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September 16, 2011

Mr. Larry Chisolm
District Attorney
133 Montgomery Street
Savannah, Georgia 31401

RE: Troy Anthony Davis Pending Execution Scheduled for September 21, 2011

Dear District Attorney Chisolm:

We are writing to urge you to withdraw the death warrant against Troy Davis, and to support clemency in this case. Executions when there are still substantial doubts about guilt should never be permitted.

We acknowledge the gravity of the crime at issue in this case and the seriousness with which the Georgia State Board of Pardons and Paroles makes decisions regarding clemency. It is important that you know we have profound compassion for the family of the police officer who was killed and that we very much appreciate the terrible tragedy that befell the victim in this case. However, we urge you to consider that an innocent man may be executed for a crime he did not commit and thus, another tragedy could occur in this case. With so much doubt about Troy Davis' guilt, we urge you to withdraw the death warrant and support clemency.

Due to a lack of relevant physical evidence and the fact that there was no murder weapon, there have always been questions about Troy Davis' conviction. It was based almost entirely on eyewitness testimony that today we know is much less reliable than we once thought. According to the Innocence Project, "eyewitness misidentification is the single greatest cause of wrongful convictions nationwide, playing a role in more than 75 percent of convictions overturned through DNA testing." Troy Davis' case is the perfect example of unreliable eyewitness testimony, considering that 7 of the 9 witnesses have recanted their trial testimony.

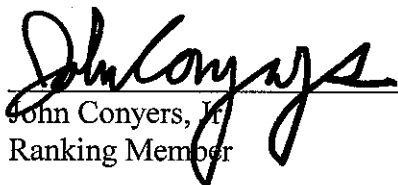
Even a federal judge has commented on the state of the evidence in this case. In the August 24, 2010 hearing before the U.S. District Court of the Southern District of Georgia, Judge William T.

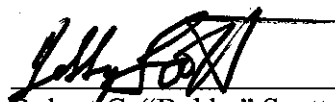
Moore, Jr. acknowledged that Davis was required to meet an “extraordinarily high” burden of proof of innocence. Although he did not find in Davis’ favor, he acknowledged that Georgia’s “case may not be ironclad.” Fortunately, a decision to grant clemency does not require that such a high burden be met, and we believe that there exists ample reason to grant clemency in Mr. Davis’ case. Your support of the clemency request would, undoubtedly, go a long way toward ensuring that an innocent man is not put to death.

It is clear now that the doubts plaguing Troy Davis’s case can never be adequately addressed; the lack of scientific or relevant physical evidence has made it difficult to adjudicate with any degree of certainty. Over the years, the inability of our courts to resolve these kind of uncertainties has shaken public confidence in our justice system, and an execution under such a cloud of doubt would do nothing but further undermine that confidence. Here, we have time to act before it is too late. Indeed, what we have learned about the witnesses since Troy Davis was convicted compel us to do so. In short, a case plagued with substantial doubt and uncertainty should not now end with an execution.

For these reasons, we urge you to exercise your authority by withdrawing the death warrant and supporting clemency in this case.

Sincerely,


John Conyers, Jr.
Ranking Member


Robert C. “Bobby” Scott
Ranking Member, Subcommittee on Crime,
Terrorism, and Homeland Security


Hank Johnson
Member