

An Unlikely Constitutional Hero from Missouri

Clarence Gideon wasn't someone you would expect to impact the constitutional rights of Americans. But he did in 1963.

Clarence Gideon was born in Hannibal. He was just 15 years old when he was convicted of stealing clothes. He spent time in Missouri and Texas prisons for various crimes, and eventually moved to Florida, where his constitutional adventure began.

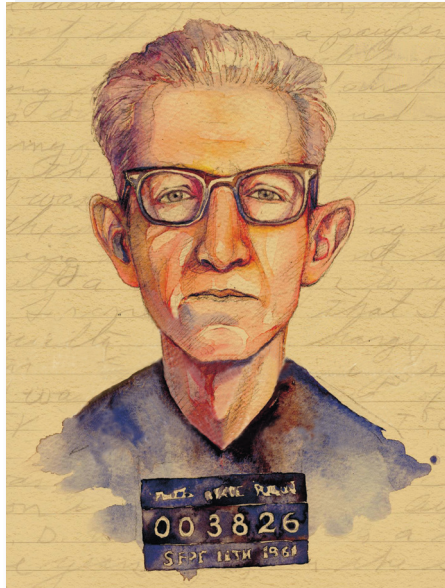
In June of 1961, someone broke into a pool hall in Panama City, Fla., and stole money. A witness told police that he had seen Gideon there that

morning. Gideon was charged with the crimes of breaking and entering.

Unable to afford a lawyer, Gideon asked that the trial court provide him one. Gideon argued that he was guaranteed a lawyer by the Sixth Amendment to the U.S. Constitution, which says that anyone accused of a crime is entitled to a lawyer.

only when the crime was a very serious felony. Gideon's crimes were not considered serious felonies.

Gideon then sent a five-page, handwritten letter to the United States Supreme Court asking the court to hear his case. He asked the court to make it a law that anyone who might go to jail after being convicted of any crime would have the right to a lawyer.



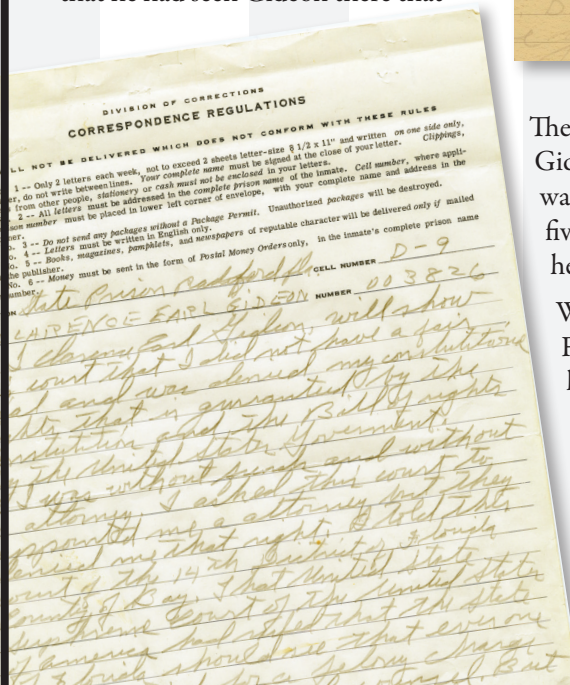
The Supreme Court justices decided to hear Gideon's case and they appointed an attorney to plead his case before them. In 1963, the Supreme Court found in Gideon's favor, and he got a new trial. The name of the case was *Gideon v. Wainwright*. This time, with a lawyer to represent him, Gideon was found not guilty.

That was more than 50 years ago, and ever since that time, any person accused of a crime that would send him or her to jail or prison is entitled to a lawyer, even if the person cannot afford one.

There is no record that Gideon ever committed another crime after he was acquitted of the Florida charges. He died in 1972 in Florida and was buried in Hannibal.

The trial judge denied the request. Gideon represented himself, and he was convicted and sentenced to five years in prison, even though he said he was not guilty.

While in prison, Gideon asked the Florida Supreme Court to give him a new trial with an attorney. The Court denied his request on the grounds that the United States Supreme Court had said that someone accused of a crime was entitled to a free attorney



Learn More

For more about the *Gideon* case and the right to an attorney, visit streetlaw.org/en/landmark/cases and constitutionproject.org.

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