasn't decided yet.

He strongly believes that a district attorney should not be a policeman but should instead:

1. Be occupied with the presentation of evidence in a "vigorous, firm but fair manner."

2. Be concerned with the presentation of facts and not comment on the guilt or innocence of the defendant.

3. See that the innocent are not unjustly accused. "When a defendant is right, admit it, hell. Your job is not to be a persecutor, but a prosecutor."

Why would a man step from

a judiciary position to that of DA at half the salary?

### CAN KEEP PRACTICE

As a DA he can legally maintain a private practice on the side; as a judge he cannot. Miller, known as "Marty" to his family and friends, confidently states he can earn annually four or five times a judge's salary in private practice alone.

He cites his city income tax decision, the automobile "Blue Law" decision, also affirmed by the Supreme Court, that it is illegal to sell cars on Sunday, as the type of legal problems he likes to "wrestle with about once a week."

He admits that such a schedule might be a little rough on his family because "I'm pretty hard to get along with and not much company around the house," when deciding important issues.

Miller believes that reform is necessary and on the way in the state's legal system to remove judges from politics.

He believes judges should not be appointed, but should be elected. Their first election should be for their regular term and their second election should be for life with removal only for good cause.

## Proud to Be on The Same Ticket!



Wesley McCune

As the Democratic candidate for the Colorado Senate from Arapahoe and Elbert counties, I am proud to endorse the vigorous law enforcement and public service record of Marty Miller.

I am pledged to help give the State Assembly more effective curbs on conflicts of interest and other shadowy practices that keep the citizens from getting a full dollar's worth of service for each tax dollar.

My slogan is "Keep Colorado Clean—its government, its scenery and its communities."

I believe that close cooperation with the other Metropolitan areas is the best citizenship and the greatest economy. The alternative is useless bickering and wasteful taxation.

# Grand Jury Police Probe Spreads to Arapahoe County

Reprinted from the Aug. 11, 1960, edition of The Rocky Mountain News

By AL NAKKULA

Rocky Mountain News Writer

A grand jury investigation of the Denver Police Department virtually became a 2-county probe Wednesday when Arapahoe Dist. Atty. Martin P. Miller and Denver DA Bert Keating exchanged information.

"I did get some names (of Denver policemen) . . . I will present them to the grand jury . . ."

That was the terse statement by Keating after holding a lengthy lunch conference with Miller.

Miller last November ordered arrest of seven men, including five Arapahoe County deputies, in an investigation of a burglary ring operating in his county.

At that time Miller said he had reason to believe Denver police officers were involved in a vast suburban burglary ring.

### Dismissed Remarks

Denver police officials dismissed Miller's remarks as unfounded.

They did the same thing when a veteran Denver patrolman of 19 years on the department, assigned to a special safe prowl detail, gave information that a burglary ring was operating in the Police Department.

After the officer gave his information last April he was placed on sick leave as a mental case. Police officials took cognizance of the officer's claims last week when a psychiatrist reported the patrolman was sane and probably telling the truth.

Dist. Judge Don D. Bowman Wednesday formally granted Keating's request to hold a grand jury investigation of the Police Department.

The Denver prosecutor minced no words when he explained why he wanted and needed a grand jury to investigate the Police Department.

### News Articles

"It has come to my attention through news articles and editorials . . . and through meetings with certain command officers of the Denver Police De-

partment . . . that there have been recent possible criminal law violations perpetrated by members of the department . . ."

Keating reminded Judge Bowman that, as a prosecutor, he had no authority to place witnesses under oath except by an oath before a grand jury.

Any witness lying to a grand jury is subject to perjury and contempt charges.

" . . . a thing which can be done only by a grand jury in these circumstances . . . that all of the accusations whether based on fact or being only the figments of the imagination of those making such accusations, or whether they be true in fact, or only suspicions, should be fully inquired into to the end that all such statements, rumors and suspicions can be truthfully resolved in the public interest . . ." Keating said.

### Directs Jurors

Judge Bowman directed all jurors notified to report Aug. 19 to his court in City Hall. Judge Bowman and Keating agreed night sessions should be held in the probe so the court can be used for regular daily business.

