

Parole board will hear witnesses in Davis case 7/25/07 Convicted cop killer scheduled for execution gets another shot at clemency

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Convicted cop killer Troy Anthony Davis — whose scheduled execution last week was put on hold by the state parole board — will get another bid for clemency Aug. 9.

The state Board of Pardons and Paroles will hold a hearing that day to listen to 14 witnesses — some of whom have recanted testimony used to implicate Davis for the 1989 murder of a Savannah police officer and others who have come forward with information pointing the finger at another potential shooter. The parole board will dispatch its support staff to interview a 15th witness, who is serving time in a Georgia prison.



[\(ENLARGE\)](#)

Troy Anthony Davis was sentenced to death for fatally shooting Savannah police Officer Mark Allen MacPhail, but some witnesses have recanted their testimony.

forward to presenting the rest of our case on Aug. 9."

The parole board has the power to commute Davis' sentence to life in prison (with or without parole) or allow the execution to proceed.

Some of the witnesses have said they were pressured by police to name Davis as the killer or were too afraid to identify the real gunman.

The parole board, in a letter sent this week by its attorney Tracy D. Masters, also is asking Davis' lawyers to allow the Georgia Bureau of Investigation to re-do ballistics tests that played a role in his prosecution.

Davis was sentenced to death for fatally shooting Savannah police Officer Mark Allen MacPhail, who was working an off-duty job when he responded to a fight in a parking lot.

Davis was given a 90-day stay of execution July 16, just 24 hours before he was scheduled to die by lethal injection. The parole board was troubled by questions raised by Davis' lawyers about his conviction.

Davis' lawyers have tried to present the new witnesses' information to appeals courts, but they have refused to hear it — in part because of a federal law designed to expedite seemingly endless death penalty appeals.

Jason Ewart, one of Davis' lawyers based in Washington, said that the Aug. 9 date was "a little quick" but that his legal team is working to get as many witnesses to the hearing as it can.

"It's a tall order without subpoena power," Ewart said Wednesday.

"But we're going to do all we can to get them there. We're looking