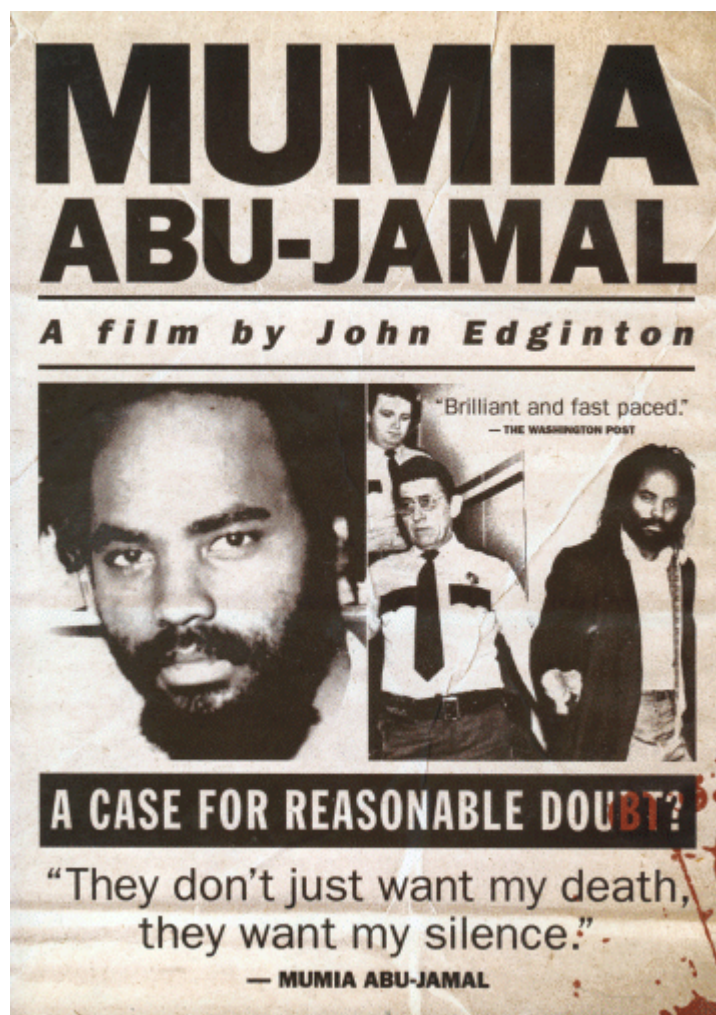
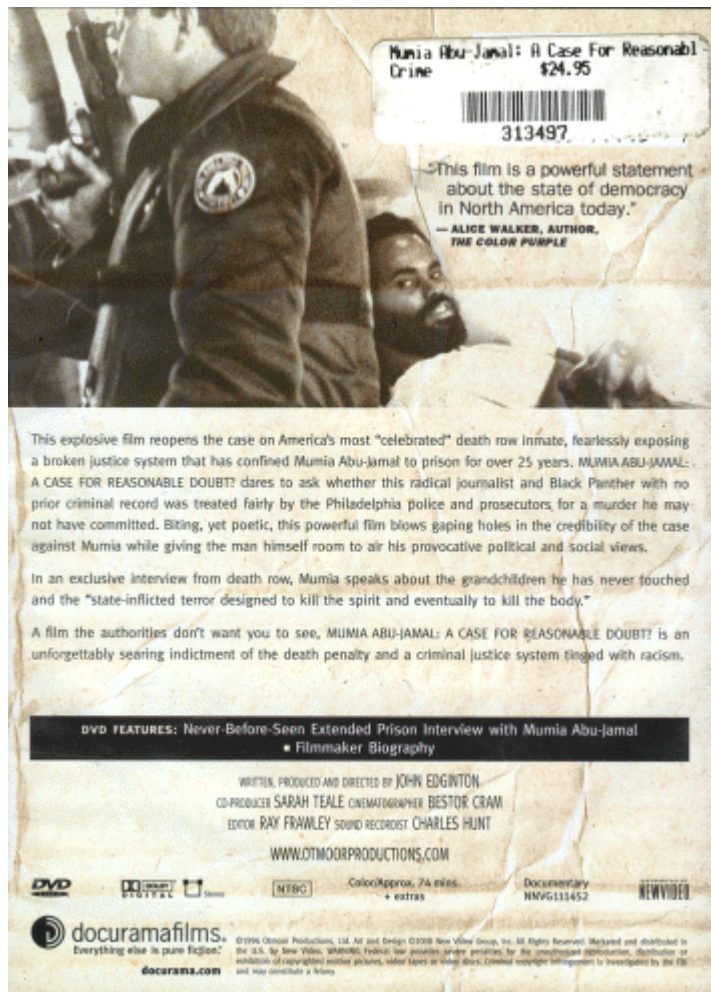


MUMIA ABU-JAMAL: A CASE FOR REASONABLE DOUBT? -- ILLUSTRATED SCREENPLAY

directed by John Edginton
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One of the most intriguing, but also most puzzling, was William Singletary, a businessman and Vietnam veteran. Although he was present on Locust Street at the time of the event, Singletary was never asked to be part of the trial. Singletary claims he was returning to his parked car from a club when he saw a volkswagen being driven the wrong way down Locust Street.

Honest Witness, William Singletary, Fingers Mumia Abu-Jamal as a Good Samaritan Who Was Shot For His Trouble -- Little Movie

[William Singletary] The police officer stopped the car and jumped out. The gentleman in the volkswagen met him. They had a brief confrontation. The cop had the guy go up against the wall. As he went up against the wall, there was this back and forth verbal talk, back and forth, and back and forth. And a guy was in the car -- a passenger. He jumped out, hollered some obscenities, and the police officer turned as if to say to him, "Get back in the car" or something. And the guy pulled a handgun, and when he reached [inaudible], I just went behind the subway to get cover, more or less, because I figured it was a gun. And I heard a popping sound. I ducked. Then I saw the guy pointing the gun directly at the cop's face. And then I saw the fire from the barrel hit the cop directly in the face. The guy turned around, looked at me, and then he turned the other way, placed the gun under the volkswagen, and took off running east on Locust Street. **Another person appeared, and he asked me, "Where is the guy who was driving the volkswagen?" And I said, "He took off running down the street." He says, "Well, what happened here?" I said, "A police officer got shot." He said,**

"Oh, my god, we don't need this." He walked over to the police officer, threw his hands up in the air, and as he laid over to ask the cop he says, "Is there anything I can do?" and the cop's gun discharged, hit him in his chest, and knocks him against the volkswagen. And now we've got two people who have been wounded. And I'm standing there, and I don't know what to do. Then white shirt police officers came, and they tried to get assistance for the people who had been wounded.

[Narrator] William Singletary was then taken by the police down to their headquarters to make a statement.

[William Singletary] I included exactly what I told you what I saw. I wrote it. They said it wasn't good enough. It wasn't correct. They destroyed it. And I wrote it again. I did this over, repeatedly. Four times I did this, like two or three pages each time. And they would destroy it each time. While I was there, there was one police officer sitting there, he had a slap stick. He kept hitting his hand. The other guy was standing behind me. He had one, and he kept kicking the chair. I was threatened to be beat up; and my parents would be harmed; my business will be destroyed. Everything I worked for all of my life was going down the tubes. I was told, basically, "This guy's not worth it. He's the scum of the earth. I don't know why you're taking up for him. We know who did the shooting. Look, we got this guy. We're going to put him away. You're going to do what we tell you to do, or you won't be no good in this city." But I wasn't going to let them beat me up. But I knew if I hit one of them, or something happened, I'd go to jail for some other charges, for something I hadn't done. So when they gave me the offer to write something, he told me what to write. He told me, word for word, and that's what I wrote. That's what the guy typed on the paper. I signed the paper -- two sheets -- and I left. As I left, I felt like a lady would have felt if she was raped. I just felt violated. I knew what I did wasn't right. I knew that everything I had stood for was down the tubes. And I felt real bad about it. And I knew this other person, Mumia, was being falsely accused for something he never knew what happened. I talked to several people that I knew, and they said, "Just leave it alone. The guy's in jail, just leave it alone." But I couldn't rest, because I knew what was wrong was wrong.

-- Mumia Abu-Jamal: A Case for Reasonable Doubt?, directed by John Edginton

Transcribed from the movie by Tara Carreon]

[Mumia Abu-Jamal] My name is Mumia Abu-Jamal. I'm a journalist, a husband, a father, a grandfather, and an African-American.

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PRESENTS**

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A John Edginton Film



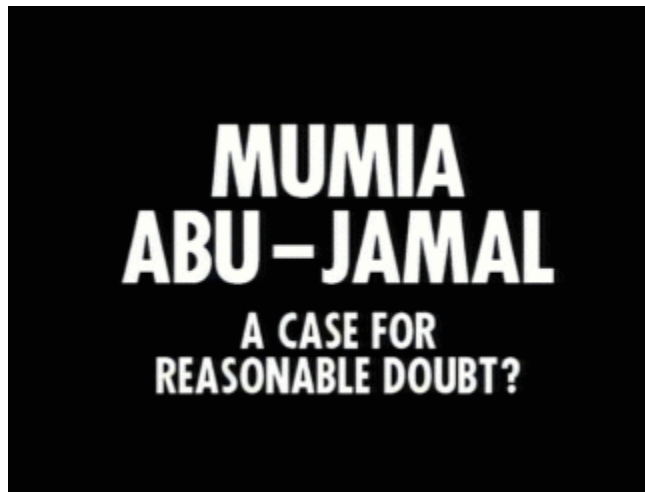
[1993 radio recording by Mumia Abu-Jamal]



[Mumia Abu-Jamal] I live in the fastest growing public housing tract in America. In 1981, I was a reporter for WUHY, and President of the Philadelphia Association for Black Journalists. Currently, I'm a writer and a public radio commentator. I've been a resident on Pennsylvania's Death Row for 11 years. Tune in to hear my regular reports. From Death Row, this is Mumia Abu-Jamal on your public radio station.

[Gunshot sounds]

[Narrator] That recording was withdrawn from broadcast on National Public Radio after protests by the police. It was recorded by a man who faces death by execution. While a number of people believe this sentence is just, a growing number believe he deserves a new trial.



MUMIA ABU-JAMAL: A CASE FOR REASONABLE DOUBT?



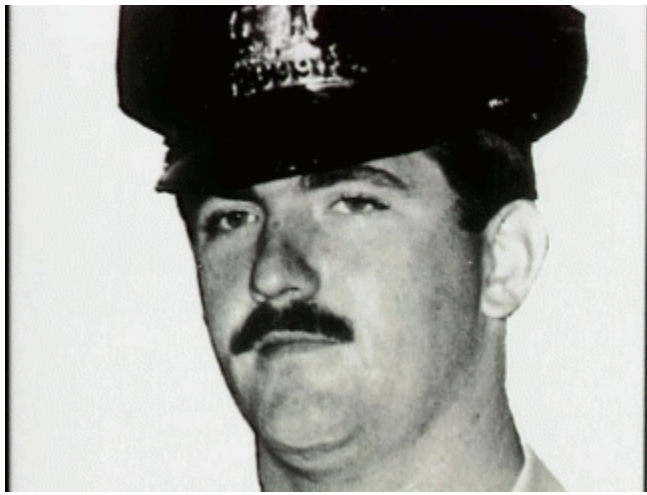
[Gunshot sounds]





[KYW-TV NEWS REPORT, DEC. 9, 1981]







[Male Reporter] First reports of the shooting of Officer Daniel Faulkner came just before 4:00 this morning. But by the time his mother Mary and brother Ken arrived at Jefferson Hospital, he had already died of multiple gunshot wounds. Police say that it was Philadelphia radio reporter Mumia Abu-Jamal who pulled the trigger. But no one seems to know why.



[KYW-TV NEWS REPORT, DEC. 14, 1981]







[Male Reporter] As the casket of Daniel Faulkner emerged from the St. Barnabus Church in Southwest Philadelphia, nearly a thousand of his fellow officers saluted as the family strained to stand up under the pressure of today's ceremony. Faulkner's young wife, Maureen, widowed after just a year of marriage, had hoped to celebrate her husband's 26th birthday in just a few more days. Fellow officers from 165 separate police units had come. Some of Faulkner's closest friends today were his pallbearers.



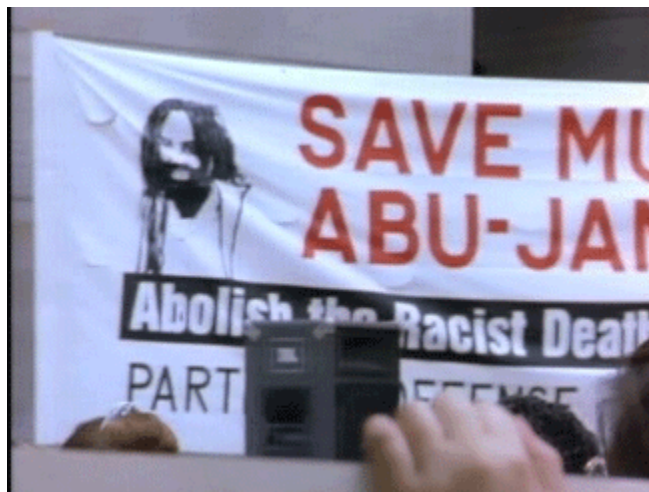
[Richard Costello, Fraternal Order of Police] It could have been any one of us. And when any police officer is murdered, the others tend to rally around, not only to support the family, but to show our deep concern on this case. This attack on one is an attack on all. As far as I'm concerned, anyone who kills a

cop, whether he's an American, African-American journalist, or an Irish terrorist, murder is not a political act. It's a crime of violence. So we have no sympathy with it. And when you murder a police officer, anything else that you may be about, you've given that up.



[Narrator] The murder of Officer Faulkner was on December 9, 1981, in the city of Philadelphia. Six months after the shooting, still proclaiming his innocence, Mumia Abu-Jamal, who had no prior police record, was found guilty of the murder of Officer Faulkner and sentenced to death.









After 14 years on Death Row, and the failure of two appeals, Jamal has recently begun to attract national attention. A well-known civil rights lawyer has taken up his case.



[Leonard Weinglass, Jamal's Lawyer] Well, I've done a series of death penalty cases throughout the south and in the northwest involving African-Americans and Native Americans, and fortunately I've never lost one.

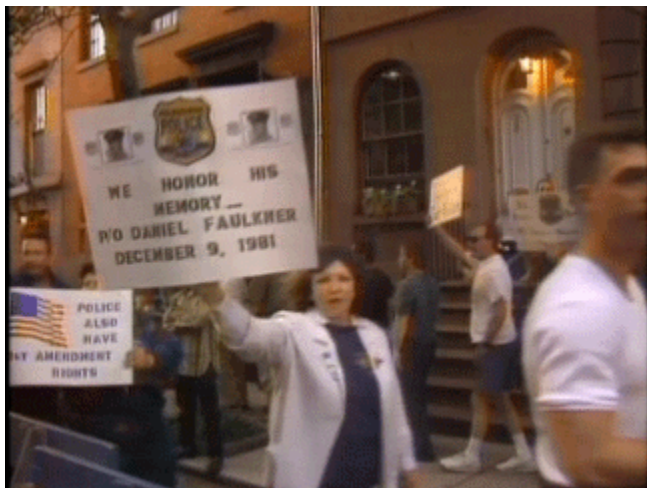




[Richard Costello, Fraternal Order of Police] I think Mr. Weinglass would need a ladder to look a worm in the eye. He got tried, and he got convicted, and he got sentenced, and he's going to get executed. Because as far as we're concerned, if you're going to cold-bloodedly murder a police officer, you're going to die for it. And that message has to go out far and wide, because it's the only thing that separates us from depravity.

