

Michael Miller



Michael Miller was very active in gay rights in New York City in the early 1970s. He was a founding member of the Gay Legal Caucus of the Gay Activist Alliance in 1972.

Miller's name appears in many articles in the gay press in 1973: founding the Gay Arbitration Panel; pressing the District Attorney not to prosecute consensual sodomy cases; challenging the loitering law used by police to arrest gay men; and opening a free legal clinic for low-income gays. He was also interviewed by NBC-TV. (4) And he spoke at the New York Police Academy. (5) All of that in one year.

Gay journalist Dick Leitsch referred to the Gay Arbitration Panel as “The Plans of a Legal Genius” because it created an alternate forum for legal disputes between gays, taking the process and decision-making away from homophobic judges. (3) Gay and lesbian lawyers would serve as arbiters in such disputes.

Miller served as general counsel for the New York Mattachine Society, a non-profit organization devoted to educating the public about homosexuality, and advocating for the repeal of discriminatory laws affecting the rights of gays and lesbians in housing, employment, and assembly.

Miller focused considerable time and energy on repealing sodomy laws. He argued that sodomy laws were counterproductive to society because they encouraged disrespect of the law, and were used as a basis for blackmail and extortion. He considered the criminalization of sodomy to be a status crime which had the effect of denying the gay people equal access to the courts due to embarrassment and shame.

In 1973, Miller took the sodomy laws of New York head on. With the Mattachine Society backing him up, Miller publicly met with the New York City District Attorney and urged him to reform the way he prosecuted those cases. Miller succeeded. After the meeting, the District Attorney agreed to assign a special prosecutor to handle those cases. As a result, most sodomy arrests were resolved with dismissals or small civil fines.

Miller was also committed to providing accessible legal services to the gay community. In 1973, he established a free legal clinic in the offices of the New York Mattachine

Society. Miller provided advice to members of the gay community facing legal issues involving employment, housing, and romantic separations. While the service was free, he did encourage volunteer donations which were used towards expanding the legal library of the Mattachine Society.

That same year, Miller helped establish an arbitration panel to address the unique legal problems facing same-sex couples. It was called the Gay Arbitration Panel (GAP). He wanted to expand the gay community's access to legal procedures that would more help gay and lesbian couples end same-sex relationships more amicably. As part of GAP, Miller published a hundred-page guidebook and made it widely available. By doing so, he created a model for LGBT arbitration that could be adopted anywhere in the nation.

Miller also litigated high-profile cases which involved members of the gay community. In 1973, he defended a professional opera singer who was arrested for loitering in a Times Square restroom. Miller used this case to challenge the constitutionality of the New York loitering statute. That same year, Miller defended a former member of New York's Gay Activists Alliance who was charged with forging \$2500 in checks of that organization's account. He was able to secure a dismissal of the case by negotiating a compromise whereby the money would be paid back.

Also in 1973, Miller represented a New York teacher who was abused and beaten by the police in an undercover sting operation. The teacher alleged that he was approached by three men dressed in civilian clothing who asked him to engage in sexual acts. When the teacher refused, the men became physically violent, after which they revealed themselves as police officers. The police slammed the teacher's face into the ground causing severe lacerations and profuse bleeding. Miller represented the teacher in a lawsuit against the city for false arrest and imprisonment, malicious prosecution, malicious abuse of process and assault and battery.

Other than the slew of news stories about him in 1973, Miller seems to have disappeared from view. Nonetheless, Michael Miller should be remembered as a vocal, creative, and passionate advocate of gay rights during the 1970s.

References

- (1) Wicker, Randy. "Legal Clinic Established." *Gay*, (Feb. 26, 1973) - [Link](#)
- (2) "Gay Bill of Rights." *Stone House Press*, Vol. 1, No. 1, 15 Mar. 1973 - [Link](#)
- (3) "Michael Miller: The Plans of a Legal Genius," *Gay* (May 7, 1973) - [Link](#)
- (4) "Homosexuals: Out of the Closet," NBC-TV (Feb. 8, 1973) - [Link](#)
- (5) "First New York Police Academy," *Mattachine Diary* 3403 - [Link](#)

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