

Guilty Until Proven Innocent: Anthony Ray Hinton and the Crisis of Racialized Justice in America

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My interest in wrongful convictions emerged after reading *Just Mercy* by Bryan Stevenson. The book introduced me to the case of Anthony Ray Hinton, a Black man wrongfully convicted and sentenced to death despite overwhelming evidence of his innocence. Learning about this left me deeply disturbed, unable to comprehend how the justice system could contemplate executing an innocent person. The emotions it stirred led me to dive deeper into wrongful convictions and understand why our justice system, intended to secure rights, sometimes fails and harms marginalized individuals. I immediately connected this year's theme of "Rights and Responsibilities" to wrongful convictions, where individuals' constitutional rights are compromised, and the justice system bears the responsibility to uphold them.

I began my research by meeting with my school's librarian, who guided me to books on capital punishment, wrongful convictions, and Supreme Court cases. By reading court transcripts and opinions, I conducted extensive research on Supreme Court cases which all demonstrated the difficulty faced by wrongfully convicted individuals in appealing their convictions. To strengthen my historical argument, I researched the roots of systemic racism in the American legal system, from slavery to the Black Codes, Jim Crow laws and the rise of mass incarceration. By reading Michelle Alexander's *The New Jim Crow*, I understood that African Americans have historically been relegated to second-class citizenship through various means—slavery, segregation, and now the criminal justice system. The historical continuum of racial control mechanisms shows how racial bias is already deeply rooted in society and the criminal justice system.

I then studied the evolving interpretation of the 14th Amendment's Equal Protection Clause, from *Plessy v. Ferguson*, to *Brown v. Board of Education*, and *McCleskey v. Kemp*. While the 14th Amendment has been effective in combating explicit forms of racial discrimination, it struggles to address more subtle, systemic biases. I also interviewed Tad Roach, an educator affiliated with the Equal Justice Initiative, whose insights into EJI's mission and Bryan Stevenson's legal advocacy deepened my understanding of Hinton's case and the broader historical narrative. His perspective made me realize the importance of education and storytelling in confronting systemic injustice.

My thesis argues that wrongful convictions are not isolated incidents but are symptomatic of enduring systemic failures within the U.S. criminal justice system. These failures are rooted in a history of racial discrimination and are perpetuated by inadequate legal representation and judicial reluctance to rectify past errors. Anthony Ray Hinton's case is thus historically significant as it encapsulates the intersection of race, legal injustice, and the ongoing struggle for civil rights. His wrongful conviction and eventual exoneration show the critical need for systemic reform and the vigilant protection of constitutional rights for all individuals, regardless of race or socioeconomic status. Through this project, I aim to shed light on the responsibilities inherent within our legal system and society to confront and dismantle the structures that enable such injustices to persist.

Introduction

In 1985, a series of violent crimes shook Alabama. A restaurant manager was fatally shot during a robbery, while another was murdered. A third manager, Sidney Smotherman, survived a shooting with superficial wounds.¹ Smotherman subsequently identified Anthony Ray Hinton from a photographic lineup, leading to Hinton's arrest. Although Hinton passed a polygraph test and had a solid alibi,² he was charged with the murders.³

Hinton's wrongful arrest illuminates the entrenched racial bias and systemic prejudices in the criminal justice system. Upon his arrest, an officer told him, "I don't care if you did or didn't, I'm going to make sure you're found guilty of it."⁴ The officer explicitly referenced race as the determining factor: "First, you're black and a white man is going to say you shot him; whether or not you did, I don't care. There will be a white prosecutor, a white judge, and a white jury, and you know what that spells."⁵ Such overt prejudice violates the Fourteenth Amendment's guarantee of equal protection and aligns with broader patterns of racial injustice in the legal system.⁶

According to the National Registry of Exonerations, innocent Black citizens are seven-and-a-half times more likely to be wrongfully convicted of murder than innocent white

¹ *Hinton v. Alabama*, 571 U.S. 263 (2014), Justia, <https://supreme.justia.com/cases/federal/us/571/263/#tab-opinion-1970809>.

² *Hinton v. Alabama*, 571 U.S. 263 (2014), Justia,

³ *Hinton v. Alabama*, 571 U.S. 263 (2014), Justia,

⁴ "Wrongfully Convicted Man Spent 30 Years on Death Row," Ocean County Sentinel, <https://ocnjsentinel.com/wrongfully-convicted-man-spent-30-years-on-death-row/>.

⁵ "Wrongfully Convicted Man Spent 30 Years on Death Row."

⁶ U.S. Const. amend. XIV.

individuals.⁷ Studies further demonstrate severe racial disparities in sentencing, as defendants whose victims were white had a 97 percent higher likelihood of receiving the death penalty than those whose victims were Black.⁸ Anthony Ray Hinton’s wrongful conviction exemplifies how systemic racial bias, rooted in the history of slavery, Jim Crow laws, and mass incarceration, infringes on Black citizens’ civil rights. While the Fourteenth Amendment, which guarantees the equal protection of the law, has been used to dismantle past race-based injustice in American law, its modern interpretation, however, often falls short in addressing implicit racial biases within the criminal justice system.

Racial Bias and Law in American History

Racism is rooted in America’s past. From 1526 to 1867, some 12.5 million captured African men, women, and children were sold into slavery in the Americas.⁹ Not only were Africans deemed “property” and could be bought and sold accordingly, they also were denied human rights and suffered inhumane treatment.¹⁰

The 1805 abolitionist broadside *Injured Humanity* detailed the grueling labor enslaved people performed under constant threat of violence: “The ordinary punishments of the slaves are inflicted by the whip... the incisions...are sometimes so deep that you can lay your finger into the wounds.”¹¹ These harrowing accounts reveal the systemic brutality and dehumanization that

⁷ “Report: Black People 7.5 Times More Likely to Be Wrongfully Convicted of Murder Than Whites; Risk Even Greater If Victim Was White,” Death Penalty Information Center, <https://deathpenaltyinfo.org/report-black-people-7-5-times-more-likely-to-be-wrongfully-convicted-of-murder-than-whites-risk-even-greater-if-victim-was-white>.