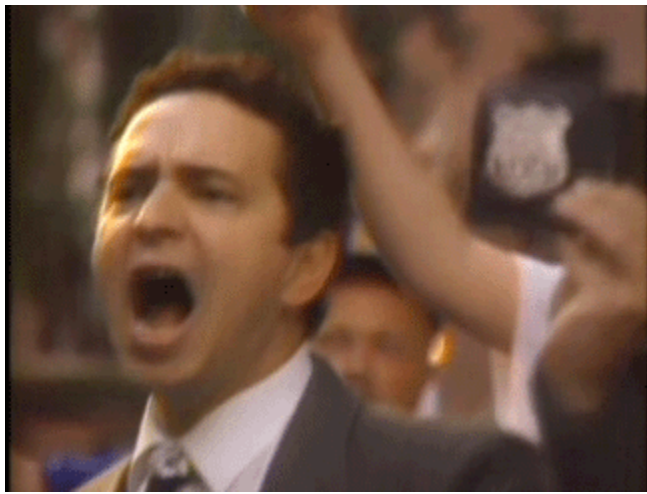


[JAMAL -- DANNY'S JUDGE, JURY & EXECUTIONER]



[WE HONOR HIS MEMORY -- P.O DANIEL FAULKNER, DECEMBER 9, 1981]

[POLICE ALSO HAVE 1ST AMENDMENT RIGHTS]



[FOP Protesters] Cop killer! Cop killer! Cop killer! Cop killer! Cop killer! Cop killer! Cop killer!

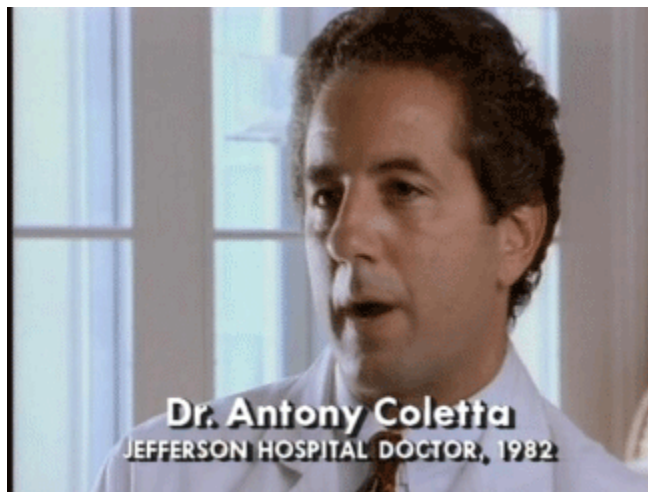
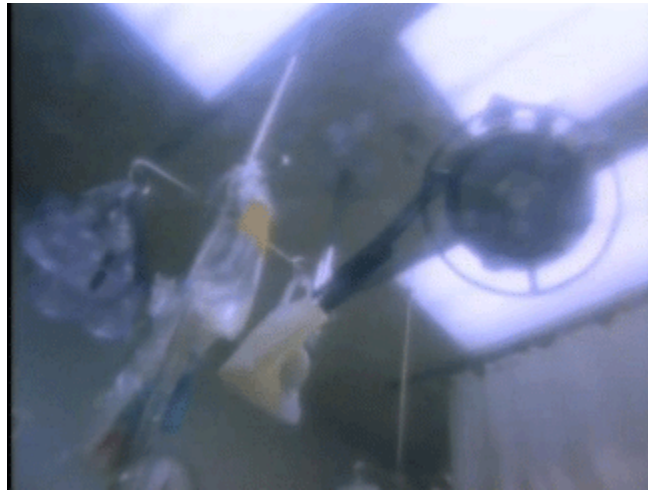






[Narrator] At 4:00 a.m. on December 9, 1981, Jamal was driving his cab in a Philadelphia Red Light District. At a crossroads, he saw his brother William in a physical confrontation with policeman Daniel Faulkner. Jamal ran across the street to intervene. Several shots were heard. Both Faulkner and Jamal were shot. Jamal and Faulkner were taken to the hospital. The doctor in charge that night was Dr. Anthony Coletta.







[Dr. Anthony Coletta, Jefferson Hospital Doctor, 1982] I'd done everything I could for Officer Faulkner in that he was dead or dying, and I needed to leave him and move on to Mr. Jamal, who also seemed to be quite mortally injured. I felt very much alone. I'd left a situation where there was a great deal of drama, and many people attending to Daniel Faulkner, and it seemed to me, and it remains a very vivid memory to me, that I seemed very much alone as I began to resuscitate Mr. Jamal. He was afraid of me in the beginning, and as his surgeon, and the physician responsible for his resuscitation, I needed to explain to him that -- he wasn't really sure at that point, I think, in time, who was a friend and who was a foe. I asked him his name. I tried to calm him down. I told him who I was, and that I thought he was very seriously injured, and that I was there to do everything I could to save his life.

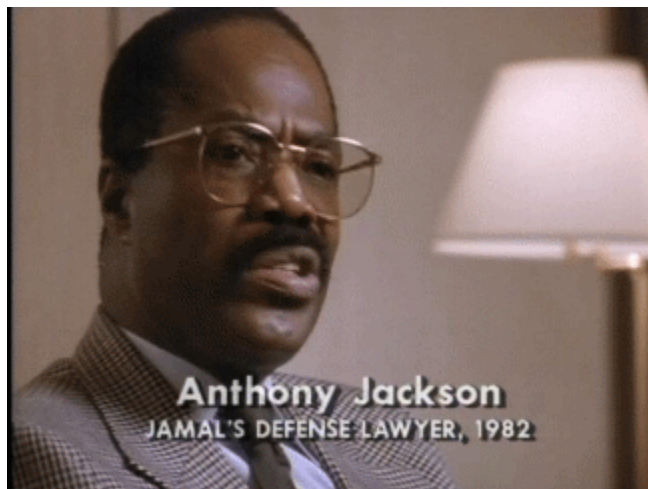


[Lydia Wallace, Jamal's sister] I honestly would have walked past Mumia, 'cause I would not have been able to recognize him. I mean, his forehead was gashed open, and there was old blood. His lips were busted open and swollen. And there were police officers in the room, and they had guns aimed on Mumia. Uh, Mumia was unconscious, and I shook his shoulder, and I tried to arouse him. And he said, "I'm innocent; I'm innocent. They're trying to kill me; they're trying to kill me."





[Narrator] Six months later, in the summer of 1982, Jamal had recovered from his wounds, and was put on trial in the central courthouse in Philadelphia. When the trial began, Jamal's supporters thought the cards were stacked against him from the start, as he and his court-appointed lawyer faced a formidable array of prosecution witnesses and state ballistics and forensics officials. While in contrast, there were minimal resources to mount the defense.



[Anthony Jackson, Jamal's Defense Lawyer, 1982] If you are court-appointed in Philadelphia, you are given a limited amount of money to do an enormous amount of things. I think, when all was totaled up, I

think for investigative, ballistics, pathologists, and other professional services, there was perhaps less than \$1,000 that was used and approved by the court.

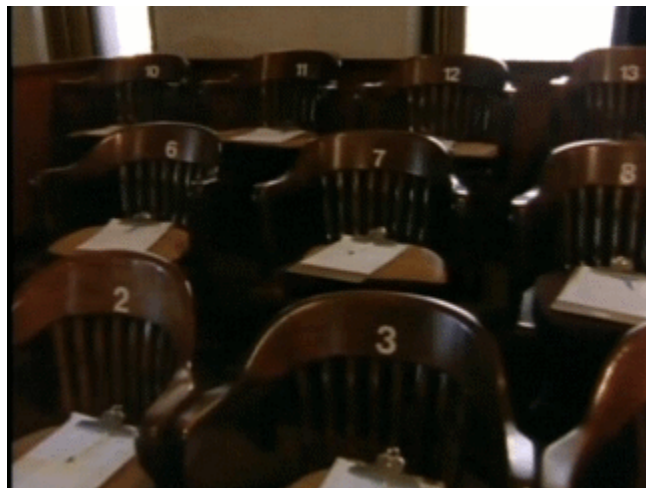


[Narrator] Judge Albert Sabo, the judge appointed to try the case, was known among court officials as "the prosecutor's friend," and in the press as "the hanging judge."



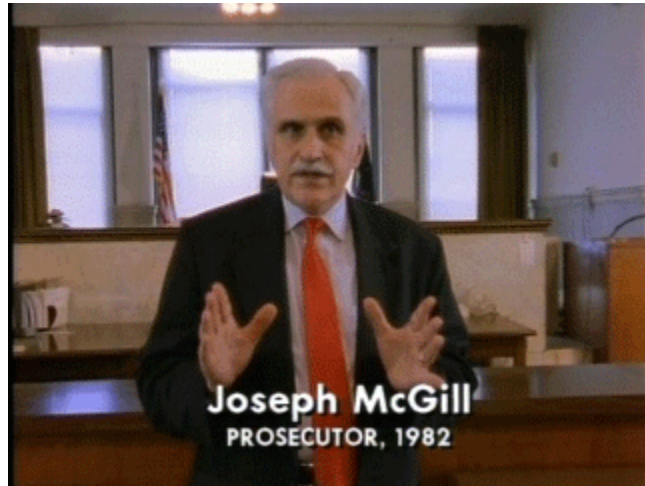
[Anthony Jackson, Jamal's Defense Lawyer, 1982] Judge Sabo sets a prosecutorial tone of conviction tone to the trial. He sets the tone. To the extent that a prosecutor, or a defense lawyer, tries to impact on the

tone of a trial, the judge makes the rulings. And that ruling, as a result, sets where you go from that point on.



[Narrator] The first stage of the trial was jury selection. Under Pennsylvania law, at a trial that can result in a death sentence, potential jurors can be successfully challenged and removed if they do not believe in capital punishment. The prosecution initially excluded more than half of the jury pool on the basis that they didn't believe in the death penalty. Many of these potential jurors were Black. The prosecution then used its preemptory challenges to exclude 11 other Black jurors. The jury finally contained only two Black jurors, from a city that was 40% Black. But more was to come. Jamal's frustration with what was

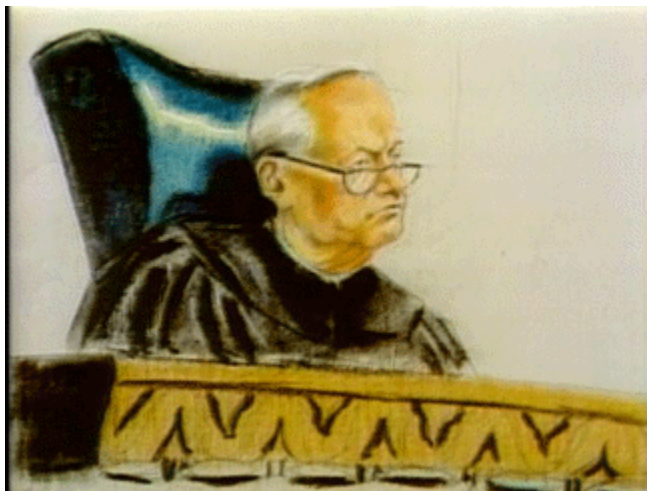
happening finally exploded when the judge stopped him from further representing himself at the trial, citing his intimidating behavior in the jury selection stage as the reason.







[Joseph McGill, Prosecutor, 1982] He did everything he could to basically disrupt the proceedings, including not standing, for example, not recognizing him. Everybody would stand for the judge as he would come out, and Mr. Jamal would just sit right here and not move at all. The judge allowed it to go for a while, and he continued to allow it to go. Even so far as at some times, what Mr. Jamal said was, "I don't recognize you as judge, Sabo. You're no judge. I don't recognize you. You're not a judge. This is not the law."





[Lydia Wallace, Jamal's sister] Well, you know, they always tried to paint Mumia as some wild creature, you know, out of control. And in fact, Mumia was in control as much as he could be. And usually Mumia was trying to make a point when they asked him to be removed from the courtroom. When people are trying to take your life, you don't go, "Oh, excuse me. Should I do this, or shouldn't I do that?" I mean, I'm not going to be timid if I'm fighting for my piece of bread. So we're talking life here.



[Narrator] The prosecution's case, put forward at the trial, was that Officer Faulkner stopped Jamal's brother's car at the corner of 13th Street and Locust. When the brother got out of the car, there was an argument. Faulkner was seen to hit the brother. Jamal ran across the street from the parking lot opposite.









[Joseph McGill, Prosecutor, 1982] And he runs over and he takes out this Charter Arms revolver, and fires, and shoots the officer in the back. The officer then manages to turn around a little bit -- because of the momentum of the bullet did not affect the vital organs at that time -- and was able to get off a shot at that time, which hit Mr. Jamal in the chest area. He then -- that is Officer Faulkner -- continued to fall down. And as he fell down straight on the pavement area, he was for all intents and purposes debilitated. The defendant, Mr. Jamal, at this point having been stopped, went over and straddled the officer, took both hands, and held the weapon that he had pulled out previously, and fired four times. There were only five cartridges in the weapon. All five were fired. The casing's were kept in the revolver at that time. One

of the shots, that is, the second shot or third shot, we don't know which, went through in between the eyes of the Officer's head. That was the killing bullet.

Pistolero, go away.
I've been kept awake all night by you
and your friends
Clinking glasses, smoking, gambling
All night in my kitchen.

Pistolero, I remember you
At high noon
In the main street,
Standing with a wide stance on
tapered legs
in pointed boots,
Your gun-hand loose and poised
over a low-slung holster
Hanging heavy with iron.

You and your revolver --
You squeeze the trigger
and the hammer slams down
On a forty-four center-fire cartridge:
The crash of exploding gunpowder.
Smoke drifts
from the muzzle of your pistol and
Your enemy's laid out cold.

You repeat this action again and again
in a false-front Western town.
You practice on old whisky bottles
perched on a fence, and
The flying shards delight us,
Seeming to explode of themselves,
Balanced on that slender rail.

A wild magic you wield
in a gunfight you turn, wheel,
Blast them from an awkward angle,
Run, dive, roll, take aim and
shoot again.
You make a mess of little towns,
whether you're a good or bad guy
You're always shooting up
saloons and hotels,
Smashing out windows,
breaking down doors,
Crashing through railings,
allowing furniture to be splintered

Apart on your head --

Pistolero, gunslinger,
we've fallen in love with your
kind of justice.
We shed no tears for bad guys
Who disturb the peace of
innocent townspeople
Who destroyed the buffalo?
Who annihilated the Navajo?
Who are all cut from the same
Whole cloth of pure white goodness
Which is never stained by the blood
of ruffians,
Or torn by the anguish of whores,
Or disturbed by the stuporous stares
of alcoholic Indians, leaning
against railings that do not break,
Falling heavily through glass that
shatters without drama,
Collapsing at noon in the boring dust
of a real street in a town
Where Wyatt Earp checked out
of his hotel an inconceivably
long time ago.

-- Pistolero, by Charles Carreon



FINDINGS OF THE MEDICAL EXAMINER

CITY OF PHILADELPHIA
OFFICE OF THE MEDICAL EXAMINER
 DEPARTMENT OF PUBLIC HEALTH

MARVIN E. ARONSON, M.D., MEDICAL EXAMINER

NAME		IDE

1194-10-1234-1

MANNER OF DEATH

HOMICIDE

REMARKS

Shot in back.

FAULKNER, DANIEL
6236 HARLEY AVE

25 M W

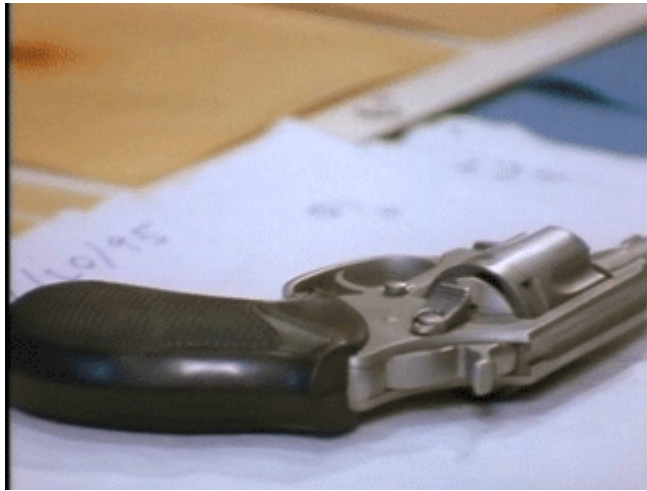
[Leonard Weinglass, Jamal's Lawyer] The gun was found on the ground. It was Mumia's gun. It was licensed to him. He had purchased it. He had been robbed twice, as recently as three nights before this happened. And he was carrying a gun for his own protection. But that gun was a .38 caliber. And the bullet that was removed from Officer Faulkner, if you accept the word of the Medical Examiner, was a .44 caliber.



