

SHEILA JACKSON LEE

18TH DISTRICT, TEXAS

WASHINGTON OFFICE:

2435 Rayburn House Office Building
Washington, DC 20515
(202) 225-3816

DISTRICT OFFICE:

1919 SMITH STREET, SUITE 1180
THE GEORGE "MICKEY" LELAND FEDERAL BUILDING
HOUSTON, TX 77002
(713) 655-0050

ACRES HOME OFFICE:

6719 WEST MONTGOMERY, SUITE 204
HOUSTON, TX 77019
(713) 691-4882

HEIGHTS OFFICE:

420 WEST 19TH STREET
HOUSTON, TX 77008
(713) 961-4070

FIFTH WARD OFFICE:

3300 LYONS AVENUE, SUITE 301
HOUSTON, TX 77020

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEES:
JUDICIARY

SUBCOMMITTEES:

COURTS, THE INTERNET, AND INTELLECTUAL PROPERTY
IMMIGRATION, CITIZENSHIP, REFUGEES, BORDER
SECURITY, AND INTERNATIONAL LAW
CRIME, TERRORISM AND HOMELAND SECURITY

HOMELAND SECURITY

SUBCOMMITTEES:

CHAIR
TRANSPORTATION SECURITY AND INFRASTRUCTURE
PROTECTION
BORDER, MARITIME, AND GLOBAL COUNTERTERRORISM

FOREIGN AFFAIRS

SUBCOMMITTEES:

AFRICA AND GLOBAL HEALTH
MIDDLE EAST AND SOUTH ASIA

SENIOR WHIP
DEMOCRATIC CAUCUS

WHIP
CONGRESSIONAL BLACK CAUCUS

CHAIR
CONGRESSIONAL CHILDREN'S CAUCUS

July 2, 2007

State Board of Pardon and Paroles
2 Martin Luther King, Jr. Drive, SE
Suite 458, Balcony Level, East Tower
Atlanta, Georgia 30334-4909
Fax: 404-651-8502

Re: Troy Anthony Davis

Dear Chairperson Hunt and Board Members:

I appeal to you to commute the death sentence of Troy Anthony Davis, whose judicial appeals are almost exhausted. Mr. Davis has been on death row in Georgia for more than 15 years for the murder of a police officer he maintains he did not commit. He was convicted in 1991 of fatally shooting Officer Mark MacPhail and was also convicted for the non-lethal shooting of Michael Cooper and the assault of Larry Young at the same crime scene. Both Cooper and Young now deny knowing who the perpetrator in their attacks was. Davis' conviction was not based on any physical evidence, and the murder weapon was never found.

Despite mounting evidence that Davis may in fact be innocent of the crime, appeals to courts to consider this evidence have been repeatedly denied for procedural reasons. Instead, the prosecution based its case on the testimony of purported "witnesses," many of whom allege police coercion, and most of whom have since recanted their testimony. One witness signed a police statement declaring that Davis was the assailant then later said "I did not read it because I cannot read." In another case a witness stated that 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 sixteen and was so scared of going to jail." There are also several witnesses who have implicated another man in the crime but the police focused their efforts on convicting Troy.

Despite these compelling facts, Mr. Davis' habeas corpus petition was denied by the state court on a technicality -- evidence of police coercion was "procedurally defaulted" so the court refused to hear it. The Georgia Supreme Court and the U.S. Court of Appeals for the 11th Circuit deferred to the state court and rejected Davis' claims. It is shocking that in over 12 years of appeals, no court has agreed to hear evidence of police coercion, or consider the recanted testimony. On Monday, June 25, The United States Supreme Court refused to grant certiorari in Mr. Davis' case. All of his avenues of judicial relief have now been exhausted and an execution date has been set for the week of July 16th.

It is deeply troubling to me that Georgia might proceed with this execution given the strong claims of innocence in this case. It has been repeatedly demonstrated that our criminal justice system is not devoid of error and we now know that 124 individuals have been released from death rows across the United States due to wrongful conviction. We must confront the unalterable fact that the system of capital punishment is fallible, given that it is administered by fallible human beings. I respectfully urge the Board of Pardons and Paroles to demonstrate its strong commitment to fairness and justice and commute the death sentence of Troy Anthony Davis.

Thank you for your kind consideration.

Sincerely,



Sheila Jackson Lee
Member of Congress