

OPINION

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Don't Believe the Hype!

Your vote counted on Nov. 2

BY MELANIE CAMPBELL

I would like to thank all voters for taking the time to exercise their right to vote in the Nov. 2 mid-term elections.

The preliminary reports we received from the ground reflected that black folks voted, especially women, in strong numbers in many states, contrary to some media reports stating the minority and youth vote was low based on exit polls. Let us not forget that exit polls have not been very reliable in past national elections.

It is amazing to me how pundits jump to the conclusion that when Democrats lose that 'black folks and youth must have stayed home,' only to find that when the official numbers come out weeks later, it usually turns out to be just the opposite

that we in fact voted much higher than exit polls reflected.

Don't believe the hype, Black folks voted!

We did not underestimate the power of technology in getting the vote out. Our Black Women's Roundtable and Black Youth Vote! organizers tweeted, blogged, utilized Facebook and other sites to reinforce the necessity to let your voice be heard by voting in 2010.

Building the capacity of the black civic sector will require increasing the use of technology to register, educate, engage and mobilize our youth and the broader black electorate.

We also witnessed several historic moments in American politics for Democrats, Republicans and women including a major shift in political power with Republicans taking control of the House of Representatives and winning several statewide races in key battleground states. We also witnessed the Democrats retaining control of the Senate.



Other historical votes saw the first African American woman elected to the U. S. Congress in Alabama (Terri Sewell-Democrat); the first African American Republican elected to Congress since 2003 in South Carolina. (Tim Scott); the first African American woman elected State Attorney General of California. (Kamala Harris--Democrat); and the first black immigrant woman elected Lt. Governor of Florida (Jennifer Carroll-Republican, born in Trinidad).

Other historic wins for minority candidates saw the country's only African American governor re-elected to a second term in Massachusetts (Gov. Deval Patrick-Democrat); the first African American Republican elected to Congress in Florida (Alan West-Republican); the first Hispanic woman elected governor in New Mexico. (Susana Martinez-Republican); the first woman elected governor of South Carolina (Nikki Haley - Republican, whose parents were born in India); and a majority-minority district elected an African American to the

U. S. Congress in Louisiana. (Cedric Richmond-Democrat).

Many pundits believe the overall results of the elections were a vote against President Obama and his bold policy agenda. Others believe that the American people want our elected officials to find common ground to work together to turn our economy around to create jobs, educate our children to compete in a global society and other solutions to our nation's challenges.

One thing that is for certain, your vote counted and it's up to each of us to hold our elected officials accountable, no matter the party, to serve our interests, not just for the few, but for all of the American people.

I thank you again for raising your voice by voting. Remember, together, we are the change we are looking for.

Melanie Campbell is the president and chief executive officer of the National Coalition on Black Civic Participation and convener of Black Women's Roundtable.

Preventing Wrongful Executions

We need a common sense approach

BY LARRY COX

Imagine being locked up on death row for 20 long years with no physical evidence linking you to the crime. You've been convicted thanks to "eyewitnesses," most of whom have changed their stories. How would you feel as you face the executioner?

Troy Davis knows. He was sentenced to death in 1991 for the killing a Savannah, Ga., police officer. No murder weapon was found. Most witnesses who implicated him have now recanted, save one who many believe is the actual killer. Davis has continued

to maintain his innocence while facing, and surviving, three execution dates.

In June, the U.S. Supreme Court mandated a hearing featuring some of these witnesses, but the judge presiding over the hearing ruled that Troy Davis had not proven his innocence. The judge wrote in his decision it would be wrong to execute an innocent person -- something that, unbelievably, the U.S. Supreme Court has never definitely stated -- but that in this type of hearing innocence had to be proven to an "extraordinarily high" degree, with "clear and convincing evidence." Troy Davis could not clear that hurdle.

I attended Troy Davis' hearing on June 23. The utter confusion of conflicting stories, testimonies, and statements made it vir-

tually impossible to find clarity, let alone innocence. I watched as four witnesses admitted they lied at trial, four witnesses implicated another man as the killer, and three witnesses described police coercion during questioning.

The next day, many of the state's witnesses told a contrary tale. Without any solid physical evidence available, which could have been scientifically tested, it was impossible for anything to seem "clear and convincing." So it's not surprising that Davis couldn't prove his innocence to the level the judge required -- but it would be an outrage if Georgia were to execute him.

Eyewitnesses are notoriously unreliable. According to the Innocence Project, more than 75 percent of wrongful convictions are due, at least in part, to faulty eyewitness testimony. Witness testimony is open to interpreta-

tion and "he said/she said" guesswork. It leaves a lot of room for doubt.

So what happens when the only evidence available is witness testimony? Can you pass the judge's "clear and convincing" test under those circumstances? Perhaps, if your witnesses happen to be extremely reliable. But for Davis, the very same witnesses whose credibility led to convicting him in 1991 were found to be unreliable in 2010. The bottom line: there is no guarantee that the wrongly convicted will have "clear and convincing" evidence of their innocence.

Following Troy Davis' first clemency hearing in July 2007, the Georgia Board of Pardons and Paroles declared that they would "not allow an execution to proceed in this state unless and until its members are convinced that there is no doubt as to the guilt of

the accused."

In September of this year, Gov. Ted Strickland of Ohio used the same reasoning in commuting Kevin Keith's death sentence, stating while he believed "it is far more likely that Mr. Keith committed these murders," he would grant clemency due to "real and unanswered questions" in his case.

This is the commonsense approach if we want to prevent wrongful executions. Georgia should take heed as a possible fourth execution date looms on the horizon for Troy Davis. If we really want to avoid putting the innocent to death, we should insist on removing all doubt about guilt, rather than demanding "clear and convincing" proof of innocence.

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