[Narrator] This inconsistency from the Medical Examiner's report was never introduced at the trial. The report shows that he recorded that the bullet that hit Officer Faulkner in the head was a .44 caliber shot. He would later claim that this was a preliminary report. The prosecution would add that the measurement of the bullet in the ballistics report was consistent with a .38, and not a .44. However, there was no definitive match. The defense contends that since the bullet was fragmented, and one piece was lost after the autopsy, the caliber of the bullet is now impossible to identify. In addition to this, there were no fingerprints on the gun.



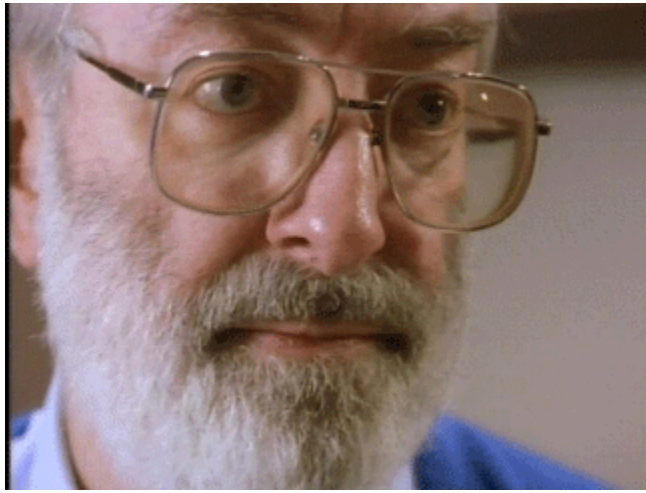
[Leonard Weinglass, Jamal's Lawyer] Also, although the gun was found there, the prosecution was unable to connect that gun to the murder itself. They did not check the gun to see if it had been recently fired. That could have easily been accomplished. They did not check Mumia's hands to see if he had any lead residue. They did not do a neutron activation test. So in short, the prosecution benefited by the fact that Mumia, an all-night cab driver, had a gun. But they were unable to connect the gun to the murder itself.





[Narrator] The prosecution's expert maintained that Jamal fired the first shot into Officer Faulkner's back at close range. He said Jamal was just 12 inches away. But the expert admitted he could find no evidence of gunpowder on the policeman's jacket in his tests. Jamal was unable to counter this testimony with experts of his own. We brought in one of America's top forensic experts, who has testified for both the prosecution and the defense in hundreds of trials: Herbert MacDonnell. McDonnell tested an identical gun at different distances from the target, and found obvious gunpowder traces.

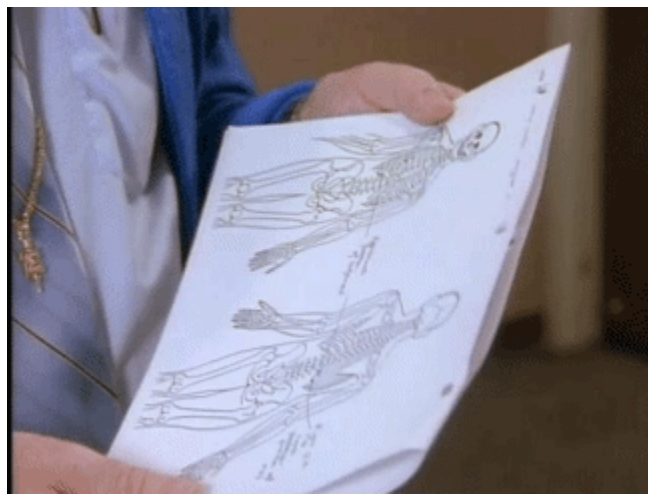
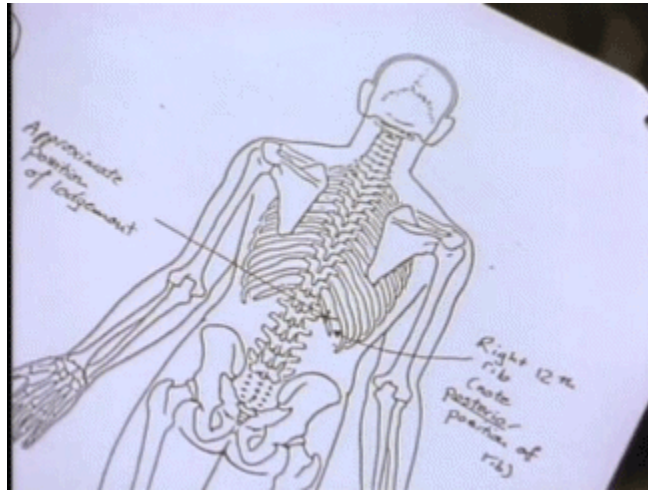
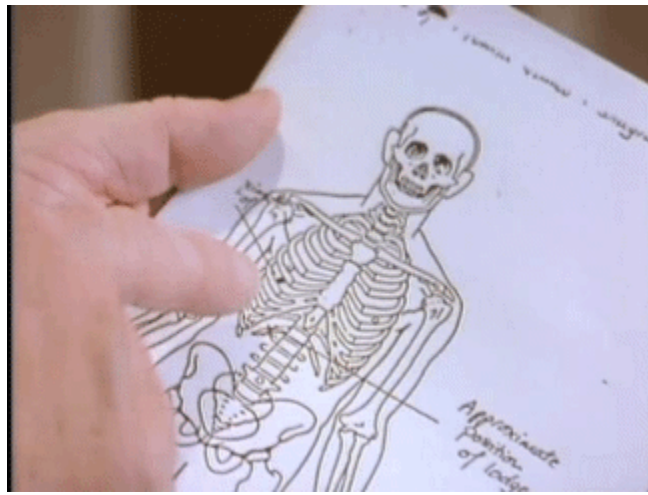


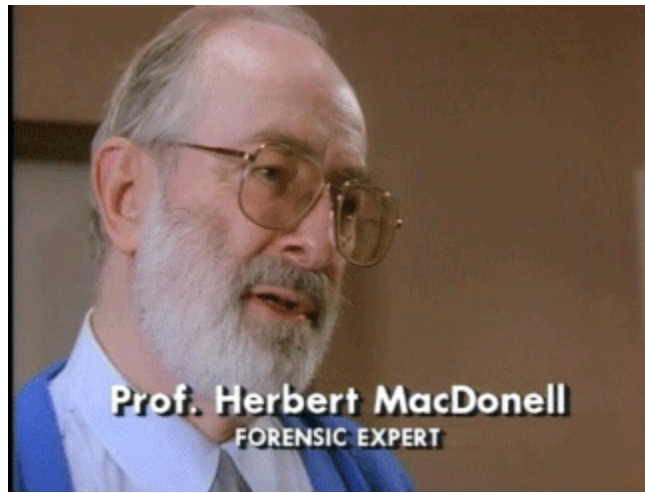


[Prof. Herbert MacDonnell, Forensic Expert] This is the powder produced at 12 inches. And it continues on as I have shown and marked. At 24 inches we still get a lot of powder granules producing this image. If they got no test at all, it would have to be at more than 24 inches.



[Narrator] If the prosecution did the tests as they said, and there were no gunpowder traces, the shot in the back seems likely to have been fired from further away. These issues raise additional questions about the certainty of the prosecution's description of events. The other point in the prosecution's forensic evidence was that Jamal was then shot by Faulkner as he fell. But Jamal was hit in the chest and the bullet traveled downwards. How could the policeman have fired at that angle as he fell? One theory put forward at the trial was that there was a ricochet effect of the bullet hitting a bone and being deflected downwards.





[Prof. Herbert MacDonnell, Forensic Expert] No, I couldn't buy that at all. If the bullet hit a rib, and when you have a high velocity projectile, a jacketed projectile such as this, the deflection of the rib in that area is not going to cause a severe deflection. It might move a degree or two, but we're looking at here perhaps 30 or 40 degrees downward. And I don't believe that could possibly happen.



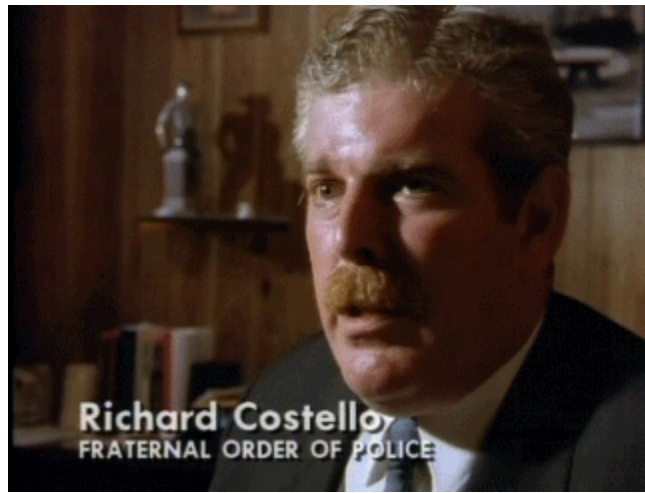
[Narrator] Such questionable arguments make a number of other scenarios seem just as possible. What does MacDonnell make of the forensic work carried out by the police after the shootings?



[Prof. Herbert MacDonnell, Forensic Expert] The fact that they did not even smell the barrel, or the cylinder of the revolver, to determine if it had been recently fired, that's not very forensic. That's common sense. They should have done the forensic tests, particularly neutron activation swabbing. And they should have done the special distribution of gunshot residues. And if they did them, they did not report on them. And those are two fundamental things. But having an expert at the table with counsel would have been very helpful in this case. Because I think much of what I have read would have been seriously questioned, and perhaps destroyed, by a good cross-examination, which could not be effected because there was no forensic scientist there.



[Narrator] The next major issue in the case against Jamal concerns a confession that Jamal was alleged to have made while in the hospital after the shooting. The police still proclaim it as firm evidence of Jamal's guilt.



[Richard Costello, Fraternal Order of Police] He bragged about it when he got to the hospital. Despite his alleged brutal treatment, he was sufficiently coherent enough to say, "Yeah, I shot the MF, and I hope he dies." Well, he got his wish. Danny died.



[Garry Bell, Police Officer] I walked over to him to look at, to see who had just shot and killed my partner. And he shouted out that "I shot the MFer and I hope he died." He said it once more, and I leaned over and responded that, "He shouldn't die, you should."



[Dr. Anthony Coletta, Jefferson Hospital Doctor, 1982] I would make it clear that I was with Jamal from within a moment or two of him being brought into the emergency room, throughout his entire time in the emergency room, and on into the intensive care unit. And he neither made any confessions to me, nor did he say anything that would be even remotely in the way of a confession to any other individuals.

[Filmmaker] You [inaudible] notes at the time of the confession. How did that come out?

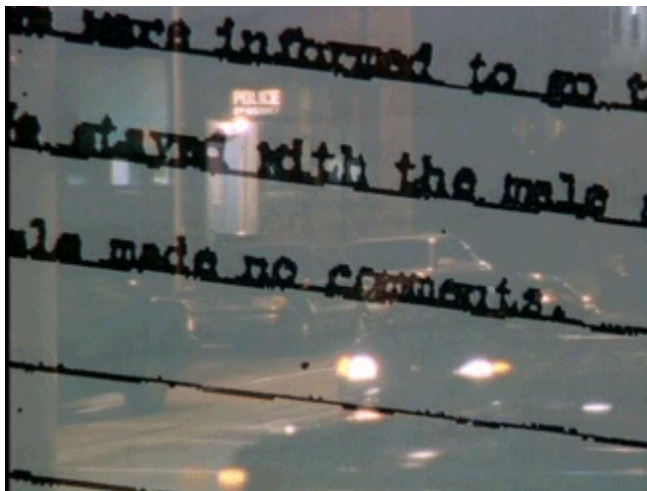


[Garry Bell, Police Officer] I didn't write any notes at that time. I made no notes.

[Filmmaker] But you told somebody about it?



[Garry Bell, Police Officer] I talked to detectives at a later date, and informed them of the statement.





THE DEFENDANT: This is an
igative interview record from the
Department.

THE COURT: Your attorney and you

THE DEFENDANT: You goofed.

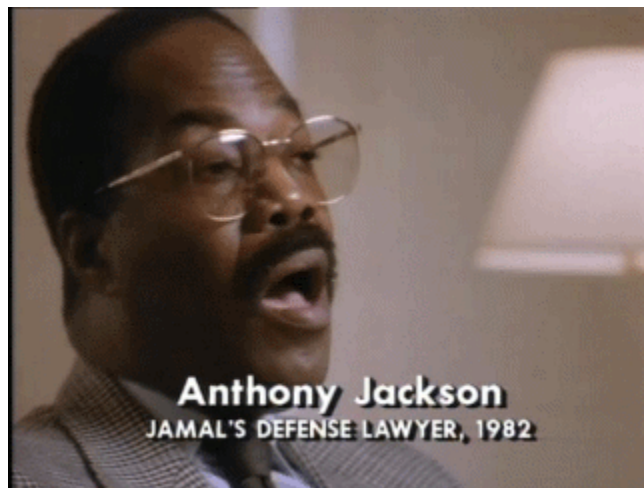
THE COURT: I didn't goof, you

THE DEFENDANT: You stole my rig



[Narrator] In fact, Officer Bell reported this alleged confession to no one for 2-1/2 months before he gave a statement to a police colleague that Jamal confessed. Was the confession story concocted by the police?

In interviews with homicide detectives in the days immediately after the shootings, none of the 15 or so policemen who were in Jamal's immediate vicinity mentioned a confession. Indeed, one police officer, Gary Wakshul, who was with Jamal in the hospital after the shooting, reported that "the negro male made no comments." During a recent hearing, Gary Wakshul claimed that in spite of his statement that night, he too had heard Jamal's confession, but he was too upset to report it at the time, and, like Garry Bell, had only seen fit to mention it more than 2 months later. When it came to the trial, defense failed to get this officer into court to testify. Only at the last moment did they ask to call him. They were told he was unavailable because he was on vacation. Judge Sabo refused to grant a continuance to enable Wakshul to be found, telling Jamal: "Your attorney and you goofed."



[Anthony Jackson, Jamal's Defense Lawyer, 1982] The judge's attitude was, "He's not available. He's on vacation. Tough." I don't think the judge had any more concern about that witness being available than anyone else. I think it's like, "Well, if you can't make sure that you have the witnesses available; or if you can't find out where witnesses live; if you can't find out the names and identities of witnesses -- tough!"





[Narrator] At 4:00 a.m. on December 9, 1981, there were no street lights on the corner of the street where the incident happened, only the light of the police car. There was a lot of confusion about what the witnesses actually saw. Cynthia White was the prosecution's chief eyewitness. She claimed she was standing on the corner close to the incident. But another witness, Dessie Hightower, insists that Cynthia White was not where she says she was at all.



[Dessie Hightower] When I spied her, her positioning was at least a half a block from the corner of the incident. At least a half a block. She was standing in the middle of the block when I glanced over and looked at her.

