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Teaching the Legacy of Gus Garcia and *Hernandez v. Texas* (1954)

Supreme Court Historical Society
June 10, 2025



What did the Supreme Court decide in *Hernandez v. Texas* (1954)?

SUPREME COURT OF THE UNITED STATES

No. 406.—OCTOBER TERM, 1953.

Pete Hernandez, Petitioner, v. The State of Texas.	} On Writ of Certiorari to the Court of Criminal Appeals of the State of Texas.
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Excerpt from the unanimous opinion

“Circumstances or chance may well dictate that no persons in a certain class will serve on a particular jury or during some particular period. **But it taxes our credulity to say that mere chance resulted in their being no members of this class among the over six thousand jurors called in the past 25 years. The result bespeaks discrimination,** whether or not it was a conscious decision on the part of any individual jury commissioner. **The judgment of conviction must be reversed.**”

Chief Justice Earl Warren



Courtesy of the Collection of the Supreme Court of the United States



Outcomes for Today

Participants will...

- Understand how *Hernandez v. Texas* (1954) moved through the court system
- Explore strategies to build a lesson plan around the life story of Gus Garcia and case summary for *Hernandez v. Texas*
- Examine primary sources to pair with the life story and case summary



Caetano "Joe" Espinosa, shot and killed by Pedro "Pete" Hernandez on August 4, 1951. *Image Credit: PBS.*



HERNANDEZ V. TEXAS (1954)



Jackson County Court

- Pedro "Pete" Hernandez shot and killed fellow worker Caetano "Joe" Espinoza on February 23, 1951.
- Attorney Gus Garcia took the case on pro bono
- Eight witnesses testified against Hernandez
- Found guilty by an all-white jury in October 1951; sentenced to life imprisonment.

HERNANDEZ V. TEXAS (1954)



Criminal Appeals Court of Texas

- Appeal argued that Jackson County's systematic exclusion of Mexican Americans from jury service deprived Hernandez of the equal protection guaranteed by the 14th Amendment
- Affirmed the judgement of the trial court
- Cited that the 14th Amendment was only intended to provide protection to African Americans

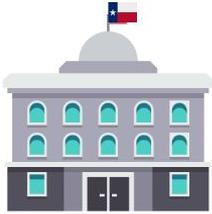
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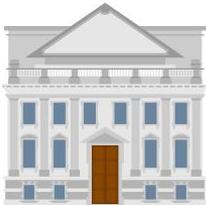
HERNANDEZ V. TEXAS (1954)



Appeal



Appeal



Supreme Court of the United States

- Held that the 14th Amendment protects more groups of people than just Black and white
- Mexican Americans were a special protected class of citizens, distinct from “whites,” who were also entitled to equal protection under the law
- Gus Garcia was part of the the first Mexican-American legal team to argue at the Supreme Court
- Granted Hernandez a retrial with a jury of his peers, including Mexican-American jurors. The new jury found him guilty.

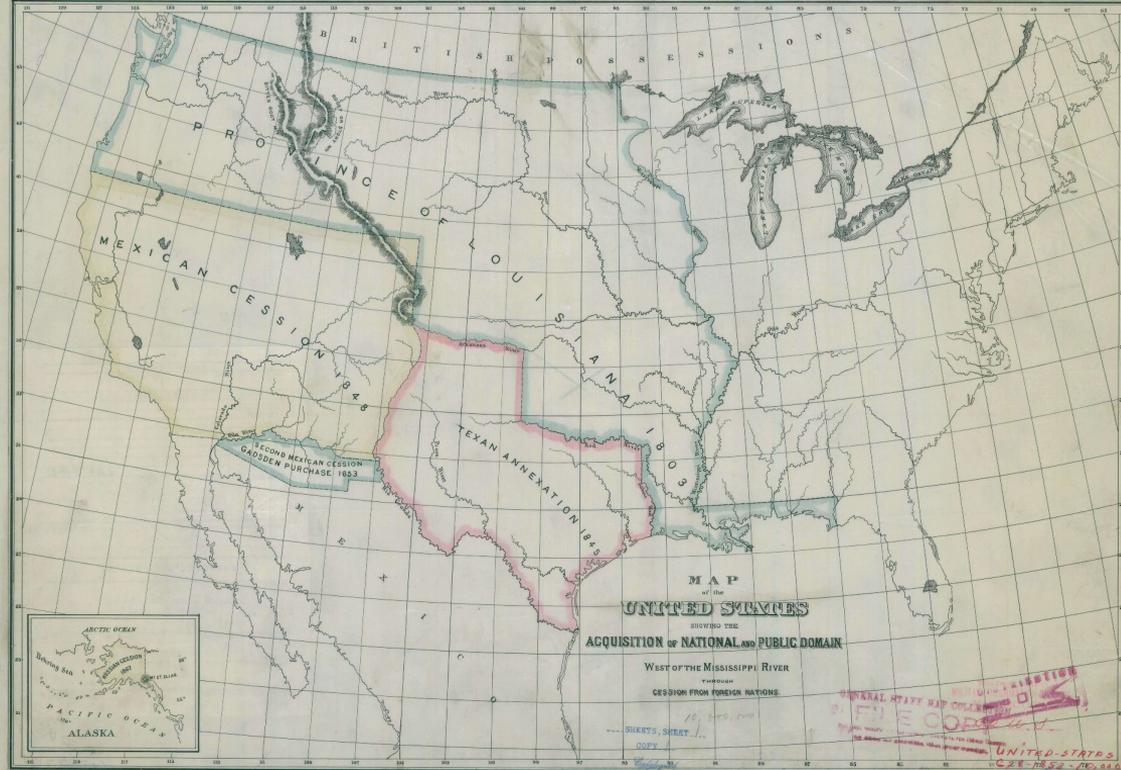
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Historical Context: How did we get here?

