

Dear Colleagues:

In August of 2009, the SSSP became involved in the case of a man, Troy Davis, convicted for the murder of a police officer, Mark Allen MacPhail, by writing a letter to the District Attorney, Larry Chisolm, expressing concerns about the case. We are writing to you today because in May the Georgia State Board of Pardons & Paroles will decide whether to take Mr. Davis's life or to commute his sentence from death to life in prison. We urge you to consider writing to the Board to commute his sentence from death to life in prison. Even if you are in favor of the death penalty, we believe that the facts in this case create sufficient doubt to warrant commuting Troy Davis's sentence. To help you decide, and to refresh your memory, I am providing you with a summary of and citations from the letter we sent to District Attorney Chisolm, a recent article from Counterpunch.com, and Amnesty International's link on the case.

The second paragraph of the letter sent to D.A. Chisolm read:

"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."

In the letter we noted the unreliability of eyewitness testimony, citing a study that found that 75% of one hundred inmates exonerated by DNA evidence had been convicted principally on the basis of eyewitness evidence; observing that "the Department of Justice has issued guidelines on eyewitness testimony because of the unreliability of this type of evidence;" and noting the racial bias that exists in our criminal justice system, which has to be of special concern when a case involves the murder of a white police officer by a black man. The SSSP did and still does not take a position on Mr. Davis's innocence or guilt. Rather, the letter simply, and strongly, argued that the "facts" of the case warranted further review, and now the commutation of his sentence from death to life in prison.

Since then, the Supreme Court ordered a federal judge to hear evidence Mr. Davis claimed would exonerate him. The judge held a hearing and after receiving the evidence ruled that Dr. Davis had failed to prove his innocence. Mr. Davis's attorneys appealed to the 11th Circuit Court of Appeals and the 11th Circuit refused to hear the challenge. They then appealed to the Supreme Court and were denied again, setting the stage for Mr. Davis's execution -- barring clemency granted by the state's Board of Pardons and Paroles.

If you believe that Mr. Davis should not be executed, please consider signing this petition: http://salsa.democracyinaction.org/o/1265/p/dia/action/public/?action_KEY=6342

and writing to the Board.

Georgia State Board of Pardons & Paroles
2 Martin Luther King, Jr. Drive, SE
Suite 458, Balcony Level, East Tower
Atlanta, GA 30334-4909

Amnesty International Link:

<http://www.amnestyusa.org/death-penalty/troy-davis-finality-over-fairness/page.do?id=1011343>

Counterpunch.com Article:

<http://counterpunch.com/marlowe04272011.html>

Thank you for giving this matter your most serious consideration.

Sincerely,

Héctor L. Delgado, Executive Officer

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