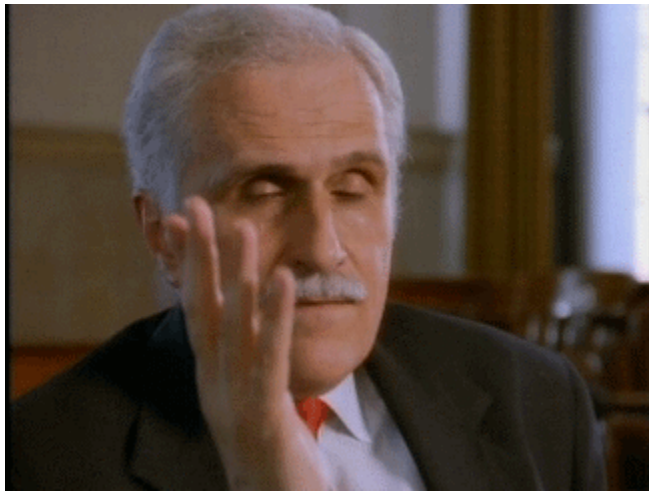


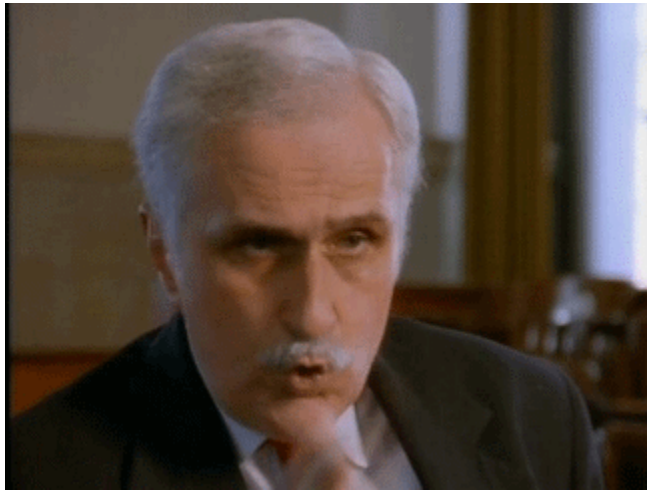


[Leonard Weinglass, Jamal's Lawyer] Cynthia, a young, unfortunate woman, 38 arrests for prostitution. She had three open cases that were still in the process of being worked on. She was serving 18 months for a prostitution arrest in Boston. We have two witnesses. One has her moments before a half a block away. Another witness has her just as the shooting was breaking out, down the street, and that she came running up afterwards and asked people what happened. As you know, someone testified during the trial -- Veronica Jones, another prostitute -- who said she was offered the same deal as Cynthia by the police that if she would finger Mumia as the shooter of Officer Faulkner, she could work her corner without molestation from the police. We now know that Cynthia continued to work her corner after this case, and that she was protected by two undercover police officers while she was doing it.









[Joseph McGill, Prosecutor, 1982] The witnesses were not nuns and priests. Normally, nuns and priests are not down at 13th and Locust at 4:00 a.m. You have to deal with the hand that you're given in terms of the nature of the witnesses. However, given that, I'll certainly admit that one of the witnesses -- a prostitute -- had several arrests -- I think it was 18 -- she was at the time of trial she was, I think there was an arrest outstanding. All of that was explored! All of that was put before the jury. So, it's like anything. That is why you have a jury system. They make the determination. Another individual may have been drinking at some time or other, if I can recall that. A few of the others seemed to be fine. That, however, was not kept from the jury in any way, shape or form!



[Narrator] But transcripts of the trial show that when the prostitute Veronica Jones referred to the police offering a deal if she corroborated Cynthia White's story, the prosecutor objected. She said, "They were trying to get me to say something the other girl said." Veronica Jones was one of four eyewitnesses who, in their initial statements, said they saw someone running from the scene. But when Jones got to court, she denied having said it. She had a police record, as did another witness who changed his story. In fact, the only one of these four to come to court and stand by his original statement was Dessie Hightower.



[Dessie Hightower] When I heard the shots, I stayed behind the wall for some seconds until the shots ceased. And as I turned onto 13th Street, I saw a gentleman fleeing from the scene, while the movement of his hair looked like he had dreadlocks. I mean, he was moving pretty fast. This happened right before the police pulled up. And Jamal was on the ground. As soon as the police came up, they just started to attack him. And the other gentleman -- if it was a man -- [inaudible] the stature, the build -- had already fled the scene.

[Siren Wailing]

INVESTIGATION INTERVIEW RECORD	
NAME	DEBBIE KORDANSKY
ADDRESS	
NAME OF	
ADDRESS OF	
PLACE OF	
BOUGHT	N/A

5 GUNSHOTS
 AM & 4 AM. T
 BE IN SUCCE
 WAS FIRECRACK
 E WINDOW AT

SAW ABOUT
 S AT 13TH &
 E RUNNING
 ST ST.

[Narrator] With the other witnesses changing their stories, who could corroborate Dessie Hightower? There was another witness: Debbie Kordansky. In her statement to the police on the night of the shooting, she testified that she heard the shots and police sirens, and looking out of the window saw a man running down the south side of Locust Street. But Jamal's defense only started to pursue her as a witness during the trial.





[Anthony Jackson, Jamal's Defense Lawyer, 1982] We got her statement. We have her name. Her address is then cut out. There is a hole in the sheet. As it turned out, we could never get her address. We asked the prosecution but in fact, the prosecution would not give us her address. Look, it may have been that if I had her address, and I went out and talked to her, she'd say, "No, I don't want to talk to you." Maybe. But why would the prosecution not take that chance? The prosecution prevented that opportunity from happening. Why, I don't know.

AS WATCHING TV AND I HEARD
GUNSHOTS SOME TIME BETWEEN
4 AM. THE GUNSHOTS SEEMED
IN SUCCESSION, I THOUGHT THAT
FIRECRACKERS. I DIDN'T LOOK OUT
WINDOW AT FIRST. I HEARD SIRENS
TIME LATER. I SAW ABOUT
4 CARS & 2 VANS AT 13TH &
I SAW A MALE RUNNING
SIDE OF LOCUST ST.

[Narrator] However, police say they routinely remove witnesses' addresses. When Jackson was given Debbie Kordansky's phone number by the prosecutor, she told Jackson she had recently been in an accident, and felt she was in no condition to testify.



[Anthony Jackson, Jamal's Defense Lawyer, 1982] This woman would be straight down the middle. She had no prosecutorial bent, or defense bent. She was a white woman in her middle ages. I've since learned all of these things. And she lived at the hotel. She didn't know Mumia, didn't know the police. She said, "Hey, I heard a shot. I looked out the window, and I saw someone run." There is little likelihood that she's going to make it up, or lie. She said that. It never got into testimony. It never corroborated what Dessie

Hightower said. So what Dessie Hightower said was an aberration, and something the jury perhaps just easily discounted.



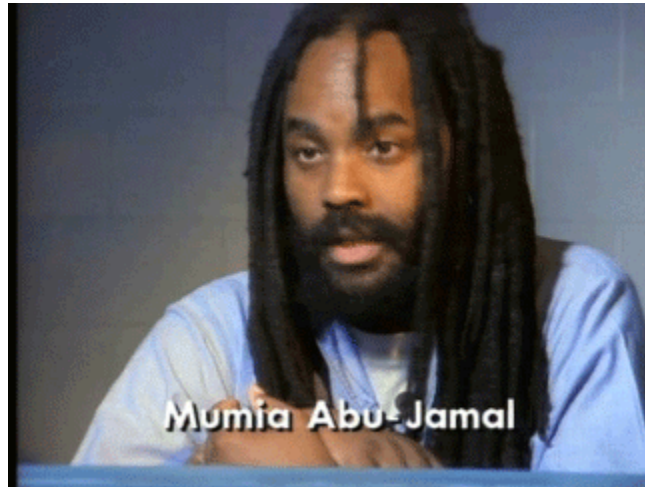
[Lydia Wallace, Jamal's sister] Because they wanted Mumia, and they were satisfied with Mumia, they never pursued the third man that all the witnesses talked about. So I strongly believe that the third person that ran from the scene is the one responsible for shooting Officer Faulkner.



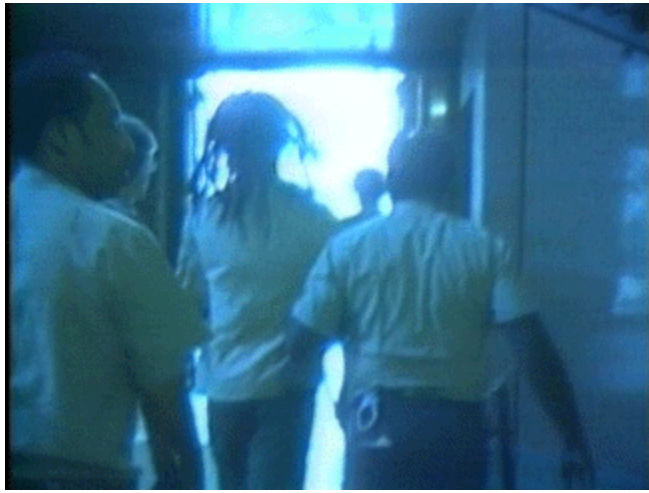
[Dessie Hightower] I told the state and I told the world, what I seen that night. And that's what I seen. I'm not lying for him, and I wouldn't lie against him. I'm just simply telling the truth.



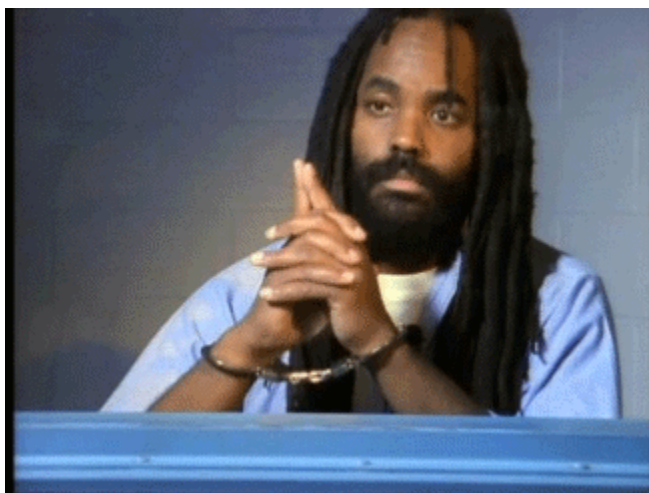
[Narrator] With questions about the forensics, the confession, and the witnesses, what of the man at the center of it all: Mumia Abu-Jamal? During the last 14 years, he has been struggling to get his word out in dispatches from Death Row to newspapers and journals across America, culminating in a book: "*Live From Death Row*," published last year. This made him one of Death Row's most celebrated inhabitants, but also one of the most unpopular with the authorities, who then tried to silence him altogether, and stop all communication with the media. After several attempts, we finally got into the prison to film Jamal's first television interview after he took the authorities to court over this issue. What does Jamal say now about the murder of Officer Faulkner?

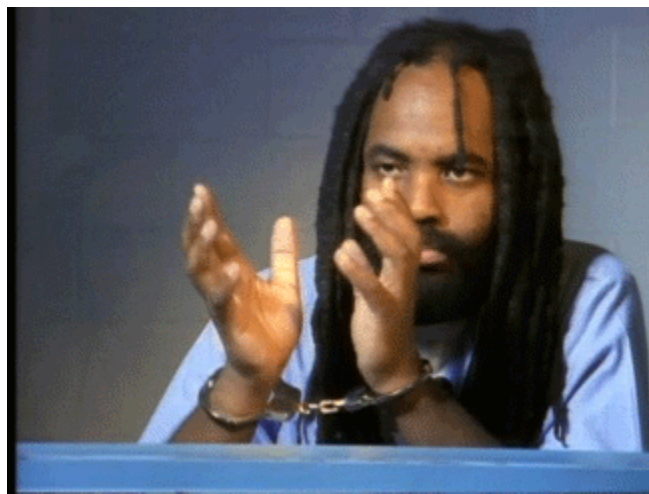
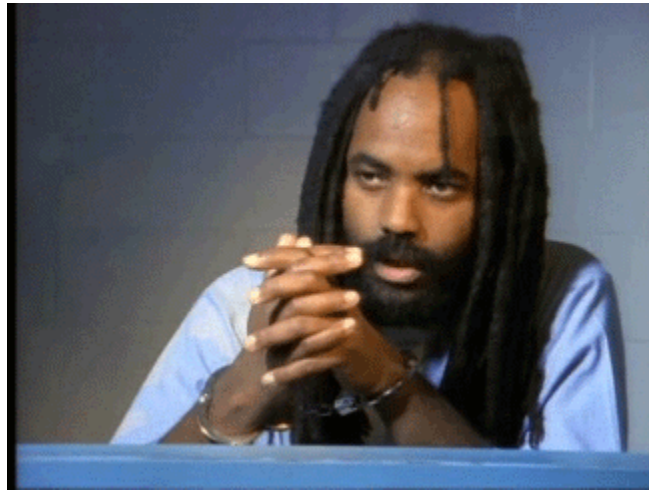
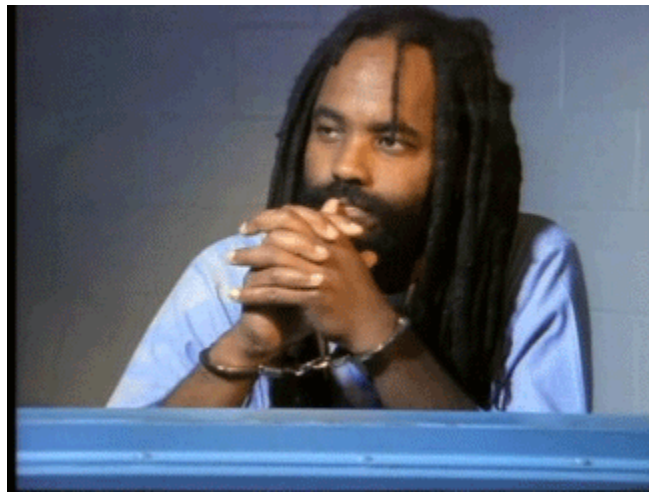


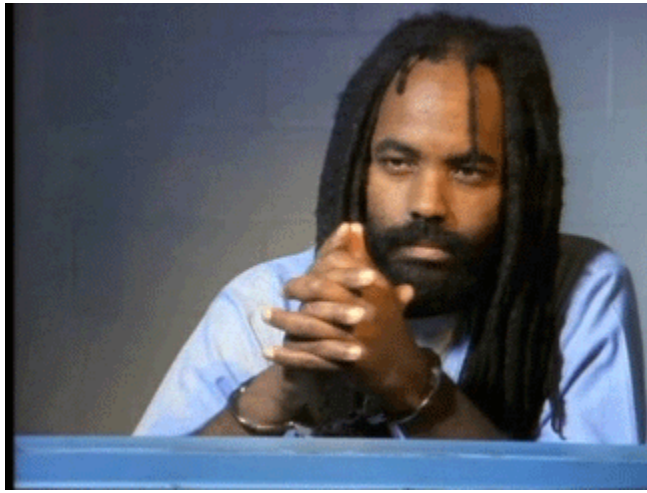
[Mumia Abu-Jamal] I am absolutely innocent of the charge I was charged of. I am absolutely not guilty of the charges I was convicted of.



[Filmmaker] How did you feel at the point when you were handed the death sentence back in 1982?