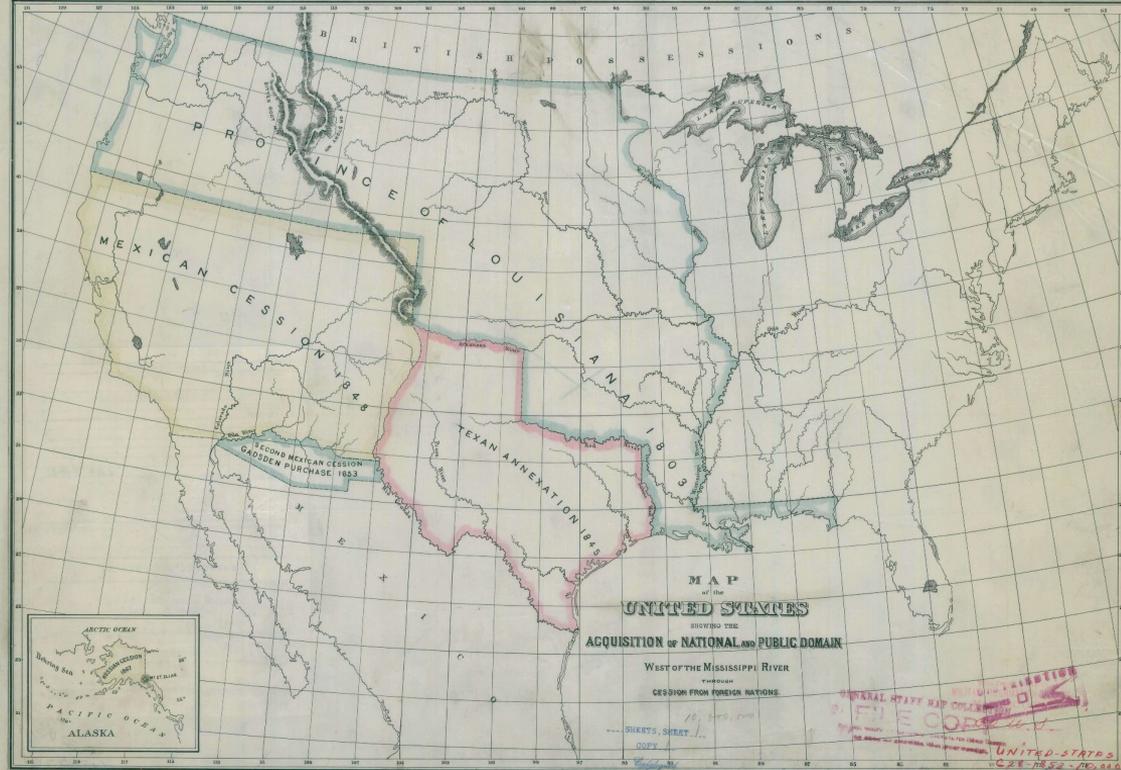


Examine the map.

- **Observe:** What do you notice?
- **Question?** What do you wonder?



Scan to view this source on DocsTeach.



