

# Baumgartner, POLI 203 Fall 2014

I am Troy Davis, part II

Reading: I am Troy Davis, pp. 160-271

September 24, 2014

# Catching up

- Questions about *Picking Cotton*, Jennifer?
- Quizzes
  - More 10-question quizzes coming, be prepared
  - Credit for one question in last quiz to all students
  - Pol Sci is not supposed to be easier than Chemistry: study this stuff, learn it
  - You will be surprised how much some factual knowledge can come in handy when talking to people, including professors and employers
  - Quizzes will continue to be factual; papers will be more interpretive

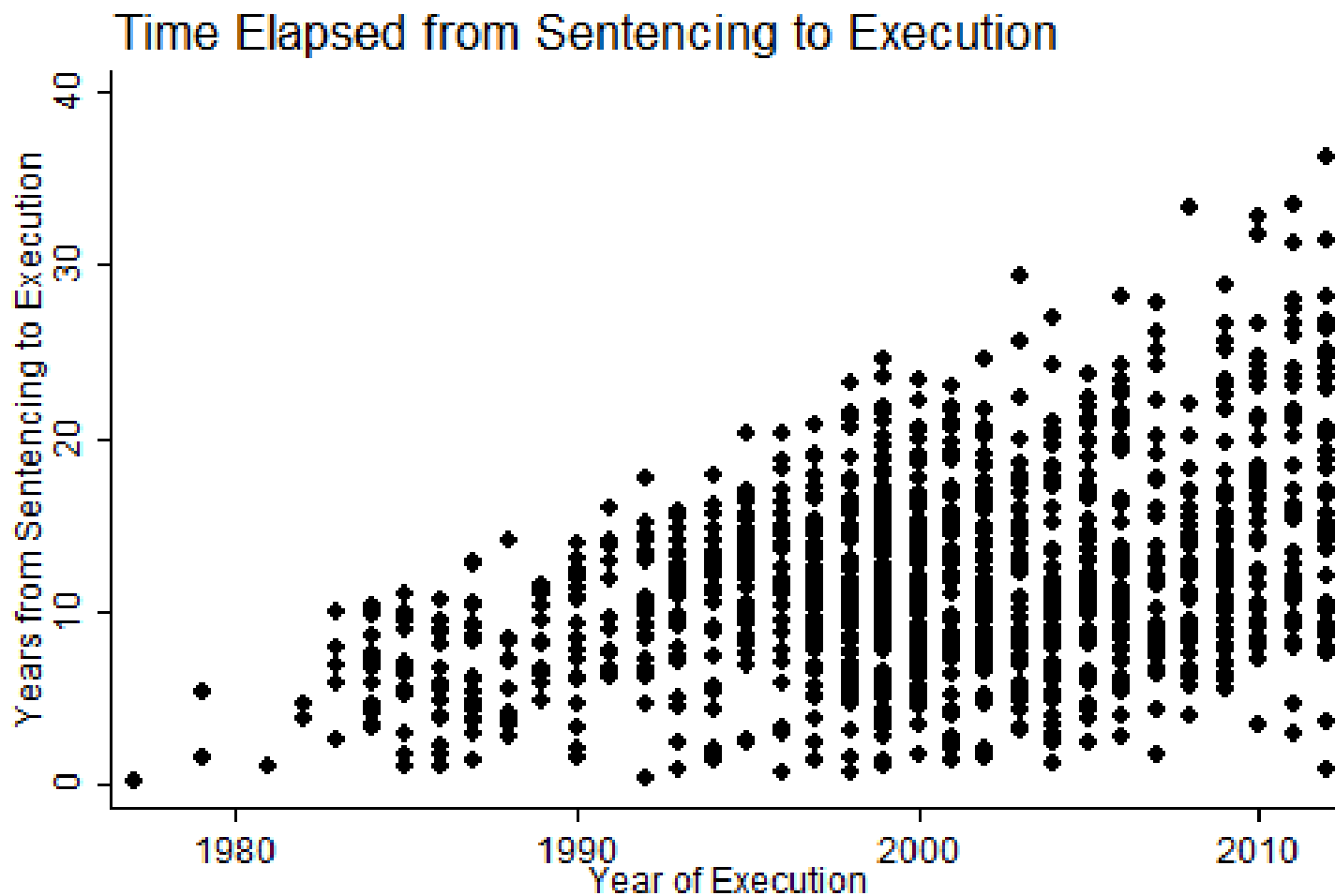
# Speakers tonight

- Jen Marlowe and Kim Davis
- 5:30 in Hamilton 100 (note room change)
- 5:00 get there early to get your book autographed if you want
- They will also sell t-shirts and books, with the proceeds to a scholarship fund for De'Jaun, who is a sophomore in college at Morehouse
- TA's will have sign-in sheets, make sure you sign in

# I Am Troy Davis

- Is it / should it be constitutional to:
  - Keep someone in prison for 22 years before executing them?
  - Sentence someone to death, then see that 65 percent of the death sentences are overturned? Oops, just kidding. (Not in Troy's case, however.)
  - Repeatedly set execution dates, then cancel them? (Troy had 4 dates, only the 4<sup>th</sup> one held.)
- Do such things amount to torture?

# Actually, 22 years is about average



Each year adds 107 Days to Time from Sentence to Execution

# Public Defenders Offices

- Troy was represented by the Georgia Resource Center
  - Their budget cut by US Congress in 1995 (peak of death penalty use in the US) by 70 percent
- Difficulty in gaining political support to fund indigent defense services / public defenders offices: why spend taxpayer dollars to defend admitted and convicted murderers? Hard to swallow politically, with predictable results

# Pro-Bono Attorneys

- Troy, Henry McCollum both represented by a combination of “white-shoe” law firms volunteering their time, and full-time (but often overworked) capital defenders.
- NC system a model of reform, but highly unusual; GA more typical in a poorly funded system