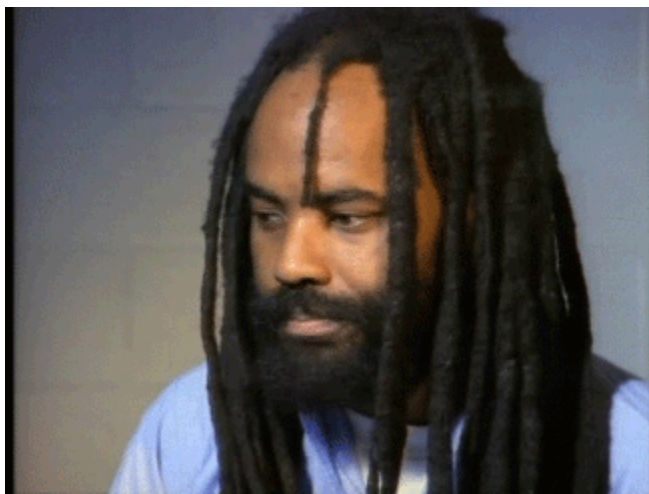
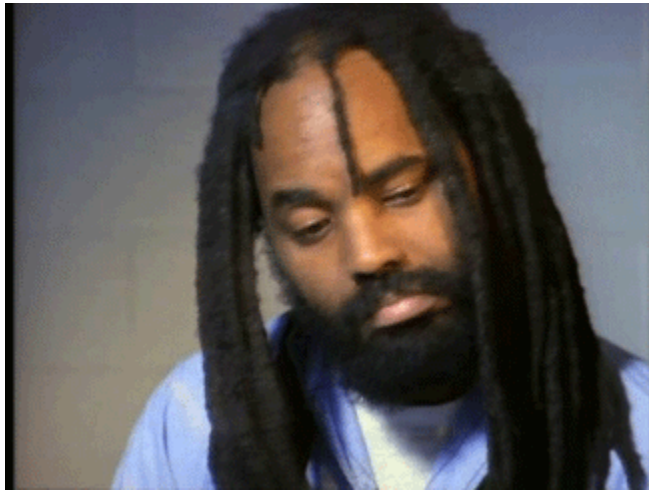
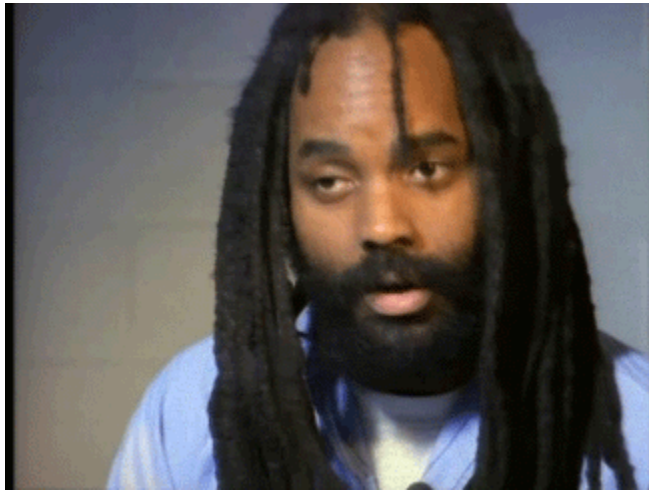


[Mumia Abu-Jamal] Well, I guess angry. Intensely angry. Um, a feeling of injustice that rankled to the core of my soul. Anger, injustice, outrage, fear. You know, mixed emotions from the whole whirl. But a certainty that it would not stand. A certainty that it would be overturned. I still feel that.



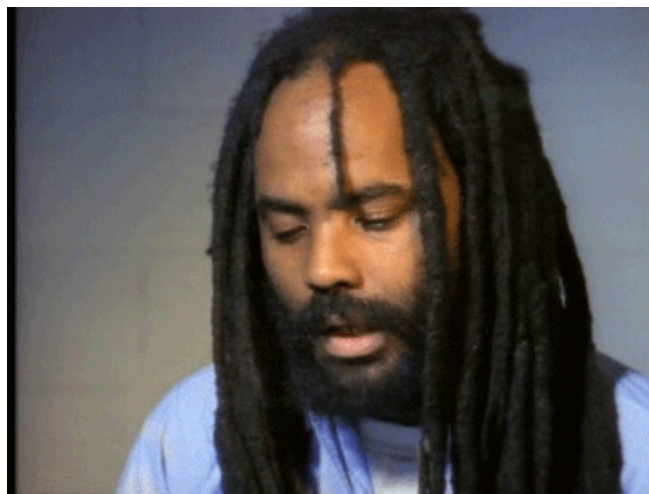
[Narrator] By 1981, the year of Faulkner's murder, Jamal was an award-winning freelance journalist and broadcaster. But even so, he needed to supplement his income.





[Mumia Abu-Jamal] Anyone who is ever really freelance knows that you are poorly paid, if at all. I was doing street reporting for several stations. I was driving a cab to make money, to support my family.

[Filmmaker] You at some point decided you needed a gun to protect yourself.



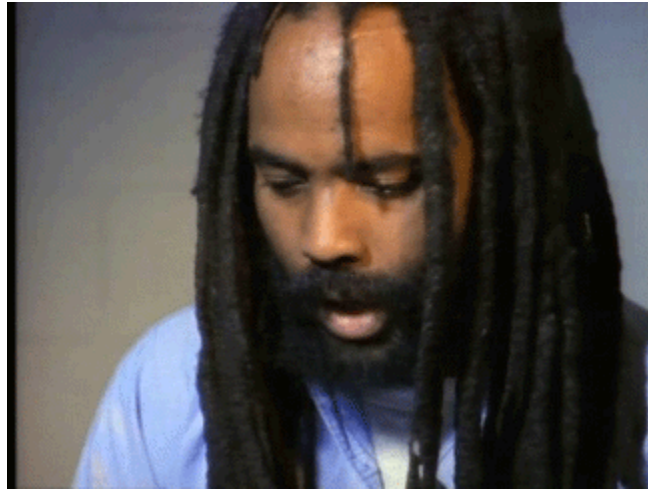


[Mumia Abu-Jamal] Well, I would wager that 85% of all cabbies in America ride armed. If they don't, well, sometimes they don't come back from their shift. I've been robbed before. I recall vividly even now the experience of picking up a fare, going to a site, and looking in the mirror, and I seen the man behind me with a 380, you know, or 45. I don't remember. A semi-automatic weapon behind me. You don't forget about that. That becomes a necessity of that job.



[Narrator] Faced with what he regarded as a hostile judge who refused him his right to represent himself, Jamal never gave his account of the events of December 9th, 1981 at the trial. In an impassioned statement at the trial, he rejected the opportunity to take the stand, saying he wanted all of his rights, not

some of them. Now, in the process of seeking an appeal, Jamal has decided not to give a full account at this stage. The nearest he has got to describing what happened that night is in his recent book. In a passage of surreal, almost abstract prose, Jamal describes his sensation of moving in and out of consciousness after he was shot.





[Mumia Abu-Jamal] "I'm sleeping, sort of. It has the [inaudible] feel of sleep, with none of the rest. Time seems slower, easier, less oppressive. I feel strangely light. I look down and see a man slumped on the curb, his head resting on his chest, his face downcast. Damn! that's me! A jolt of recognition ripples through me. A cop walks up to the man and kicks him in the face. I feel it, but don't feel it. Three cops join the dance, kicking, blackjacking the bloody, handcuffed fallen form. Two grab each arm, pull the man up, and ram him headfirst into a steel utility pole. He falls.

"Daddy?"

"Yes, Baby girl?"

"Why are those men beating you like that?"

"It's okay, Baby girl, I'm okay."

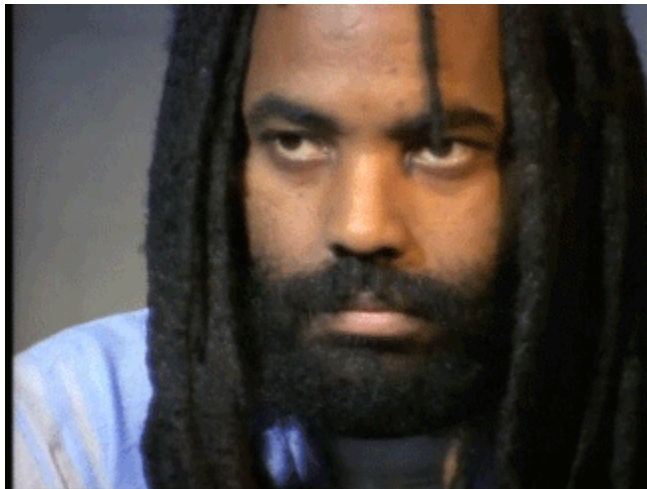
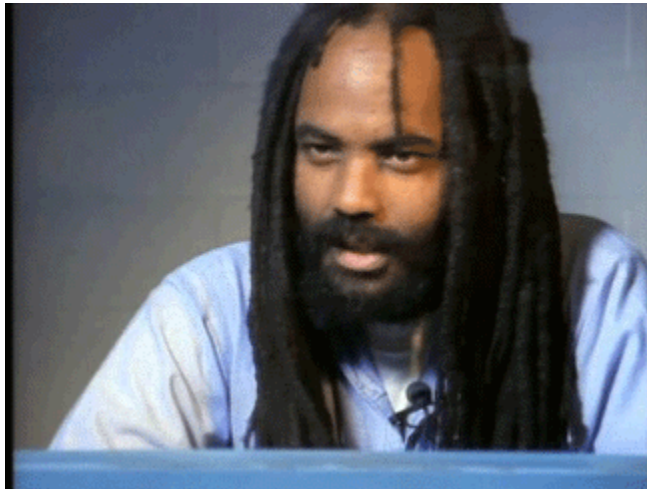
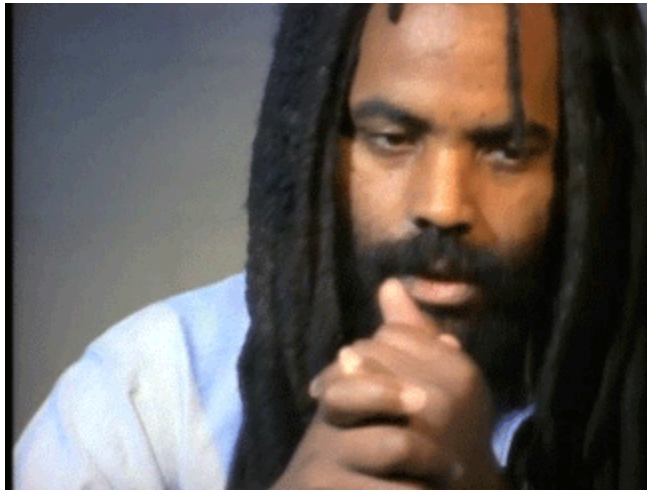
"But why, daddy? Why did they shoot you, and why are they hitting and kicking you, Abu?"

"Well, they've been wanting to do this for a long time, Baby girl. But don't worry, daddy's fine. See? I don't even feel it!"

Consciousness returns to find me cuffed, my breath sweet with the heavy metallic taste of blood and darkness. I lie on the paddy wagon floor, and am informed by the anonymous crackle of the radio. I feel

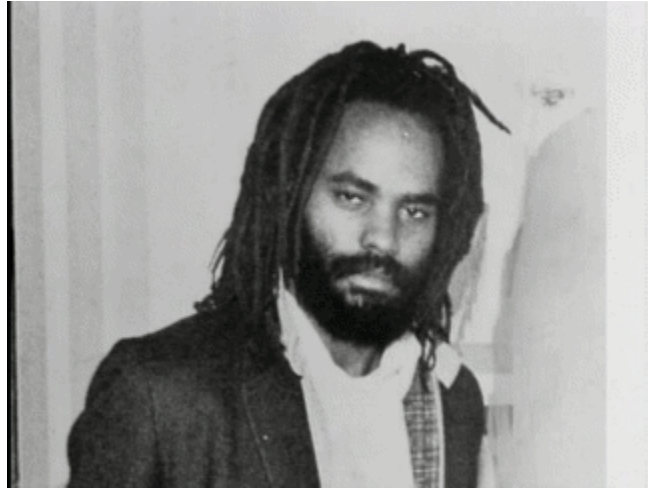
no pain, just the [inaudible] pressure that makes every bloody breath a labor. I am en route to the police administration building, presumably on the way to die.

[Filmmaker] So in that piece you've written about your fear that surfaced as you surfaced in consciousness. That fear. What was the fear then?

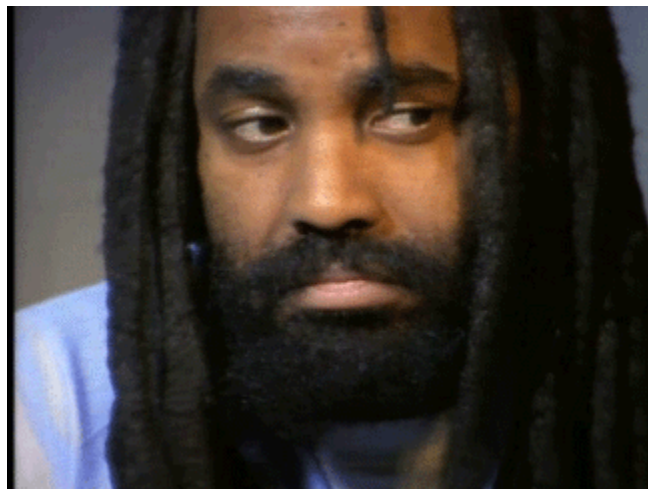


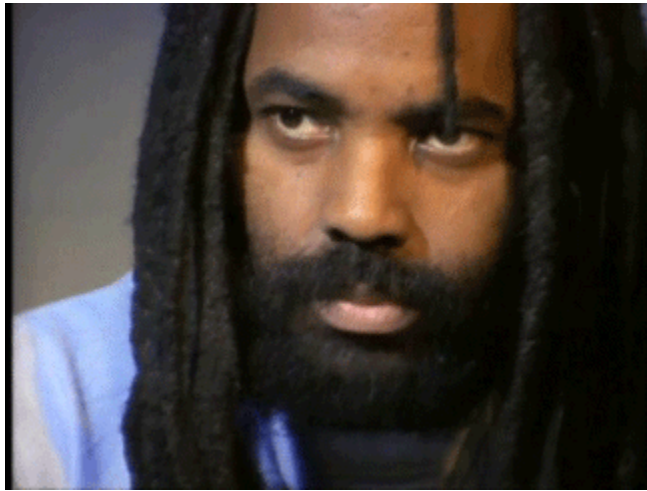
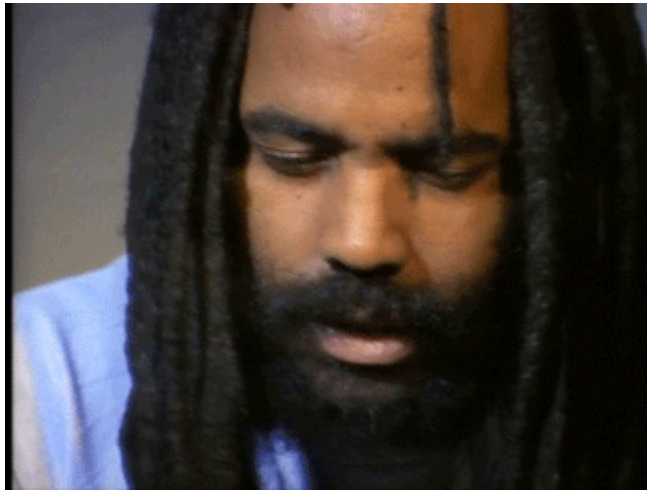
[Mumia Abu-Jamal] The fear of being separated from one's loved ones. The fear of pain. The fear of prison. The fear of the loss of one's liberty and freedom. All of those fears perhaps rolled into one. The

fear of being placed at the tender mercies of a serious judiciary that I knew was far from just. The fear of a life turned topsy turvy, and never to be the same. All of those fears rolled into one.



[Narrator] Were his fears confirmed when he was brought to trial in front of Judge Sabo?





[Mumia Abu-Jamal] People make much of the fact that I chose to represent myself. But from the first day of the trial, in fact, I never represented myself. I wasn't allowed to represent myself. I was removed from self-representation. We hear, and I've read of course, and I'm sure you have, that I was disruptive throughout the proceeding. Well, my disruption, such that it was that, consisted of asking question.

Asking questions of witnesses, and trying to argue to the jury my case in which my life was in the balance. Every motion that was made by the defense was denied. Every suggestion that was made by the prosecution was followed. Every motion they made was granted. His Honor, Judge Sabo, was, he tells us "for a few years," a member of the FOP, which stands for the Fraternal Order of Police. He argued, or he explained from the bench, that this was an irrelevant fact -- "Oh, I've only been a member for a few years." Well, contrast that with the fact that I'd only been a member of the Black Panther Party for a few years -- for two or three years! This was argued to the jury as a basis, and a justification for not just premeditation to commit murder, but a justification for them to execute me.

