



Wisconsin State Public Defender

17 S. Fairchild St. - 5th Floor
PO Box 7923 Madison, WI 53707-7923
Office Number: 608-266-0087 / Fax Number: 608-267-0584
www.wispd.org

Kelli S. Thompson
State Public Defender

Katie York
Deputy State
Public Defender

State Public Defender Statement on the 60th Anniversary of the *Gideon* decision

In 1963, the United States Supreme Court issued a landmark decision in *Gideon v. Wainwright* which spelled out the manner in which the 6th Amendment right to counsel is fulfilled for those who can not afford it. While Wisconsin has case law that dates back to 1858 which guarantees the right to counsel, the Wisconsin State Public Defender joins other public defenders nationwide in recognizing the 60th anniversary of the *Gideon* decision. Wisconsin State Public Defender Kelli Thompson released the following statement on the anniversary:

“The promise of *Gideon*, ensuring the 6th Amendment right to counsel, is something that we strive to fulfill everyday. The individuals who represent and work on behalf of our clients are the most mission driven, knowledgeable, dedicated individuals I have had the privilege of working alongside.

But we also know that this key constitutional right is fragile and requires adequate staffing and resources. Current issues related to workload and compensation have a negative impact on our clients but also their families and the broader community. Ultimately this leads to both a short and long term impact on public safety.

The constitutional role of defense counsel is vital to the American justice system and to uphold the rule of law. All Wisconsinites have the right to counsel, regardless of whether they have the means to afford one. With unfortunate regularity, we see the work of defense attorneys publicly diminished. This ignores the important role of defense counsel as a constitutional right and protection.

On the 60th anniversary of the *Gideon* decision, I urge a renewed commitment to both the ideal and practical implementation of the right to counsel. This constitutionally enshrined principle goes back hundreds of years, and was one of the founding principles of this country. The right to counsel in America should be fully resourced and unequivocal.”

In remarks at the *Gideon@60* event in Washington, DC on Thursday, March 16, United States Attorney General Merrick Garland commented that:

“At every stage of my career – as a criminal defense attorney, prosecutor, judge, and now our [nation's] chief law enforcement officer – I have seen the truth of what Justice Black wrote in *Gideon*: “Lawyers in criminal courts are necessities, not luxuries.”

Without capable criminal defense attorneys, defendants cannot understand the scope of their rights at each stage of the criminal process.

Prosecutors cannot learn of errors in their factual assumptions or legal analyses that could point them in the direction of different resolutions.

Jurors cannot hear the full stories needed to fairly adjudicate cases.

And judges cannot hear the full legal arguments needed to guide their decisions.

Criminal defense attorneys put the government’s case to the test. In so doing, they make sure that every part of our system fairer, more equal, and more just.”