

# JUST

MICHAEL B. JORDAN  
JAMIE FOXX  
AND BRIE LARSON

**Selected Discussion Topics**

# MERCY

EVERY GENERATION HAS ITS HERO.  
MEET OURS.

WARNER BROS. PICTURES PRESENTS

AN ASSOCIATION WITH ENDEAVOR CONTENT / ONE COMMUNITY / PARTICIPANT MEDIA / ANACRO

A GUY WETTER PRODUCTION AN OUTLER SOCIETY PRODUCTION MICHAEL B. JORDAN "JUST MERCY"

JAMIE FOXX ROB AMORGAN TIM BLAKE NELSON RAJE SPALL AND BRIE LARSON

CASTING FRANCESCA JANNISON-TALCHUCK MUSIC GABE HILFER EDITOR JOEL PINEST COSTUME DESIGNER WAT SANDERS, A.C.E.

PRODUCTION DESIGNER SHARON SEYMOUR EXECUTIVE PRODUCERS BRETT PAULAK PRODUCED BY BRIAN STEVENSON MIKE DRABE

WRITTEN BY NINA KUYKENDALL GABRIEL HAMMOND DANIEL HAMMOND SCOTT BUONICK JEFF SKOLL

CHARLES D. KING BASED UPON THE STORY BY BRIAN STEVENSON DIRECTED BY DESTIN DANIEL CRETTON & ANDREW LANHAM

PRODUCED BY GUY WETTER & ASHER GOUSTEIN MICHAEL B. JORDAN DIRECTED BY DESTIN DANIEL CRETTON





*Photo credit: Beth Perkins*

## About Bryan Stevenson

Bryan Stevenson is the founder and executive director of the Equal Justice Initiative. A widely acclaimed public interest lawyer who has dedicated his career to helping the poor, the incarcerated, and the condemned, he has won numerous awards, including the MacArthur Foundation “Genius” Prize and the ACLU’s National Medal of Liberty. Mr. Stevenson and his staff have won reversals, relief, or release from prison for over 140 wrongly condemned prisoners on death row, and have won relief for hundreds of others wrongly convicted or unfairly sentenced. He has argued and won multiple cases at the United States Supreme Court, including a landmark 2012 ruling that banned mandatory life-imprisonment-without-parole sentences for all children in the United States who are 17 or younger and a 2019 ruling that provides new protections for prisoners suffering from dementia and neurological disease.

He is the author of the critically acclaimed New York Times bestseller, *Just Mercy*, which was named by Time Magazine as one of the 10 Best Books of Nonfiction for 2014 and has been awarded several honors, including the American Library Association’s Carnegie Medal for best nonfiction book of 2015, the 2015 Dayton Literary Peace Prize and a 2015 NAACP Image Award.



Photo credit: Equal Justice Initiative/Human Pictures

## About The Equal Justice Initiative

The Equal Justice Initiative (EJI) is a private 501(c)(3) non-profit human rights organization located in Montgomery, Alabama. EJI is committed to ending mass incarceration and excessive punishment in the United States, challenging racial and economic injustice, and protecting basic human rights for the most vulnerable people in American society. Since its founding in 1989, EJI has won relief or release for 140 people sentenced to death. In addition to providing legal services to people incarcerated on Alabama's death row, EJI challenges excessive punishments including those imposed on children, seeks to reform unconstitutional prison conditions, and provides reentry services to people leaving prison and rejoining society.

EJI also seeks to confront our nation's history of racial injustice through community engagement and public education efforts. In April 2018, EJI opened two cultural spaces, the [Legacy Museum: From Enslavement to Mass Incarceration](#), a narrative museum that explores the experiences of African American people from the era of slavery to the present day, and the [National Memorial for Peace and Justice](#), the nation's first memorial dedicated to victims of racial terror lynching. EJI believes we cannot understand our contemporary issues, including mass incarceration, without understanding the legacies of our nation's history of racial and economic injustice. Through this work, EJI is committed to an era of truth and justice, reconciliation, repair, and restoration. We hope you will join us.

## Getting Started

This discussion guide was created by the Equal Justice Initiative to help viewers understand and learn more about the criminal justice system and the issues of fairness and racial discrimination raised in JUST MERCY. The guide helps to contextualize the real people whose stories are featured in the film in order to prompt meaningful discussions about the issues that we still face as a nation today.

