

August 31, 2009

District Attorney Larry Chisolm
Office of the District Attorney
133 Montgomery St.
Savannah, GA 31401

Dear Mr. Chisolm:

I am writing to you on behalf of the Society for the Study of Social Problems (SSSP). During our annual meeting this month our membership and Board voted unanimously to register with you our grave concerns about the Troy Davis case. We were surprised, as many others were, that the Supreme Court of the United States decided to send the case back to a federal judge, but also pleased because the Justices' decision served to reinforce our belief that this case needs further deliberation to ensure that an innocent man is not put to death.

As you know, seven of nine eye witnesses to the 1989 shooting of Officer MacPhail have either recanted or given conflicting testimony about the murder, and now nine people have implicated another suspect for the crime. The individual in question is also one of the two "witnesses" who has not recanted his testimony. Furthermore, to our knowledge, no physical evidence was presented by the prosecution linking Mr. Davis to the murder of Officer MacPhail. While we lament the loss of the officer's life and feel deeply for his family, we are equally concerned about the possibility of an innocent man being put to death.

The SSSP is an organization of over 1,600 social science scholars and practitioners whose mission is *scholarship in pursuit of a just society*. Many of our members are experts on crime and the criminal justice system, the death penalty, and race and ethnicity. As social scientists, we are aware of the considerable research that undermines the reliability of eyewitness testimony. One study, for example, found that 75% of one hundred inmates exonerated by DNA evidence had been convicted principally on the basis of eyewitness evidence. As you know, the Department of Justice has issued guidelines on eyewitness testimony because of the unreliability of this type of evidence. Studies on racial bias in the criminal justice system contribute to our concerns as well, especially in a case in which a black defendant is accused of killing a white police officer.

In August 2010, by the time our organization comes to Atlanta for our annual meeting, along with 6,000 other sociologists attending the annual meeting of the American Sociological Association (ASA), Mr. Davis may have been either vindicated and released or put to death. We recognize, however, that this process is a very slow one and the case may not be resolved by then. Originally we were going to ask you to reopen the case, but now that the Supreme Court has acted and the case will be reviewed, we are writing principally to urge you to assist the federal judge in any way that you can to ensure that all available exculpatory evidence is made available to him or her before the hearing. Should the hearing judge not find sufficient evidence to prove Davis is innocent, we hope that you will then reopen the case so that it can be tried using the less stringent "reasonable doubt" criterion.

We will be keeping a close eye on the case not only because of our commitment to a fair and just society, but also because we take into consideration issues such as these in our decisions about where to hold annual meetings. We know that you are very busy, but if you can find time to respond to us, we would appreciate it very much. Take care.

Sincerely,



Dr. Héctor L. Delgado
SSSP Executive Officer

Cc: Governor Sonny Perdue