Map of the United States Showing the Acquisition of National and Public Domain West of the Mississippi River through Cession from Foreign Nations; ca 1853.
<https://www.docsteach.org/documents/document/map-of-the-united-states-showing-the-acquisition-of-land>

Treaty of Guadalupe Hidalgo (1848)

Overnight, thousands of Mexican citizens lived in an area now controlled by the United States.

Over 100,000 Mexicans living in the territory became naturalized citizens of the United States. They were legally classified as “white.”

Treaty of Guadalupe Hidalgo (Modified Excerpt)

The **annexation** of Texas, whose land once belonged to Mexico, sparked a war between Mexico and the United States in 1846. This treaty ended the war in 1848 and **ceded** a significant amount of Mexican territory to the United States...

Mexicans now living in territories previously belonging to Mexico, and which are now within the limits of the United States, as defined by this treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican Republic...

Those who shall prefer to remain in the said territories, may either retain the title and rights of Mexican citizens, or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the **ratification** of this treaty. Those who shall remain in the said territories after the expiration of that year, without having declared their intention to remain Mexican citizens, shall be considered to have elected to become citizens of the United States.

Source: Treaty of Guadalupe Hidalgo. February 2, 1848.

Vocabulary

- **Annexation** – the addition of territory
- **Ceded** – gave up territory
- **Ratification** – the official signing of a treaty

Discussion Questions

1. Why did the United States and Mexico go to war?
2. What choice did this treaty give to Mexicans living in the territory ceded to the United States?
3. How did this treaty impact the legal citizenship status of Mexicans living in the ceded territory?

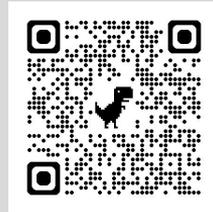


Regardless of status as white citizens, Mexican Americans were targets of racial violence and discrimination.

- White terrorists lynched 578 Mexican Americans across Texas, California, New Mexico, & Arizona (1880-1930)
- De facto segregation practices



Image accessed via Library of Congress



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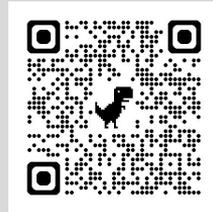


View the image below.

1. What type of object is this?
2. Who created it?
3. What is the purpose of this object?



Image accessed via Library of Congress



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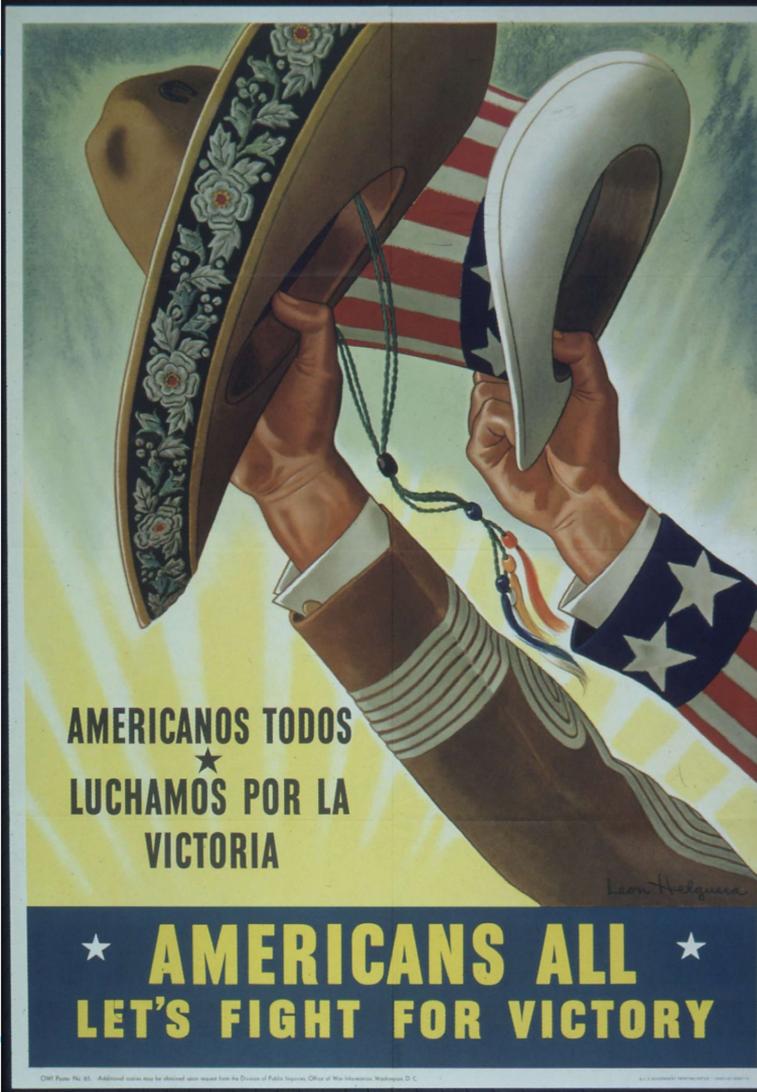
World War II

“The integration of Mexican Americans in the military and Home Front associations carried into post-war demands for equality.”

