

RESOLUTION NO. 2003-0287

RESOLUTION OF THE BOARD OF SUPERVISORS,  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA  
PROCLAIMING MARCH 18, 2003 AS  
**GIDEON DAY**

22

IN COMMEMORATION OF THE 40<sup>TH</sup> ANIVERSARY OF THE UNITED STATES  
SUPREME COURT'S RULING IN *GIDEON v WAINWRIGHT* -

**Reaffirming The Principle Of Equal Justice For All Regardless Of Income**

**Whereas**, Clarence Earl Gideon was charged with breaking into a Florida poolroom on June 3, 1962 and stealing coins form a cigarette machine, although he asserted his innocence; and

**Whereas**, Gideon's request for counsel was denied, and he defended himself against the state's prosecuting attorney, was convicted of felony breaking and entering, 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, and twenty-two state attorneys general submitted a brief supporting him; 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, stating it is an "obvious truth, 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," and

**Whereas**, at his retrial with the assistance of counsel, Clarence Earl Gideon was acquitted; and

**Whereas**, 40 years later, people who cannot afford counsel are regularly denied their basic right to a qualified attorney, resulting in unjust, life-altering verdicts; and public trust in criminal justice systems are shaken by exonerations of the innocent, revelations of overloaded and under-funded indigent defense systems, and a sense that the quality of justice people receive is determined by the amount of money they have; and

**Whereas**, subsequent Supreme Court decisions have further expanded the states' obligation to provide counsel to people who cannot afford to hire a lawyer.

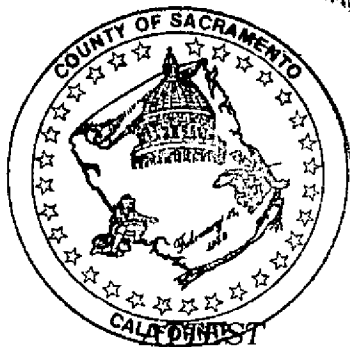
**Now, therefore, be it resolved**, that the Board of Supervisors, County of Sacramento, State of California, hereby proclaims March 18, 2003, as Gideon Day and rededicates itself to the principle of equal justice for all regardless of income. The Board encourages local officials, representatives of prosecution, public defense and the courts to engage in appropriate activities to commemorate this historic event and celebrate the importance of affording qualified counsel to people who cannot afford to hire a lawyer.

On a motion by Supervisor Johnson,  
Seconded by Supervisor Dickinson, the foregoing  
Resolution was passed and adopted by the Board of Supervisors of the County of  
Sacramento, State of California, this 18th day of March 2003 with the following vote,  
to wit:

AYES: Supervisors, Dickinson, Johnson, Niello, Nottoli, Collin

NOES: Supervisors, None

ABSENT: Supervisors, None



Cindy A. Turner  
Clerk, Board of Supervisors

Gene Collins

Chair, Board of Supervisors  
COUNTY OF SACRAMENTO  
STATE OF CALIFORNIA

In accordance with Section 25103 of the Government Code  
of the State of California a copy of the document has been  
delivered to the Chairman of the Board of Supervisors, County  
of Sacramento on **MAR 18 2003**

By Kay Johnson  
Deputy Clerk, Board of Supervisors

**FILED**

MAR 18 2003

BOARD OF SUPERVISORS  
By Cindy A. Turner  
CLERK OF THE BOARD