Philly D.A. Joseph McGill Don't Know Much About History, 'Cause He Majored in Bigotry -- Little Movie



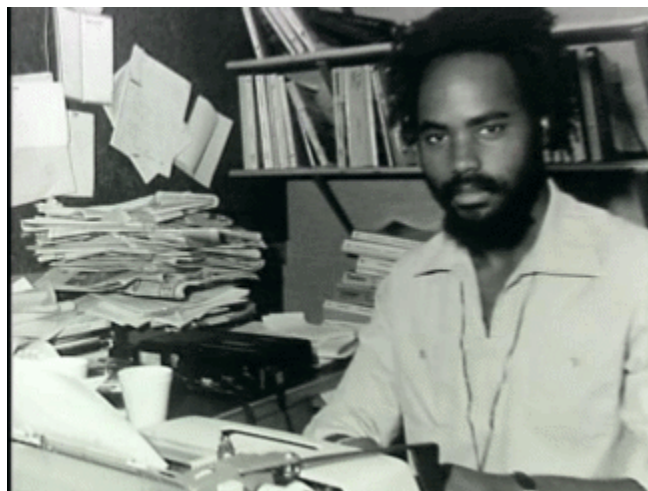


[Black Panther Members Singing] Revolution has come. Time to pick up the gun. Revolution has come.
Time to pick up the gun.





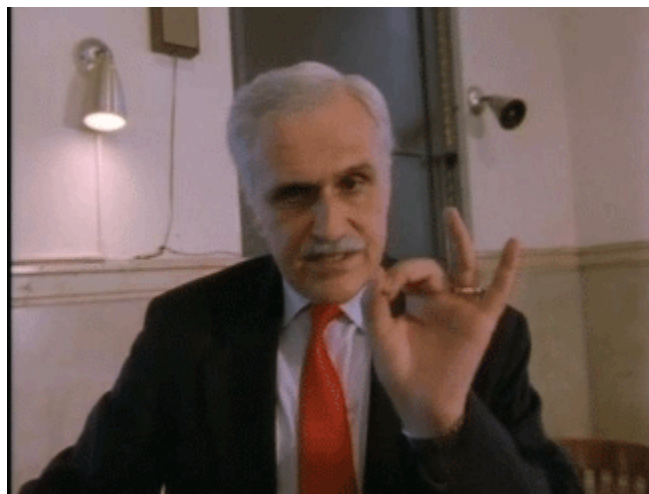
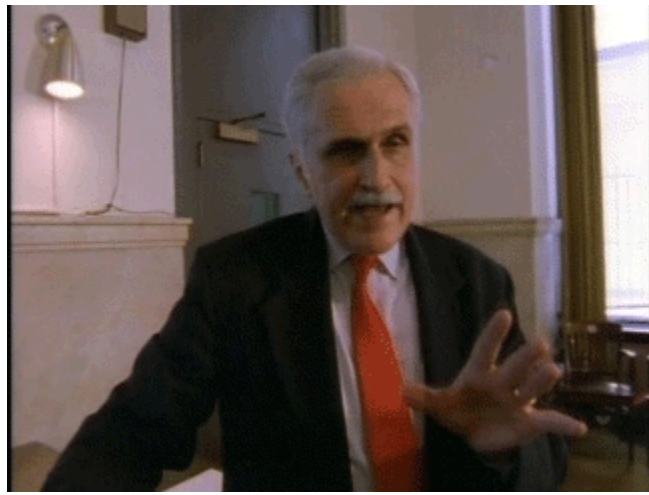
[Narrator] In 1969, at the age of 15, Jamal had been a Minister of Information for the Philadelphia branch of the Black Panther Party. At the sentencing phase of the trial, when the jury was being asked to determine Jamal's fate, the prosecutor argued that Jamal should be sentenced to death. To support this view, he quoted from a newspaper interview given by Jamal when he was a 15-year-old Black Panther.





[Rachel Wolkenstein, Defense Lawyer] Mumia had indicated in this 1970 interview that political power grows out of the barrel of a gun. It was never intended, and wasn't used in that article, or by Mumia, as meaning anything in terms of Panther policy or activity. It was an historical analysis, and a very powerful one. Mumia made that same statement, and explained it in the same way, before the jury, and separate and apart from the article explained that America was based on the slaughter of the Indians and the establishment of slavery. And these were examples of political power grows out of the barrel of a gun. It was not a question of tactics to be used by the Panthers, or any personal ideology that he held. The prosecutor, Joe McGill, totally reversed Mumia's intent and meaning of it to argue that Mumia was a cop killer, or somebody who believed the police should be killed. And this was a total misstatement.









[Joseph McGill, Prosecutor, 1982] The fact that he adopted, and wrote an article, in which he stated, and adopted the statement of Mao Tse Tung, that political power grows out of the barrel of a gun, and so in an attempt to cross-examine him, I asked him if he adopted that statement. And I believe he did on cross-examination said he still believed that at this point. But he wanted to read the entire article. He said, "You just gave a part of the article. Let me read the whole article!" And Judge Sabo said, "If he wants to read the whole article, let him do it, Mr. McGill." And then I said, "Alright. Yessir." And he agreed, and he read the whole thing, which showed the specific theory and policy of that particular group, which was self-defense against what they believed to be police trying to kill them and so forth. This was all done, as the Supreme Court said, for purposes of rebutting his good character testimony, and also rebutting the issue of whether or not the police were attempting to kill him, or having some sort of a grand conspiracy. Not to merely find the person who killed Danny Faulkner, but to kill him, as if he were so "special," or something.

FEDERAL BUREAU OF INVESTIGATION

Office of Origin: **PHILADELPHIA**

Date: **10/24/69**

Investigative Period: **8/1 - 10/10/69**

Report made by: [REDACTED] **b7C**

Character of Case: **XX - MPP**

COOK, [REDACTED]

SUMMARY

REFERENCE

to the Bureau, 10/6/69.

FD-213 (Rev. 5-15-64)

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (157-15510)

FROM : SAC, Philadelphia (157-3937)

SUBJECT: **WESLEY COOK, aka**
XX-MPP

DATE: **10/24/69**

Re: Report of SA [REDACTED] **b7C**

It is recommended that a Security Index Card be prepared on the above-captioned individual.

Name: **WESLEY COOK**

Three copies
Index card and
graph and
side of graph
to be filed in

or continuing value.

Information from [REDACTED]
Police Department, Civil Disobedience Unit
by SA [REDACTED]

Special Agents who observed rally were
and [REDACTED] All of the in
as identified by SAs were by SA [REDACTED]

The Philadelphia Police Department (PH
ience Unit (CDU), report of this rally st
ings of the speeches were made. If trans
uate quality are obtained from these recd
ing additional information of value, a su
l be submitted.

[Narrator] But it has recently come to light that the FBI thought Jamal was pretty special. Assisted by the Philadelphia Police, they had been keeping Jamal under surveillance from the age of 15, when he was Minister of Information for the Philadelphia Black Panther Party. Indeed, they compiled a 800-page file on him, and they continued their surveillance when he was a radio journalist in the 70's.



[Man] They're hitting him on the head. Kicking him on the head.

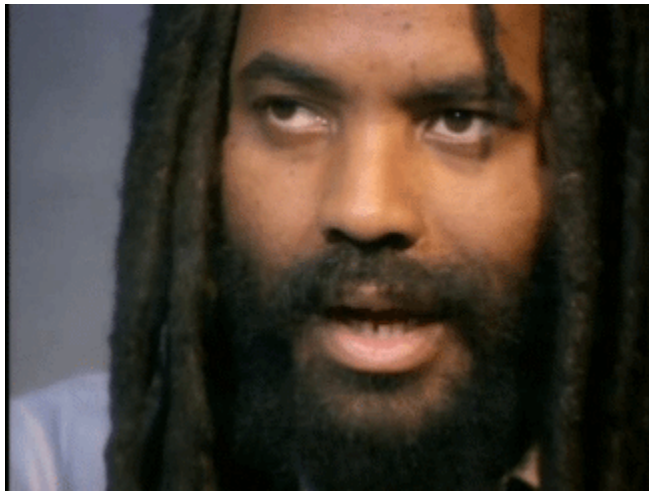
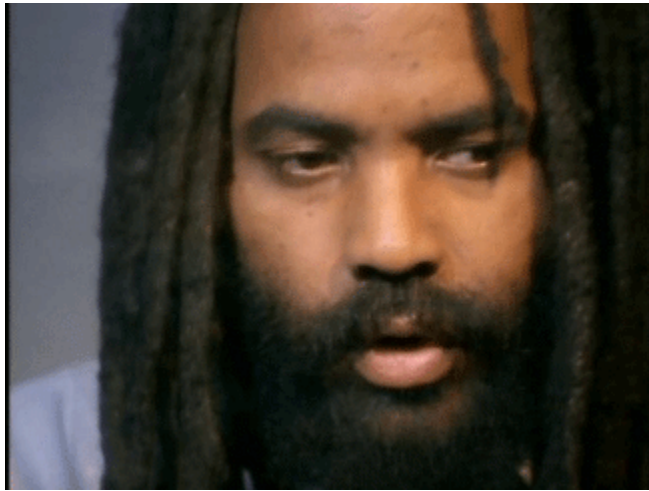


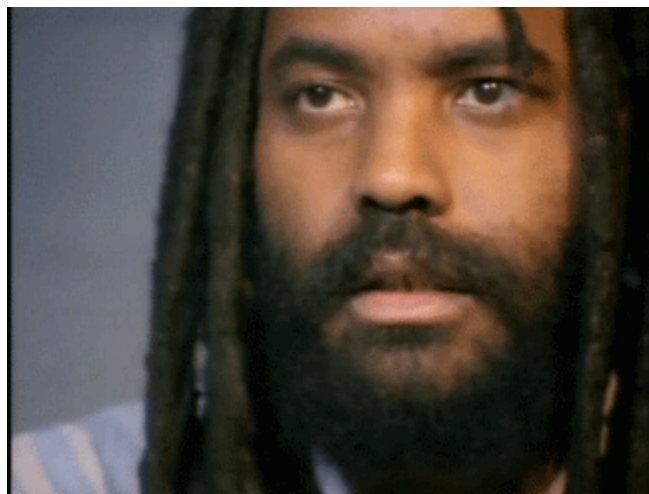


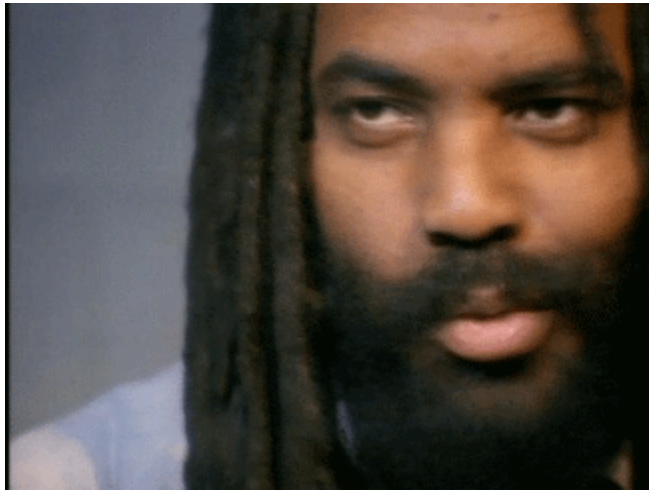
[Narrator] In 1978, when the police laid siege to the house of a black radical group known as MOVE, Mumia Abu-Jamal's journalistic reports were highly critical of the brutality shown by the police in making their arrests. But none of this got into the trial. The sentencing hearing lasted only three hours. And in due course, Judge Sabo, who has presided over more trials that have resulted in death sentences than any other judge in America, confirmed the punishment handed down by the jury, and sentenced Jamal to death. For the last 14 years, while going through the torturously slow appeals process, Jamal has been locked away in Pennsylvania's Death Row, always handcuffed whenever he leaves his cell, and his only contact with visitors through a plexiglass window.





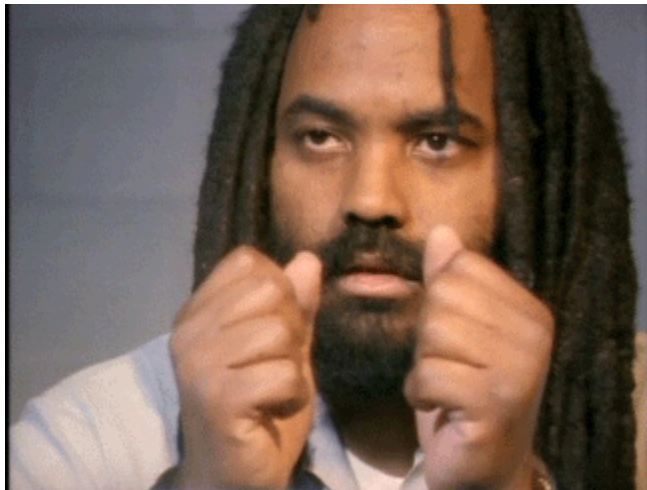


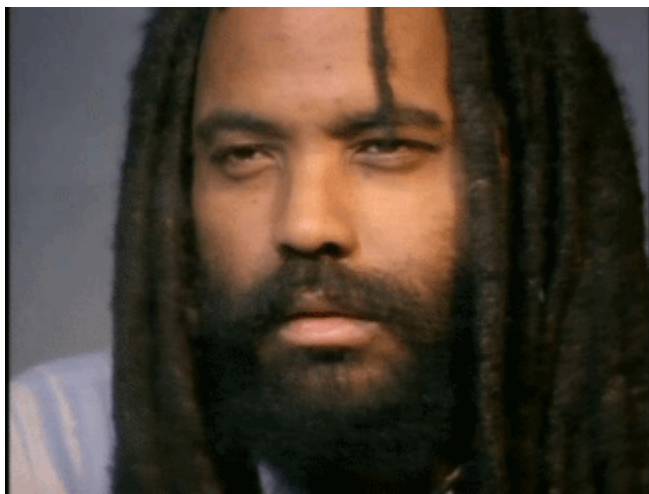
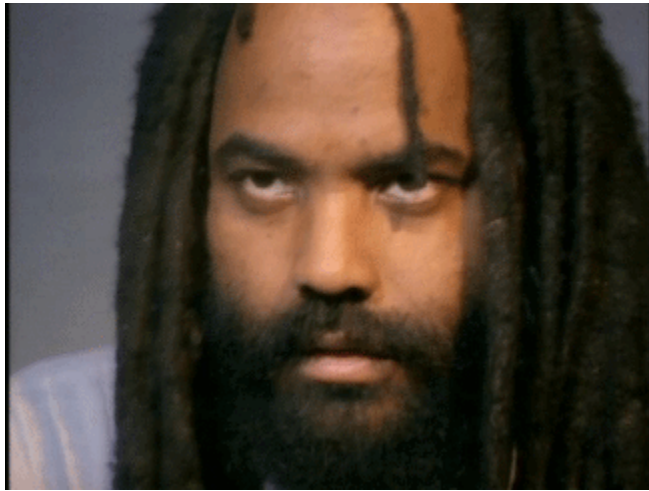
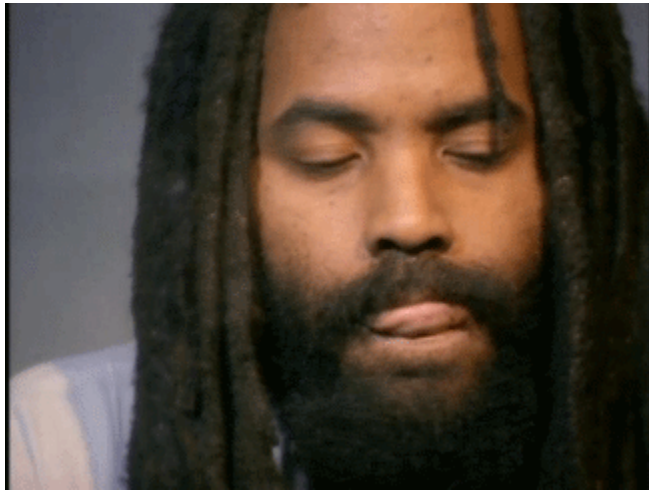






[Mumia Abu-Jamal] The term that I used for SCI Greene is a bright, shining hell if brand new, over \$200 million construction. The cells are similar in a sense to this very room. Once someone closes that door, there is no sound. There's the sound of silence in your cell. It is difficult, verging on impossible, for you to conduct a conversation with anyone other than the man who is directly adjacent to you. Right next to you in fact, because there are no bars. There is no ambient sound; there is the sound of an air conditioner. And the sound of silence. Or the sound that you create in your own cell. So the sense of isolation is all but total, you see, because you're cut off from even the sonic presence of people.