⁸ “Race and the Death Penalty,” National Association of Criminal Defense Lawyers, <https://www.nacdl.org/Content/Race-and-the-Death-Penalty>.

⁹ Steven Mintz, “Historical Context: Facts about the Slave Trade and Slavery,” The Gilder Lehrman Institute of American History, 2019, <https://www.gilderlehrman.org/history-resources/teacher-resources/historical-context-facts-about-slave-trade-and-slavery>.

¹⁰ Finkelman, “Slavery in the United States Persons or Property?”

¹¹ Mintz, “Historical Context: Facts about the Slave Trade and Slavery.”

characterized slavery, and the established racial hierarchy that deemed Black people inferior and laid the foundation for racial injustices that would persist for centuries.

Following the Civil War, the Thirteenth Amendment officially abolished slavery.¹² However, it provided a legal loophole that states used to create a prison convict leasing system to fill the South's postwar labor shortage.¹³ Black Codes criminalized vague behaviors like vagrancy and loitering, allowing authorities to arrest, fine, and "bind out for a term of labor if unable to pay the fine," initiating the beginning of mass incarceration of Black men, who were then leased to private enterprises for labor.¹⁴ This system effectively—and legally—perpetuated slavery under another name, reinforcing racial hierarchies and exploitation in the post-emancipation era.

Following the end of Reconstruction in 1877, Southern legislatures implemented Jim Crow laws, under which Black Americans were relegated to the status of second-class citizens through the enforcement of racial segregation and suppression of their civil rights.¹⁵ Jim Crow statutes enforced a strict color line in virtually all aspects of life and denied Black people equal status by mandating racial segregation in public facilities, education and transportation.¹⁶

Unsurprisingly, Black facilities were generally inferior, older, and less-well-kept.¹⁷ Jim Crow states also passed statutes regulating social interactions between races. For example, in 1930, Alabama declared: "It shall be unlawful for a negro and white person to play together or in

¹² U.S. Const. amend. XIII.

¹³ Ellen Terrell, "The Convict Leasing System: Slavery in Its Worst Aspects," *blogs.loc.gov*, June 17, 2021, https://blogs.loc.gov/inside_adams/2021/06/convict-leasing-system/.

¹⁴ Jim Crow Museum, "Black Code - Other Jim Crow Information - Jim Crow Museum," *jimcrowmuseum.ferris.edu*, 2024, <https://jimcrowmuseum.ferris.edu/links/misclink/blackcode.htm>.

¹⁵ David Pilgrim, "What Was Jim Crow," Jim Crow Museum (Ferris State University, September 2000), <https://jimcrowmuseum.ferris.edu/what.htm>.

¹⁶ Jackson Sun, "Examples of Jim Crow Laws - Oct. 1960 - Civil Rights - Other Jim Crow Information - Jim Crow Museum," *jimcrowmuseum.ferris.edu* (Jim Crow Museum, 2001), <https://jimcrowmuseum.ferris.edu/links/misclink/examples.htm>.

¹⁷ Jim Crow Museum, "Black Code - Other Jim Crow Information - Jim Crow Museum."

company with each other in any game of cards or dice, dominoes or checkers.”¹⁸ Many states even outlawed interracial marriage; a 1911 Nebraska law, voided any marriage if one party is a white person and the other had “one-eighth or more negro blood.”¹⁹

Violence enforced racial subordination. The criminal justice system, dominated by white officials, offered little protection; white people could assault Black people with impunity, and lynchings became “a way of using fear and terror to check ‘dangerous’ tendencies in a black community considered to be ineffectively regimented or supervised.”²⁰ Between 1882 and 1968, over 4,700 lynchings were recorded in the United States, with approximately 3,440 Black victims.²¹ One 1918 news report in *The Monitor* captured the horror: “The brutality of the mob is inconceivable. It is shocking, horrible, inhuman beyond expression.”²² Such brutality was not only widespread but often baseless: approximately one-third of the lynching victims were falsely accused of crimes.²³ This historical pattern of wrongful convictions reveals the systemic injustices faced by Black individuals, a legacy that continues to influence the modern legal system.

Following the Civil Rights Movement's passage of landmark legislation like the Civil Rights Act and the Voting Rights Act, a widespread belief circulated that racial equality had been achieved. However, historian Michelle Alexander contends that this progress was undermined by the emergence of new systems for racial control. She argues that mass incarceration, particularly fueled by the 1980s' War on Drugs, has functioned as a “well-

¹⁸ National Museum of American History, “Jim Crow Laws - Separate Is Not Equal,” Si.edu (Smithsonian National Museum of American History, 2019), <https://americanhistory.si.edu/brown/history/1-segregated/jim-crow.html>.

¹⁹ National Museum of American History, “Jim Crow Laws - Separate Is Not Equal.”

²⁰ Pilgrim, “What Was Jim Crow.”

²¹ Pilgrim, “What Was Jim Crow.”

²² “The Brutality of the Mob,” *The Monitor* (Omaha, NE), August 9, 1918, *Chronicling America: Historic American Newspapers*, Library of Congress, <https://chroniclingamerica.loc.gov/lccn/sn93062828/1918-08-09/ed-1/seq-4/>.

²³ Pilgrim, “What Was Jim Crow.”

disguised system of racialized social control that functions in a manner strikingly similar to Jim Crow.”²⁴

The War on Drugs led to a dramatic increase in the U.S. prison population. Despite similar rates of drug use across racial groups, Black and Latino men were disproportionately targeted and incarcerated for drug offenses.²⁵ Today, more Black men are incarcerated than were enslaved in 1850.²⁶ Severe sentencing laws have left many with criminal records, subjecting them to legalized discrimination in employment, housing, and depriving them of their right to vote.²⁷ As Alexander asserts, “We have not ended racial caste in America; we have merely redesigned it.”²⁸

Right to Equal Protection of the Laws

The Fourteenth Amendment, ratified in 1868,²⁹ aimed to prevent states from enacting laws that discriminated against any person, ensuring equal treatment under the law.³⁰ However, for nearly a century, the Supreme Court's interpretation of this clause was limited. In *Plessy v. Ferguson*, the Court upheld the constitutionality of racial segregation under the “separate but equal” doctrine, asserting that segregation did not imply the inferiority of Black Americans.³¹

²⁴ Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2012).

