



SPONSOR: Sen. Townsend & Rep. Lynn
Sens. Buckson, Gay, Hansen, Hocker, Hoffner, Huxtable,
Lockman, Pettyjohn, Pinkney, Sokola, Wilson; Reps.
Baumbach, Hilovsky, Romer

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 120

RECOGNIZING MARCH 18, 2024, AS "NATIONAL PUBLIC DEFENSE DAY".

1 WHEREAS, Clarence Earl Gideon was a Florida man charged with breaking into a pool hall during the summer of
2 1961, for which he requested the assistance of counsel at trial, which was refused; and

3 WHEREAS, representing himself at trial, Mr. Gideon was convicted and sentenced to 5 years in a Florida prison,
4 while always maintaining his innocence; and

5 WHEREAS, Mr. Gideon appealed his conviction in the Florida courts, which was denied; however, the U.S.
6 Supreme Court agreed to hear his case; and

7 WHEREAS, on March 18, 1963, the United States Supreme Court issued a landmark opinion in the case of
8 *Gideon v. Wainwright*, which held that, under the 6th Amendment, Gideon was entitled to counsel; and

9 WHEREAS, on retrial, now represented by a court-appointed lawyer, Gideon was found not guilty, and the right to
10 counsel was now applied to state prosecutions for felony offenses; and

11 WHEREAS, in 1964 the State of Delaware established the Office of the Public Defender, at the time handling a
12 total of 874 cases with only a few attorneys; and

13 WHEREAS, in 2015 this body passed Senate Bill 47, which modernized Delaware's public defense system and
14 created the Office of Defense Services, made up of an interdisciplinary team of both lawyers and non-legal professionals to
15 better assist clients both in and outside of the courtroom; and

16 WHEREAS, the Office of Defense Services provides legal representation to any adult who cannot afford an
17 attorney and faces potential jail time, as well as all juveniles in criminal and delinquency matters in Delaware; and

18 WHEREAS, the employees of the Office of Defense Services zealously fight injustice and abuses of power while
19 guarding the human and Constitutional rights of the everyday citizens of Delaware through client-centered holistic defenses
20 – focusing not just on the case, but the person; and

21 WHEREAS, the employees of the Office of Defense Services are often the unsung heroes of our justice system,
22 winning trials and appeals in courtrooms throughout the state, and handling more than 20,000 criminal matters in the last
23 year alone; and

24 WHEREAS, the employees of the Office of Defense Services advocate tirelessly for reforms to the criminal justice
25 system, in Legislative Hall, in our courts, and anywhere policies impact the lives of their clients. The Office of Defense
26 Services represent approximately 85% of justice involved individuals in the First State; and

27 WHEREAS, March 18, 2024, marks National Public Defense Day and commemorates the landmark U.S. Supreme
28 Court's landmark decision of *Gideon*, and the vital work of public defense lawyers.

29 NOW, THEREFORE:

30 BE IT RESOLVED by the Senate of the 152nd General Assembly of the State of Delaware, the House of
31 Representatives concurring therein, that the legacy and importance of the *Gideon* decision is acknowledged, the necessity
32 of providing effective counsel to all accused of a crime or an act of delinquency in Delaware is recognized, and the
33 continuing mission of the Office of Defense Services to provide legal representation to the indigent commended.

SYNOPSIS

This Resolution recognizes March 18, 2024, as "National Public Defense Day" in Delaware.

Author: Senator Townsend