Following a viewing of JUST MERCY, audiences may experience a wide range of emotional responses. Before delving into the more substantive questions in the pages that follow, we recommend bringing a few open-ended questions to the group. You may encourage participants to turn to talk to someone sitting next to them about their initial reactions and responses to these questions. Some suggestions are below:

- What did you learn about the criminal justice system that surprised you?
- What did you learn about the lives of incarcerated people by watching JUST MERCY?
- What moments or conversations struck you as particularly important to understanding the criminal justice system?



# The Case of Walter McMillian

## Racial Bias



*Photo credit: Victor Calhoun / Equal Justice Initiative*

When Walter McMillian first meets Bryan Stevenson, he says that black people in the South experience a world where you are “guilty from the moment you are born.” What does he mean by this? In what ways do you see a presumption of guilt assigned to people of color manifesting in your community today?

In the film, Bryan is followed and pulled over by police late one night. After an interaction with the officer in which Bryan tries to de-escalate the situation by assuring him “I’m not a threat,” the officer responds, “we’re letting you go - you should be happy.” Discuss this interaction and what the officer’s words reveal about the

attitudes toward people of color. How does this sentiment shed light on what later unfolds in Mr. McMillian’s case?

At the end of the film, we learn that Mr. McMillian was tried by a nearly all-white jury. In what ways did denying Mr. McMillian’s constitutional right to a jury made up of his peers threaten the reliability of his conviction? What are some reasons it is important to have juries that include people of color? Why might we want juries to accurately reflect the demographics of the community as a whole?

**Though the US Constitution requires that defendants have a right to be tried by his or her peers, very often prospective jurors of color are discriminated against and not permitted to sit on the jury, resulting in all-white or nearly-all white juries.**

Until 2017, Alabama judges had the power to reject a jury verdict of life and impose a death sentence in a capital case. Approximately 20% of those currently on Alabama's death row had an elected judge "override" their jury's verdict. Studies have shown that rates of override are higher in election years. Discuss the practice of judicial override. What does the practice of judicial override by elected judges reveal to you about the politics of fear and anger?

Since 1973, [166 people](#) including Walter McMillian have been released from death row after evidence of their innocence was uncovered.<sup>1</sup> For every 9 people executed in the United States, one person has been exonerated. What does this error rate say to you about the reliability of the modern death penalty in America?

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<sup>1</sup><https://deathpenaltyinfo.org/policy-issues/innocence>



# The Toll of Mass Incarceration

Voices of Incarcerated People and their Families



Photo credit: Spencer Weiner/Los Angeles Times via Getty Images

**The increase in the jail and prison population from less than 200,000 in 1972 to 2.2 million today has led to unprecedented prison overcrowding. The United States has 5 percent of the world's population but nearly 25 percent of its prisoners.**

How would you describe the relationship between Anthony Ray Hinton, Walter McMillian, and Herbert Richardson while on Alabama's death row? Were there particular moments, conversations, or observations about their relationship that surprised you? In what ways do the three men support each other during incarceration?

When Bryan Stevenson visits Walter McMillian's family, they explain the toll Mr. McMillian's incarceration has taken on his community: "we feel like they put us all on death row, too." What does this statement mean? What did you notice about these scenes and the impact these visits had on Mr. McMillian's family? What did you observe about the ways Mr. McMillian's incarceration affected his family and community?



Photo credit: Bernard Troncale

Anthony Ray Hinton spent 30 years on Alabama's death row before being exonerated in 2015. The state's case against Mr. Hinton rested entirely on the false claim that a gun recovered from his mother's house could be matched to shell casings from the crime scene -- a fact that was later disproved. He spent more years on death row than any exoneree in Alabama's history, and is one of the longest serving death row exonerees in the country. In 2014, the Supreme Court ruled, in *Hinton v. Alabama*, that Anthony Ray Hinton's trial lawyer provided "deficient" representation at his trial. This unanimous ruling from the Court set the stage for Mr. Hinton's exoneration and release. Thousands of people who are incarcerated or facing execution were denied effective legal representation at trial.

Mr. Hinton, who works now as a passionate advocate against the death penalty has said that one of the most painful aspects of his ordeal is that the State of Alabama has never offered an apology for the 30 years of his life that he spent on death row and for the extraordinary injustice he suffered. Despite the state's failure to hold itself accountable for Mr. Hinton's wrongful conviction, Mr. Hinton has publicly forgiven everyone who was involved. He has written, "I chose to forgive...I forgive because not to forgive would only hurt me." Why do you think an apology is important to Mr. Hinton?





*Photo credit: Bernard Troncale*

Herbert Richardson, pictured on Alabama's Death Row.