²⁵ Sarah Childress, “Michelle Alexander: ‘a System of Racial and Social Control,’” FRONTLINE (Frontline PBS, April 29, 2014), <https://www.pbs.org/wgbh/frontline/article/michelle-alexander-a-system-of-racial-and-social-control/>.

²⁶ “Legal Scholar: Jim Crow Still Exists in America,” NPR.org, n.d., <https://www.npr.org/transcripts/145175694>.

²⁷ Alexander, *The New Jim Crow*

²⁸ Alexander, *The New Jim Crow*, 32

²⁹ United States Senate, “U.S. Senate: Landmark Legislation: The Fourteenth Amendment,” www.senate.gov, 2024, <https://www.senate.gov/about/origins-foundations/senate-and-constitution/14th-amendment.htm>.

³⁰ Brian Fitzpatrick and Theodore Shaw, “Interpretation: The Equal Protection Clause | Constitution Center,” National Constitution Center – constitutioncenter.org, 2025, <https://constitutioncenter.org/the-constitution/amendments/amendment-xiv/clauses/702#the-equal-protection-clause>.

³¹ *Plessy v. Ferguson*, 163 US 537 (1896)

This decision provided legal justification for the proliferation of Jim Crow laws, entrenching racial segregation across the South.

It was not until *Brown v. Board of Education* that the Supreme Court unanimously declared that “separate educational facilities are inherently unequal,” overturning *Plessy* in the context of public education.³² The Court concluded that segregation in public schools violated the Equal Protection Clause, stating that segregation’s “impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group.”³³

Despite this progress, the Fourteenth Amendment's ability to address systemic bias remains constrained. While it can challenge overtly discriminatory laws, it is less effective against implicit biases and structural inequalities embedded within institutions. For instance, in *McCleskey v. Kemp*, the Court acknowledged racial disparities in how the death penalty was applied but held that these patterns did not violate the Constitution without specific evidence of deliberate discrimination.³⁴ This illustrates the challenge of addressing systemic issues within the current framework of the Fourteenth Amendment.

Systemic Injustice in Hinton’s Case

The legacy of systemic racial injustice is not a relic of the past; it directly affected Anthony Ray Hinton’s case. Criminal defendants in the United States are constitutionally guaranteed a wide range of due process rights through the Bill of Rights and the Fourteenth Amendment. These include the right to a fair trial, effective legal counsel, protection against

³² *Brown v. Board of Education*, 347 U.S. 483 (1954).

³³ *Brown v. Board of Education*.

³⁴ *McCleskey v. Kemp*, 481 US 279 (1987)

self-incrimination, trial by jury, the right to remain silent, protection from double jeopardy, the right to appeal, and the presumption of innocence.³⁵ While these rights are extensive, they are only meaningful if upheld. The legal system bears the responsibility to protect them, yet in cases like Hinton's, that responsibility was repeatedly neglected.

Eyewitness misidentification is a leading cause of wrongful convictions, contributing to errors in more than 70 percent of such cases, yet it remains one of the most persuasive forms of evidence presented to jurors.³⁶ Evidentiary failures, like unreliable witnesses, compounded by unjust legal procedures, disproportionately harm defendants like Hinton, who are non-white, poor, or uneducated about their rights, increasing the likelihood of false confessions.³⁷ Similarly, prosecutors use plea bargains to pressure defendants into admitting guilt, even when innocent, by threatening harsher penalties if they proceed to trial.³⁸ While plea bargains may appear beneficial in the short term, they significantly complicate the exoneration process, as guilty pleas are legally treated as admissions of guilt.³⁹

Beyond procedural injustices, inadequate representation for indigent defendants further exacerbates systemic bias in the legal system. Hinton was unable to afford private legal counsel.⁴⁰ Consequently, he was appointed an attorney whose first words were shockingly

³⁵ U.S. Const. amends. V, VI, and XIV.

³⁶ "Eyewitness Misidentification," Kentucky Department of Public Advocacy, <https://dpa.ky.gov/kentucky-department-of-public-advocacy/about-dpa/kip/causes/misid/#:~:text=An%20eyewitness'%20false%20identification%20of,a%20significant%20role%20in%20over.>

³⁷ "False Confessions," Innocence Project, <https://innocenceproject.org/false-confessions/>.

³⁸ "Coerced Pleas," Innocence Project, <https://innocenceproject.org/coerced-pleas/#:~:text=Oftentimes%2C%20prosecutors%20use%20the%20threat,a%20plea%20despite%20their%20innocence.>

³⁹ "Coerced Pleas," Innocence Project.

⁴⁰ Anthony Ray Hinton, *The Sun Does Shine: How I Found Life and Freedom on Death Row* (New York: St. Martin's Press, 2018).

dismissive: “I did not go to law school to do pro bono work.”⁴¹ The attorney’s indifferent attitude set the stage for a deeply flawed defense.

In *Gideon v. Wainwright*, the Supreme Court held that the Sixth Amendment guarantees a right to court-appointed counsel to defendants in serious criminal proceedings.⁴² Yet, even with this constitutional assurance, states frequently prioritize cost-minimization over effective legal defense, underfunding the public defender system.⁴³ The U.S. Department of Justice found that approximately 73 percent of county public defender offices exceed the maximum recommended caseload limits.⁴⁴ Overburdened attorneys, unable to meet recommended caseload limits, often fail to provide effective counsel, violating clients’ Sixth Amendment rights.

This systemic inadequacy of quality legal aid is particularly harmful to defendants from marginalized communities, who largely rely on the public defense system. As Tad Roach from the Equal Justice Initiative (EJI) noted, “Whether a defendant will be sentenced to death typically depends on the quality of his legal team more than any other factor.”⁴⁵ Poor defendants like Hinton are less likely to receive adequate legal counsel and, as a result, have a higher chance of wrongful conviction than those with greater financial resources.⁴⁶ The American Bar Association concurred: “The disturbing conclusion is that thousands of persons are processed

⁴¹ “Wrongfully Convicted Man Spent 30 Years on Death Row,” Ocean County Sentinel, <https://ocnjsentinel.com/wrongfully-convicted-man-spent-30-years-on-death-row/>.

