

**“Finding Hope Where Hope is Hard to Find”**  
**All Souls Bethlehem Church**  
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**Rev. Tom Martinez**

*And He has said to me, "My grace is sufficient for you, for power is perfected in weakness." Most gladly, therefore, I will rather boast about my weaknesses, so that the power of Christ may dwell in me.*

II Corinthians 12:9

**“Finding Hope Where Hope is Hard to Find”**

My step-son Aidan came home the other night while I was reading the new book by Bryan Stevenson, *Just Mercy*, and I couldn't help but say, "Hey Dude listen to this." Though Aidan is in many respects your typical eighteen year old, he has a precocious awareness of racial issues. So I read to him about Bryan's experience visiting Avery Jenkins, a prisoner facing life in prison for a crime he had committed during an acute psychotic episode after a lifetime of severe abuse. The most glaring incident involved him being tied to a tree and left to die in the woods. Hunters found him three days later. Prison protocol required that the prisoner had to await the meeting in a small holding cell barely much bigger than a phone booth. Only this prisoner was in a wheel chair and when it was time for the interview the guards couldn't get him out. The wheel chair had somehow gotten wedged into the confined space and, try as they might, they could not get him out. As they struggled to free him Bryan noticed Mr. Jenkin's shoulders were shaking. He was crying. Eventually they turned the cage on its side and were able to extricate him from his predicament.

When I finished reading the story my step-son said, "Wow man, that's fascinating, but way too heavy for a Friday night." I figured I'd begin with

that anecdote by way of warning you all that this is pretty heavy material. But given the killing of unarmed black men (and the boy and Cleveland) and the recent execution killing of two NYPD officers, I figure we'd be shirking the issues if we didn't dive in deep.

Part of what hits you so hard about Bryan Stevenson's book (*Just Mercy*), are the heartbreaking anecdotes concerning the lives of people crushed by the system. For example when Mr. Jenkins was finally freed from the cage, he kept asking Bryan for a chocolate shake. At first it just strikes you as odd that this man's perseverating on a seemingly random and totally unrealistic wish for a shake, but then you come to see that this is indicative of the extremely limited mental functioning of this grown man who has been spiritually mutilated by the criminal justice system. When he finally sees a friendly face, that of Bryan Stevenson, all he can think to ask for is a chocolate shake.

But the book also illuminates the glaring, systemic racism of the criminal justice system. This is of course salient to the raging race debate in the wake of the killings of Michael Brown and Eric Garner, as well as the execution style killings of the two NYPD officers Liu and Ramos. In this regard it's important to note that Stevenson's book came out before these killings and is certainly not intended as an attack on police. Rather it seeks to call attention to the glaring racial bias of our criminal justice system by highlighting several emblematic cases.

As a prelude to the system he was up against Stevenson recounts an experience in which he was profiled one night after parking his car across the street from his apartment. Exhausted from a long day's work he allowed himself a few rare moments of relaxation, enjoying a song playing softly on his car's stereo. He had noticed a squad car pull up nearby, but assumed they were simply carrying out a routine patrol. But when he stepped out of his car the police came towards him with weapons drawn, ordering him against the car. Try as he might to explain he was returning home after work, etc., the two cops had clearly made up their minds that a black man out at night was guilty until proven innocent.

Adding insult to injury, Stevenson, who hadn't lived in the area long, describes what happened next:

"My neighbors grew bolder as the encounter dragged on. Even though it was late, people were coming out of their homes to watch. I could hear them talking about all the burglaries in the

neighborhood. There was a particularly vocal older white woman who loudly demanded that I be question about items she was missing.

‘Ask him about my radio and my vacuum cleaner!’

Another lady asked about her cat who had been absent for three days...” (p. 41).

I know I’m just getting into the story so you don’t have a great sense of who this Bryan Stevenson character is yet, but suffice it to say this is like when Gandhi was thrown off the train in South Africa for refusing to ride third class when he had a first class ticket.

Another telling anecdote that heralds the almost unimaginable racism of the system Stevenson was wading into concerns a truck belonging to a guard at one of the prisons. Stevenson noticed the truck in the prison parking lot and describes it as “a shrine to the Old South: ... completely covered with disturbing bumper stickers.” One reads, “IF I’D KNOWN IT WAS GOING TO BE LIKE THIS I’D HAVE PICKED BY OWN DAMN COTTON.” Once inside the prison Bryan was confronted by a guard who boasted the truck was his and demanded on strip-searching him, a procedure attorneys are exempted from.

The whole experience reminded Bryan of an earlier court proceeding in which he had been arguing against the racially imbalanced make-up of an all-white jury. After hearing Bryan’s argument the judge said, “I’m going to grant your motion, Mr. Stevenson, but I’ll be honest. I’m pretty fed up with people always talking about minority rights. African Americans, Mexican Americans, Asian Americans, Native Americans... When is someone going to come to my courtroom and protect the rights of Confederate Americans?” (p. 193). Given that this comment came from a judge presiding over a courtroom, it’s no wonder Stevenson’s investigations into Alabama’s racially corrupt system garnered a stream of death threats.

In fact, when Bryan first began to look into the case of Watler McMillian, another outrageous miscarriage of justice, he received a phone call warning him not to proceed. Only the caller wasn’t some anonymous madman. No, the caller was the judge who presided over the original trial. But Bryan isn’t the kind of guy to shy away from a challenge. He continued with his investigation and what he found turned out to be almost beyond belief.