Ralph Myers explains that while he was detained on death row prior to his trial, he witnessed the execution of a fellow death row inmate, Wayne Ritter. Describe the way Ralph Myers discusses this experience, and what his story tells you about the traumatic impact executions might have on those on death row, even after they are exonerated.

On the night of his execution, Mr. Richardson remarks to Bryan that "it's been a strange day. More people have asked me how they can help me today than they ever asked me in my life." What do you make of these acts of compassion in the hours leading up to the execution of Mr. Richardson? In what ways could compassion have been extended to other aspects of Mr. Richardson's life prior to his execution date?

# Bryan Stevenson and the Equal Justice Initiative

Just Mercy



*Photo credit: Warner Bros.*

**“We are all more than the worst thing we’ve ever done.”**  
**-Bryan Stevenson**

Bryan Stevenson and the Equal Justice Initiative believe that “we are all more than the worst thing we’ve ever done.” What does this quote mean to you after watching JUST MERCY? What would it mean to live in a world where the criminal justice system reflects this statement?

In what ways did the film expand your understanding of mercy? How might you extend mercy, especially to those who are most vulnerable in society, in your own life and everyday interactions?



# Get Involved

**Visit EJI** at the Legacy Museum: From Enslavement to Mass Incarceration and the National Memorial for Peace and Justice located in Montgomery, Alabama. EJI's Legacy Museum uses interactive media, sculpture, videography, and exhibits to provide a one-of-a-kind opportunity to investigate America's history of racial injustice and its legacy. The nearby memorial dedicated to more than 4400 victims of racial terror lynchings is a sacred space for truth-telling and reflection about racial terror in America and its legacy.

[Visitor information and tickets are available here.](#)

**Watch TRUE JUSTICE.** TRUE JUSTICE focuses on Bryan Stevenson's life and career – particularly his indictment of the U.S. criminal justice system for its role in codifying modern systemic racism – and tracks the intertwined histories of slavery, lynching, segregation and mass incarceration. This feature documentary is a co-production of HBO and Kunhardt Films; produced and directed by Peter Kunhardt, George Kunhardt and Teddy Kunhardt. You can access the documentary [here](#), and a companion [discussion guide](#) and [lesson plans](#). These resources include suggestions for event planning, discussion questions for audience and student engagement, and supplemental content including primary sources and interviews to inform individuals and organizations about the mission and work of EJI.

**Engage in critical discussions through a social justice book club.** Kick off the discussion with Bryan Stevenson's [Just Mercy: A Story of Justice and Redemption](#) or Anthony Ray Hinton's [The Sun Does Shine: How I Found Life and Freedom on Death Row](#). See EJI's [recommended Reading on Racial Justice](#) for more ways to engage in discussions about the important issues of the history of racial injustice and mass incarceration.

**Support the work of EJI.** With your support, [your contribution](#) is critical to our efforts to challenge poverty and racial injustice, advocate for equal treatment in the criminal justice system, and create hope for marginalized communities.

**Confront the history of racial injustice.** EJI's [reports](#), which feature resources on a variety of historical eras and experiences, including the domestic slave trade, [the era of racial terrorism](#), defined by more than 4,400 documented cases of racial terror lynching of African Americans and the particular [targeting of African American veterans](#), and the [era of segregation](#) that revealed the massive resistance of many white Americans against civil liberties and rights for African Americans. The narratives of racial difference that persisted during these eras created lasting legacies of ongoing inequities and disparities that we still face today. EJI has also published detailed reports about [children sentenced to die in prison](#) in the U.S. and [racial bias in jury selection](#) in contemporary criminal cases.

**Explore our history of racial justice calendar.** Learn about the history of racial inequality with EJI's award-winning [2020 history of racial injustice calendar](#) which can be used as a tool for learning more about people and events in American history that are critically important for confronting the nation's history. Calendars can also be purchased at the EJI online shop [here](#).

**Visit EJI online.** Visit the JUST MERCY [website](#) for more information about the film, the book, and how to [get involved](#) in the work of the Equal Justice Initiative. EJI's [website](#) serves as a repository of resources dedicated to our racial justice and criminal justice reform work, and features up-to-date news articles and a searchable video archive.

**Follow EJI on social media** including [Facebook](#), [Twitter](#) and [Instagram](#) to be part of our community and to receive regular updates about important issues surrounding mass incarceration, racial justice, and excessive punishment.

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**This discussion guide was created by the Equal Justice Initiative. We would especially like to thank Sia Sanneh and Katie Wu for writing and research. Special thanks to Participant for their contributions to design.**