

The Case of Juan Garza: Teaching Notes

Case Analysis

The Garza case, like many death penalty cases, is likely to elicit emotional reactions from students. Emotions play an essential role in bringing the case and issues to life for the students, and many educators find that students will engage with and retain more of the material if they have an emotional connection to it. Students' immediate reactions when asked to analyze this case may be to highlight aspects of the case that reflect or validate their existing opinions on the death penalty. Therefore, it is important to explore a variety of perspectives.

There are several ways students can analyze this case that will lead to exploring broader issues. The following suggestions are options for structuring a discussion and guiding analysis of the case.

1. Case Comprehension and Analysis: Who's Who?

Who are the main participants in this case? Have students consider how the criminal justice system works by examining the roles different people played throughout this case. For each of the participants listed below, have students use the information from the narrative and supplementary resources to answer the following questions:

- What role did this person play in this case? What were his or her responsibilities or obligations?
- What did this person do to successfully fulfill his or her obligations?
- How, if at all, did this person fail to meet his obligations or responsibilities? What, if anything, could this person have done differently?

Participants:

- U.S. Customs Agents
- Mexican Officials
- U.S. Attorneys
- The defense lawyers
- The co-defendants
- The trial judge
- The jury
- The appellate defense lawyers
- The U.S. Court of Appeals
- The Supreme Court
- Presidents Bill Clinton and George W. Bush
- The Inter-American Commission on Human Rights
- The press
- The public

2. Analysis of the Verdict and Sentence

Have students consider what the facts presented indicate about Garza's innocence or guilt of the murders, both those that were part of his main charges (adjudicated), and those murders that he was not convicted of but were raised at his sentencing hearing (unadjudicated).

- What evidence in the narrative and/or supplementary resources indicates that Garza was guilty of the murders? Was there any evidence or reasonable doubt that he was not guilty of any of the murders, both adjudicated and unadjudicated? Explain.
- What questions do you still have about Garza's guilt or innocence? What information would you have liked to have to make a better assessment of his guilt or innocence?

Next, have students examine the proportionality of Garza's sentence.

- What information in the case was used to argue that the death penalty should not have been used in this instance? What mitigating factors were considered when sentencing Garza? What mitigating factors should have been considered when sentencing Garza? First answer this question in terms of the evidence that was available at the time of the trial, then in terms of the evidence that was available at the time of the execution.
- What information in the case was used to argue that the death penalty was employed appropriately? What aggravating factors were considered when sentencing Garza? First answer this question in terms of the evidence that was available at the time of the trial, then in terms of the evidence that was available at the time of the execution.
- Evaluate the roles of Garza and his co-defendants in terms of participation in the crimes. How did the various roles Garza and his co-defendants played affect their respective sentences?
- What questions do you still have about the appropriateness of Garza's sentence? What information would you like to have to make a better assessment of the validity or appropriateness of his sentence?

3. Sifting through Information: What is the Whole Truth?

Have students consider how the information available to them affects their analysis of Garza's case. One option is to have students begin the case analysis by reading the narrative only through the guilt-innocence trial phase. Based on the given information, have the students:

- Identify the essential facts that should be included in a newspaper article covering the story in 1993
- Write a one-page summary of the case for a national newspaper

Then have students exchange and compare their news summaries. Have them consider how different students' accounts of the stories differed. Ask them to consider the reasons for any differences in the stories.

Then have students read the rest of the narrative and additional resources and write a second news story, covering the case in 2001. Have the students compare this news story with their original one. Also, have students consider the information they had available as resources. Ask them:

- What information would you have liked to have in order to write a comprehensive news story?
- Did you have any extraneous information that you did not include in your news summary? Which information? Why did you determine it was not relevant to include?
- For each of the following documents and supplementary resources, determine how, if at all, it helps to tell the whole “truth” of the story. Do any of the documents or resources detract from the “truth” of the story? How and why? Rank and justify the importance of including the following document or resource in a journalistic account of the case:
 - Picture of the victims
 - Information about the victim’s life (e.g., occupation, family)
 - Information about the victim’s criminal history
 - Picture of the defendant
 - Information about the defendant’s life (e.g., occupation, family)
 - Information about the defendant’s criminal history
 - Co-defendant statements
 - Garza’s last statement

As an alternative assignment, have students write articles about the Garza case for different audiences. Assign one of the following types of publications to a student or a team of students:

- A local Brownsville newspaper
- A national newspaper
- An international newspaper
- An anti-death penalty Web site or journal
- A pro-death penalty Web site or journal

Have students compare accounts and consider which information was highlighted for each audience and why.

4. Research and Debate

Divide students into a team of researchers on behalf of Garza and a team of researchers on behalf of the United States, and give them the following assignment:

- Develop a presentation that includes a set of facts, evidence, analyses, and questions about the Garza case. Your presentation should include an analysis of how Garza’s case was handled, the appropriateness of sentencing him to death, the positive or negative

effects of Garza's execution on society-at-large, and the implications of issues raised in this case.

GARZA TEAM:

Have the Garza team read the case study and identify:

- Facts or issues presented in the case that might be used to make a case against Garza's execution.
- Research questions that would yield additional information that would help support your position. For example, you may note Garza's race and location of the crimes as facts you could use to make a case against his execution. To help support your position, you might want to ask: Are non-white defendants more likely to receive the federal death penalty than whites? To answer that question, you could look at studies of which defendants U.S. attorneys seek the death penalty against and those they do not.
- Issues or questions about the death penalty that this case raises beyond what is presented on the site.

TEAM U.S.A.:

The U.S. team's job is to read the case study and identify:

- Facts or issues presented in the case that might be used to make a case for Garza's execution. For example, you might find evidence presented in the case that indicate that Garza was a menace to society, and unable to be rehabilitated.
- Research questions that would yield additional information that would help support your position. For example, you might want to conduct research on recidivism rates of violent criminals to find out the likelihood of Garza repeating criminal acts while in prison. What are the recidivism rates for violent offenders who are paroled?
- Issues or questions about the death penalty that this case raises beyond what is presented on the site.

Have teams present their evidence, facts and questions.

5. Other Activities

The following are suggestions for other activities that could be done either independently or in conjunction with other activities or research projects:

The Fourth Branch of Government: The Role of the Press

Have students research and evaluate the press coverage of the Garza case. Ask them to focus on the months leading up to Garza's execution date (June 19, 2001) and find articles from several different media sources. Have students answer the following questions:

- How do the different sources differ in their presentation of facts of the case? Do any articles present conflicting accounts of the case?

- What, if any, evidence suggests that the media presence or public opinion shaped the outcome of this case? How?

Death Penalty Laws

Have students examine the role of legislation in this case. Assign them one of the following laws or statutes:

- Anti-Drug Abuse Act of 1988
- Federal Death Penalty Act of 1994
- 1996 Anti-terrorism and Effective Death Penalty Act

Have them research this law or statute and answer the following questions:

- What are the major provisions of this law or statute as it relates to the death penalty in Garza's case and in general?
- How did this law or statute affect the outcome of the Garza case?
- What, if any, legislative reforms would you recommend, which might have changed some aspect of the way this case was handled? Why?

Constitutional Rights and the Death Penalty

Have students conduct a constitutional analysis of the Garza case. Have students use the 6th, 8th and 14th Amendments, and related Supreme Court cases, to argue whether Garza's execution was constitutional, and whether Garza's constitutional rights were upheld. .