

## House Resolution 342

By: Representatives Willard of the 51<sup>st</sup>, Fleming of the 121<sup>st</sup>, Caldwell of the 131<sup>st</sup>, Hanson of the 80<sup>th</sup>, Oliver of the 82<sup>nd</sup>, and others

## A RESOLUTION

1 Recognizing the 50th anniversary of the Supreme Court decision, *In Re Gault*; and for other  
2 purposes.

3 WHEREAS, in 1967 Gerald Gault, a 15 year-old boy, was taken into police custody without  
4 his parents being notified, was never advised of his constitutional rights, including his right  
5 to appointed counsel, and, ultimately, was sentenced to nearly six years in a state youth  
6 correctional agency for allegedly making a prank phone call; and

7 WHEREAS, in a landmark U.S. Supreme Court decision, *In Re Gault*, 387 U.S. 1 (1967),  
8 the Court found that the constitutional guarantee of due process applies even when children  
9 are charged as delinquents; and

10 WHEREAS, children charged with delinquency are entitled to legal representation because  
11 as the Court found, a child "requires the guiding hand of counsel at every step in the  
12 proceedings against him"; and

13 WHEREAS, children charged with delinquency are entitled to a timely notification of  
14 charges; and

15 WHEREAS, children charged with delinquency have the right against self-incrimination; and

16 WHEREAS, children charged with delinquency have the right to question witnesses; and

17 WHEREAS, this year marks the 50th anniversary of the U.S. Supreme Court's landmark  
18 decision of *In re Gault*.

19 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that  
20 the legacy and importance of this monumental decision is acknowledged, the necessity of  
21 providing due process to all children accused of a crime is recognized, and the continuing

22 mission to provide legal representation to every child charged with an act of delinquency is  
23 commended.

24 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized  
25 and directed to make an appropriate copy of this resolution available for distribution to the  
26 public and the press.