

Introduction

August 1 has been marked as Colorado Day to commemorate that date in 1876 when Colorado became the 38th state to join the union. The purpose of Colorado Day is to recognize and celebrate the history of our state.

In honor of Colorado Day, Ethics Watch compiled this list of top ethics scandals in our state history, ranging from election fraud to government-sanctioned racial discrimination and brutality. Ethics Watch produced this list to both reflect on grievous government acts of the past and to celebrate how far we've come in raising the bar for ethics standards.

Although the malfeasance of some public officials continues to undermine the public perception of government as a whole, the good news is that increased public scrutiny and accountability has led many public officials to embrace a heightened ethical standard of conduct. Over the course of the State's history, legislators and regulators have adopted ethics codes, transparency standards and enforcement mechanisms to promote a government that works for its people, not the individual interests of its officials. Like the Coloradoans of history, citizens today should continue to demand transparency at all levels of government and to hold public officials accountable for their ethical lapses. In this way, we can promote a government that puts the interests of all citizens above their own special interests.

The list is organized chronologically and historical references and articles cited are listed at the end.

Corruption and Fraud in 1904 Gubernatorial Election

James H. Peabody was elected Governor of Colorado in 1902. His first two years in office have been called the most turbulent years in Colorado history due to the virulent conflicts between union and non-union miners. When Gov. Peabody ran to serve a second term in 1904 he faced a formidable opponent, Democrat Alva Adams.

Election-day results showed Adams had an apparent victory in the race and was inducted to that office. Promptly thereafter, former Gov. Peabody contested the election before the Colorado General Assembly based on alleged voter fraud in Denver. Democratic leaders countered with charges that Republicans perpetuated election fraud, including the forging of ballots and various conspiracies in different precincts with poll watchers and ballot box tampering.

The General Assembly appointed a special contest committee to investigate the allegations of election fraud and presented four differing reports to the full legislature for its consideration and approval. One report, dubbed the "Alexander report," recommended that the election results be rescinded entirely because fraudulent election practices made it impossible to distinguish between legitimate and illegal votes.

Pursuant to a provision in the Colorado Constitution, the Colorado Senate submitted questions to the Colorado Supreme Court for guidance on how to resolve the contested election. In addition, the Court conducted a comprehensive investigation of the election that scrutinized every phase of the election process, including registration lists and campaign expenditures. Ultimately, the legislature was tasked with deciding the contested seats and the Republicans prevailed by voting to unseat Governor Adams. Apparently due to animosity that developed between Governor Peabody and some of his Republican colleagues, he was declared the winner but only upon the condition that he resign immediately after taking the oath of office and cede the office to the Republican Lieutenant Governor, Jesse F. McDonald.

As a result, Colorado now has the dubious distinction of being the only state in the union to have three governors in one day.

Ludlow Massacre of Miners on Strike – 1913-14

In the early 20th century, mining company operators including Colorado Fuel and Iron Company and Victor-American Fuel Company, wielded powerful political clout and almost completely controlled Las Animas and Huerfano Counties. Most of the miners there lived in company housing and bought all their food and equipment at company stores.

In September 1913, the United Mine Workers Association (UMWA) announced a strike in the Southern Coal Field because the mine operators would not meet a list of demands, including recognition of the union, an eight hour work day, the right to trade in any store and to choose their own housing and doctors. An estimated 90% of the workforce (more than 10,000 miners) joined the strike. Striking miners were evicted from company housing and forced to move their families to temporary sites, or tent colonies, rented by the UMWA.

Confrontations between striking miners and replacement workers, referred to as "scabs" by the union, often got out of control. The mining companies hired the Baldwin-Felts Detective Agency to help break the strike by protecting the replacement workers and harassing the strikers. Baldwin-Felts used aggressive strike breaking tactics like shining searchlights on the tent colonies at night and spraying bullets into the tents at random, sometimes killing and maiming people.

On October 28, 1913, as strike-related violence mounted, Governor Elias M. Ammons called in the Colorado National Guard to intervene in the strike and force the striking miners to leave company property. In effect, the Guard served as a strike-breaking mechanism. It is reported that company mine guards were enlisted as National Guardsmen. The cost of supporting the Guard became too much for the state and all but two of the Guard forces were withdrawn after six months. The companies that remained were made up mostly of mine guards, paid for by the mine owners but operating under the authority of the State of Colorado.

On April 20, 1914 gunfire broke out in the striking miner tent colony in the town of Ludlow. The colony soon erupted in flames and Guardsmen looted the camps. At the end of the conflict, now dubbed the Ludlow Massacre, 25 people were dead, including three National Guardsmen and 11 children of striking miners. The 1913-1914 Colorado coal strike was one of the most violent strikes in U.S. history.

On May 7, 1914 the Colorado Senate passed a resolution condemning Governor Ammons' administration for its failure to control the Colorado strike situation and for siding with the mine operators.

