

**Yolo County
Board of Supervisors**

Resolution No. 26-28

Resolution Affirming the Constitutional Right to Counsel, Supporting Sustainable State Funding for Indigent Defense, and Proclaiming March 18, 2026 as Public Defense Day

WHEREAS, on March 18, 1963, the United States Supreme Court unanimously decided *Gideon v. Wainwright*, holding that the Sixth and Fourteenth Amendments to the United States Constitution guarantee the right to appointed counsel for individuals accused of crimes who cannot afford an attorney, and that a conviction obtained without counsel violates the Constitution; and

WHEREAS, Article I, section 15 of the California Constitution independently guarantees due process and the right to counsel in criminal proceedings; and

WHEREAS, California statutory law, including Penal Code section 987 et seq., implements this mandate by requiring the appointment of counsel for indigent individuals and establishing the framework through which the State and counties fulfill this obligation; and

WHEREAS, these constitutional and statutory guarantees reflect the enduring principle that justice must not depend on wealth or access to private resources; and

WHEREAS, public defenders and other indigent defense providers are essential to fulfilling these obligations and safeguarding constitutional rights by enforcing limits on government power, ensuring fair trials, protecting against wrongful convictions, and holding the government to its burden of proof; and

WHEREAS, the constitutional right to counsel requires effective and meaningful representation, which cannot be achieved without adequate time, staffing, and resources; and

WHEREAS, national research, including the 2023 National Public Defense Workload Study, demonstrates that excessive workloads and chronic under-resourcing in many jurisdictions prevent constitutionally effective representation; and

WHEREAS, indigent defense in California is primarily funded and administered at the county level, placing substantial fiscal responsibility on counties to fulfill a state and federal constitutional mandate; and

WHEREAS, counties face increasing costs and workload pressures in providing indigent defense services while lacking consistent and sufficient state funding to ensure compliance with constitutional standards; and

WHEREAS, the State of California bears ultimate responsibility for ensuring that constitutional rights are meaningfully protected and that counties are not left to shoulder this mandate without adequate partnership and support.

NOW, THEREFORE, BE IT RESOLVED that the Yolo County Board of Supervisors hereby affirms the fundamental importance of indigent defense to due process, equal justice, and democratic governance, and recognizes public defenders and indigent defense providers as essential protectors of constitutional rights and the rule of law; and

BE IT FURTHER RESOLVED that the County calls upon the State of California to develop and adequately fund statewide approaches to indigent defense that incorporate empirical workload standards, promote sustainable staffing, improve data transparency, and ensure funding structures do not perpetuate inequities between prosecution and defense; and

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BE IT FURTHER RESOLVED that the County urges the State to provide ongoing, reliable funding to support constitutionally effective indigent defense services in Yolo County and throughout California; and

BE IT FURTHER RESOLVED that in recognition of the March 18, 1963 decision in *Gideon v. Wainwright*, which established the right to counsel as fundamental to a fair trial, the Yolo County Board of Supervisors hereby proclaims March 18, 2026, as “Public Defense Day” in Yolo County and reaffirms its commitment to equal justice regardless of income.

PASSED AND ADOPTED this 24th day of March, 2026 by the following vote:

AYES: Barajas, Villegas, Frerichs, Vixie Sandy, Allen.

Sheila A. Allen, Chair
Yolo County Board of Supervisors