

Legislation Text

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Proclaiming and designating the day of March 18, 2017 as “National Public Defense Day”, in honor of the 54th Anniversary of the U.S. Supreme Court decision in *Gideon v. Wainwright*, and in recognition of the dedication and commitment of public defenders who seek justice for our indigent populations across the country.

WHEREAS, On March 18, 1963, the United States Supreme Court issued a landmark opinion in the case of *Gideon v. Wainwright*. Clarence Gideon was convicted and incarcerated after he was refused an attorney. He was innocent, and was released years later after the Supreme Court granted him counsel; and

WHEREAS, *Gideon v. Wainwright* established the 6th Amendment right to counsel for adults, even those who could otherwise not afford to hire an attorney. This landmark decision also laid the foundation for the same protections to later be afford to juveniles, in the case of *In re Gault*; and

WHEREAS, Public defenders are often tasked with the difficult job of fighting against injustices and abuses of power, while guarding the constitutional, human, and civil rights of ordinary citizens; and

WHEREAS, Public defenders have made a significant impact in several high profile cases in major cities across the country. When the City of Baltimore faced daily protests and riots over the death of Freddie Gray, the City’s public defenders aided hundreds of individuals who were arrested and denied bail. After the death of Kalief Browder, who killed himself after spending two years in isolation in a New York prison, public defenders have been fighting to end the state’s solitary confinement practices; and

WHEREAS, Here in Philadelphia, the Defender Association represents approximately seventy percent of all persons arrested in the City. The Association, however, has no power to appoint itself as legal counsel. The Court of Common Pleas and the Municipal Court of Philadelphia determine standards of indigence and make all counsel appointments for the Association. Clients are represented by fulltime Assistant Defenders who are members of the Pennsylvania Bar and who are not permitted to maintain a private practice or to participate in partisan political activity; and

WHEREAS, Community Legal Services (CLS) was founded in 1966 by the Philadelphia Bar Association. CLS has provided free civil legal assistance to more than one million low-income Philadelphians. Approximately 10,000 clients were represented by CLS in the past year. CLS assists clients when they face the threat of losing their homes, incomes, health care, and even their families. CLS attorneys and other staff provide a full range of legal services, from individual representation to administrative advocacy to class action litigation, as well as community education and social work. CLS is nationally recognized as a model legal services program; and

WHEREAS, This year will mark the second annual celebration of National Public Defense Day. The day was first recognized in 2016, after being organized by the National Association of Public Defense (NAPD). The NAPD has over 12,500 members, and has a primary focus on public defense reform; and

WHEREAS, On National Public Defense Day, public defenders across the nation should be recognized for the advocacy they provide in jails, courts and communities across the country; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby proclaims and designates the day of March 18, 2017 as “National Public Defense Day”, in honor of the 54th Anniversary of the U.S. Supreme Court decision in *Gideon v. Wainwright*, and in recognition of the dedication and commitment of public defenders who seek justice for our indigent populations across the country.

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to the Defender Association of Philadelphia and Community Legal Services as evidence of the sincere admiration of this legislative body.