After meeting with DA Miller, Keating said he and the Arapahoe County prosecutor agreed to work together in a probe extending across county lines.

Keating designated Miller as an advisor in the investigation. The two attorneys issued the joint statement:

"We have resolved there will be no delineation between county lines. This is a community-wide problem—not a city-line issue.

"For all practical purposes, although we recognize the legal

limitations of county boundaries, we propose to investigate this entire matter as if we were operating under one office.

"There will be a full exchange of information and facilities."

### Discuss Data

Under discussion between the two prosecutors was information compiled by Miller during his November investigation.

Keating asked Miller's assistance because of the arrest of Gene A. Haas, 30, 2554 S. Yates st., a former Arapahoe County deputy. Haas, now a truck driver with Martin Co., is accused by Denver police of being the second man in a burglary of a Denver cafe April 14.

The first suspect, Denver Patrolman Art Winstanley, 24, is free on \$5,000 bond pending a hearing on burglary charges.

## Judge Miller . . .

(Continued from Page 1)

proposal; cases that required thought, consideration, research and judgment.

The "automobile Blue Law" decision—also affirmed by the Supreme Court, met these requirements. Miller held it was illegal to sell cars on Sunday.

The high court also upheld Miller when he found Arapahoe County's practice of collecting a \$125 "school fee" with each building issued was unconstitutional. Since becoming district attorney, Miller has been appointed master to supervise the return of the \$200,000 collected by the county to the proper persons.

As a district judge, Miller also initiated the practice of investing idle court funds, thereby greatly reducing the cost to the taxpayer of operating the court.

He also is the author of numerous papers on criminal law and evidence and a much-sought-after public speaker.





District Atty. Martin P. Miller's family comes first in his busy life. At left is his attractive wife, Edythe. The children are Michael and Lucy Jane, back row, and Katy and Danny.

Martin P. Miller, incumbent district attorney in Arapahoe County, has three dominant interests in life—the law, politics and his family.

And the latter comes first.

In their modest home at 949 Troy St. in Aurora, Mr. and Mrs. Miller arrive at major political decisions only after carefully considering what effect these decisions will have on the children.

Mrs. Miller, as interested in politics as her husband, is on the state Democratic Party executive committee. An attractive brunet, she is the former Miss Edythe Stern of Brooklyn, N. Y.

She and Miller—Marty and Edie to their friends—met while both were attending classes at Denver University. While Miller was winning a law degree, his future wife was obtaining a master's degree in economics.

The couple just recently celebrated their 10th wedding anniversary. Participating in the celebration were their four children.

## Marty Miller -- From Orphanage To Demo Leader

Martin P. Miller, Democratic candidate for election to a full four year term as Arapahoe County district attorney, out-Horatioed Alger in his rise to political and legal fame in Colorado.

Born Jan. 4, 1924, in Philadelphia, Pa., Miller was placed in Homecrest Home for Boys at Yonkers, N. Y., at the age of two. At 17 he was graduated from the school and was "on his own" in New York, earning his keep by working in a stationery store.

At night he attended typing classes and learned how to operate a steno-type machine. After working in a shipyard for a short time, he was drafted into the Army in 1942.

He served as an infantry officer, was seriously wounded in Germany in 1945 and was hospitalized until 1947 when he was discharged from Fitzsimons Army Hospital in Aurora.

A brilliant student, Miller won Phi Beta Kappa honors at Denver University and an American grant Scholarship to Norway before being awarded his law degree in 1950. He passed the Colorado bar, entered private practice, taught law school and was elected to the district bench. All of this by the time he had turned 30.

dren, Lucy Jane, 9; Michael, 7; Katy, 5, and Danny, 2.

Miller refers to his wife as his "partner—at home and in politics; after all, she's my campaign manager."

In seeking a four-year term as district attorney, Miller has definite ideas about the office. A district attorney, he maintains, should not be a policeman.

Rather, he should present evidence in criminal cases firmly but fairly; make sure the innocent are not unjustly accused

## Don't Forget These Dates!

Here are important dates in the forthcoming general election:

Aug. 10-Nov. 5 — Absentee voter applications received until 12 noon, Nov. 5.