Although it ended with the defeat of the union, the Ludlow Massacre brought national attention to the alliance between the state government and private coal operators as well as labor conditions in Colorado coal camps and throughout the United States.

Ku Klux Klan's Control over State Politics – 1920s

In the early to mid 1920's, Colorado politics were dominated by the Ku Klux Klan (KKK). In 1924, then Colorado Governor Clarence Morley was a Klansman who was taking direct orders from Dr. John Galen Locke, the Grand Dragon of the Colorado Realm of the KKK. Benjamin Stapleton, then mayor of Denver, consulted with the Klan when making appointments, including the chief of police, William Candlish. The Klan held anti-Semitic and anti-Catholic rallies both inside and outside of the state Capitol. Reputed Klan members Rice Means and Laurence Phillips were elected with Klan support to represent Colorado in the United States Senate, and the state House of Representatives briefly had a Klan majority.

The Klan in Colorado burned crosses on Table Mountain near Golden and on Pikes Peak, creating fear in those they opposed including Catholics, blacks, and Jews. The Klansmen also targeted immigrants from Greece and Hungary and advised members to avoid any businesses bearing "foreign" names.

Klan politicians wielded their power and influence to allocate favors, jobs, and contracts to cronies resulting in a political legacy. Even Klansmen who did not hold office had control of legislators and compelled them to support legislative proposals like firing all Catholics and Jews on the University of Colorado faculty. The Klan also used its influence to dissolve certain state boards and commissions only to replace them with Klan-controlled boards under new names. The Klan also employed agents to intimidate and raid those that opposed their agenda.

Denver, Grand Junction, Pueblo, Canon City and many other towns in Colorado were controlled by the Klan. The only city in Colorado to reject the Klan was Colorado Springs; the party leadership of El Paso County actively opposed the KKK.

Eventually the political climate in Colorado turned against the Klan and its leaders and by 1925 the Klansmen who held office in Colorado were in real danger of losing power. The United States Internal Revenue Service audited Dr. John Galen Locke in 1925 revealing that he had not paid income taxes in 12 years. This, among other things, led to the belief that the Klan was nothing more than a corrupt money-making machine.

Denver Mayor Benjamin Stapleton eventually dropped the Klan association when it became a hindrance to his political career. He then ordered a raid on the organization in 1925, which exposed the Klan's criminal activity including bootlegging, illegal gambling and prostitution.

Impeachment of Secretary of State James H. Carr - 1934

James H. Carr was elected secretary of state in 1934 and impeached by the Colorado House just one year later in a 1935 special session for extortion, conspiracy and malfeasance.

Secretary Carr was inaugurated in January 1935. At the time, the secretary of state was the state liquor license authority, responsible for collection of specified taxes on liquor sales and enforcement of state liquor laws. Secretary Carr's misconduct was first exposed during a state audit of a national wholesale liquor supplier. Secretary Carr was implicated in a scheme with W.E. O'Toole, a colleague of Carr's and a commission salesman for various liquor dealers and wholesalers, to solicit a \$3,000 bribe from the liquor supplier being audited to settle its tax liability for pennies on the dollar, end the audit and finally obtain its liquor license. It was later revealed that Secretary Carr had been hiring political cronies as auditors in exchange for kickbacks.

Once O'Toole was arrested and the scheme became public, then Governor Edward Johnson called a special legislative session to investigate Secretary Carr's involvement. The legislative committee's probe confirmed Carr's misconduct in dealing with the audit, in addition to other crimes including extortion of a car dealer and permitting liquor companies to operate without licenses. In its final report, the legislative committee recommended Secretary Carr's impeachment on 10 different counts of misconduct.

After his impeachment by the State House and on the eve of trial by the State Senate, Secretary Carr submitted his letter of resignation on November 12, 1935. Secretary Carr was only the second person to be impeached since Colorado became a state in 1876. In addition to his impeachment, Secretary Carr was criminally convicted of extortion, fined \$400 and sentenced to a year in prison.

Burglars in Blue - 1961

In 1961, the Denver Police Department was implicated in one of the worst scandals of U.S. law enforcement in history. At the time, an alarming number of Denver police officers were facing indictments for crimes such as stealing from previously burglarized stores, staging burglaries and safecracking. In one notable case, officers from another county staked out a King Soopers grocery store and caught two Denver police officers burglarizing the store by cutting a hole in the roof and cracking the store's safe.

In response to the soaring number of crimes committed by police officers and based on the realization that the entire department was rife with corruption, on August 19, 1961, then Governor Stephen L.R. McNichols launched an investigation of the Denver Police Department. One month later, Governor McNichols called a press conference on the steps of the State Capitol and announced the results of his investigation. Denver police had been tied to 120 different crimes and Governor McNichols ordered 14 officers to march up the steps of the Capitol to be disarmed, relieved of duty and promptly arrested.

Ultimately, 54 present or former police officers were implicated in more than 130 burglaries and 47 Denver police officers were convicted as a result of the investigation.

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