⁴² “National Symposium on Indigent Defense: Looking Back, Looking Forward, 2000-2010,” National Institute of Justice, 2018, <https://www.ojp.gov/pdffiles1/nij/252338.pdf>.

⁴³ Stephen B. Bright and Alec C. Sanneh, “Defiance of Gideon,” American Constitution Society, 2011. <https://www.acslaw.org/wp-content/uploads/old-uploads/originals/documents/Bright%20and%20Sanneh%20-%20Defiance%20of%20Gideon.pdf>.

⁴⁴ “County-based and Local Public Defender Offices, 2007,” Bureau of Justice Statistics, 2008. <https://bjs.ojp.gov/content/pub/pdf/clpdo07.pdf>.

⁴⁵ Tad Roach, interview by Yulisa Ma, May 6, 2025.

⁴⁶ Melinda Burgin, “Socioeconomic Factors in Wrongful Convictions” *Res Publica - Journal of Undergraduate Research*: Vol. 27 <https://digitalcommons.iwu.edu/respublica/vol27/iss1/13/#:~:text=Bias%20on%20the%20part%20of,higher%20risk%20of%20wrongful%20conviction.>

through America's courts every year either with no lawyer at all or with a lawyer who does not have the time, resources, or, in some cases, the inclination to provide effective representation."⁴⁷ American legal system fails in its responsibility to provide equal treatment of the laws and equal access to justice for economically disadvantaged defendants, perpetuating a cycle of neglect that silences their voices and disregards their rights.

Hinton's case starkly illustrates these systemic failures. The entire case against him hinged on crucial firearm and toolmark evidence, making it essential for his attorney to secure a competent expert witness. However, his court-appointed attorney failed to do so. This critical error sealed Hinton's fate: he was convicted and sentenced to death.

After his conviction, Hinton embarked on a decades-long struggle to prove his innocence, confronting more barriers rooted within the legal system. Central to his appeal was the argument that he received constitutionally inadequate representation, a claim notoriously difficult to prove. Under the precedent set in *Strickland v. Washington*, defendants must not only demonstrate their attorney's performance was deficient but also this deficiency resulted in actual "prejudice", that is, a reasonable probability that the trial outcome would have been different if not for the lawyer's errors.⁴⁸

Hinton's legal team, led by EJI's Bryan Stevenson, presented compelling new evidence of Hinton's attorney's prejudicial incompetence. Three leading firearms experts concluded that the bullets from the crime scenes could not have been fired from the revolver seized from Hinton's home.⁴⁹ One testified that the Hinton weapon was unable to fire these bullets "because

⁴⁷ Maurice Deane et al., "Defense Lawyering and Wrongful Convictions Recommended Citation," *Defense Lawyering and Wrongful Convictions*, 2014, https://scholarlycommons.law.hofstra.edu/cgi/viewcontent.cgi?article=1930&context=faculty_scholarship.

⁴⁸ *Strickland v. Washington*, 466 U.S. 668 (1984).

⁴⁹ "Fact Sheet: Anthony Ray Hinton," Equal Justice Initiative, <https://eji.org/files/fact-sheet-anthony-ray-hinton.pdf>.

[of] the mechanical ability of this weapon to produce a bullet of that nature.”⁵⁰ Yet, even in the face of this irrefutable expert testimony, Alabama officials resisted reopening Hinton’s case. They acted out of racial bias, political self-interest, or fear that acknowledging wrongful convictions would alarm the public’s concern about crime.

In 2014, 63 percent of Americans believed crime was rising, despite decades of falling crime rates.⁵¹ This perception fueled pressure on courts to prioritize finality and appearing “tough on crime,” which persists today.⁵² Hinton’s case sits at the intersection of these tensions, revealing how justice can be delayed not only by bias but by a political culture shaped by fear, contradiction, and institutional self-preservation.

In addition, legislation has made it difficult for wrongfully-convicted individuals to challenge their convictions. Restrictions on habeas corpus petitions, notably under the 1996 Antiterrorism and Effective Death Penalty Act, limit the opportunity for prisoners to present new evidence and file successive petitions after their initial appeals failed.⁵³ *Jones v. Hendrix* solidified these barriers, with Justice Clarence Thomas stating unequivocally, “Congress has chosen finality over error correction.”⁵⁴

In *Teague v. Lane*, the Supreme Court held that new constitutional protections generally do not apply retroactively to cases already finalized.⁵⁵ Teague, who was convicted by an all-white jury after prosecutors deliberately excluded Black jurors, was denied relief because his

⁵⁰ “Fact Sheet: Anthony Ray Hinton,” Equal Justice Initiative.

⁵¹ Lydia Saad, “Americans Again Say Crime Problem Is Serious,” *Gallup*, November 15, 2023, <https://news.gallup.com/poll/544442/americans-crime-problem-serious.aspx>.

⁵² “Prospective Study of the Effects of the Death Penalty,” https://lucasrentschler.com/wp-content/uploads/2020/09/Pros1_331.pdf; and Megan Brenan, “Americans Remain Critical of the Criminal Justice System,” *Gallup*, November 13, 2023, <https://news.gallup.com/poll/544439/americans-critical-criminal-justice-system.aspx>.

⁵³ *Antiterrorism and Effective Death Penalty Act of 1996*. 104th Cong., 2nd sess., Senate Bill 735, 1996. Congress.gov, <https://www.congress.gov/bill/104th-congress/senate-bill/735/text>.

⁵⁴ *Jones v. Hendrix*, 599 U.S. ____ (2023).

⁵⁵ *Teague v. Lane*, 489 U.S. 288 (1989).

conviction became final before the Supreme Court recognized such racial discrimination in jury selection as unconstitutional.⁵⁶ Teague’s case highlights the judicial system’s resistance to revisiting past injustices.

