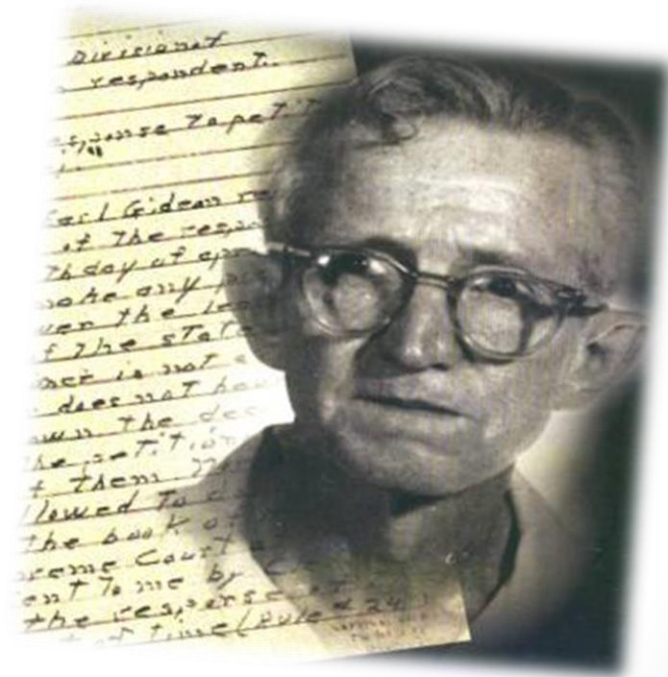


50th Anniversary

Gideon vs. Wainwright

Celebrating 50 years of the right to a
Public Defender





The 6th Amendment

- The 6th Amendment of the United States Constitution was introduced in 1789 as part of the Bill of Rights; it guarantees those accused of crimes the right to a speedy and public trial, an impartial jury, to be informed of the accusation they face, to confront witnesses and ***to have the assistance of defense counsel.***

History of the Public Defender Office

- **1893 Public Defender Proposed**

Clara Shortridge Foltz, first female attorney in California, introduced her then radical idea of a public defender system at the Chicago World's Fair. Foltz went on to become the foremother of today's public defenders system

- **1914 First public Defender's office**

Foltz' lobbying resulted in Los Angeles County opening the nation's first Public Defender's Office

- **1921 Public Defender system extended**

California lawmakers extend the public defender system to all state courts

The Scottsboro Boys

“The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent and educated layman has small and sometimes no skill in the science of law.”

Powell v. Alabama
287 U.S.45, 45, 68-9 (1932)



Don't let them Burn

Stop the Legal Lynching of Nine Innocent Negro Boys in Scottsboro, Ala.

Mass Protest Demonstration and Parade
38TH & PRAIRIE
Sat. Oct. 8 - 3:30 p. m.

Angels International Labor Defense
23 So. Lincoln Street

PARADES From 51st & St. Lawrence to 50th - West to Prairie, North to 38th
From 18th and Indiana South to 22nd - To Prairie South to 38th

Speakers **H. NEWTON** Communist Candidate for Congress against Dr. Priest
S. HAMMERSMARK Communist Candidate for State Treasurer of Illinois
CLAUDE LIGHTFOOT Communist Candidate for State Assembly 5th Dist.

SMASH LYNCHING AND SEGREGATION

FELLOW WORKERS.
The International Labor Defense has presented for one year and a half the execution of the Nine Scottsboro Boys with the main protest of the workers of the United States and Europe. This mass protest compelled the U. S. Supreme Court to agree to hear to their legal appeal on Oct. 10, 1932.

Now is the time when the workers, Negro and White, unions and foreign born must raise an overwhelming protest against this attempted legal lynching.

No white worker can be free while one Negro is enslaved.

The mothers of these boys call on the workers to smash lynching and give their sons back to them.

Write or wire your protest to the U. S. Supreme Court, Washington, D. C.

Bring masses of workers to this demonstration.

ORGANIZE AND FIGHT AGAINST LYNCHING AND SEGREGATION
DEMAND FREEDOM FOR TOM MOON AND ALL CLASS WAR PRISONERS.
STOP DEPORTATION OF FOREIGN BORN WORKERS.
FIGHT POLICE BRUTALITY AND POLICE TERROR.
JOIN AND BUILD THE INTERNATIONAL LABOR DEFENSE.