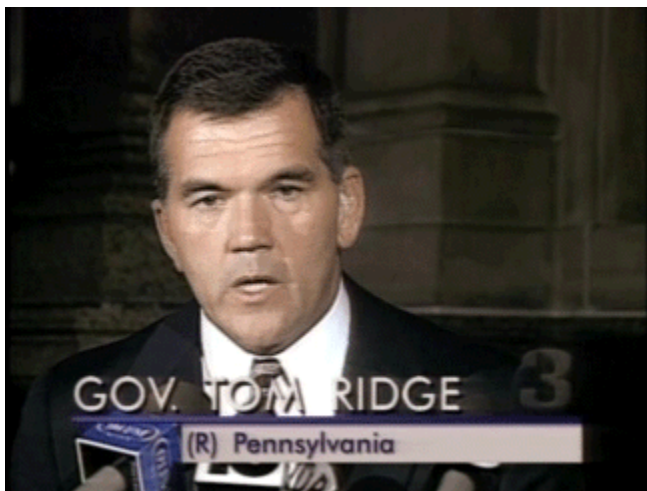




Imagine someone going in your bathroom, locking the door behind them, and not leaving that bathroom except for one hour or two hours every 24-hour daily cycle. And when one leaves that bathroom, being shackled, handcuffed, and escorted by armed guards with batons to a cage. And then returning to that bathroom after one hour or two hours in the cage, and staying in that bathroom for the rest of your natural life, with a date to die.



[Narrator] In 1995, after 32 years of no executions on Pennsylvania's Death Row, Tom Ridge, the new Republican governor, ordered several executions to be carried out. The first one went ahead in May, quickly followed by the second.



[Gov. Tom Ridge] And this is part of the job that I believe must, must be done!

MAH: Mumia, about the death penalty -- with which you're well acquainted -- you have said that, "where the death penalty is concerned, law follows politics." And we have seen a change, an evolution -- if you want to call it that -- in death penalty law over the last

twenty or twenty-five years.

MAJ: It might best be called a "devolution."

AH: Yes -- from the U.S. Supreme Court case *Furman v. Georgia*, which declared the death penalty unconstitutional as it was being applied at that time, 1972; through *Gregg v. Georgia* in 1976, which declared the death penalty would be constitutional if "guided discretion" were used in sentencing, requiring "objective standards" to be followed. Since

then there has been a new tide of capital punishment in this country, with over three thousand condemned now. And the current Supreme Court seems inclined to curb the rights of appeal of the condemned. This is happening at the same time that other industrialized nations have all backed away from capital punishment. Can you talk about why you think it is that this country has devoted itself so wholeheartedly to executions at this point in time?

MAJ: I think the impetus for that reality arises from the same source from which arises the impetus for the unprecedented levels of incarceration of African-Americans, as compared with other sectors of the American population. I don't think it's a coincidence that this is happening in the United States of America. If you look at another North American society that is very, very similar in its history, you find a completely different reality. The society I'm speaking of, of course, is Canada. We share the same temporal space, the same continent, for the most part (except for Quebec) the same language, the same general Anglo-oriented legal traditions. Yet there you find no capital punishment. There you find a completely different perspective when one talks about the penal system - - the so-called correctional system. There it's almost unheard of for a man to be sentenced to more than twenty years in prison -- it has to be a mass ax-murder type of situation. And when you look at Canada and you examine it, and you look at the United States and you examine it, the elements that differ between those two societies cohere, I think, around the issue of race, around the issue of this country's history as a slave society, who relegated an entire people to a sub-human status.

In the infamous *Dred Scott* opinion of 1857, U.S. Chief Justice Roger Brooks Taney said: "A Negro has no rights that a white man is bound to respect." In that seminal case, the Supreme Court denied a petition of a slave for his freedom. He said: "I live in a free state, where there is no slavery, and therefore my slave status should be invalidated as a matter of law." The overwhelming majority of the United States Supreme Court, of Justice Taney's court said: "Uh-uh, you're wrong." What they said was:

When the Constitution and the Declaration of Independence were written, Africans were perceived as three-fifths of a person. When one speaks of 'we the people,' we were certainly not speaking of you. And therefore we cannot now give you the rights and appurtenances that apply to 'we the people.' The Constitution has no relevance to you and your kind, or to your descendants should they ever become free.

That's in the words of the *Dred Scott* opinion. And that spirit continues to resonate throughout American law.

People who are sticklers would say: "Well, the Fourteenth Amendment surely overruled that case." But if you look at that case and you examine its precedent, you will find that to

this day, that case has yet to be judicially overruled. And where humans actually come in contact with their government is not in the voting booth -- I mean, that's an empty formality for many -- but it's in the courtroom. That's where most people literally meet their government. And it's in that courtroom where people find whether the rights they're told about truly exist, or don't exist. And for all intents and purposes, if one is poor, if one is African-American, if one lacks influence and power, then you come into that courtroom without the hope that you will walk out a free man. That is the undeniable reality in America.

The death penalty is unique in American law, in that if you really examine the process, you'll come away with a lot of curious ideas about how it works in reality, as opposed to how it's supposed to work in theory. I'll tell you why. In capital case law, unlike any other law, from the very beginning, under the case *Wainwright v. Whit*, a juror can be excluded if he or she has any opinion against capital punishment. So therefore you have what's called a pro-prosecution jury -- from the beginning -- who must swear that they can give the death penalty before they hear one word of evidence. Studies have shown this jury is prone to convict, that it is pro-prosecution and anti-defendant in the extreme, compared to any other jury in American jurisprudence. That's how you begin the process.

Isn't it also odd that at this stage of the process, where you're under the threat of having not just your liberty but your life stolen by the State, you're equipped with the worst counsel the system provides -- court-appointed counsel, with no financial resources. Often, while they may have good hearts, they have the least training, because capital case law is distinct from any other kind of law. In Philadelphia, if a person is charged with a capital offense, he gets a court appointed lawyer. At the time of my trial, the fee for the lawyer was only \$2,500. Out of that, he was supposed to provide investigators, ballistics, forensic experts, psychologists, whatever. He was a sole practitioner -- he had no investigator, no paralegal -- he had a secretary and himself. We had absolutely no resources. We had nothing. I didn't have to be a wild-eyed, raving, Black Panther or MOVE maniac to say: "Fuck, I'll represent myself." If all he could do was get a motion denied, I could do that. But the court denied me my constitutional right to represent myself. They insisted this guy take over my defense, first as backup counsel and later as lead counsel. I didn't want him as lead counsel -- or backup counsel, for that matter.

AH: Do you think he really cared?

MAJ: I think that he cared at the beginning, but our relationship as client and counsel really deteriorated -- when he was put in the position of backup counsel, all that went out the window. Because he testified under oath that for four or five weeks he sat on his hands. He later got up at a hearing and said: "I was ineffective." And the District Attorney said: "No, you weren't ineffective. You were a great lawyer -- it was just that your client was really difficult, right!" And he said: "No, I was ineffective. I didn't do what I should have done. I should have done this, I didn't do that." And he's asked why he didn't do it and he says: "I didn't think of it" or "I forgot" or "I was too busy." Damn, isn't that ineffective? Can you say I had effective representation? And now you have the judge saying this guy was a great lawyer, that he had extensive law enforcement experience, that he had handled twenty-seven capital cases. That's a lie. Literally, my case was the first case he'd handled in private practice -- he had just left a public interest law firm.

Well, as a result these lawyers prepare very little -- thanks to such small resources with which to prepare. Isn't it odd that you get that kind of lawyer at that point, appointed by the court! The court decides when that lawyer gets paid, if that lawyer gets paid, and how much that lawyer gets paid. So you have a lawyer who's beholden to the court for his fees. You get the worst possible legal help at the beginning of the process, but months or years later, after you're under a death warrant, you might be appointed three or four high-caliber

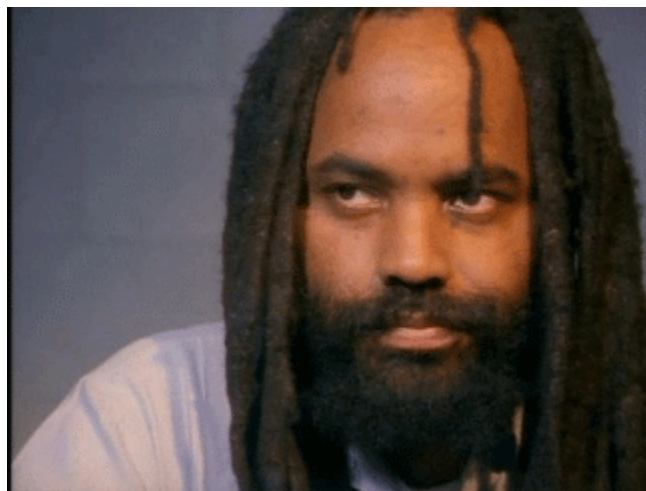
Harvard-trained lawyers from one of the biggest law firms in the state -- along with paralegals, investigators, psychologists? Does it strike you as an ass-backwards system?

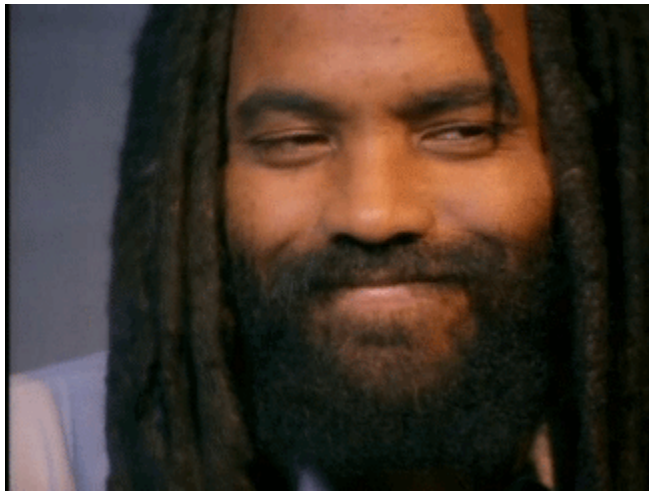
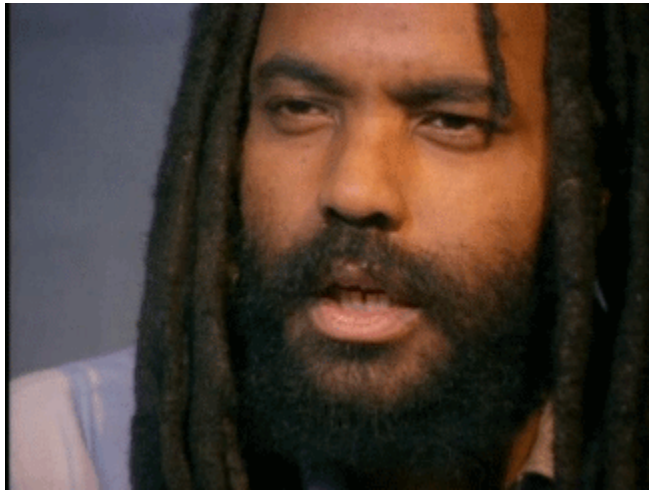
Well, that's the system that exists. That has been the lived experience of most men on death row. Is that a fair system? Why can't a man go to trial with the best lawyer if he's faced with death, rather than wait until he's under a death warrant?

-- Death Blossoms: Reflections From a Prisoner of Conscience, by Mumia Abu-Jamal



[Narrator] In June, Gov. Ridge announced that Jamal would be executed by lethal injection on August 17, 1995.









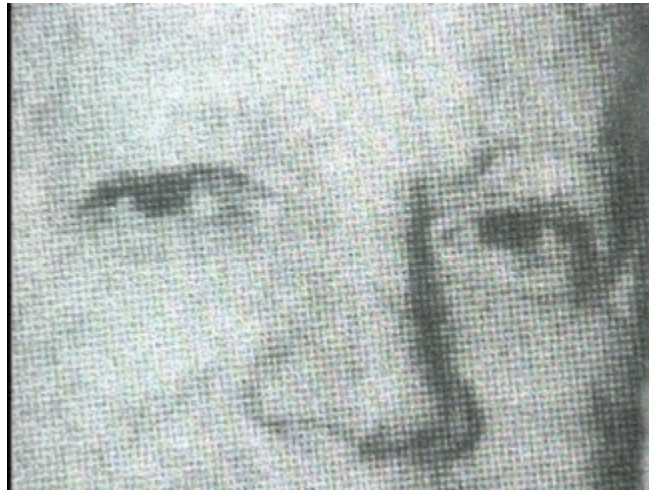


[Mumia Abu-Jamal] About 9:45 a.m. on June 2nd, I was in the law library with another man. And so I was sitting there typing, and a guard then came up and said, "Um, Jamal, would you come to the door?"

And I looked at him, and you know, I wondered why. And I said, "What's up?" And he said, "The lieutenant wants to see you." Well, I felt something, you know. It's extraordinarily rare for what we call "a white shirt" -- all commissioned officers, lieutenants and captains wear white shirts, unlike sergeants who wear the regular institutional grey -- it's real rare for a white shirt to talk to a prisoner. So something told me "hubba." So I walked to the door and this lieutenant, who I'd never seen before, said, "I'm Lieutenant so and so, and your death warrant has been signed. Would you place your hands out? We're going to cuff you, strip you, and send you to Phase 2." I turned to the man who I was in the law library with and I said, "Look, grab my legal stuff," because I had brought some stuff with me. And the lieutenant said, "Don't worry about that. We'll take care of that." I said, "Oh boy! Here it goes."



When I got to the actual cell, the lieutenant pulled out the warrant and read it, or read the letter from the commissioner. Of course I was stunned. I mean, not only the timing but, you know, it was well known that we were only days away from filing a petition. In fact, a weekend away from filing a petition in the Court of Common Pleas for a new trial. So I began talking with some of the men in the area, you know, men who had warrants prior to mine, who had other dates to die. Some I knew, some I did not, because they'd come from other parts of the state. It was a time of intentional state-inflicted terror designed to kill the spirit, and eventually to kill the body.



[Narrator] With this threat hanging over him, Jamal's lawyers had petitioned the court for a retrial. The Special Hearing held to consider Jamal's claims was presided over by the very same Judge Sabo, the judge at the original trial. At the hearing this time, the Medical Examiner was questioned as to why he had recorded the bullet found in Officer Faulkner as a .44 caliber. He could not recall or explain his reason for the notation, but described the report as an intermediate work product, and said he was not a ballistics expert. This time too, the witness Debbie Kordansky came to court, but she said she could remember none of the detail of what she had seen. New witnesses came forward, too. One of the most intriguing, but also most puzzling, was William Singletary, a businessman and Vietnam veteran. Although he was present on Locust Street at the time of the event, Singletary was never asked to be part of the trial. Singletary claims

he was returning to his parked car from a club when he saw a volkswagen being driven the wrong way down Locust Street.