Despite this unrelenting systemic bias, Hinton’s persistence ultimately overcame the system’s resistance. After fifteen years of tireless work and appeals, the U.S. Supreme Court unanimously overturned his conviction, ruling that “Hinton’s trial attorney rendered constitutionally deficient performance,” violating his Sixth Amendment right to effective counsel.⁵⁷ On April 3, 2015, after nearly thirty years of wrongful imprisonment, Hinton walked free, becoming the 152nd person exonerated from death row in America since 1973.⁵⁸

Conclusion

Anthony Ray Hinton’s story is a devastating indictment of a justice system that prioritizes finality over fairness, conviction rates over truth, and racial prejudice over constitutional protections. Hinton captured this harsh truth when he remarked that he was convicted because he was “Black and poor,” a reflection of the grim, historical intersection between race, poverty, and injustice in America.⁵⁹

Yet his case also points to the potential for change. If the Fourteenth Amendment’s guarantee of equal protection could once dismantle race-based segregation, then it can—and must—be used to confront the subtler, systemic biases that still persist. Hinton’s exoneration offers hope. Since 2019, incarceration rates dropped by thirteen percent,⁶⁰ twenty-three states

⁵⁶ *Teague v. Lane*. Supreme Court of the United States.

⁵⁷ *Hinton v. Alabama*, 571 U.S. 263 (2014).

⁵⁸ “Anthony Ray Hinton,” Equal Justice Initiative, <https://eji.org/cases/anthony-ray-hinton/>.

⁵⁹ Anthony Ray Hinton, *The Sun Does Shine: How I Found Life and Freedom on Death Row* (New York: St. Martin's Press, 2018).

⁶⁰ Jacob Kang-Brown, “People in Jail and Prison in 2024,” *Vera Institute of Justice*, March 2024, <https://www.vera.org/publications/people-in-jail-and-prison-in-2024>.

abolished the death penalty, and prosecutors in some jurisdictions adopted reform-oriented policies to reduce disparities.⁶¹

Still, resistance remains: Alabama refused to compensate Hinton, claiming his exoneration was due to “ineffective counsel, not innocence.”⁶² As Tad Roach explained, “The courts have become less interested in addressing the suffering of poor communities.”⁶³ The state has both legal and moral duties to redress its mistakes and miscarriages of justice. That responsibility extends beyond the courtroom—public education, legal reform, and civic awareness are essential to ensure the justice system fulfills its promise: not merely to punish the guilty, but to protect the innocent.

⁶¹ Death Penalty Information Center, “State by State,” <https://deathpenaltyinfo.org/state-and-federal-info/state-by-state>.

⁶² Associated Press, “Ala. Officials: Freed Death Row Inmate Not Due Compensation,” *Corrections1*, 2015, <https://www.corrections1.com/capital-punishment/articles/ala-officials-freed-death-row-inmate-not-due-compensation-4Rta1Jzy9kWP9o3Y/>.

⁶³ Tad Roach, interview by Yulisa Ma, May 6, 2025.

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This act reshaped federal habeas corpus law by limiting prisoner's ability to challenge their convictions. I used this source to understand how legislative changes following the Oklahoma City bombing impacted appeals for the wrongfully convicted during my background research.

Brown v. Board of Education, 347 U.S. 483 (1954).

The official archive from the National Archives provided the Brown decision text. I used it to understand the new interpretation of the Fourteenth Amendment after *Plessy v. Ferguson* and how it was applied to dismantle segregation. The source helped me connect the historical fight for equal protection to the ongoing challenges of systemic racial bias discussed in my paper.

Douglass, Frederick. "Frederick Douglass on Jim Crow." *The Gilder Lehrman Institute of American History*, 1887. <https://www.gilderlehrman.org/history-resources/spotlight-primary-source/frederick-douglass-jim-crow-1887>.

In the letter, Frederick Douglass warned that segregation laws were creating a new form of racial oppression, even without the explicit institution of slavery. I used it to show that systemic racial injustice evolved to survive after emancipation. It helped me trace how society continued to deny true freedom and equality to Black Americans.

Equal Justice Initiative. "Fact Sheet on Anthony Ray Hinton." 2014, <https://eji.org/files/fact-sheet-anthony-ray-hinton.pdf>.

This fact sheet provided a detailed summary of Anthony Ray Hinton's wrongful conviction and the legal barriers he faced in securing his release. It helped me understand broader issues within the criminal justice system, particularly how systemic failures and legal obstacles prevented Hinton's exoneration for decades. I used evidence from this source to support my essay's analysis of Hinton's trial and appeal process.

Ex Parte Anthony Ray Hinton. Court of Criminal Appeals of Alabama, 2014. Casetext, <https://casetext.com/case/hinton-v-state-ex-parte-hinton-3>.

This ruling detailed the Alabama appellate court's stance on Hinton's case before the Supreme Court intervened. It allowed me to examine how lower courts initially resisted overturning wrongful convictions and understand the obstacles faced by Hinton in his process of appealing after conviction.

Hinton, Anthony Ray. *The Sun Does Shine: How I Found Life and Freedom on Death Row*. St. Martin's Press, 2018.

The memoir written by Anthony Ray Hinton firsthandly accounts his wrongful conviction, existing racial bias, and the psychological toll of spending nearly 30 years on death row. It helped me understand the emotional impact of being falsely imprisoned and sentenced to death, and his resilience in fighting for justice. I used this source to add personal perspective to my research, showing the human cost of legal failures beyond statistics and court rulings.

Hinton v. Alabama, 571 U.S. 263 (2014).

The Supreme Court's decision in this case established an important precedent on ineffective assistance of counsel. The ruling contains key facts about Hinton's case, including details of his inadequate legal representation, which provided useful evidence for my essay. I also used this source to analyze the Court's reasoning for granting Hinton a new trial.

Hinton v. State, 172 So. 3d 324 (Ala. Crim. App. 2014).

This ruling of Alabama Court of Criminal Appeals provided insight into Alabama's reconsideration of Hinton's case after the Supreme Court's ruling. It helped me understand the final procedural steps leading to his exoneration.

Jones v. Hendrix, 599 U.S. ____ (2023).

