

GLOBAL DAY OF PROTEST SEPT. 16:

Stop racist execution of Troy Davis

***"If I knew then what I know now,
Troy Davis would not be on death row.
The verdict would be 'not guilty.' "***

**— Brenda Forest,
juror in Davis' original trial**

**By Dianne Mathiowetz
Atlanta**

The State of Georgia has scheduled Troy Davis' execution for Sept. 21.

Millions of U.S. and global activists are engaged in a massive effort to stop this legal lynching. They are signing petitions, organizing rallies and meetings, and contacting elected officials and other influential individuals. A Twitter account at hash tag Too Much Doubt is rapidly informing millions more.

Every avenue is being pursued to mobilize public opinion to influence the Georgia Pardons and Parole Board — which meets on Sept. 19 — to grant Davis clemency.

The governor-appointed five-member board has the authority to stop the execution. Although the board has previously denied Davis clemency, three new members have not heard all the details of his case.

On Sept. 15, organizational representatives and community members will deliver hundreds of thousands of petitions to the board's offices.

Sept. 16 has been declared the International Day of Solidarity with Troy Davis. Protests will take place across the United States — in Boston, New York City, Philadelphia, Providence and elsewhere — and abroad.

In Atlanta, a march will assemble at Woodruff Park and proceed to Ebenezer Baptist Church on Auburn Avenue. There, Davis' family members, exonerated

prisoners, and civil rights, community and religious leaders will give voice to the millions who call for clemency.

Seven of nine witnesses recanted trial testimony

Davis has always maintained his innocence. His supporters assert that there is too much doubt to execute him.

When an off-duty police officer, Mark Allen MacPhail, was shot in a Burger King parking lot in Savannah, Ga., on Aug. 19, 1989, a massive manhunt was carried out in the city's African-American neighborhoods. MacPhail, on security duty, had checked out an altercation in the restaurant's dimly lit parking lot. The only evidence recovered at the murder scene was bullet casings from a .38 caliber gun.

Two days later, Sylvester Coles came to the police station with his lawyer. He claimed that he saw Davis with a gun. Coles had earlier been identified as creating the disturbance that drew MacPhail's attention. Coles acknowledged owning a .38 caliber gun, which was never recovered.

Nevertheless, police issued an all-points bulletin for the capture of 20-year-old Davis. They blockaded, surrounded and entered the Davis family home in Cloverdale without a warrant. Shortly after, Davis turned himself in and was charged with MacPhail's murder.

At the 1991 trial, Chatham County prosecutors didn't provide any physical or foren-



FREE TROY DAVIS NOW!

sic evidence that tied Davis to the shooting. Their only "proof" was nine eyewitnesses' testimonies, including Coles'. The weapon was never found

Davis insisted he was innocent and the victim of faulty identification. The jury deliberated for only two hours and found Davis guilty. He was sentenced to die.

As Davis' appeals wound through the court system, several trial witnesses recanted their testimonies and said that police pressured them to identify Davis as the shooter. Antoine Williams now says he doesn't know who shot MacPhail, and that because he is illiterate, he couldn't read the police statement he signed implicating Davis.

Kevin McQueen and Jeffrey Sapp now acknowledge that Davis never admitted to them that he killed the police officer, as they testified in court. Only two of the nine witnesses still hold to their testimony; one is Coles, who has been implicated in new affidavits.

Continued on the other side

Troy Davis Case reveals 'systemic inequities in U.S. legal system'

Davis' sister, Martina Correia, who has battled cancer, and mother, Virginia Davis, who recently died, have passionately defended him, inspiring the massive movement on his behalf.

Local organizations, such as Georgians for an Alternative to the Death Penalty, and national groups, such as Amnesty International, the NAACP, Color of Change and the International Action Center, have organized in the campaign to save Davis' life.

The Congressional Black Caucus and public figures as varied as ex-FBI head Williams Sessions, former prosecutor Bob Barr, Bishop Desmond Tutu, past-President Jimmy Carter and the Pope have appealed for clemency.

Davis' case has aroused national and international attention about systemic inequities in the U.S. legal process. Racism is constantly at play, given the history of slavery, Jim Crow segregation and racial discrimination in Georgia. Other factors include police misconduct, unskilled legal counsel and media bias. Complex appeals procedures place deadlines and technicalities over issues of innocence.

This case reveals injustices, which are rife throughout the U.S. legal system for those convicted of all crimes. The U.S. prison population is the largest in the world. More African-American men are incarcerated than attend college.

Since 1973, 138 death-row prisoners have been exonerated. Most of them were convicted based on faulty eyewitness testimony. Newly discovered DNA evidence has proven their innocence.

Davis has come within days and hours of being executed three times. Each time another avenue of legal appeal prevented it. With the pressure of millions mobilized on his behalf, the U.S. Supreme Court ordered a Savannah federal district judge in August 2009 to convene a hearing to examine the evidence. The burden of proof shifted to the defense, which had to prove that Davis was innocent beyond reasonable doubt, turning the standard of "innocent until proven guilty" on its head.

In June 2010, Troy's supporters filled the courtroom and the streets outside. The recanting witnesses told their stories, relating the police pressure put on them. New

witnesses came forward. The prosecution offered the same evidence. Police and prosecutors denied any coercion.

Judge William Moore's decision admitted that the state's case was not "ironclad." It said that executing an innocent person would violate the Constitution's Eighth Amendment. However, he rejected the original trial witnesses' recanted testimony, implying their statements under duress were more believable than voluntary affidavits. He ruled that the jury's original decision of conviction and the death sentence would not have been affected by altered eyewitness testimony.

In March 2011, the U.S. Supreme Court denied Davis' final appeal for a new trial, setting the stage for issuance of the Sept. 21 execution date.

From his death-row cell in Jackson, Ga., Troy Anthony Davis takes strength from all those who write, march, speak, sing and act on his behalf. He always urges that this campaign for justice be extended to all those victimized by an inherently unfair system.

For more information, see www.JusticeForTroy.org and www.IACenter.org. □

**FREE ▶ Mumia Abu-Jamal ▶ Leonard Peltier ▶ the Cuban 5
▶ Marshall "Eddie" Conway ▶ Dr. Aafia Siddiqui ▶ Lynne Stewart
▶ TROY DAVIS and all U.S. political prisoners.**

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