

Troy Davis: Political Prisoner on Death Row

*We contend that but for the racist bigotry, and the insensitivity of the government in Georgia,
Troy Davis would not be in prison or on Death Row today...*

Thomas Ruffin, Jr.



Photo taken by J. Pourzal

A man participates in the BAPO's protest in front of the U.S. Supreme Court on Monday, September 29th. Monday, Oct. 27, Washington, D.C.

Troy Anthony Davis has been a political prisoner on Death Row for more than half his life. His death by lethal injection sentence, which has been scheduled and stayed (put on hold) three times in the last year and a half, has most recently been stayed by the US Court of Appeals for the 11th Circuit.

His plight has not been in vain. The fight to save his life is far from over, thanks to his sister, Martina Davis-Correia, and others, who have listened and acted. The **Campaign to Save Troy Davis**, a nationwide conglomerate of groups interested in social justice, has spread awareness about Davis and demanded his retrial. In DC, grassroots organizations, such as the Black August Planning Organization (BAPO) and Nat Turner Rebellion, have played an integral role.

And yes, Davis is a political prisoner. His political crime? Being a young, educated Black Man in the state of Georgia who was in the wrong place at the wrong time. If political and social dynamics, as well as racist state institutions, contribute to the wrongful incarceration of an individual, then that individual should be classified accordingly.

These dynamics are apparent in Davis' twenty year legal battle without even considering the proven nationwide racist and classist sentencing of the death penalty. In this case, as many Davis supporters have said,

"The evidence speaks for itself."

BACKGROUND

In 1989 Davis was accused of murdering a white police officer, Mark MacPhail, in Savannah, GA. He was convicted and sentenced to Death Row in trial court in 1991.

There was no physical evidence, such as a gun, ever found linking Davis to the crime and his public defender apparently did very little to help his case. Seven of the original nine witnesses who testified against Davis in trial court recanted their testimonies, which they claim were made under pressure and threats by the police who were angry about MacPhail's death. In an affidavit, Jeffrey Sapp stated,

"I got tired of them harassing me, and they made it clear that the only way they would leave me alone is if I told them what they wanted to hear. I told them that Troy told me he did it, but it wasn't true." (Amnesty International) The other witnesses gave similar statements in their recantations.

Chatham Co., GA District Attorney Spencer Lawton was the prosecutor in Davis' 1991 murder trial. In a recent interview with ABC News, he outlandishly attributed the



Photo taken from lawanddisorder.org

Troy Davis with mother, Virginia Davis, in 2002.

similarities in the seven witness's reasons for recanting their testimonies as an "uncanny coincidence."

In addition, new affidavits suggest that the actual killer was one of the only two original witnesses who did not recant his original testimony, Sylvester "Red" Coles. In an affidavit Joseph Washington said,

"I saw Sylvester Coles – I know him by the name Red – shoot the police officer. I am positive that it was Red who shot the police officer ..." (AI)

Since his conviction, Davis has tried various legal maneuvers in order to receive a new trial and present new evidence. Both the Georgia State Supreme Court, as well as the US Supreme Court as recently as October 14, 2008, have reviewed and denied (without providing reason) his appeals for clemency. The US Supreme Court's decision ended its stay of execution, and on October 15, 2008, the Georgia State Department of Corrections issued a new execution order for Monday, October 27, 2008 at 7 pm.

On Wednesday, October 22, the US Court of Appeals for the 11th Circuit stayed the execution in order to give both Davis' defense attorneys and the prosecution time to present their arguments about whether or not Davis should be granted a new trial. A large part of the court's

decision will depend on the ability of Davis' lawyers to prove that it was impossible to present the new evidence until recently.

Davis' difficulty in being granted a new trial has been due in part to the *Anti-Terrorism and Effective Death Penalty Act of 1996*, which makes it extremely difficult for Death Row inmates to appeal their convictions. The only entity in Georgia with clemency granting power, the Georgia State Board of Pardons and Paroles (BPP), is made up of a five member panel, three with a background in law enforcement. Some would say that in Davis' case, their ability to make objective decisions is consequently severely impaired.

ACTION & ADVOCACY

According to the *Atlanta Journal-Constitution*, several hundred of Davis' supporters were holding a mock funeral for him, while carrying a coffin and petitions with over 140,000 signatures, in front of the state capitol building when the court issued the stay. In Georgia, a state that is known for deep-seated racism and allowing the execution of Death Row inmates of questionable convictions (many which have been tainted with similar racial and economic dynamics), this type of action is unprecedented.