This Supreme Court case reinforced restrictions on federal prisoners seeking post-conviction relief, specifically, preventing prisoners who had already challenged their convictions from filing a second challenge under habeas corpus, even if new legal interpretation later proved them innocent. It helped me understand how the Court prioritizes finality over correcting wrongful convictions.

Library of Congress. "Jim Crow and Segregation." Library of Congress, 2024.

<https://www.loc.gov/classroom-materials/jim-crow-segregation/>.

This collection provided original photographs, laws, and signage from the Jim Crow era. I used it to directly observe how segregation was visually and legally enforced in daily life.

Library of Congress Bill – Senate Bill 2772. 117th U.S. Congress, 2021. Congress.gov,

<https://www.congress.gov/bill/117th-congress/senate-bill/2772>.

This bill proposed reforms to federal post-conviction relief laws, specifically aiming to expand the availability of habeas corpus petitions for prisoners claiming innocence. It helped me understand how lawmakers have attempted to address the limitations imposed by the Antiterrorism and Effective Death Penalty Act (AEDPA), which severely restricts second or successive appeals. By examining this bill, which was not passed, I was able to understand ongoing legislative efforts to correct wrongful convictions and the legal obstacles preventing meaningful reform.

McCleskey v. Kemp, 481 U.S. 279 (1987).

This Supreme Court case addressed racial disparities in the application of the death penalty but refused to overturn a conviction based solely on statistical evidence. I used it to show the Court's limited interpretation of the Fourteenth Amendment when facing systemic racial bias. It helped me demonstrate how legal barriers make it difficult to correct injustices even when patterns of discrimination are clear.

National Museum of American History. "Jim Crow Laws - Separate Is Not Equal." Si.edu.

Smithsonian National Museum of American History, 2019.

<https://americanhistory.si.edu/brown/history/1-segregated/jim-crow.html>.

This Smithsonian webpage contains Jim Crow Laws, restrictive signs, and many other direct evidence of segregation during the era. I used it to understand how legal segregation operated across public life in America. I used these primary examples to analyze how official laws and everyday practices worked together to enforce racial hierarchy, laying the groundwork for systemic injustice.

Plessy v. Ferguson, 163 US 537 (1896)

This Supreme Court case upheld the constitutionality of racial segregation under the "separate but equal" doctrine. I used it to understand the history of interpretations of the Fourteenth Amendment and how legal structures were used to justify racial discrimination. It helped me connect the historical entrenchment of inequality to later struggles under the Fourteenth Amendment.

Roach, Tad. Interview by Yulisa Ma. May 6, 2025.

I interviewed Tad Roach from Equal Justice Initiative, and it provided me with firsthand insight into EJI's approach to wrongful convictions, the legacy of racial injustice in the criminal legal system, and the power of public education. Roach shared the moral and

constitutional responsibilities of the courts and government, highlighting how fear and politics undermine justice. His reflections helped me understand the systemic roots of mass incarceration and the importance of proximity and storytelling for lasting reform.

Stevenson, Bryan. *Just Mercy: A Story of Justice and Redemption*. Spiegel & Grau, 2014.

This memoir, written by a defense attorney who has represented death row inmates, including Anthony Ray Hinton, provides firsthand insight into systemic flaws within the criminal justice system. It highlights not only the legal and procedural barriers to overturning wrongful convictions but also the societal challenges Stevenson faced, including racism and public hostility toward his work. I used this book to understand the real-life struggles of those fighting against wrongful convictions.

Strickland v. Washington, 466 U.S. 668 (1984).

This Supreme Court ruling established the legal standard for evaluating ineffective assistance of counsel claims. It helped me understand the high burden defendants face in proving that their lawyer's poor performance affected their conviction, making it difficult to overturn wrongful convictions based on inadequate legal representation. This case provided essential legal context for me to understand *Hinton v. Alabama*, as it set the precedent that ultimately led to the Supreme Court ruling in Hinton's favor.

Teague v. Lane, 489 U.S. 288 (1989).

This case ruled that new constitutional decisions do not apply retroactively to cases that have already been finalized. Meaning, prisoners, even if convicted under now-unconstitutional procedures, cannot benefit from later legal changes. I used this ruling to analyze how the rigidity of the justice system.

The Monitor (Omaha, NE). "The Brutality of the Mob." *The Monitor*, July 25, 1918.

<https://chroniclingamerica.loc.gov/lccn/00225879/1918-08-17/ed-1/seq-1/>

This 1918 editorial from a Black newspaper condemns the violence and inhumanity of lynch mobs in the Jim Crow South. I used a quote from this article to illustrate the brutality of lynching practices at the time. The source deepened my understanding of the emotional and social impact of mob violence on African American communities.

U.S. Const. amend. XIII.

The Thirteenth Amendment abolished slavery and involuntary servitude, except as punishment for crime. I used it to explain how slavery legally ended yet opened loopholes like convict leasing. It helped me show how systemic racial injustice persisted even after emancipation.

U.S. Const. amend. XIV.

The Fourteenth Amendment guarantees equal protection under the law for all citizens. I used it to explain the constitutional foundation for challenging racial injustice. It helped me analyze how its interpretation evolved and sometimes failed to address systemic discrimination, as seen in Hinton's case.

Secondary Sources

Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: New Press, 2012.

This book argued that mass incarceration functions as a redesigned system of racial control in the United States. I used it to connect historical patterns of racial injustice, like slavery and Jim Crow laws, to modern legal discrimination. It helped me frame Anthony Ray Hinton's wrongful conviction as part of a broader systemic issue rather than an isolated event.

Blume, John H., and William Pratt. "Understanding *Teague v. Lane*." *Scholarship@Cornell Law*:

A Digital Repository, 2025, scholarship.law.cornell.edu/facpub/270/.

This article provided an in-depth explanation of how *Teague v. Lane* restricted the retroactive application of new legal rules. I used this source during background research to understand the judicial obstacles preventing wrongfully convicted individuals from fighting for their justice.