Oct. 13—Registration day in precinct.

Oct. 19—Last day for receiving applications to register by mail.

Oct. 24—Provide voting machine for absentee voter voting at county clerk's office.

Oct. 24-Nov. 5 — Absentee voters may vote at county clerk's office where voting machines are used, before 12 noon—from 15 days before election up to Saturday noon before election.

Oct. 24—Last day for change of residence by written verification or in person at clerk's office.

Nov. 5 — Application of absentee voters, voters physically disabled, or ill, received up to 12 noon. Must be returned by 5 p.m. on election day.

Nov. 8—Absentee voter ballots received until 5 p.m. election day.

Nov. 8—General Election Day. (Note: Please be advised that my office is available at any time to assist you in your work. The law provides that the District Attorney shall be the chief election officer in the county.)

In addition, our office has always received top cooperation from the office of clerk and recorder, headed by Marjorie Page. For this reason, you may, if you desire, address your inquiries either to our office or the office of clerk and recorder. We are both happy to assist you.

Office of District Attorney—PYramid 4-1501, Ext. 50 or 52.  
Office of Clerk and Recorder—PYramid 4-1501.

Martin P. Miller  
District Attorney  
Arapahoe County

and present only the facts and leave the determination of guilt or innocence to the jury.

Although he devotes much time to his job, the continuing study of the law, and politics, Miller is active in city and county civic affairs.

He has, for instance, been chairman of the Aurora Library Board since 1956 and in that capacity led the successful campaign for a bookmobile for the city.

He also continues to have a tremendous interest in teaching, although his duties have forced him to abandon a course of instruction he has given to law students seeking to pass the Colorado bar exams. He originated the course 10 years ago and has instructed over 1,000 law students, more than 80 per cent of whom went on to pass the bar and be admitted to practice.

The decision to drop teaching activities was dictated by a concern for his family.

"It just got to the point where I was not devoting enough time to the kids," he said. "I love teaching but this was a simple decision to make. The family comes first."

## Miller Survives Exploding Mine In World War II

On Feb. 28, 1945, a short, slender American lieutenant was leading a machine gun and mortar platoon of Company I, 271st Infantry Regiment, in the assault near Cologne, Germany.

The lieutenant stepped on a "bouncing Betty" land mine and lay 18 hours in the field before assistance reached him. His chest and legs were shattered and he was deaf in both ears.

Today that lieutenant, Dist. Atty. Martin P. Miller, walks without a limp despite a synthetic muscle in one leg and has regained his hearing in one ear.

Only 5 feet 5 inches tall, Miller credits his shortness and the skill of scores of army doctors with saving his life. The shortness because the type of mine he stepped on is released by a spring and explodes a little over head high for a 6-foot-tall man; the Medical doctors for the 27 blood transfusions and the operations and care that followed during his two years' convalescence in military hospitals.

Miller, who is seeking election as Arapahoe County district attorney on the Democratic ticket, seldom discusses his war record.

He is grateful for the care he received and for the government help he obtained from the GI Bill while going to college and law school.

WANTED—On Tuesday, Nov. 8, 1960, 20,000 or more registered Arapahoe County voters at the polls casting a vote for Martin P. Miller for district at-

## Demos Offer Strong Slate Of Candidates

Heading the ticket in the 1960 general election is Robert L. Knous, Colorado's lieutenant governor, who is seeking election to the United States Senate.

Bob, the son of the late, great Lee Knous who served his state and his country as governor and United States district judge, has a proven record of ability and integrity.

Also seeking a national office is Byron L. Johnson, an Arapahoe County resident who has so ably served residents of the Second Congressional District for the past two years.

Byron, who is seeking a second term in the U. S. House of Representatives, established himself as a legislator of stature in his freshman term. He was one of the few first year men with sufficient ability to get bills introduced and passed for his constituents.

On the state level, Thomas Gilliam, Englewood attorney, is seeking a 10-year term as a Supreme Court justice. Richard J. Bernick and Phillip A. Danielson are the party's candidates for election to the Colorado University board of regents.