*“Learning from the War: Mexican Americans and Their Fight for Equality after World War II,”
National WWII Museum.*

- 400,000 Mexican-American men served in the U.S. military
- Growing number of Mexican-American civil rights organization emerged after the war

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source on
DocsTeach.



This background information is in the case summary of *Hernandez v. Texas*.



Background

Throughout the mid-1800s, the United States engaged in westward expansion, resulting in many violent conflicts over territory. The annexation of Texas, whose land once belonged to Mexico, sparked the Mexican-American War in 1846. After the war ended in 1848, the two countries signed the Treaty of Guadalupe Hidalgo. The treaty ceded land to the United States, and drew the border between the two countries along what is present-day Texas, New Mexico, Arizona, and California. Overnight, thousands of Mexican citizens lived in an area now controlled by the United States. Civil rights and property protections were guaranteed to those Mexicans who lived in the newly ceded territory. Over 100,000 Mexicans living in the territory became naturalized citizens of the United States. They were legally classified as “white.”

Regardless of their status as white citizens, and the guarantees of civil rights and property protection they received, Mexican Americans were targets of racial violence and discrimination. Between 1880 and 1930, white terrorists lynched 578 Mexican Americans across the border states of Texas, California, New Mexico, and Arizona. Additionally, *de facto* segregation practices were pervasive throughout the Southwest. Mexican-American children could not enroll in white schools, and restaurants refused service to Mexican-American customers. Mexican-American workers were often denied skilled jobs and were forced into low-paying migrant work.

World War II served as a turning point for Mexican-American civil rights. Around 400,000 Mexican-American men served in the U.S. military, with a disproportionate number of them serving on the front lines. When these veterans returned home, they refused to accept second-class citizenship. A growing number of Mexican-American civil rights activists and organizations emerged, ready to address injustice.



Student Objective

Students will analyze arguments about the impacts of *Hernandez v. Texas* in order to create a proposal for a docuseries about the case.

Essential Question: How did the Supreme Court's decision in *Hernandez v. Texas* impact racial equality for Mexican Americans?

Based on AP US History Key Concept 8.2.I.B.i: The three branches of the federal government used measures including desegregation of the armed services and Brown v. Board of Education (1954) to promote greater racial equality.

Texas Knowledge and Essential Skills for Social Studies, High School U.S. History: 20.A: The student understands the impact of constitutional issues on American society. The student is expected to analyze the effects of landmark U.S. Supreme Court decisions, including Hernandez v. Texas.



The Legacy of Gus Garcia and *Hernandez v. Texas*

Part 1: Who is Gus Garcia?

Directions: Read the life story of Gus Garcia and answer the questions below.

1. How were Mexican Americans treated in Texas after the Mexican-American War?
2. When something is ironic, it means that it happens in a way that is the opposite of what you would expect. Why was it ironic that Gus was not allowed to use the "whites-only" bathroom in the Jackson County courthouse?
3. How did Gus Garcia's work advance civil rights for Mexican Americans?

Part 2: *Hernandez v. Texas*

Directions: Read the case summary for *Hernandez v. Texas* and answer the questions below.

1. What were the effects of the Treaty of Guadalupe-Hidalgo?
2. Why do you think Gus Garcia offered to take the Hernandez case pro bono?
3. Why was Gus Garcia concerned that Pete Hernandez did not receive a fair and impartial jury?
4. This case was settled two weeks prior to the *Brown v. Board of Education* decision. If this case had been heard and settled in a different year than Brown, do you think Hernandez v. Texas would be a more commonly known landmark case to the general public? Why or why not?
5. What was the significance of the new jury finding Hernandez guilty?

