

Proclamation

THE BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA
PROCLAMATION COMMEMORATING

The 40th Anniversary of the U.S. Supreme Court's Ruling in Gideon v. Wainwright

WHEREAS, Clarence Earl Gideon was charged with breaking into a Florida poolroom on June 3, 1961 and stealing coins from a cigarette machine. He asserted his innocence; and

WHEREAS, Gideon's request for appointed counsel at public expense was denied, and the 51-year-old drifter with an eighth-grade education defended himself against the legal case presented by the state's prosecuting attorney; and

WHEREAS, he was convicted of a felony breaking and entering with intent to commit a misdemeanor, and was sentenced to five years in state prison; and

WHEREAS, Gideon submitted a handwritten petition to the United States Supreme Court from his Florida prison cell, arguing that the United States Constitution does not allow poor people to be convicted and sent to prison without legal representation. Twenty-two state attorneys general submitted a brief of support of his argument; and

WHEREAS, on March 18, 1963, the Supreme Court unanimously ruled that Gideon's trial and conviction without the assistance of counsel was fundamentally unfair and violated the Sixth and Fourteenth Amendments to the United States Constitution; and

WHEREAS, the Court stated it is an "obvious truth that in our adversary system of criminal justice, any person hauled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him;" and

WHEREAS, at his retrial with the assistance of court-appointed counsel, Clarence Earl Gideon was acquitted; and

WHEREAS, 40 years later, while implementation of the right to court appointed counsel is extremely uneven across the nation, we in San Mateo County are proud of the decision made in the 1968 by the Board of Supervisors to contract with the San Mateo County Bar Association for representation of the indigent accused of crimes; and

WHEREAS, through the San Mateo County Bar Association's Private Defender Program, the indigent of San Mateo County are represented by the finest criminal defense attorneys in the County.

NOW THEREFORE, BE IT PROCLAIMED that March 18, 2003 is hereby designated as Gideon Day, and San Mateo County hereby rededicates itself to the principle of equal justice for all regardless of income.

DATED: March 11, 2003

SUPERVISORS:

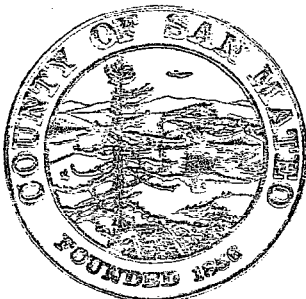

ROSE JACOBS GIBSON, PRESIDENT

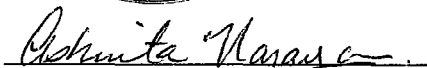

MARK CHURCH


JERRY HILL


RICHARD S. GORDON


MICHAEL D. NEVIN




Attest: Deputy Clerk of the Board of Supervisors