



Davis

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conviction.

MacPhail was working security at a bus station on Aug. 19, 1989, and rushed to the aid of Larry Young, a homeless man who prosecutors say Davis was bashing with a handgun after asking him for a beer. When MacPhail got there, they say Davis had a smirk on his face as he shot the officer to death in a Burger King parking lot. Others have claimed the man with Davis that night has told people he actually shot the officer.

No gun was ever found, but shell casings were linked, prosecutors say, to an earlier shooting for which Davis was convicted. Witnesses placed Davis at the crime scene and identified him as the shooter. However, no other physical evidence was found, including blood or DNA, that tied Davis to the crime.

As time ticked toward the execution, an upbeat and prayerful Davis turned down an offer for a special last meal and planned to spend his final hours meeting with friends, family and supporters. Meanwhile, two attempts to prove his innocence were rejected: a polygraph test and another hearing before the pardons board.

His attorney Stephen Marsh said Davis would only submit to a polygraph test if pardons officials would take it seriously.

“He doesn’t want to spend three hours away from his family on what could be the last day of his life if it won’t make any difference,” Marsh said.

His lawyers, meanwhile, are trying the legal avenues left to them, filing a motion in a county court challenging the ballistics evidence and eyewitness testimony. A judge

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could at least delay the execution, which has happened three times before. Most believe arguments on the merits of the case have been exhausted, however.

The National Association for the Advancement of Colored People, which has helped lead the charge to stop the execution, said it was considering asking President

Barack Obama to intervene. Obama cannot grant Davis clemency since it was a state conviction, but could potentially halt the execution by asking for an investigation into a federal issue if one exists, though that was unlikely, said Richard Dieter, executive director of the Death Penalty Information Center.

In Savannah, 16 Davis supporters gathered at the Chatham County courthouse to press District Attorney Larry Chisolm to help stop Davis’ execution. They said 240,000 people had signed petitions urging the state to spare Davis’ life, and delivered them in three large boxes to Chisolm’s courthouse office where they were received by a member of the prosecutor’s staff. Chisolm has said he’s powerless to intervene, but activists say they believe he has enough influence as district attorney to sway the outcome.

As for the new and changed accounts by some witnesses, an unmoved federal judge dismissed them during a hearing set up by the U.S. Supreme Court in 2010. He said while the “new evidence casts some additional, minimal doubt on his conviction, it is largely smoke and mirrors.”

It was the first time in 50 years that justices had considered a request to grant a

new trial for a death row inmate. It set a tough standard for Davis to exonerate himself, ruling his attorneys must “clearly establish” Davis’ innocence - a higher bar to meet than prosecutors having to prove guilt.

Once the hearing judge made his ruling, the justices didn’t take up the case.

Prosecutors say they have no doubt they charged the right person, and MacPhail’s family lobbied the pardons board Monday to reject Davis’ clemency appeal. The board refused to stop the execution a day later.

“He has had ample time to prove his innocence,” said MacPhail’s widow, Joan MacPhail-Harris. “And he is not innocent.”

In Europe, where the planned execution has drawn widespread criticism, politicians and activists were making a last-minute appeal to the state of Georgia to refrain from executing Davis. Amnesty International and other groups planned a protest outside the U.S. Embassy in Paris later Wednesday and Amnesty also called a vigil outside the U.S. Embassy in London.

Parliamentarians and government ministers from the Council of Europe, the continent’s human rights watchdog, called for

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Workers

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Complaint charging racial discrimination in 1995. Reforms were enacted that eventually brought five of the six into the union, but African American workers have repeatedly charged that the PMA and the ILWU continue to keep jobs away from women and workers of color.

A groundbreaking series of articles in the late 1990s by Seattle Times business reporter Stanley Holmes uncovered rampant problems; by 1997, eight discrimination lawsuits were pending against the Seattle longshore workers’ union and the PMA.

“Several Seattle and Tacoma port commissioners say they are concerned about dockworker allegations of racial and gender discrimination on the waterfront, but say they have no jurisdiction over the Longshoremen’s Union or the maritime association that leases the docks from the ports,” Holmes wrote.

