

WASHINGTON, DC – Congressman Robert C. "Bobby" Scott (D-VA-03), Ranking Member of the Crime, Terrorism and Homeland Security Subcommittee on the House Judiciary Committee, issued the following statement on the Georgia state Board of Pardons and Paroles' denial of clemency for death-row inmate Troy Davis:

"It is tragic that under our current system of law the fact that there is no credible evidence that Troy Davis is guilty of murder is insufficient to stop his execution. Since his conviction, seven of the nine witnesses in the case against Davis have recanted, and one of the others is suspected of being the actual perpetrator, while no physical evidence has tied Davis to the crime. Under the Antiterrorism and Effective Death Penalty Act, the burden is on the defendant to prove actual innocence by 'clear and convincing evidence.' This standard is more stringent than preponderance of the evidence and so a defendant demonstrating that he is probably innocent will not meet this burden. Lack of evidence of guilt is not affirmative evidence of innocence. Troy Davis demonstrated that the evidence against him left serious reasonable doubt of his guilt, but unfortunately, he has apparently been unable to prove with clear and convincing evidence that he is actually innocent. There is something fundamentally wrong with our system when someone may be put to death when the evidence we have available today casts serious doubt about his guilt."

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