

# **Just Mercy: A Story of Justice and Redemption**

by Bryan Stevenson

## **STUDY GUIDE**

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An unforgettable true story about the potential for mercy to redeem us, and a clarion call to end mass incarceration in America — from one of the most inspiring lawyers of our time.

Bryan Stevenson was a young lawyer when he founded the Equal Justice Initiative, a nonprofit law office in Montgomery, Alabama, dedicated to defending the poor, the incarcerated, and the wrongly condemned.

Just Mercy tells the story of EJI, from the early days with a small staff facing the nation's highest death sentencing and execution rates, through a successful campaign to challenge the cruel practice of sentencing children to die in prison, to revolutionary projects designed to confront Americans with our history of racial injustice.

One of EJI's first clients was Walter McMillian, a young Black man who was sentenced to die for the murder of a young white woman that he didn't commit. The case exemplifies how the death penalty in America is a direct descendant of lynching — a system that treats the rich and guilty better than the poor and innocent.

## **Prisons – 1970 thru Today**

- From the 1970s to 2014, the U.S. prison population has increased from 300,000 to 2,300,000; the highest incarceration rate in the world.
- One in every fifteen babies born in 2001 is predicted to spend time in jail. One in three black males born in this century is predicted to be incarcerated.
- The United States has sent a quarter of a million children to adult prisons and jails, some are under the age of twelve.
- The number of women in prison has increased 640 percent in the last thirty years.
- Spending on jails and prisons by state and federal governments has risen from \$6.9 billion in 1980 to nearly \$80 billion in 2014.
- Private prison builders and prison service companies have spent millions of dollars to persuade state and local governments to create new crimes, impose harsher sentences, and keep more people locked up so that they can earn more profits.
- Through his work with the poor and the incarcerated, Stevenson concludes that the opposite of poverty is not wealth; the opposite of poverty is justice.

# Just Mercy by Bryan Stevenson - Discussion Questions

## Chapter 1 - Mockingbird Players

1. How did Stevenson's background prepare him for law school?
2. In the introduction, he discusses his grandmother's background and what impact that had on his career choices. What from your own personal background has influenced your career choices?
3. What famous novel was written in Monroe County, AL, and how is it relevant to Just Mercy?
4. In what ways 'Alabama's economic policies disadvantage the state's African American population?
5. Why was Ralph Myers considered to be so trustworthy by the Monroe County police department?

## Chapter 2 - Stand

1. Does your state have Stand Your Ground laws?

Do you support them?

2. Stevenson wished he had been more assertive with the police while they were illegally searching his car. Do you think that would have been effective?

How would you recommend someone respond in a similar situation?

3. Do you think the police officers acted appropriately?

How else might they have approached the situation?

4. Likewise, did their supervisors respond fairly to Stevenson's official complaint?

5. How did the senior citizen attending Stevenson's church lecture earn his "medals of honor"?

## Chapter 3 - Trials and Tribulations

1. What is the importance of the 1986 Batson v. Kentucky ruling?
2. How does diversity in a jury affect its deliberations?
3. If you were in Chestnut or Boynton's position, would you have tried to move the trial?
4. Who were some of Walter McMillian's most important allies?
5. In your opinion, who is most to blame for Walter's conviction?
6. Walter was both poor and black. Do you think his story would have played out the same if he had been wealthy and white?

## Chapter 4 - The Old Rugged Cross

1. Describe the 1982 Supreme Court ruling related to death penalty appeals.

What impact did that have across the country?

2. When do judge overrides increase and for what reason?

3. Define the 2002 Supreme Court case of *Atkins v. Virginia*.

4. Alabama's capital statute requires that murder be intentional in order for a defendant to be eligible for the death penalty. Why is this relevant in Richardson's case?

5. Richardson was a U.S. war veteran who suffered tremendous mental trauma while serving our nation. How should that be factored into his defense?

6. What is “untimely” evidence?

Was this a fair ruling, in your opinion, in Stevenson’s appeals filing?

7. Richardson remarks on the frequent offers of help from the prison staff during his final day. What do you make of these offers?

8. At this point in Just Mercy, Stevenson’s legal defense center is seriously underfunded while also highly in demand. Not many people would have the stamina to continue facing the major challenges he is facing. What impact does Richardson’s execution have on him? How would you feel in his position?

## Chapter 5 - Of the Coming of John

1. What is the origin of this chapter's name?
2. While Stevenson is meeting Walter's family, do you think he is confident Walter will be free?

How would you handle that situation?

3. How is the relationship between Stevenson and Walter changing?

What does the author cite as an important activity for lawyers to do when defending death row prisoners? Why?

4. Why does it annoy Stevenson that *To Kill a Mockingbird* is a point of pride in Monroeville?
5. How would you characterize Stevenson's mood at the end of this chapter?

6. Based only on what you know up to this point, are you hopeful for Walter's release?



## **Chapter 6 - Surely Doomed**

1. In what ways has the judicial system failed to protect Charlie?
  
  
  
  
  
  
  
  
  
  
2. What special circumstances of the murder victim lead to greater struggles for Charlie?

Does this seem fair?