In 1998, one of the Seattle-area suits against the ILWU, the PMA and an array of union locals - which, Holmes reported, alleged Black and Hispanic workers were “passed over for job assignments, subjected to racial slurs and jokes, physically assaulted and, after the suit was filed 18 months ago, victimized by retaliatory acts” — was

settled out of court.

By 2006 the African American Longshore Coalition attempted reforms from inside the union - but, some say, without result.

Application Technicalities

A spokesman for the Tuesday help group kicked off the session with a few words about the need for more longshore workers of color, and the need to fill out the cards exactly right — without any errors.

“The reason we brought you here today is - you don’t have any better opportunity than anybody else, but you do have the opportunity to fill out the card right and make sure you’re in the drawing, and you may possibly get a job as a longshoreman,” he told the boisterous crowd.

The Skanner News was not able to identify the volunteer by press time because the number of interested applicants at the coffee shop was so large it was impossible to get near the table. The throng surged out as far as the parking lot and promised to keep flowing until the event shut down at 3 p.m.

Wednesday is the deadline for sending in

African American workers have for years charged that the PMA and the ILW keep jobs away from women and workers of color

“interest cards,” each of which - if filled out properly and submitted on time - will be entered into a series of lotteries from which a roster of “casual worker” hires will be made.

These “casual workers,” who are non-union laborers without any medical benefits or job perks, are the pool of workers from which a Portland International Longshore

Workers Union Local 8 committee periodically selects new union members when opportunities open up.

“There’s not many brothers with us down there at the Port of Portland,” the volunteer said. “So we have 500 longshoremen and maybe 25-30 African American or mixed race etcetera.

“So we’d like to see more of you guys down there working with us and that’s why we organized this on our own time.”

Bigger Picture

“The problem is that when you look at that economic system in the breakdown of this city, people are tending to get the jobs that their fathers have taught them,” Raiford said Tuesday at Reflections. “So without that opportunity we know that we have a lot of unemployed people, we have a lot of kids that aren’t graduating from high school, we have a lot of families that are divided.

Raiford noted that most of the families in Oregon today are descendants of longshore workers who came to Oregon at the beginning of World War II.

“All of our families, including mine, came to Portland with the longshoreman jobs almost 100 years ago, so it shouldn’t be this hard to get them into these types of oppor-

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Smith

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postpone his announcement. He simply didn’t make a speech, which is a shame because he has plenty to say.

“The first thing to understand is that this city doesn’t work because it has a great mayor; this city works because it is a great city,” he says. “Anyone who runs, promising that they are the answer, is asking the wrong question!

“Portland is at its strongest when there are a lot of Portlanders engaged in rising to our challenges and creating opportunities for the city. That’s what makes Portland special.”

What makes Smith special? For one thing he is the only mayoral candidate, so far, with his own Wikipedia page. His entry reveals that he is the great, great, great

If elected Smith would be the first Portland mayor to live in East Portland a grassroots jobs strategy is top of his list

nephew of Joseph Smith, who founded the Mormon religion. A graduate of Grant High School, the University of Oregon and Harvard Law School, in 2001, Jefferson Smith also founded a revolutionary new organization: the Oregon Bus Project.

Where old-style Democrats went to meet-

ings, the Bus Project took its progressive political message on the road, signing up hundreds of new voters -many of them people of color -and injecting humor into politics with events such as, ‘Candidates Gone Wild’. Elected in 2008 to represent East Portland in Salem, Smith took that sense of humor with him, somehow managing to get his fellow Democrats to work together to “Rick Roll” the Oregon House of Representatives. The Skanner News Video: Rick Rolling the House

You Can’t Segregate Poverty

Now, Smith says he wants the mayor’s job because local government is best placed to solve the serious challenges facing neighborhoods in East Portland, and across the

entire city.

“I listened to what my neighbors were facing and I realized how little of that I could impact in the Legislature, and how much more it related to local government: sidewalks, paving streets, the equitable distribution of resources; gang intervention; safety on MAX platforms and the development of our local economy.

“The MAX line runs through the whole city and the economy of the entire city is linked, from our businesses to our customers. So for our city to work, the WHOLE city needs to work.”

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