

GIDEON V. WAINWRIGHT BRIEF

In 1961, Clarence Earl Gideon was charged in Panama City, Florida with breaking and entering into a pool hall and stealing money from the hall's vending machines. Gideon, who could not afford a lawyer, requested that the state of Florida assign one for him. However, Florida state law read that an attorney may only be appointed to a poor defendant in capital cases where the defendant could receive the death penalty. Gideon represented himself in trial and was found guilty and sentenced to five years in prison. Gideon sued Louie Wainwright, the Florida Department of Corrections Secretary, and petitioned the Supreme Court, arguing the court had violated his constitutional rights by denying him a defense lawyer.

On March 18, 1963, the Supreme Court reached a unanimous decision: Clarence Earl Gideon's conviction was unconstitutional because he was denied a defense lawyer for his trial. The Sixth Amendment states that anyone accused of a crime has the right to a defense attorney. Since the 1930s, the Supreme Court believed the Sixth Amendment requires the state to provide defense attorneys for all capital trials, especially in the case where the defendant cannot afford a lawyer.

The Fourteenth Amendment also supported the Supreme Court's unanimous decision. Justice Hugo Black, who wrote the unanimous decision, noted that states and the federal government are both bound to the Bill of Rights because of the Fourteenth Amendment's Due Process Clause. Due Process requires "equal protection under the law." In a system where the state has vast resources to use against defendants, it is only fair that the defendants receive someone well versed in the system of law to help them in a trial.

The decision in *Gideon v. Wainwright* helped to establish consistent protections for people charged with a crime in the United States. As Justice Black wrote: "The right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries, but it is in ours." Gideon was eventually retried, this time with an attorney, and acquitted on all charges.