Congress of the United States
Washington, DC 20515

September 7, 2011

Chairman James E. Donald
Georgia State Board of Pardons & Paroles
2 Martin Luther King, Jr. Drive, SE
Suite 458, Balcony Level, East Tower
Atlanta, GA 30334

Dear Chairman Donald:

As Members of Congress, we acknowledge the seriousness with which the Georgia State Board of Pardons and Paroles makes decisions regarding clemency in death penalty cases. We appreciate the time spent in 2007 and 2008 by the Board to examine the case of Troy Anthony Davis.

We applauded the Board's decision to stay the execution of Troy Davis in July 2007. In the decision, you stated that the Board "will not allow an execution to proceed in this State unless and until its members are convinced that there is no doubt as to the guilt of the accused." However, a year later, on September 12, 2008, the Board denied Troy Davis's request for clemency. This fact was alarming given that doubts about Troy Davis's guilt had not been resolved.

Since 2007, there have been three stays of execution and an extraordinary evidentiary hearing conducted by the federal district court in Savannah, Georgia. While the judge presiding over that hearing ruled that Troy Davis had not established his innocence to the high standard required by the Court, he admitted that the case "may not be ironclad."

Considerable doubts as to Troy Davis' guilt remain.

Several witnesses testified at the evidentiary hearing that they had been coerced into making statements implicating Troy Davis at trial. At the hearing, one witness testified for the first time that he saw another suspect in this case commit the crime. The credibility of various witnesses was challenged by the state of Georgia, and the judge in that case agreed. Many of these same witnesses, whose credibility is now questioned, were essential to obtaining Troy Davis' original conviction.

It is clear now that the doubts plaguing Davis's case can never be adequately addressed; the lack of hard scientific or relevant physical evidence has made it impossible to resolve with any degree of certainty. Over the last four years, the inability of our courts to resolve these uncertainties has shaken public confidence in our judicial system, and an execution under such a cloud of doubt would do nothing but further undermine that confidence. Public faith in the integrity of justice in Georgia is at stake and it is for this reason that we urge you to grant clemency for Troy Davis.

The state prerogative of clemency exists for those cases that fall through the cracks, to prevent potentially grave injustices when our judicial system cannot. This is just such a case, and the power of clemency resides in your hands. Commuting Troy Davis' sentence would surely allay people's fears that Georgia would contemplate executing a potentially innocent man.

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Thank you for considering our request.

Sincerely,

Henry C. "Hank" Johnson
Member of Congress

John Lewis
Member of Congress

Emanuel Cleaver
Member of Congress

Jesse L. Jackson, Jr.
Member of Congress

Sanford Bishop
Member of Congress

Bobby L. Rush
Member of Congress

Andre Carson
Member of Congress

Barbra Lee
Member of Congress

Bennie Thompson
Member of Congress

Donna Christensen
Member of Congress

Cedric Richmond
Member of Congress

Alcee Hastings
Member of Congress

Donald Payne
Member of Congress

Frederica Wilson
Member of Congress

Ed Towns
Member of Congress

David Scott
Member of Congress

Marcia Fudge
Member of Congress

GK Butterfield
Member of Congress

Yvette Clarke
Member of Congress

Danny K. Davis
Member of Congress

Eleanor Holmes Norton
Member of Congress

Robert C. "Bobby" Scott
Member of Congress

Charles B. Rangel
Member of Congress

Bob Filner
Member of Congress

Jim McDermott
Member of Congress

Fortney "Pete" Stark
Member of Congress

Sheila Jackson-Lee
Member of Congress

Laura Richardson
Member of Congress

Gwen Moore
Member of Congress

John Conyers, Jr.
Member of Congress

Maxine Waters
Member of Congress

Robert A. Brady
Member of Congress

Dennis J. Kucinich
Member of Congress

Karen R. Bass
Member of Congress

Hansen Clarke
Member of Congress

Luis V. Gutiérrez
Member of Congress

Corrine Brown
Member of Congress

James Moran
Member of Congress

Jan Schakowsky
Member of Congress

Gregory Meeks
Member of Congress

John Olver
Member of Congress

Raúl M. Grijalva
Member of Congress

Chaka Fattah
Member of Congress

Keith Ellison
Member of Congress

José E. Serrano
Member of Congress

Jerrold Nadler
Member of Congress

Eddie Bernice Johnson
Member of Congress

Donna F. Edwards
Member of Congress

Tammy Baldwin
Member of Congress

Al Green
Member of Congress

Elijah Cummings
Member of Congress