3. How does Stevenson finally convince Charlie to speak with him?
  
  
  
  
  
  
  
  
  
  
4. What is your opinion of Mr. and Mrs. Jennings?

## Chapter 7 - Justice Denied

1. Why do you think the Alabama Court of Criminal Appeals rejected the appeal at the start of this chapter?
2. Does Myers seem any more reliable now than when he was put on the stand against Walter?
3. What are your feelings about Payne v. Tennessee?
4. How does the race of the victim factor into decisions about sentencing?
5. Stevenson and his team are able to discover a significant amount of new evidence. Thinking back to Chapter 5, are you any more hopeful now for Walter's release?

## Chapter 8 - All God's Children

1. What evidence did criminologists have in 1991 to support their "super-predator" theory?

What role did race play in this theory?

What do we now know about the validity of these predictions?

2. How would you have changed the ruling in Trina, Ian, and Antonio's sentencing?

3. Describe what life was like for each of them before they were arrested.

Should that understanding about their backgrounds make a difference in their sentencing?

4. Is justice being served when children are sentenced to die in prison?

5. How does Ian channel his emotions?

6. How would you react to receiving a letter like the one Ian writes to Stevenson?

## Chapter 9 - I'm Here

1. Does it seem like the judge now believes Ralph Myers?

2. What are your impressions of Mrs. Williams?

3. Stevenson remarks on several physical actions he takes during the trial. What are they and are they effective?

4. Of all the evidence presented in this trial, which is the most likely to sway the judge's ruling? Which is the least likely?

5. Should Stevenson and O'Conner be concerned?

## Chapter 10 - Mitigation

1. Recount the story of George Daniel and list each example of how he may have been treated unfairly. Does everyone in the group agree?

2. If you were the prison warden where Avery Jenkins was held, would you allow your staff to proactively declare their political opinions?

3. Who is Dorothea Dix and why is she important to this chapter?

4. Did your state play a role in the massive deinstitutionalization rates of the 1990s?

What impact do those actions have on today's society?

5. What does Stevenson mean when he uses the phrase "mitigation" in court?

## Chapter 11 - I'll Fly Away

1. Did the judge's ruling surprise you?
2. Do you think the 60 Minutes segment hurt or helped Walter's case?
3. Václav Havel, the great leader, says people in difficult situations need what one thing? How did having this help Walter and his family?
4. Walter's unfair incarceration took a permanent toll on his family. Can you relate to Walter's wife's reaction?
5. Did Walter finally obtain justice?
6. Do you find this case to represent the best or the worst—or something else —of our justice system?

## Chapter 12 - Mother, Mother

1. Who is the most guilty of wrongdoing in Marsha's case?
2. Do you think the verdict would have been different if the accused was the father of the infant?
3. What if Marsha was wealthy?
4. In what ways are female inmates more at risk than male inmates?
5. In your opinion, why do Alabama taxpayers allow their money to fund abusive institutions such as the Julia Tutwiler Prison for Women? Does Tutwiler seem better or worse than some of the other prisons Stevenson has described?
6. Reflect on the statistics Stevenson cites for the imprisonment rates of women compared to men in the past decade. Why are these rates so different?

## Chapter 13 - Recovery

1. Why does Stevenson want to encourage news stories about Walter being released as a free man?
2. Stevenson is concerned about Walter returning to his life in his hometown. Are those concerns realistic?
3. Should wrongfully imprisoned people receive financial restitution from the state? If so, how should the amount be determined?
4. What impact does the conservative majority in Congress have on Stevenson's work?
5. Why does the Swedish documentary disturb Stevenson?



## Chapter 14 - Cruel and Unusual

1. What mistakes did the police make in Joe Sullivan's case? 2. What is the Eighth Amendment and what are its origins?

3. Stevenson focused on two subsets of children serving life sentences—which two, and why do you think he chose them?

4. What prominent person gave Stevenson's U.S. Supreme Court case public support and why is it significant?

5. Stevenson does not reveal the outcome of his Supreme Court hearing by the end of this chapter. What do you think will happen?

6. Reflect on the types of things kids do, and that you have done as a kid, that could lead to criminal charges. In your opinion, are there ever-reasonable situations where minors should be charged as adults?

## **Chapter 15 - Broken**

1. Discuss the ways in which the system failed Jimmy Dill.
2. How is Walter judged at the nursing facility?
3. What effect did the events of September 11, 2001 have on the fight to appeal the death penalty?
4. To whom does the title of this chapter refer?
5. And the book title?
6. This chapter makes reference, not for the first time, to a correctional facility breaking the law. To what is Stevenson referring?

## Chapter 16 - The Stonecatcher's Song of Sorrow

1. Explain the title of this chapter; can you think of anyone who fits the description of a stonecatcher?
2. According to Stevenson, what are the four institutions in American history that have shaped our approach to race and justice? Do you agree?
3. With regard to the EJI's reentry program, what specifically do you think this program should include? What allowances would you make for people of different ages?
4. Two separate and surprising reactions occur during Robert Caston's hearing— what are they and why are they meaningful?
5. Why are wrongful convictions and illegal trials involving young children very common?