Wesley McCune, former editor and Farmer's Union official, wishes to serve the residents of Arapahoe and Elbert counties in the State Senate. He is a resident of Arapahoe County.

William R. Young, Englewood attorney who won the respect of his colleagues as a freshman representative, is seeking another 2-year term in the Colorado House of Representatives. Running with him is Roy Van Dyke of Aurora, a newspaperman who is making his first bid for public office. Arapahoe County is entitled to two Representatives in the General Assembly.

The 18th Judicial District—Arapahoe County—will elect two district judges in November. Since the county was separated from the 5-county First Judicial District by the Legislature, it has had only one district judge.

That judge, Harold H. Harrison, is asking voters to give him a full six year term in that office. Since his appointment by Gov. McNichols, Judge Harrison has done an outstanding job in keeping a back-breaking docket current. Running for the second judgeship is William J. Smith, a Littleton municipal judge.

The Democratic Party's candidate for Arapahoe County judge is Glenn J. Helfer, a young attorney who has served as an assistant district attorney under Barney O'Kane in the First Judicial District and under Martin P. Miller in the 18th District.

Miller is seeking a full four year term as district attorney.

Running for election to the Arapahoe County Board of Commissioners are C. L. (Chet) Maddox and William S. Hart.

Maddox is an experienced businessman and will devote full time to the commissioner's job if he is elected to represent District I, the Englewood area. Hart, an experienced attorney, is the party's candidate in District II, the Littleton area.

torney of the 18th Judicial district.

SITUATION WANTED—Young man, 36 years old, experienced trial lawyer, former district court judge; for the past 22 months in the employ of Arapahoe County; desires to continue in that capacity for the next four years; interested voters should make arrangements now to be free on Nov. 8; pull lever in voting machine by name of Martin P. Miller.

FOUND—In January 1959 at 949 Troy st. in Aurora an honest, devoted public servant and courageous law enforcement official. First found by voters in the 5-county First Judicial District who elected him district judge. Later appointed district attorney in Arapahoe County when the Colorado Legislature made that county the 18th judicial district.

LET'S SWAP—Will you trade 15 minutes of your time on Tuesday, Nov. 8, for a full share of Democracy? If so, show up at the polls that day and VOTE.

BUSINESS OPPORTUNITY—Opportunity for Arapahoe County voters to obtain an independent, impartial, extremely able prosecutor. A vote for Martin P. Miller as district attorney will assure county citizens of an economical and efficient operation in that office for the next four years.

INVESTMENT—A vote for Martin P. Miller, Democratic candidate for district attorney in Arapahoe County, will be a wise investment in the future of the county. A small investment of your time on Nov. 8 will reap large benefits of honest law enforcement and dividends in good government during his administration.

BABY SITTING—If you need a sitter to watch the kids while you vote on Nov. 8, call Democratic headquarters at SU. 1-7894 or Mrs. Edythe Miller at EM. 6-9974.

TRANSPORTATION—Free rides to and from the polls will be available on Nov. 8, election day. Call the numbers listed above.

PERSONALS—Martin P. Miller respectfully solicits your vote on Nov. 8. He is a candidate for election as your district attorney.

MORE PERSONALS—Mrs. Miller and the four kids think it's a good idea, too. They also request your vote for Marty.

FOR SALE—After Nov. 8; numerous signs, all shapes, sizes and colors with such printing as "Elect Martin P. Miller as your district attorney" on one side. Also, limited quantities of emory boards, book matches, balloons and several pairs of worn shoes left over from the campaign.

LEGAL NOTICE—Summons: To the people of the State of Colorado, County of Arapahoe, Greetings: You are hereby summoned and required to appear at your proper precinct on Nov. 8, on which day you are duty bound to cast your ballot for the candidate of your choice for many important offices. If you fail so to do, judgment will be that you have failed to exercise a sacred duty of citizenship.

THANK YOU—To all my friends who have devoted so much time and energy in furthering my candidacy for the position of district attorney. And a special thank you to all Arapahoe County citizens who have supported me.

(Signed) Martin P. Miller