

The Time is NOW to Save Troy Davis!



WHO IS TROY DAVIS?

Troy Davis was sentenced to death in Georgia for the 1989 killing of police officer Mark Allen MacPhail in Savannah, Georgia. Troy has spent the last two decades on death row for a crime he did not commit. He has faced three execution dates and is now facing his fourth date on September 21st of this year.

THE CASE

Troy was sentenced to death in 1991 despite fact that no physical evidence linked him to the crime, and no murder weapon was ever found. There was frenzy among police to find the person who had killed one of their own—25 officers were assigned to the case. The media sensationalized the case of a 27-year-old white father shot in the line of duty, apparently by an African American man. One reporter said, “There is a desire among the police to have the suspect locked away before MacPhail is buried.”

Initially a suspect himself, Sylvester Coles went to the police to say that Troy Davis was the killer, focusing attention on Troy. Curiously, Coles admits he was carrying a .38 caliber gun half an hour before Officer MacPhail was shot—the same caliber that was used in the killing. Troy admits that he was at the scene before MacPhail was shot, but that he had stepped in to help a homeless man who was being pistol-whipped by Coles.

COERCED TESTIMONY

The basis of Troy’s conviction was the testimony of nine witnesses. Among the seven witnesses who have recanted their testimony in sworn affidavits, several say they felt pressure from the police to identify Troy as the shooter. Knowing they could face perjury charges for their statements, they nevertheless have come forward to tell their story—but the courts will not allow this new evidence to be heard by a jury. Sylvester Coles is one of the two original witness who has not recanted his testimony.

Here are what two of the witnesses had to say:

Jeffrey Sapp: “The police came and talked to me and put a lot of pressure on me...They wanted me to tell them that Troy confessed to me about killing that officer. The thing is, Troy never told me anything about it. I got tired of them harassing me...I told them that Troy did it, but it wasn’t true.”

Darrell Collins: “The police were telling me that I was an accessory to murder, and that I would...go to jail for a long time, and I would be lucky if I ever got out, especially because a police officer got killed...I was only 16 and was so scared of going to jail.

WHAT HAS HAPPENED IN THE COURTS?

In June of 2010, Troy was granted an evidentiary mandated by the Supreme Court. This was encouraging because the Supreme Court rarely makes these kinds of rulings. Activists had some hope that with the truth finally able to come out, Troy could win a new trial. At the hearing witnesses that had once testified against Troy recanted their previous testimony, explaining how they were pressured and threatened by police. A brand new witness also testified that he knew Troy didn’t do it because he saw who did.

But with all this evidence, Judge Moore was not convinced. He wrote that if a jury were to hear the evidence presented, they would still convict Troy. That is complete nonsense, but that is how the system works. The judge gets to decide what a jury would think of the new evidence, and while he admitted that the case against Troy was not ironclad, he still denied his appeal.

In March of 2011, the Supreme Court upheld Judge Moore's ruling. They gave no explanation as to why they ruled against Troy. Their decision cleared the way for Georgia to set another execution date.

WHAT HAPPENS NEXT?

The state of Georgia could seek another execution date in the very near future. Troy has a clemency petition before the Georgia Parole Board. This board can vote to grant clemency which would mean either commuting Troy's sentence to life or life without the possibility of parole, or they can deny him clemency which would clear the way for Troy to be executed. The current parole board is made up of 5 people, 3 of whom are new since the last time Troy's case was heard (in 2008 the parole board voted against Troy).

WHAT HAS BEEN DONE TO ADVOCATE FOR TROY?

Troy Davis has faced three execution dates, one coming within two hours of execution. This has taken a toll on Troy and his family. "As I face this state-sanctioned terror, I realize one constant—my faith is unwavering, the love of my family and friends is massive, and the fight for justice and against injustice by activists worldwide has ignited a fire that is raging for human rights and human dignity," Troy wrote.

While Troy now has excellent lawyers pushing every possible legal avenue, it should be acknowledged that Troy is alive today because of public pressure outside the courts, both nationally and internationally. This activity has been spearheaded by Troy's sister, Martina Correia, even though she herself is battling life-threatening breast cancer. After hearing the horrible news of the Supreme Court's ruling, Martina said, "I am both enraged and empowered, for this battle to save Troy is a war of life and death for me! Until there is no breath left in my body I will fight for Troy, fight against the injustice of the death penalty, because this battle is bigger than Troy it is a war against a system is not impartial, a system that cares less for fairness and more for finality.

Many groups have come out in support of Troy, including Amnesty International, ACLU, NAACP, Campaign to End the Death Penalty, and various civil rights, religious organizations, and labor groups. Well-known individuals such as Jimmy Carter, Archbishop Desmond Tutu, singer Harry Belafonte, actress Susan Sarandon, Congressman John Lewis, and author and activist Angela Davis, to name a few—have voiced support for Troy.

WHAT CAN WE DO?

We can't rely on the courts to do the right thing. We need a vocal and visible presence that challenges the powers that be. We need to hold meetings and petition drives, organize activities, reach out to churches, our schools, and our unions to build support for Troy. You can also get the word out by writing an article for your local paper or newsletter, calling your local radio station, or using social networking sites like facebook and twitter to help get people informed and involved. It was public pressure that kept Troy from being executed before and we must continue and amplify that public pressure to **SAVE TROY DAVIS!**

Get involved with the CEDP! Contact randi@nodeathpenalty.org for chapters near you. Go to www.nodeathpenalty.org for update and upcoming actions. And to download petitions and fact sheets.

