

WITNESS FOR JUSTICE

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The Madness We Allow

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Last Wednesday, September 21, 2011 at 11:08 p.m., the state of Georgia executed Troy Anthony Davis for murdering police officer Mark Allen MacPhail in 1989. No physical evidence linked him to the case. He was convicted based on testimony from nine witnesses. Seven recanted, saying police coerced them to name Davis as the shooter; one is questionable; the last is suspected as Officer MacPhail's killer. The original judge and prosecuting attorney questioned the verdict. This conviction was wrongful conviction, and the world knows it.

I waited through the night at the prison in Jackson as Troy was strapped to a gurney, preparing a fourth time for his death. After a four hour delay, the curtains opened to give the MacPhail family, police and Troy's two attorneys a clear view of the man on the table. He raised his head, looked directly at Officer MacPhail's son and brother and said, "I'm sorry for your loss. I did not personally kill your son, father and brother. I am innocent." He asked those present to continue to search for the truth. To prison officials, he said, "May God have mercy on your souls. May God bless your souls."

I sat with Troy Davis. I believe in his innocence. I know what he had to offer. He understood this execution was not really

about him, but about a system that kills people based on race and poverty, one that supports institutional lynching and genocide.

Troy Davis was a Black man. Officer MacPhail was a white man. In Georgia, less than 40 percent of homicide victims are white, but in 87 percent of death penalty cases, the victim was white. In Georgia, 22 percent of Blacks convicted of killing whites are sentenced to death, compared to eight percent of whites killing whites, three percent of whites killing Blacks, and one percent of Blacks killing Blacks. In the U.S., Blacks make up 13 percent of the population and 42 percent of the people on death row.

Among world leaders in state sanctioned executions the U.S. is fifth, after China, Iran, Iraq and Saudi Arabia. We have exonerated 130 death row inmates since 1973, but we execute even though we know some are innocent. Clemency from death row usually means a life sentence of solitary confinement, also internationally recognized as torture.

Prison is not about fair punishment. It condemns people to destroyed potential, poverty, and separation. The likelihood that a Black man will go to prison in his lifetime is more than 32 percent; if the man is white, five percent; Hispanic, 17 percent. Visit any prison and you will see poor people, low-hanging fruit for “get tough on crime” politicians. Any prisoner will tell you life is not fair. You just do what you can to stay sane.

On Saturday, Troy Davis will be buried and I will speak again with my colleague Thomas Ruffin, one of the attorneys who watched him die. But unjust “justice” will not be buried. There will be more wrongful convictions, more executions, more incarcerations for minor offenses while serious offenders walk free.

We allow this.

There was no mercy for Troy Davis. May God have mercy on our souls.

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