Life Story: 1915-1964
SUPREME COURT HISTORICAL SOCIETY

GUS GARCIA

The charismatic attorney who fought for civil rights and worked with the first Mexican-American legal team to argue before the Supreme Court

[OVERVIEW](#)





INCORPORATING RIGHTS: 1943-1949
SUPREME COURT HISTORICAL SOCIETY / BEYOND THE BENCH
THE JUDICIAL BRANCH
EXPLORE THE ERAS
HOMETOWNS PROGRAM
SEARCH

Significant Case
SUPREME COURT HISTORICAL SOCIETY



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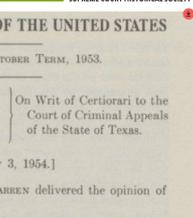
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SUPREME COURT HISTORICAL SOCIETY

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OVERVIEW



INCORPORATING RIGHTS: 1943-1948

SUPREME COURT HISTORICAL SOCIETY / BEYOND THE BENCH

THE JUDICIAL BRANCH EXPLORE THE ERAS HOMETOWNS PROGRAM SEARCH



Read the life story and case summary.



SUPREME COURT HISTORICAL SOCIETY

Significant Case

HERNANDEZ V. TEXAS

The Supreme Court case that recognized Mexican Americans as an independent racial group entitled to Fourteenth Amendment protections

OVERVIEW

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INCORPORATING RIGHTS: 1943-1948

SUPREME COURT HISTORICAL SOCIETY / BEYOND THE BENCH

THE JUDICIAL BRANCH EXPLORE THE ERAS HOMETOWNS PROGRAM SEARCH



Excerpt from the unanimous opinion



The nine justices that decided *Hernandez v. Texas*. Photo credit: Collection of the Supreme Court of the United States

Supreme Court Opinion: *Hernandez v. Texas* (Excerpt)

In 1951, an all-white jury in Jackson County, Texas convicted Pete Hernandez, a Mexican-American man, of murdering Caetano "Joe" Espinoza. Hernandez appealed his case because no one of Mexican descent was included in the pool of potential jurors for his trial. In fact, not a single person of Mexican descent was included in a jury pool in Jackson County for the past 25 years. Hernandez's legal team, including prominent attorney Gus Garcia, argued that Jackson County's systematic exclusion of Mexican Americans from jury service deprived him of the equal protection guaranteed by the **Fourteenth Amendment** to the Constitution. The Supreme Court handed down its **unanimous** opinion in favor of Hernandez on May 3, 1954.

Circumstances or chance may well dictate that no persons in a certain **class** will serve on a particular jury or during some particular period. But it taxes our **credulity** to say that mere chance resulted in there being no members of this class among the over six thousand jurors called in the past 25 years. The result **bespeaks** discrimination, whether or not it was a conscious decision on the part of any individual jury commissioner. The judgment of conviction must be reversed.

Source: *Hernandez v. Texas* (1954).

Vocabulary

- **Fourteenth Amendment** – ratified in 1868, granted citizenship to all persons born or naturalized in the United States—including formerly enslaved people—and guaranteed all persons "equal protection of the laws."
- **Unanimous** – fully in agreement
- **Class** – a group of people sharing certain characteristics such as gender or race
- **Credulity** – the willingness to believe someone
- **Bespeaks** – suggests

Discussion Questions

1. Why did Pete Hernandez appeal his case?
2. Why do you think it is important that the Supreme Court's decision was unanimous?
3. Why did the Supreme Court believe there was discrimination in this case?
4. How did the Supreme Court's judgement impact Pete Hernandez' case?

Read your assigned documents and take notes in the chart below. Be prepared to share information with your partner.

	Sourcing Before reading: In the source information, look at the title of the document. Based on the title, what can you infer about the author's argument?	Argument What is the author's main argument?	Evidence What is one supporting detail the author uses to support their argument?
A			
B			

Analyzing Arguments

Focus on the essential question:

How did the Supreme Court's decision in *Hernandez v. Texas* impact racial equality for Mexican Americans?

Document A: Gabriel Valle. "A Hero Forgotten: Gus Garcia and the Litigation of *Hernandez v. Texas* (1954)." *Journal of Supreme Court History* 48 (2023).

Document B: "Remembering *Hernandez v. Texas* (State Bar of Texas Annual Meeting 2024)." *State Bar of Texas Podcast*. July 1, 2024.



Assessment: Gus Garcia & Hernandez v. Texas

Directions: Create a proposal for a three-episode docuseries about Gus Garcia and the impact of *Hernandez v. Texas*. For each episode, write a 3-4 sentence summary. Be sure to include:

- The historical background of *Hernandez*
- Who Gus Garcia is and why he was important to *Hernandez*
- The short-term impact(s) of *Hernandez*
- The long-term impact(s) of *Hernandez*
- Episode titles that reflect the summary of each episode

Episode 1: _____

Summary:

Episode 2: _____

Summary:

Episode 3: _____

Summary:



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