Bright, Stephen, et al. *Fifty Years of Defiance and Resistance After*.

www.acslaw.org/wp-content/uploads/old-uploads/originals/documents/Bright%20and%20OSanneh%20-%20Defiance%20of%20Gideon.pdf.

This report examined the failures of public defense funding following *Gideon v. Wainwright*. It helped me understand how inadequate legal representation contributes to wrongful convictions, which reinforces the connection between poverty and access to justice. I used this source to contextualize how systemic flaws in public defense impact cases like Anthony Ray Hinton's.

Brooklyn Museum. 2016. "In Conversation: Bryan Stevenson and Anthony Ray Hinton."

YouTube. March 24, 2016. <https://www.youtube.com/watch?v=BGKJ7DnDlwQ>.

This conversation between Anthony Ray Hinton and Bryan Stevenson provided insight into Hinton's wrongful conviction and their decades-long fight for justice. I learned about the complicated appeal process as well as Hinton's experience on death row for thirty years. I used this source to strengthen the narrative perspective of my essay and give voice to Hinton's experience.

Burgin, Melinda. "Socioeconomic Factors in Wrongful Convictions." *Res Publica -Journal of Undergraduate Research* *Res Publica -Journal of Undergraduate Research*, vol. 27, no. 1, 2022, digitalcommons.iwu.edu/cgi/viewcontent.cgi?article=1327&context=respublica.

This article explored how poverty and race increase the likelihood of wrongful convictions. It helped me understand how biases in prosecution and access to quality legal defense disproportionately harm marginalized communities. I used this source to support my discussion on socioeconomic disparities in the justice system.

Childress, Sarah. "Michelle Alexander: 'A System of Racial and Social Control.'" PBS, April 29, 2014.

<https://www.pbs.org/wgbh/frontline/article/michelle-alexander-a-system-of-racial-and-social-control/>.

This interview highlighted Michelle Alexander's argument that mass incarceration functions as a modern racial caste system. I used it to better understand the connection between historical racial discrimination and current systemic biases. It helped me strengthen the historical continuity in my argument about injustice.

"Court Blocks Pathway for Federal Prisoners to Raise Legal Innocence Claims - SCOTUSblog." *SCOTUSblog*, 23 June 2023,

www.scotusblog.com/2023/06/court-blocks-pathway-for-federal-prisoners-to-raise-legal-innocence-claims/.

This article analyzed the impact of *Jones v. Hendrix* on post-conviction relief. I learned about how the ruling further restricted federal prisoners from using habeas corpus to prove their legal innocence. This is another background resource I used to understand *Jones v. Hendrix*.

Deane, Maurice, et al. "Defense Lawyering and Wrongful Convictions Recommended Citation." *Defense Lawyering and Wrongful Convictions*, 2014,

scholarlycommons.law.hofstra.edu/cgi/viewcontent.cgi?article=1930&context=faculty_scholarship.

This study explored the role of ineffective defense lawyering in wrongful convictions. It helped me understand how inadequate public defenders and limited resources increase the risk of wrongful imprisonment. I used this source to strengthen my argument of how legal representation quality affects case outcomes.

Death Penalty Information Center. “Innocence | Death Penalty Information Center.” *Death Penalty Information Center*, 12 Oct. 2017, deathpenaltyinfo.org/policy-issues/policy/innocence.

This source provided statistics and case studies on wrongful convictions in capital punishment cases. It helped me see how often the justice system convicts innocent people, sometimes even sentencing them to death. I used this data to demonstrate the existing problem within the justice system.

Death Penalty Information Center. “State by State.” *Death Penalty Information Center*, 2025. <https://deathpenaltyinfo.org/state-and-federal-info/state-by-state>.

This interactive map tracks the status of capital punishment across the United States. It supports the claim that 23 states have currently abolished the death penalty, reflecting systemic change over time.

Equal Justice Initiative. “Anthony Ray Hinton.” *Equal Justice Initiative*, 2015, eji.org/cases/anthony-ray-hinton/.

This source detailed Anthony Ray Hinton’s wrongful conviction and the legal battle for his release. It helped me understand the procedural obstacles he faced and how his case highlighted broader issues in the criminal justice system. I used this information to provide a factual foundation for discussing his case in my essay.

Finkelman, Paul. “Slavery in the United States: Persons or Property?” *Duke University School of*

Law, July 9, 2012.

https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=5386&context=faculty_scholarship.

This article explained how U.S. law historically treated enslaved individuals as property rather than persons. I used it to show the legal foundations of racial hierarchy established during slavery. It helped me connect early American law to the persistence of systemic injustice.

Fitzpatrick, Brian, and Theodore Shaw. "Interpretation: The Equal Protection Clause." National Constitution Center, 2025.

<https://constitutioncenter.org/the-constitution/amendments/amendment-xiv/clauses/702#the-equal-protection-clause>.

This resource explained the historical development and modern interpretation of the Equal Protection Clause. I used it to analyze how the Fourteenth Amendment has been applied and limited in addressing racial bias.

Gallup. "Americans More Critical of U.S. Criminal Justice System." Gallup.com, November 16, 2023. <https://news.gallup.com/poll/544439/americans-critical-criminal-justice-system.aspx>.

This article reveals public dissatisfaction with the U.S. justice system, with an increasing majority believing that punishments are not enough. It explains the courts' reluctance to admit wrongful convictions and the need to appear "tough on crime" in order to appease the public sentiment.

Henderson, Harry. *Capital Punishment*. Facts On File, 2006.

This book provided an overview of the history, legal arguments, and ethical debates surrounding the death penalty. It helped me understand both the legal justifications for capital punishment and the surrounding ethical concerns, with the wrongful conviction

being one of the most impactful arguments. This is one of the first sources I used to start researching wrongful conviction and capital punishment.

“Innocence by the Numbers | Death Penalty Information Center.” *Death Penalty Information Center*, 3 May 2019,
deathpenaltyinfo.org/policy-issues/policy/innocence/innocence-by-the-numbers.

This source provided statistical data on wrongful convictions, focusing on exonerations in death penalty cases. It helped me understand the frequency of wrongful convictions and the systemic risks of executing innocent individuals. I used this data to support my argument that capital punishment is irreversible and thus carries an inherent risk of making fatal mistakes.

