



GERALD GAULT

A READERS THEATER MONOLOGUE FROM THE UNITED STATES COURTS WEBSITE

Hey, I'm Jerry Gault. All the talk about phones these days is about texting while driving. Well, in my day the

big thing was making crank calls on these old things. Reminds you of the old Alfred Hitchcock movies, doesn't it?

Well, if I had my own blog today, this is what I'd be writing about my case that went all the way to the Supreme Court. I'd call it: *My Fight for Your Rights*. Just a year after the Supreme Court decided in Mr. Gideon's case, I got in trouble with the law in a small town in Arizona.

It was the morning of June 8, 1964, and I was 15. What really happened depends on who you believe, but what I told the judge was that my buddy Ron Lewis was over at my parents' trailer house where I lived. I'm getting ready for work when I hear my man Ronnie in the next room talking on the phone. He's using some pretty raunchy language. So I walk over, take the phone off him, hang it up, and kick him out of the trailer.

The next thing I know the county sheriff shows up and hauls **me** off to jail. I'm already on probation, so this is not good. The cops don't tell me what's up. They don't give me my rights. Nothin'!

I hear later that a lady in the trailer park says she got a crank phone call. To tell you the truth, I wouldn't recognize her if she was standing in this courtroom today. The Constitution says you're supposed to be able to confront your accuser in court. Didn't happen in my case. She didn't show up at any of my hearings, even though my parents asked her to.

But anyways, when my parents get home from work that night, they freak out when they can't find me anywheres. They call my boss, my friends, and the hospital. Finally, they track me down at the county Children's Detention Home. But they aren't allowed to come get me.

The next morning, I land in court—no attorney, no parents, nothin'. Just me and Judge Robert McGhee.

When it comes to deciding what to do with me, the Judge says he'll "think about it" and they put me back in the slammer for a few **more** days. Then, out of the blue, they let me out. They don't tell me why and I'm not pushin' it.

That day my Mom gets a note from the superintendent of the juvenile detention home telling her that the Judge has set a hearing for that coming Monday to sentence me on my "delinquency." I'm thinkin': "What the heck . . ." One day I'm on my way to work and the next thing I know they're talkin' reform school?!!" Judge McGhee says I'm a "delinquent child" and sends me to the State Industrial School. He's not letting me out until I turn **21!**

I was charged with making lewd phone calls. If an adult had been convicted of the same thing, he woulda got a maximum prison sentence of two months and a fine of \$5 to \$50. I got sent away for six years to what is, essentially, a prison for kids.

Looking back on it, the process was more obscene than the phone call:

1. I wasn't told the charges against me.
2. My parents were kept in the dark.
3. No rights, no attorney. Nothing like what they call due process—doing things the straight up way.

My parents ended up taking my case to the Arizona Supreme Court. But that Court decided that, because I was a juvenile, what the trial judge did was okay and they let it stand. So we took our case to the U.S. Supreme Court.

I finally got justice there. The Supreme Court ruled in my favor. They said the trial court did me wrong and that kids have rights, too. Justice Abe Fortas wrote the opinion. Remember, he was the attorney who won for Clarence Gideon. He wrote a great one-liner in the opinion for me. He said: "Under our Constitution, the condition of being a boy does not justify a Kangaroo court." The opinion was 8-to-one **in my favor**. Yeah!!!