Walter McMillian was sentenced to death for the murder of Rhonda Morrison, an 18 year-old woman well loved by her small, southern community. So well loved in fact that the newly elected sheriff was under

tremendous pressure to solve the murder. But instead of investigating the actual evidence and chasing down real leads, he and the prosecutor pressured a jailbird snitch (a man named Myers) to pin the murder on Walter McMillian.

According to Myers' initial testimony, he was gassing up his car when Walter approached him and, brandishing a gun, told him (Myers) to drive Walter's truck to the dry cleaners where Rhonda worked. According to Myers the men went into the dry cleaners to rob it, whereupon Walter shot Rhonda, then drove Myers back to the gas station. (Myers would later admit he had made up the entire story after having been threatened with death himself.)

Looking into the case further, Bryan learned that the State's case rested entirely on Myers' testimony. No physical evidence whatsoever tied Walter to the murder. In fact, at the time of the murder Walter's large and extended family was holding a fish fry on Walter's front yard, while he and a friend worked on his truck.

Walter wasn't perfect. He was something of a lady's man and had had an affair with a married white woman. In the Old South that would get a black man lynched. In the new South that gets you sentenced to death by a badly broken and thinly veiled judicial system that arbitrarily decides who lives and who dies. It's no wonder the original judge on the case tried to dissuade Bryan from looking into the matter.

Because the entire African American community was aware of Walter's innocence, when the case finally returned to court so that Myers could recant his initial false testimony, a throng of supportive friends and family members packed the courthouse to overflowing. Overwhelmed by this powerful show of support, on the second day of hearings the crowd was barred from entering. After all the whites they could find were allowed in, Walters friends and supporters were told they could go in, only now everyone had to go through a metal detector and pass by a mean looking police dog.

Bryan describes how one elegant woman named Mrs. Williams proudly entered, only to nearly collapse at the sight of the dog. She later explained she had seen people attacked during the height of the Civil Rights movement and was terrified of dogs to this day. The next day however, Mrs. Williams returned with newfound determination. She not only strode confidently into the courtroom, she was the last one standing after everyone had taken their seats. In fact there was an awkward moment during which the judge waited for her to sit in order for the haring to proceed. Bryan

writes that he sensed something odd in the courtroom so he turned around and saw Mrs. Williams still standing. Describing his reaction to her dramatic show of strength, he writes,

“I smiled..., because I knew she was saying to the room, ‘I may be old, I may be poor, I may be black, but I’m here. I’m here because I’ve got this vision of justice that compels me to be a witness. I’m here because I’m supposed to be here. I’m here because you can’t keep me away.’

“I smiled at Mrs. Williams while she sat proudly. For the first time since I started working on the case, everything we were struggling to achieve finally seemed to make sense. It took me a minute to realize that the judge was calling my name, impatiently asking me to begin” (p. 181).

One of the more telling details of the story is that, after Bryan presented all the exonerating evidence and arguments, the argument had been so persuasively powerful the State declined to even offer a rebuttal. Walter’s conviction had been so clearly unjust and racially biased, so flimsily based on the lies of one scared convict, that there was simply no more to be said. Only his release remained. And that was a joyous occasion.

Joyful as the outcome of Walter’s story is, there is a certain residual sadness hanging over the whole affair. Walter himself demonstrated a remarkable calm throughout his ordeal, but you can’t put a man on Death Row for six years and expect everything to return to normal after you return him to the world.

Then there is the realization that comes through reading the book that Walter’s case is the tip of an iceberg of injustice. Bryan himself at one point nearly breaks under the pressure. Yet in his moment of greatest weakness, he finds a new reservoir of strength. He writes how “Paul Farmer,

the renowned physician who has spent his life trying to cure the world’s sickest and poorest people, once quoted me something that the writer Thomas Merton said: We are bodies of broken bones. I guess I’d always known but never fully considered that being broken is what makes us human. We all have our reasons. Sometimes we’re fractured by the choices we make; sometimes we’re shattered by things we would never have chosen. But our brokenness is also the source of our common humanity, the basis of our shared search for comfort, meaning, and healing. Our shared vulnerability and imperfection nurtures and sustains our capacity for compassion” (p. 289).

Bryan's journey into the depths of human suffering has revealed to him an insight that is foundational to the Western Religious tradition, that in weakness, we can sometimes discover an entirely different kind of strength. It's no coincidence that the ultimate symbol of Christianity is a man condemned to death with his wrists nailed to a cross. In that open embrace of the agony of the world, is an invitation to the power of love and the transforming gift of compassion.

And lest anyone accuse me of this being a little pie-in-the-sky pipe dream tagged onto a dark tale of our broken system, let me close with one final story also found in Just Mercy. Remember that mean guard whose truck was a shrine to the Old South? Bryan had one final encounter with him later on, after having sought to defend the man whose only wish had been for a chocolate milkshake.

The guard had pulled Bryan aside and apologized for his earlier behavior saying that he had heard what Bryan said on the man's behalf and it had caused him to question a lot of things. Bryan later learned the guard quit prison work. But in this, their final conversation, he said to Bryan, "Oh, and you don't have to worry about that chocolate milkshake."

"Whattya mean," said Bryan, confused.

"I stopped on our way back from court. Didn't see any harm in it."  
Never give up hope, even when hope is hard to find.

May it be. Amen.

With that as background I'd like to tell you about story of Walter McMillian, a hard working black man who was wrongly accused and sentenced to death for a murder he didn't commit. When Bryan Stevenson found out about the case, Walter was on death row awaiting execution.

Don't forget milkshake story: set it up with Confederate flag tie-in (mean guard who later got Herbert a milkshake...).