
State of Iowa
Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION

- WHEREAS,** CLARENCE EARL GIDEON WAS CHARGED WITH BREAKING INTO A FLORIDA POOLROOM AND STEALING ON JUNE 3, 1961. HE ASSERTED HIS INNOCENCE; AND
- WHEREAS,** GIDEON'S REQUEST FOR COUNSEL WAS DENIED, AND THE DRIFTER WITH AN EIGHTH-GRADE EDUCATION DEFENDED HIMSELF AGAINST THE PROSECUTOR. HE WAS CONVICTED AND SENTENCED TO FIVE YEARS IN PRISON; AND
- WHEREAS,** GIDEON SENT A HANDWRITTEN PETITION TO THE UNITED STATES SUPREME COURT FROM HIS PRISON CELL, ARGUING THE UNITED STATES CONSTITUTION DOES NOT ALLOW POOR PEOPLE TO BE CONVICTED AND IMPRISONED WITHOUT LEGAL REPRESENTATION. TWENTY-TWO STATE ATTORNEYS GENERAL, INCLUDING EVEN L. HULTMAN OF IOWA, SUBMITTED A BRIEF SUPPORTING HIM; AND
- WHEREAS,** ON MARCH 18, 1963, THE SUPREME COURT UNANIMOUSLY RULED THAT GIDEON'S TRIAL WITHOUT THE ASSISTANCE OF COUNSEL WAS FUNDAMENTALLY UNFAIR AND VIOLATED THE UNITED STATES CONSTITUTION. IT IS AN "OBVIOUS TRUTH," THE COURT STATED, THAT "IN OUR ADVERSARY SYSTEM OF CRIMINAL JUSTICE, ANY PERSON HAILED INTO COURT, WHO IS TOO POOR TO HIRE A LAWYER, CANNOT BE ASSURED A FAIR TRIAL UNLESS COUNSEL IS PROVIDED FOR HIM."; AND
- WHEREAS,** AT HIS RETRIAL WITH THE ASSISTANCE OF COUNSEL, CLARENCE EARL GIDEON WAS FOUND NOT GUILTY; AND
- WHEREAS,** IN RESPONSE TO *GIDEON* AND SUBSEQUENT SUPREME COURT DECISIONS THAT REFINED THE RIGHT TO COUNSEL, THE STATE OF IOWA HAS ESTABLISHED INDIGENT DEFENSE PROGRAMS THAT ENSURE ALL IOWANS ACCUSED OF CRIME HAVE ACCESS TO LAWYERS REGARDLESS OF INCOME OR WEALTH; AND
- WHEREAS,** THE STATE OF IOWA'S INDIGENT DEFENSE PROGRAMS FEATURE A STRONG PARTNERSHIP BETWEEN PUBLIC DEFENDERS AND PRIVATE ATTORNEYS. THIS PARTNERSHIP MAKES IOWA'S PROGRAMS A MODEL IN FULFILLING THE CONSTITUTIONAL OBLIGATION TO PROVIDE REPRESENTATION FOR THE INDIGENT;

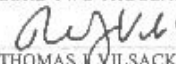
NOW, THEREFORE, I, THOMAS J. VILSACK, GOVERNOR OF THE STATE OF IOWA, DO HEREBY PROCLAIM MARCH 18, 2003 AS

**THE 40TH ANNIVERSARY OF THE *GIDEON V. WAINWRIGHT* DECISION
AND AS
GIDEON DAY**

IN IOWA, AND URGE OFFICIALS AND CITIZENS OF THE STATE OF IOWA, INCLUDING LEGISLATORS, JUDGES, PROSECUTORS, PUBLIC DEFENDERS, AND MEMBERS OF THE PRIVATE BAR, ARE ENCOURAGED TO ENGAGE IN APPROPRIATE COMMEMORATIVE ACTIVITIES TO REMIND ALL OF THE IMPORTANCE OF EQUAL ACCESS TO JUSTICE IN OUR GREAT DEMOCRACY.



IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED. DONE AT DES MOINES THIS 18TH DAY OF MARCH IN THE YEAR OF OUR LORD TWO THOUSAND THREE.


THOMAS J. VILSACK
GOVERNOR

ATTEST:


CHESTER J. CULVER
SECRETARY OF STATE
by G. Klaassen, Deputy