

*The Board of Supervisors of
Contra Costa County, California*

In the matter of:

Resolution No. 2023/80

IN THE MATTER OF, proclaiming March 2023 As Month of Gideon and March 18, 2023 as Public Defense Day in Contra Costa County

WHEREAS, the Contra Costa County Board of Supervisors would like to recognize the vital work of public defense and the 60th anniversary of the United States Supreme Court ruling in *Gideon vs. Wainwright*, reaffirming the principles of equal justice for all regardless of income; and WHEREAS, the County of Contra Costa has a longstanding tradition of equal justice regardless of income, having established the Office of the Contra Costa County Public Defender in 1966; and WHEREAS, the Office of the Public Defender represents clients in misdemeanor, felony, juvenile, capital, mental health, post-conviction, and immigration cases; and WHEREAS, the Office of the Public Defender is recognized in the State of California as a leader for its high standards of representation and for providing client-centered, holistic defense; and WHEREAS, on March 18, 1963, the United States Supreme Court unanimously ruled that the right of a poor person in a criminal trial to have the assistance of counsel is fundamental and essential to a fair trial, and trial and conviction without the assistance of counsel violated the Sixth and Fourteenth Amendments to the United States Constitution; and WHEREAS, the Court based its ruling on the case of Clarence Earl Gideon, a poor man with an eighth-grade education arrested for a pool hall burglary in which five dollars, several beers, and a few bottles of soda were stolen. In court, Mr. Gideon proclaimed his innocence and asked for a lawyer. The judge told him that anyone too poor to hire a lawyer had to represent himself. Mr. Gideon tried his best, but a jury convicted him, and the judge sentenced him to five years in state prison; and WHEREAS, from his Florida prison cell, Mr. Gideon submitted a handwritten petition to a higher court, arguing that the United States Constitution does not allow poor people to be convicted and sent to prison without legal representation; and WHEREAS, the United States Supreme Court found that “reason and reflection require us to recognize 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. This seems to us to be an obvious truth”; and WHEREAS, the United State Supreme Court reversed Mr. Gideon’s conviction and granted him a new trial, ordering that he be provided a lawyer. With the assistance of counsel, Mr. Gideon was acquitted; and WHEREAS, the Contra Costa County Public Defender is committed to upholding the Constitution, ensuring justice for the vulnerable, and achieving racial equity for all regardless of income.

NOW, THEREFORE, BE IT RESOLVED, that the Contra Costa County Board of Supervisors does hereby declare March of 2023 as the “Month of Gideon” and March 18, 2023 as “Public Defense Day” in Contra Costa County in honor of the 60th anniversary of the 1963 Supreme Court ruling in *Gideon v. Wainwright*, guaranteeing that all persons accused of a felony have a right to counsel; and furthermore, the Board of Supervisors of Contra Costa County honors and thanks the Office of the Public Defender for its excellence in, and dedication to, providing counsel to all persons needing representation regardless of income.

JOHN GIOIA

Chair, District I Supervisor

CANDACE ANDERSEN

District II Supervisor

DIANE BURGIS

District III Supervisor

KEN CARLSON

District IV Supervisor

FEDERAL D. GLOVER

District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 21, 2023

Monica Nino, County Administrator

By: _____, Deputy