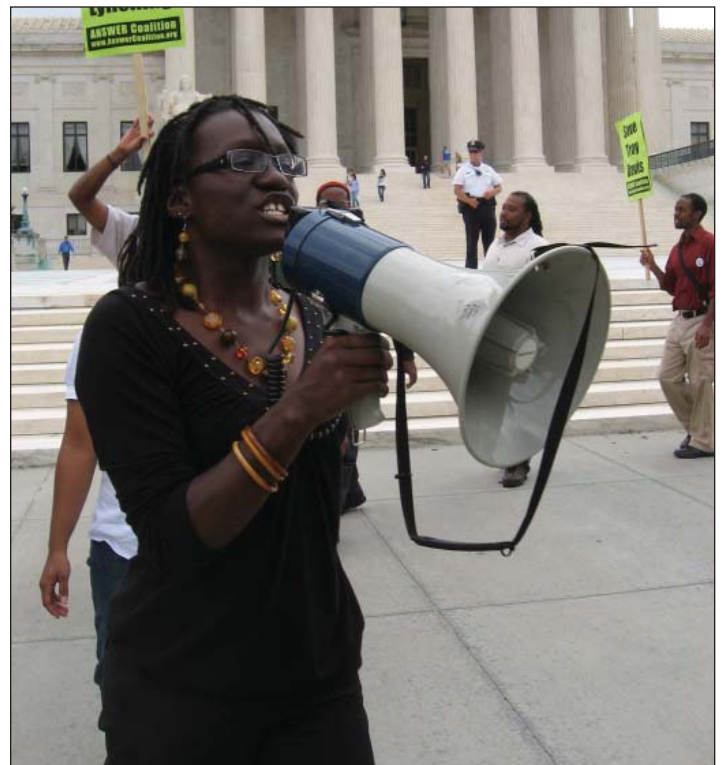


Photo taken by J. Pourzal

Tanisha Douglas, of the Malcolm X Grassroots Movement, leads rally chants at the US Supreme Court.



Photo taken by J. Pourzal

Thomas Ruffin, Jr., of DC's Black August Planning Organization, addresses protesters on Sept. 29, 2008.

Davis' freedom has become an international cause. As displayed on his [website](#), he has garnered moral support from the European Union, Jimmy Carter and Desmond Tutu, just to name a few.

Just as important as the big name endorsements have been the efforts of grassroots organizers and activists across the nation. Some have suggested that just as in the widespread support the JENA 6 enjoyed last year, this is due to the capacity of the internet to spread awareness and organize. In the case of the JENA 6, consciousness and subsequent support from traditional civil rights leaders and groups came only after the blogosphere and other internet networks had already begun to take action.

During a September 23rd rally for Davis in front of the US Supreme Court, Thomas Ruffin, legal counsel to the BAPO and Chair of the Nat Turner Rebellion, said,

"There are some people who don't think this [protesting] is the best way to do things...I happen to disagree." He said that such actions display that the people are watching the courts.

During the same rally, which was organized by BAPO and the Nat Turner Rebellion, BAPO Chair Naji Mujahid said the action was in defense

of civil rights and fairness, but not to appeal to the conscientious objectors of the death penalty.

"We're not appealing to anybody's moral conscious right now...innocence matters in this case."

He also said the BPP tried hard to move forward with the death sentence in the face of mounting opposing pressure and a weak legal case because of a philosophy of "finality over fairness," meaning it would rather kill an innocent person than "second guess" its authority or legitimacy in the face of the media and international attention. He said that the "legal lynching" sentence was a result of corrupt legal proceedings. He also mentioned that state of Georgia holds the second highest number of recorded lynchings of Blacks in US history.

The BAPO recently called for a boycott of Delta Airlines and Coca-Cola, both of which are multinational corporations based in Georgia. According to Ruffin,

"If there is an effective boycott, the companies' income taxes will decrease, and this will put pressure on the state to step in and save Davis' life."

"I am Troy Davis" has become a popular mantra of Davis' supporters. This is reminiscent of the Rev. Dr. Martin Luther King, Jr.'s famous quote: "Injustice anywhere is a threat to justice everywhere."

That being said, *I am Troy Davis*, a political prisoner on Death Row. I have been locked up for the majority of my life, but I remain hopeful.

I do not deserve to die for a crime *I did not commit*.

Written and published by:

Jonathan Pourzal

www.pourzal.blogspot.com

For more info:

[Troy Anthony Davis Homepage](#)

[Information about Davis from *Innocence Matters*](#)

[Atlanta Journal-Constitution](#)

[Finality Over Fairness \(Amnesty Intl Report\)](#)