



SUMMARY REPORT

Agenda Date: 3/5/2024

To: Sonoma County Board of Supervisors
Department or Agency Name(s): Public Defender's Office
Staff Name and Phone Number: Jeremy Scannell, 565-3869
Vote Requirement: Majority
Supervisorial District(s): Countywide

Recommended Action:

Adopt a gold resolution proclaiming March 2024 as National Public Defender Month in Sonoma County.

Executive Summary:

The County of Sonoma has a longstanding tradition of equal justice regardless of income, having established the Public Defender's Office in 1959. Today the Public Defender's Office has a staff of 61 employees including 37 full-time attorneys that ensure that person's charged with criminal offenses in Sonoma County are provided their Constitutional right to effective legal representation when charged with a crime and unable to afford counsel.

Discussion:

In March 1963, the United States Supreme Court unanimously ruled that an indigent person in a criminal trial has the right to the assistance of counsel. That right is fundamental and essential to a fair trial, and a trial and conviction without the assistance of counsel violates the Sixth and Fourteenth Amendments to the United States Constitution.

The court based its ruling on the case of Clarence Earl Gideon, a poor man with an eighth-grade education, who was arrested for a pool hall burglary in which about 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 a judge sentenced him to five years in state prison.

From his Florida prison cell, Mr. Gideon submitted a handwritten petition to a higher court, arguing that the United State Constitution does not allow poor people to be convicted and sent to prison without legal representation.

The United 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."

The United States 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.

Public Defender's play a crucial role in our legal system by providing essential legal representation to

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individuals who do not have the means to hire a private attorney. The principle of providing legal representation to those who cannot afford it is a cornerstone of our justice system.

In celebration of the March 1963 Gideon decision by the United States Supreme Court, beginning in March 2024, Sonoma County establishes and proclaims March as National Public Defender month. Honoring the dedication and contributions public defenders provide in safeguarding the principles of justice and equality and raising awareness of the challenges they face.

Prior Board Actions:

N/A

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

N/A

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Gold Resolution

Related Items "On File" with the Clerk of the Board:

N/A