Just Mercy, continued
George Stinney

• Young boy in Georgia executed in 1944
• After attention to the case rose, he became, I believe, the only person in US history to be exonerated through judicial action after having been executed:
• George was 14 years old. (See pp. 157 ff.)
Juvenile LWOP

  – Mandatory LWOP for juveniles not allowed
    • Kagan for the majority: cruel and unusual
    • Chief Justice Roberts for the dissenters: can’t be unusual since the majority of states allow it.

• Montgomery v. Louisiana, Jan 25, 2016
  – The ruling above is retroactive

• 2,300 cases may be affected.

• Why do we have 2,300 children serving LWOP?
Why do we fear children?

• Super-predators
• See homicide data from last week
• Interesting project: trace the use of this term
  – Maybe a good term paper for my class NEXT semester on Framing Public Policies...
• No longer taken seriously, but a wave of fear of “out of control” and “socially pathological” and “hopeless” sociopathic 14-16 year olds...
The Shark Tank

- Kids are stupid (teenagers, I mean)
- They take risks
- They don’t think of consequences, outcomes
- They follow the lead of other people
- They act quickly, following impulses, not reason

- Studies by Abigail Baird
- Frontal lobe takes longer to develop
- Mis-match between intellectual capacity (by age 16) and psycho-social development (mid-20s)
- See pdf of slides from MacArthur Fdn on web site.
Victims, Offenders, or Both?

- TV: victims are blameless, offenders make the wrong choices out of many options
- Real world: offenders were abused, victims often were not boy scouts
- Statistics on homicides from last week show that the same demographic categories lead in both victims and offenders
- Geography: crime happens within neighborhoods
- But we don’t portray it that way in the media nor do we typically understand it that way unless you study it.
- This allows offenders to be dehumanized.
Walter McMillan

• DPIC # 50:

• Anthony Hinton, # 152

• Levon Jones, # 127 (*Last Lawyer* case)

• Harold Wilson #120 (Philadelphia, triple knife slayings, discussed before)
Wrongful Convictions not that rare

• Bryan Stevenson: Why was it so easy to convict him with no evidence, but so hard to get him out?

• Some surprising but not uncommon features:
  – Motivated testimony by inmates or others facing legal trouble
  – Interrogations including lies, etc. (plus illegal things; interrogators are ALLOWED to lie to you.)
  – Suppression of evidence

• Note: Walter McMillan would be in jail if he had been sentenced to LWOP; the trial was re-done because the judge over-ruled the jury to impose death
National Registry of Exonerations

- www.exonerationregistry.org/
- 1,733 exonerations as of yesterday, since 1989
- Leading Contributing Factors:
  - False Accusation, Perjury
  - Official Misconduct
  - Mistaken Witness ID
  - Misleading Forensics
  - False Confession