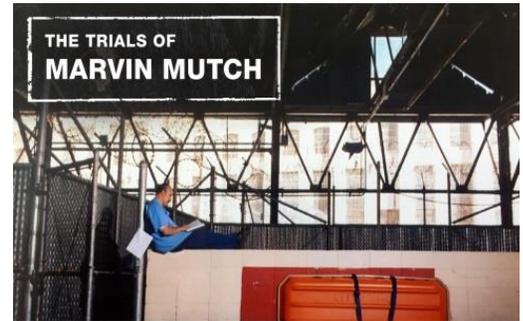


## Lesson Plan: The Trials of Marvin Mutch

By Rachel Roberson

### Featured resource

[KQED News: The Trials of Marvin Mutch](#) (54:02)



### Opening quick write prompt:

Do you think someone convicted of a heinous crime can be rehabilitated and should regain their freedom? Why or why not?

*A quick write allows students to write down their thoughts before discussing the opening question in order to increase participation and make the discussion more accessible to English Language Learners.*

### Objective

- Students will analyze and evaluate the case of Marvin Mutch, including his arrest and conviction, and the issues surrounding his eventual release from prison on parole.
- Students will investigate and reflect on the theme of justice, rehabilitation and parole policy, as well as the role of groups that advocate for the wrongfully convicted.

### Essential Question and Lesson Context

**Who should be in charge of deciding if and when convicted criminals should be granted parole? How can justice be served and wrongful convictions avoided?**

In 1975, at the age of 19, Bay Area native Marvin Mutch was convicted of murdering a young girl and sentenced to life in prison with the possibility of parole. He remained behind bars for the next 41 years, always maintaining his innocence.

After a rocky start in prison, Mutch became a mentor to his fellow inmates and an advocate for prison rights. Despite his exemplary behavior, he was repeatedly denied parole, in part because of his adamant refusal to confess to the crime.

In 2006, with legal assistance from the Northern California Innocence Project and support from high-ranking prison officials, Mutch was finally granted parole, but the board's decision was overturned by Gov. Arnold Schwarzenegger.

It wasn't until 2016, at the age of 59, that Mutch was finally released from prison, partly the result of court-mandated changes to state parole rules making it harder to deny parole to inmates no longer considered dangerous.

Today, Mutch remains under state parole supervision and continues his prison advocacy work while still adjusting to his new life as a free man.

## Key vocabulary

Pre-teach key vocabulary before students do the activity, especially if you have English Language Learners. After going over the simple definition, consider providing a visual aid or having students draw one. More ideas for how to pre-teach vocabulary can be found [here](#).

Word	Simple definition
Parole (n.)	The release of a prisoner before the completion of a sentence, on condition of good behavior
Confluence (n.)	A situation in which two things come together or happen at the same time
Heinous (adj.)	Very bad or evil, deserving of contempt
Predecessor (n.)	A person who had a job or role in before someone else
Rehabilitate (v.)	To restore someone to a safe and healthy state.
Truancy (n.)	The act of skipping school without permission

## Direct instruction and guided practice

- Discuss the quick-write prompt to gauge how students generally feel about the concept of rehabilitation and parole.
- Ask follow-up questions to explore the question in greater depth. (*Note: Students can answer as a think-pair-share or in a whole-class discussion*): Who should decide if a convicted criminal is no longer dangerous? What if that person is now much older and doesn't seem to pose a serious threat to society? What if the person maintains his or her innocence?
- Explain that students will watch a film about Marvin Mutch, a man who was recently freed after serving 41 years in prison for a murder he insists he never committed.
- **Before watching:** Brainstorm a list of all the things students can think of that have changed in society since 1975 when Mutch, was convicted at the age of 19 and sent to prison. Ask: What do you think the experience has been like for him to re-enter society after so long?

- **While watching:** As a class or in small groups, watch the documentary [The Trials of Marvin Mutch](#). (Note: Use a platform like [EdPuzzle](#) or [PlayPosit](#) to insert questions directly into the video. Find strategies for how to make classroom videos interactive [HERE](#).) Stop the video at the following time marks to ask these questions:
  - **3:55:** What did Marvin do the day he got out of prison? What would you have done in that situation?
  - **5:33:** What challenges did Marvin experience in his childhood? Do you think his troubles with the police were serious? Why/why not? (Be sure students know what *profane language* and *truancy* are.)
  - **10:49:** Why was Marvin arrested for Cassie’s murder? Do you agree with his statement of innocence? Why/why not?
  - **24:10:** What were the issues with testimony of Marvin’s sister? If you were Marvin, how would you feel about your sister’s actions? At this point, do you believe Marvin is innocent or guilty? Why/why not?
  - **30:00:** Would you have made the same choice as Marvin and lied to the parole board in the hope of winning release? Why or why not?
  - **35:04:** How did Marvin show leadership in prison? Do you think his actions were genuine or did he have ulterior motives? Why/why not?
  - **40:07:** What evidence does Jill Klinge (the assistant district attorney) use to explain why Marvin’s supporters built a case for parole? What evidence do Marvin’s supporters use to explain why he should get parole? Which explanation do you agree with? Explain.
  - **44:28:** What changed with California’s parole policies that led to Marvin finally being granted parole in 2016 after being denied 10 years earlier? How did that additional 10 years in prison affect Marvin’s life?
  - **At the end:** How would you describe Marvin’s life now? In your opinion, why do you think he forgave his sister? Why do you think he doesn’t appear to be bitter at all about what happened to him?
- **Transition to independent practice:** Ask students to put themselves into groups based on interest in one of the following central questions in the film:

- 1) Has justice been served in the case of Marvin Mutch? Why or why not?
- 2) Should convicted criminals be able to regain their freedom if they can show they are no longer a danger to society? Why/why not?
- 3) Do you think legal groups like the Northern California Innocence Project will always be necessary, or do you think the criminal justice system will eventually stop convicting innocent people? Explain.

- Encourage groups or individual students to pose their own questions about this topic if there is another aspect they want to explore.

### Independent practice

- Students should prepare to present their answer and evidence to the class in the format of their choice. [AdobeSpark](#), [piktochart](#), [Prezi](#), [Canva](#), and [Thinglink](#) are all free, online tools that can be used for infographics, posters or presentations.

### Assessment/Reflection

- Small groups present their findings to the class orally or in a gallery walk.
- After the presentations, students reflect individually in writing in response to the following question:
  - What two or three factors do you think contributed most to Marvin Mutch's conviction and decades spent behind bars? (Example: His troubled youth, his sister's testimony, the lack of DNA evidence, the rules of the parole board, etc.)

*[Circle chats](#), small-group discussions and [think-pair-share](#) provide a safer space for students to practice speaking and listening, and also boost participation during whole-class discussions.*

### Extension/Homework

**Write/speak locally:** Students research ways to share their poster or presentation with the community. (Example: Presenting during the public comment section of a city council meeting, posting on an online forum, etc.) For a list of how to contact local officials in your area, check out [KQED Learning's Local Election Toolkit](#).

### Common Core standards

<a href="#">CCSS.ELA-Literacy.CCRA.R.1</a>	Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
<a href="#">CCSS.ELA-Literacy.CCRA.R.7</a>	Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.
<a href="#">CCSS.ELA-Literacy.CCRA.W.6</a>	Use technology, including the Internet, to produce and publish writing and to interact and collaborate with others.
<a href="#">CCSS.ELA-Literacy.CCRA.W.8</a>	Gather relevant information from multiple print and digital sources, assess the credibility and accuracy of each source, and integrate the information while avoiding plagiarism.