

centerforconstitutionalrights
on the front lines for social justice

September 15, 2011

State Board of Pardons and Paroles
2 Martin Luther King, Jr. Drive, SE
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Atlanta, Georgia 30334-4909
(404) 656-5651

Dear Georgia State Board of Pardons and Paroles,

We, the Center for Constitutional Rights, a non-profit legal and educational organization,ⁱ **write to ask you to prevent the execution of Troy Anthony Davis**. We make this request in light of the following concerns:

Capital punishment is human rights abuse.

The Universal Declaration of Human Rights, which the U.S. helped draft in the aftermath of World War II, begins its enumeration of fundamental human rights with “the right to life, liberty and security of person.” **Simply put, life is a human right.** No state may violate the fundamental human right to live, no matter who is to be executed, or what they may have done.

As long as governments have the right to extinguish our lives, they maintain the power to deny us access to every other right listed in the Declaration. In other words, this first, most central right provides the foundation upon which all other rights rest. Further, the death penalty also diminishes the humanity of everyone it touches. As Sojourner Truth told the Michigan legislature during one debate on whether to reinstate capital punishment, “We are the makers of murderers if we do it.”

Moreover, we know from decades of experience that capital punishment in the United States is not only a fundamental human rights abuse, but is also fundamentally flawed in design and implementation.

Davis’ case is rife with doubt about his guilt.

Our system of justice can never be mistake-free. DNA evidence has demonstrated the innocence of at least 17 death-row inmates since 1993, according to the Innocence Project. One such exoneree, served 11 years in prison, and came within five days of execution, while another spent 17 years in prison, and came within nine days of execution before receiving a stay. Frank Lee Smith had spent 14 years on death row and died there of cancer, before DNA testing exonerated him 11 months after his death. **In Mr. Davis’ case, the courts have already recognized significant doubt as to guilt, and yet his execution date has still been announced for September 21, 2011.**

The death penalty is expensive.

States are facing massive budget shortfalls. A recent study examining the costs of the death penalty in Kansas found that such cases are 70 percent more expensive than comparable non-death penalty cases. A report by the Urban Institute found that taxpayers paid at least \$37.2 million for each of five executions carried out in Maryland.

The death penalty targets the people of color and the poor.

Blacks and Latinos make up more than 55 percent of the current death row population, despite comprising only about 25 percent of the U.S. population. The vast majority of people on death row are poor.

Capital punishment does not deter crime.

The death penalty is not an effective deterrent, and life imprisonment will sufficiently protect the public from repeat offenders.

Capital punishment, as it is applied in the United States, is expensive, racist, arbitrary, fallible and a violation to the right to life.

As such, Davis' execution must be prevented. There must also be an immediate abolition of the death penalty in the United States.

Though the U.S. had a leadership role in assembling the Universal Declaration, and in many of the drafts of critical human rights documents that followed, **the United States continues to execute people**. In announcing Davis' execution date, the State of Georgia stands to join a long line of U.S. human rights violators and to become complicit in the commitment of human rights abuses and murder.

In light of the aforementioned reasons, we urge you to prevent Troy Davis' execution and grant him clemency.

Thank you for your consideration.

Sincerely,

The Center for Constitutional Rights

¹ The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change. Learn more at www.ccrjustice.org.