APPLICATION
I want to see the U. S. D. and take legal action
(including demonstration and police terror)
NAME _____
ADDRESS _____

STOP DEPORTATION of FOREIGN BORN WORKERS

Clarence Earl Gideon

- 1963 Gideon vs. Wainwright
 - On March 18, 1963 Clarence Earl Gideon's handwritten petition to the United States Supreme Court established, by unanimous vote of the Court, the right to an attorney paid for by the government for every person who is charged with a crime who cannot afford to hire their own lawyer
 - At his retrial Gideon was given a public defender and was acquitted

DIVISION OF CORRECTIONS
CORRESPONDENCE REGULATIONS

MAIL WILL NOT BE DELIVERED WHICH DOES NOT CONFORM WITH THESE RULES

No. 1 -- Only 2 letters each week, not to exceed 2 sheets letter-size 8 1/2 x 11" and written on one side only, and if ruled paper, do not write between lines. Your complete name must be signed at the close of your letter. Clippings, stamps, letters from other people, stationery or cash must not be enclosed in your letters.

No. 2 -- All letters must be addressed in the complete prison name of the inmate. Cell number, where applicable, and prison number must be placed in lower left corner of envelope, with your complete name and address in the upper left corner.

No. 3 -- Do not send any packages without a Package Permit. Unauthorized packages will be destroyed.

No. 4 -- Letters must be written in English only.

No. 5 -- Books, magazines, pamphlets, and newspapers of reputable character will be delivered only if mailed direct from the publisher.

No. 6 -- Money must be sent in the form of Postal Money Orders only, in the inmate's complete prison name and prison number.

NAME _____ CELL NUMBER _____
NUMBER _____

In The Supreme Court of The United States
Washington D.C.
Clarence Earl Gideon
Petitioner
vs.
U.G. Cochran, Jr. as
Director, Division
of Corrections State
of Florida

Petition for a writ
of Certiorari directed
to The Supreme Court
State of Florida.
No. 790 Misc.
OCT. TERM 1961
U. S. Supreme Court

To: The Honorable Earl Warren, Chief
Justice of the United States
Comes now the petitioner, Clarence
Earl Gideon, a citizen of the United States
of America, in proper person, and appearing
as his own counsel, who petitions this
Honorable Court for a Writ of Certiorari
directed to The Supreme Court of The State
of Florida, to review the order and Judge-
ment of the court below denying the
petitioner a Writ of Habeas Corpus.
The petitioner submits that The Supreme
Court of the United States has the authority
and jurisdiction to review the final Judge-
ment of The Supreme Court of The State
of Florida the highest court of the State
Under sec. 344(B), Title 28 U.S.C.A. and
because the "Due process clause" of the

The Decision

“...[I]n our adversary system of justice, any person haled 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.”
Gideon v. Wainwright, 372 U.S. 335, 344 (1963)



1963 Supreme Court



“Lawyers in criminal courts are necessities, not luxuries.”

~ Justice Hugo Black

Gideon v Wainwright 372 U.S. 335, 344 (1963)

To commit petty larceny. He had requested aid of counsel, that, at the time of his conviction and sentence, petitioner was without aid of counsel. That the Court refused and did not appoint counsel, and that he was incapable adequately of making his own defense. In consequence



“If an obscure Florida convict named Clarence Earl Gideon had not sat down in prison with a pencil and paper to write a letter to the Supreme Court... the vast machinery of American law would have gone on functioning undisturbed. But Gideon did write that letter.... And the whole course of legal history has been changed.”

~ Attorney General Robert Kennedy

Solano County Public Defender

- **1968 Solano County Public Defender's Office**
 - On November 4, 1968 Solano County opened the doors of the Office of the Public Defender.
 - Five lawyers, two investigators and three secretaries closed 966 cases in the first six months of operation
- **1989 Solano County Conflict Defender's Office**
 - In 1989 the Office of the Conflict Defender was established
 - In 2000 the Office of the Public Defender and the Office of the Conflict Defender were consolidated under the administration of the Public Defender



Today

- The Offices of the Public Defender and Conflict Defender have a combined staff of 46 Defense Attorneys, 9.5 Investigators, 18 Clerical, 3 part time Social Workers and 2 part time Paralegals
- The combined offices work hard to represent nearly 19,000 clients per year
- The Offices assure the residents of the County of Solano are provided their Constitutional right to effective legal representation when charged with a crime and unable to afford retained counsel

Gideon's Trumpet

“It will be an enormous social task to bring to life the dream of *Gideon v. Wainwright* – the dream of a vast, diverse country in which every man charged with crime will be capably defended, no matter what his economic circumstances, and in which the lawyer representing him will do so proudly, without resentment at an unfair burden, sure of the support needed to make an adequate defense.”

~Anthony Lewis, *Gideon's Trumpet* (1964)