Jim Crow Museum. “Black Code - Other Jim Crow Information.” Jim Crow Museum, 2024.
<https://jimcrowmuseum.ferris.edu/links/misclink/blackcode.htm>.

This webpage explained the purpose and enforcement of Black Codes after the Civil War. I used it to understand how laws criminalized Black life even after slavery ended. It helped me show how systemic injustice adapted through legal frameworks.

Kanu, Hassan. “US Supreme Court Shows Indifference to Wrongful Convictions.” *Reuters*, 28 June 2023,
www.reuters.com/legal/government/column-us-supreme-court-shows-indifference-wrongful-convictions-2023-06-28/.

This article critiqued the Supreme Court’s reluctance to grant relief in wrongful conviction cases. I used this source to understand the broader implications of recent Supreme Court decisions.

Mintz, Steven. “Historical Context: Facts about the Slave Trade and Slavery.” The Gilder Lehrman Institute of American History, 2019.

<https://www.gilderlehrman.org/history-resources/teacher-resources/historical-context-facts-about-slave-trade-and-slavery>.

This article provided an overview of the transatlantic slave trade and the brutal conditions enslaved people endured. I used it to give historical background on the foundations of systemic racial oppression.

“NACDL - Race and the Death Penalty.” *NACDL - National Association of Criminal Defense Lawyers*, NACDL, 7 Dec. 2022, www.nacdl.org/Content/Race-and-the-Death-Penalty.

This source showed data indicating racial prejudice in sentencing, such as Black defendants are disproportionately sentenced to death. It helped me understand how race influences judicial outcomes and the likelihood of wrongful execution. I used this data to support my argument about systemic racial bias in the justice system.

National Symposium on Indigent Defense: Looking Back, Looking Forward, 2000-2010. 2000, www.ojp.gov/pdffiles1/nij/252338.pdf.

This report examined the state of public defense and its shortcomings in providing adequate legal representation to indigent defendants. It helped me understand how underfunded and overburdened public defenders contribute to wrongful convictions. I used this source to evaluate the structural deficiencies in indigent defense systems.

NPR. “Legal Scholar: Jim Crow Still Exists in America.” NPR, accessed 2024. <https://www.npr.org/transcripts/145175694>.

This interview explored the idea that racial caste systems persist in modern forms. I used it to connect historical systems of oppression to ongoing structural inequality today. It helped me reinforce that racial injustice remains embedded in American society.

Otterbourg, Ken, et al. *Race and Wrongful Convictions in the United States 2022*. National

Registry of Exonerations, Sept. 2022,

www.law.umich.edu/special/exoneration/Documents/Race%20Report%20Preview.pdf.

This report examined racial disparities in wrongful convictions. It helped me understand how race influences the likelihood of wrongful prosecution and sentencing. I used this source to highlight racial biases in the criminal justice system.

Pilgrim, David. "What Was Jim Crow." Jim Crow Museum, Ferris State University, September 2000. <https://jimcrowmuseum.ferris.edu/what.htm>.

This article explained the origins, purpose, and legacy of Jim Crow laws. I used it to understand the history of the Jim Crow era, including laws of segregation, Jim Crow etiquette, violence such as lynching employed as a form of racial control tactic.

Ralston, Jason, et al. "Prosecutor Plea Bargaining and Conviction Rate Structure: Evidence from an Experiment." *Public Choice*, vol. 196, no. 3-4, Springer Science+Business Media, June 2023, pp. 299–329, <https://doi.org/10.1007/s11127-023-01081-w>.

This study examined how prosecutorial discretion in plea bargaining affects conviction rates. It helped me understand how plea deals pressure defendants, sometimes leading to wrongful convictions, even for the innocent. I used this source to analyze how coercive plea bargaining can undermine justice.

Sorby, Mariah, and Andre Kehn. "Juror Perceptions of the Stereotypical Violent Crime Defendant." *Psychiatry, Psychology and Law*, vol. 28, no. 5, Nov. 2020, pp. 1–20, <https://doi.org/10.1080/13218719.2020.1821827>.

This study explored how jurors' implicit biases influence their perceptions of criminal defendants. It helped me understand how racial and social stereotypes contribute to wrongful convictions by affecting jury decision-making. I used this research to support my discussion on implicit bias in the criminal justice system.

Terrell, Ellen. “The Convict Leasing System: Slavery in Its Worst Aspects.” Library of Congress,

June 17, 2021. https://blogs.loc.gov/inside_adams/2021/06/convict-leasing-system/.

This article explained how the South used convict leasing to reestablish racial labor control after slavery’s abolition. I used it to trace how racial exploitation continued under a different legal system. It helped me show how the Thirteenth Amendment’s loophole was exploited to maintain systemic oppression.

The National Registry of Exonerations. “Exoneration by Year.” *Umich.edu*, 2019, www.law.umich.edu/special/exoneration/Pages/Exoneration-by-Year.aspx.

This database provided data on the number of exonerations over time. It helped me quantify how frequently wrongful convictions occur and the trends in exoneration rates. I used this source to provide statistical evidence supporting my argument.

United States Senate. “U.S. Senate: Landmark Legislation: The Fourteenth Amendment.” United States Senate, 2024.

<https://www.senate.gov/about/origins-foundations/senate-and-constitution/14th-amendment.htm>.

This official page explained the historical context and significance of the Fourteenth Amendment. I used it to understand the original goals of ensuring equal protection. It helped me frame how the amendment has been interpreted in efforts to fight systemic injustice.

“US SUPREME COURT - Hinton v. Alabama: Effective Counsel and Forensic Expertise - National Association for Public Defense.” *National Association for Public Defense*, 25 Oct. 2023,

publicdefenders.us/blogs/us-supreme-court-minus-hinton-v-alabama-effective-counsel-and-forensic-expertise/.

This article examined the forensic issues and legal arguments in *Hinton v. Alabama*. It helped me understand how flawed expert testimony and inadequate defense contributed to Hinton's wrongful conviction. I used this source to highlight the role of flawed forensic science in wrongful convictions.