- How little funding should be too little? You are entitled to an attorney. A good one? One with time to spend on your case? Different questions.

# Officer down, but who shot him?

- No one wants the crime to be unsolved...
- Huge pressure to “close the case”
- But quite the chaotic scene and hard to reconstruct exactly what did happen that night in the Burger King parking lot
- Danger of wrongful conviction higher when sympathy with the victim is greatest?
  - Officers, children, other sympathetic victims...



# Jury composition

- Question came about the racial composition of the jury. My internet search showed:
  - 8 of 9 preemptory strikes by the DA were directed at Blacks
  - Still, the final jury consisted of 7 Blacks and 5 Whites

# “Otherness”

- In death cases, we often see a great effort to make the inmate seem like an animal, someone so “beyond the pale” that you should have no sympathy for them.
- Pre-trial release of information, inflammatory media coverage, “perp-walks” carefully orchestrated.
- #iftheygunnedmedown: there are lots of ways to pick a photo

# Humanizing

- Troy's family in this book attempts obviously to present him in a different light than the prosecution would.
- How frustrating these disputes are
  - Officer McPhail's family and others think Troy is a killer
  - Troy's family feels he has been unjustly convicted

# Attention to Victim or to Inmate?

- Increased attention to inmates after they are convicted generally serves to “humanize” them.
- But in order to be sentenced to death they often go through a process of being “dehumanized” or “demonized”
- Focus on victim and nature of crime, then quickly turn to the accused and say: someone must pay. Henry McCollum was such a case.

# Why a Media Storm? Why Troy Davis?

- Is his case worse than others?
- Was it about timing?
- Was it his family's efforts to generate publicity?
- Was it Amnesty International seeking cases? If so, why did they pick this one in particular?
- Was it how the case represents outsider's fears about "rough justice" in the US South?
- Was it just random?
- Did the media coverage make a difference?