



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**April 1, 2003**

**Motion 11679**

**Proposed No.** 2003-0121.1

**Sponsors** Gossett, Lambert, Edmonds,  
Constantine, McKenna, Hague,  
Sullivan, Phillips and Patterson

1           A MOTION in recognition of the fortieth anniversary of  
2           the Supreme Court decision *Gideon v. Wainwright*  
3           affirming the constitutional right of all to legal  
4           representation when accused of a crime, regardless of  
5           economic circumstance and recognizing the contribution of  
6           the county's public defender agencies.

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

12          WHEREAS, Gideon's request for counsel was denied, and this fifty-one-year-old  
13          indigent individual with an eighth-grade education defended himself against the legal  
14          case presented by the state's prosecuting attorney. He was convicted of felony breaking  
15          and entering with intent to commit a misdemeanor, and was sentenced to five years in  
16          state prison, and

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

21           WHEREAS, on March 18, 1963, the United States Supreme Court unanimously  
22 ruled that Gideon's trial and conviction without the assistance of counsel was  
23 fundamentally unfair and violated the Sixth and Fourteenth Amendments to the United  
24 States Constitution. It is an "obvious truth," the court stated, that "in our adversary  
25 system of criminal justice, any person hauled into court, who is too poor to hire a lawyer,  
26 cannot be assured a fair trial unless counsel is provided for him," and

27           WHEREAS, at his retrial with the assistance of counsel, Clarence Earl Gideon  
28 was acquitted, and

29           WHEREAS, forty years later King County's system for the provision of indigent  
30 defense seeks to ensure that all individuals charged with a crime are represented and  
31 ensured of a fair trial. The county's system of independent public defense through four  
32 defender agencies provides a model level of service and full representation to all needing  
33 defense services. Each agency has shown a strong and continuing commitment to  
34 providing representation to every citizen regardless of race, creed or economic  
35 circumstance. Providing defense services for adults in superior, district and municipal  
36 courts; for juveniles charged with crimes of representing juveniles in certain civil matters,  
37 the county's defender agencies have been recognized nationally as a model of how  
38 defender services can be provided, and

39           WHEREAS, as the county has sought to develop a policy framework for making  
40 the county's criminal justice system more efficient and effective through the Adult  
41 Justice Operational Master Plan, the county's public defender agencies have participated  
42 to ensure the rights of the accused are represented in the development of policy while  
43 also making recommendations to improve the system and to reduce overall system costs,  
44 and

45           WHEREAS, the county's newly restructured office of the public defender shows  
46 the county's continued commitment to indigent defense even in times of budget deficits  
47 and county program cutbacks;

48           NOW, THEREFORE, ET IT MOVED by the Council of King County:

49           That the councils recognizes the fortieth anniversary of the *Gideon v. Wainwright*

**Motion 11679**

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50 decision and the continuing contribution of the county's public defender agencies to the  
51 constitutional right to indigent representation.

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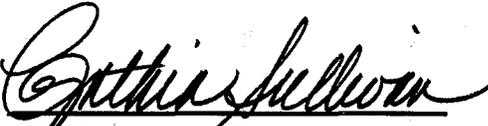
Motion 11679 was introduced on 3/17/2003 and passed by the Metropolitan King County Council on 3/31/2003, by the following vote:

Yes: 10 - Ms. Sullivan, Mr. von Reichbauer, Mr. Phillips, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague, Mr. Irons and Ms. Patterson

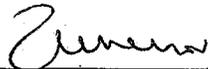
No: 0

Excused: 3 - Ms. Edmonds, Ms. Lambert and Mr. Pelz

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Cynthia Sullivan, Chair

ATTEST:



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Anne Noris, Clerk of the Council

**Attachments**      None