Honest Witness, William Singletary, Fingers Mumia Abu-Jamal as a Good Samaritan Who Was Shot For His Trouble -- Little Movie







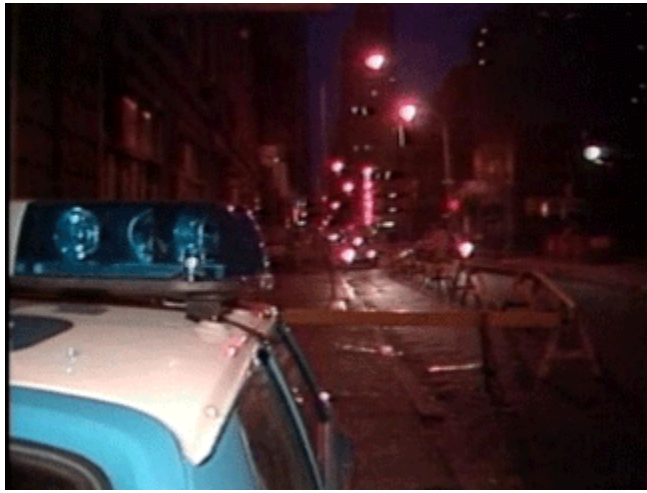


[William Singletary] The police officer stopped the car and jumped out. The gentleman in the volkswagen met him. They had a brief confrontation. The cop had the guy go up against the wall. As he went up against the wall, there was this back and forth verbal talk, back and forth, and back and forth. And a guy was in the car -- a passenger. He jumped out, hollered some obscenities, and the police officer turned as if to say to him, "Get back in the car" or something. And the guy pulled a handgun, and when he reached [inaudible], I just went behind the subway to get cover, more or less, because I figured it was a gun. And I heard a popping sound. I ducked. Then I saw the guy pointing the gun directly at the cop's face. And then I saw the fire from the barrel hit the cop directly in the face. The guy turned around, looked at me, and then he turned the other way, placed the gun under the volkswagen, and took off running east on Locust Street.









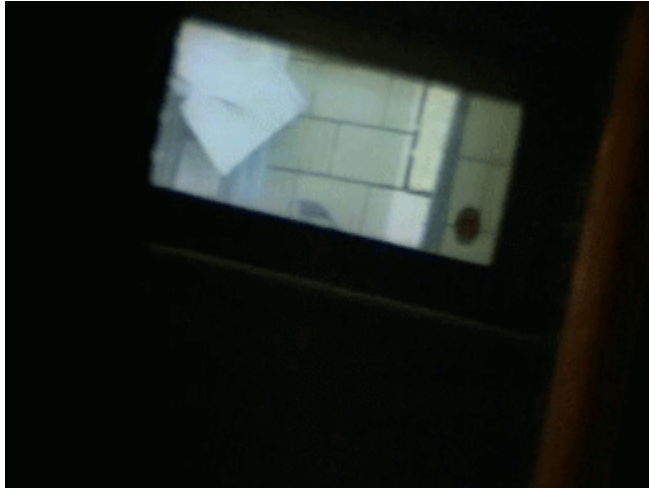
Another person appeared, and he asked me, "Where is the guy who was driving the volkswagen?" And I said, "He took off running down the street." He says, "Well, what happened here?" I said, "A police officer got shot." He said, "Oh, my god, we don't need this." He walked over to the police officer, threw his hands up in the air, and as he laid over to ask the cop he says, "Is there anything I can do?" and the cop's gun discharged, hit him in his chest, and knocks him against the volkswagen. And now we've got two people who have been wounded. And I'm standing there, and I don't know what to do. Then white shirt police officers came, and they tried to get assistance for the people who had been wounded.



[Narrator] William Singletary was then taken by the police down to their headquarters to make a statement.



[William Singletary] I included exactly what I told you what I saw. I wrote it. They said it wasn't good enough. It wasn't correct. They destroyed it. And I wrote it again. I did this over, repeatedly. Four times I did this, like two or three pages each time. And they would destroy it each time.







While I was there, there was one police officer sitting there, he had a slap stick. He kept hitting his hand. The other guy was standing behind me. He had one, and he kept kicking the chair. I was threatened to be beat up; and my parents would be harmed; my business will be destroyed. Everything I worked for all of my life was going down the tubes. I was told, basically, "This guy's not worth it. He's the scum of the earth. I don't know why you're taking up for him. We know who did the shooting. Look, we got this guy. We're going to put him away. You're going to do what we tell you to do, or you won't be no good in this city."





But I wasn't going to let them beat me up. But I knew if I hit one of them, or something happened, I'd go to jail for some other charges, for something I hadn't done. So when they gave me the offer to write something, he told me what to write. He told me, word for word, and that's what I wrote. That's what the guy typed on the paper. I signed the paper -- two sheets -- and I left. As I left, I felt like a lady would have felt if she was raped. I just felt violated. I knew what I did wasn't right. I knew that everything I had stood for was down the tubes. And I felt real bad about it. And I knew this other person, Mumia, was being falsely accused for something he never knew what happened.



I talked to several people that I knew, and they said, "Just leave it alone. The guy's in jail, just leave it alone." But I couldn't rest, because I knew what was wrong was wrong.

I did not shoot police officer Daniel Faulkner. I had nothing to do with the killing of officer Faulkner. I am innocent. I was filling out my log when I heard some shouting. I glanced in my rear-view mirror and saw a flashing dome light of a police cruiser. This wasn't unusual. I continued to fill out my trip sheet when I heard what sounded like gunshots. I looked again into my rearview mirror and saw people running up and down Locust. I recognized my brother standing in the street, staggering and dizzy. I immediately exited the cab and ran to his scream. As I came across the street, I saw a uniformed cop turn toward me, gun in hand, saw a flash, and went down to my knees.

-- Declaration of Mumia Abu-Jamal, 2001

[Narrator] Is William Singletary's account the truth of what happened? There are some questions. Singletary had first come forward and given a sworn deposition to Jamal's lawyer in 1990. One problem is that the story he told then differed in some important respects from his account today, although some argue that his memory might be hazy after 14 years. In 1990, he described Faulkner being shot in the face with one shot. Now he says he actually heard another shot before seeing the shot in the face. In 1990, he described Faulkner pulling his revolver before shooting, in spite of being shot in the face and incapacitated. Now he says the gun just discharged as Jamal bent over Faulkner. He also said in both accounts that the felled officer spoke, but medical experts agreed that this was impossible. In both accounts, he describes the shooter having a .22 caliber gun, which he left under the volkswagen. But the police never reported finding a third gun. And there were other inconsistencies in Singletary's testimony. When he told his story to Judge Sabo at the hearing, the judge found it unbelievable. Those who believe Singletary cite his unblemished record as a Vietnam veteran and businessman, and the fact that he was an eyewitness that night who did not know Jamal, and had no apparent reason to lie. They also believe that Singletary's testimony deserves to be heard by a jury.

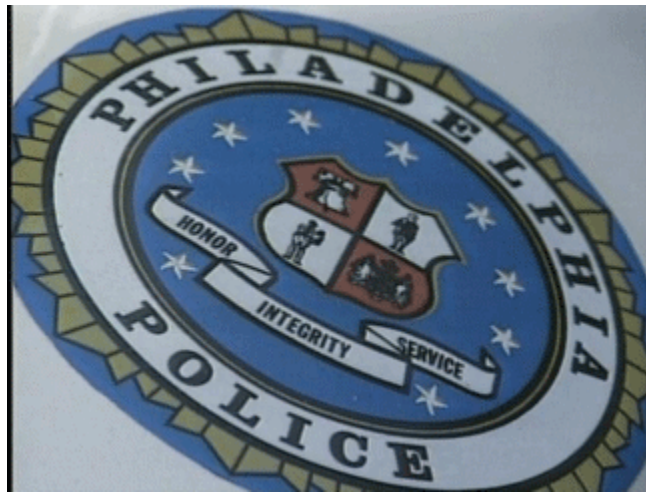






[WTXF FOX PHILADELPHIA TV NEWS, AUGUST 1994] 23 times the police department has been sued, and 23 times it has lost. And now a new wave of controversy. The crimes of a half dozen members of the elite highway patrol are bringing to the surface questions about the honesty of 6,000 men and women behind the badge. Philadelphia is the only city in the United States sued by the Justice Department for brutality and corruption. Now, the questions of evidence tampering, poor discipline, and the failure to hold those sworn to protect and serve to the law they are hired to enforce, are at play again.





[Narrator] Recent scandals rocking the Philadelphia Police, involving the fabrication of evidence and coercion of witnesses, have raised new doubts about cases like Jamal's involving police evidence in the past.

In his affidavit, Arnold Beverly stated that “Mumia Abu-Jamal did not shoot police officer Faulkner.... Jamal had nothing to do with the shooting.” Beverly explained that he “was hired, along with another guy, and paid to shoot and kill Faulkner. I had heard that Faulkner was a problem for the mob and corrupt policemen because he interfered with the graft and payoffs made to allow illegal activity including prostitution, gambling, drugs, without prosecution in the center city area.” Beverly said that he was given “a .38 caliber policeman’s special and I was also carrying my own .22 caliber revolver.” Beverly, who like Freeman was wearing a green army jacket, stated that as he came onto the scene of 13th and Locust, he “saw police officers in the area,” but “was not worried” because “I believed that since I was hired by the mob to shoot and kill Faulkner, any police officers on the scene would be there to help me.”

Beverly described that he saw Faulkner get out of his patrol car and go up to a VW. He heard a shot and then another one that grazed his left shoulder. He continued: “I ran across Locust Street and stood over Faulkner, who had fallen backwards on the sidewalk. I shot Faulkner in the face at close range. Jamal was shot shortly after that by a uniformed police officer who arrived on the scene.” Beverly concluded that he left the area through the Speedline subway system “and by pre-arrangement met a police officer who assisted

me when I exited the speedline underground about three blocks away. A car was waiting for me and I left the center city area.” (See <http://www.partisandefense.org/pubs/innocent/ab.html>)

-- Murdered by Mumia: Big Lies in the Service of Legal Lynching: Mumia is Innocent!
Free Him Now, by Partisan Defense Committee

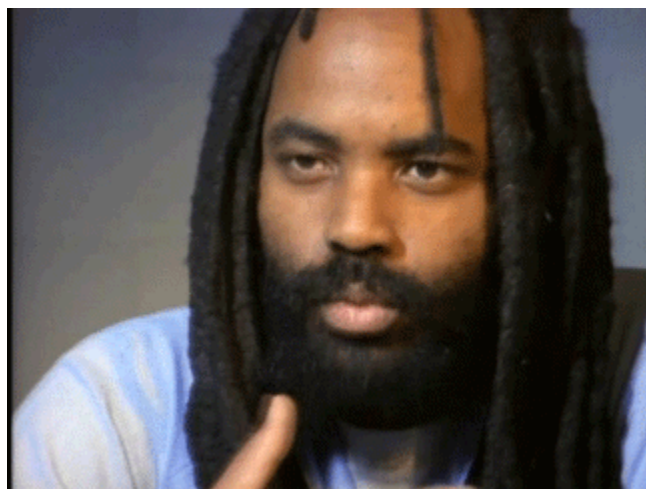


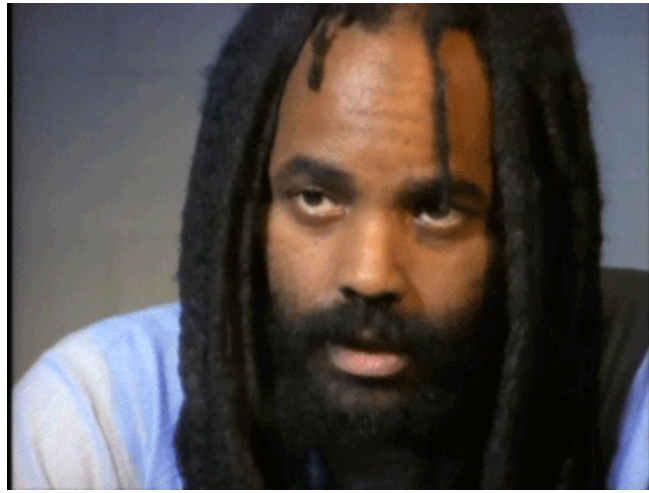
[Joseph McGill, Prosecutor, 1982] It does the police a major disservice, particularly it's a question of stupidity, to think that they would choose to go with an individual that they believed did not do the crime

simply because this would somehow eliminate him from being a problem. First of all, it places a great deal of importance on him that may not really be justified at that time. Secondly, the police were interested in one thing, and that was to find who killed their fellow officer, to investigate it fully, to have him arrested and prosecuted. They didn't care who did it. They cared that the person who did it was the one that would be arrested and prosecuted.

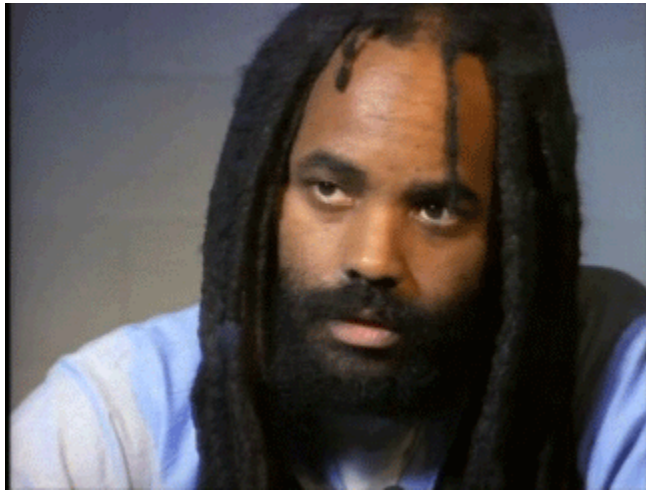


[Narrator] Then what about the troubling questions surrounding the police and their allegation that Jamal confessed in the hospital produced more than two months after the actual shooting?









[Mumia Abu-Jamal] Why would it take over 60 days for the police to say so? I mean, if that were so, in any city, not just Philadelphia, why wasn't that on the headlines the next day? Did every policeman in there forget about it? No, I did not confess in the hospital. In fact, there was a meeting in February, or perhaps March, where the D.A., in the Police Administration building, asked policemen there, saying, "Ah, anybody got any confessions?" A moment of silence, and then a few hands go up. This was testified to at the hearing. The fact is, there was no confession.



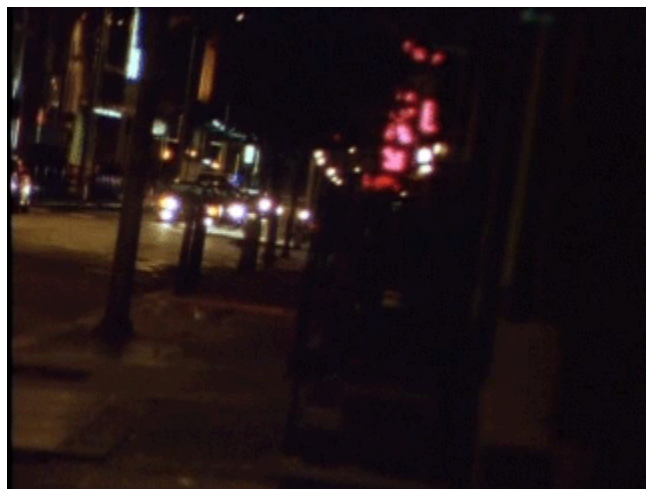


[Narrator] The result of the Special Hearing in August 1995 was that Judge Sabo confirmed Jamal's murder conviction, and turned down his request for a retrial. However, a few days from the execution date, in a moment of high drama, Sabo did grant a stay of execution. The next step was for Jamal to appeal against Sabo's retrial decision. If that failed, he would be given a new execution date.





[Richard Costello, Fraternal Order of Police] Nobody takes particular glee in this, least of all if we thought we had the wrong guy here. But there's several eyewitnesses that, quite to the contrary, we have this guy's self-proclaimed statement in the hospital heard by not one but several people. We have eyewitnesses to the job. The evidence was sweeping and conclusive. So produce the counter-evidence. The burden is most definitely now on the defense.









[Veronica Jones] I was standing on a corner at 12th and Locust, just chit-chatting, girl talk. And then we heard gunshots. And I looked across the street to my left angle, and I seen this white person falling. And I kept looking, and I seen these two black individuals running away from him. I started walking towards, but I came back and just got out of the area. Because I couldn't believe it. I couldn't believe it. This was the first time I ever seen that, so I couldn't believe it.

[Filmmaker] So, you're absolutely clear that you saw two people running away.





[Veronica Jones] I'm positive. I am positive.

[Filmmaker] No question?







[Veronica Jones] No question. No doubt. I'm positive. And regardless of what anybody says, I know what I saw. These eyes don't miss too much. Not too much.

[Filmmaker] So that's the truth of the matter. The truth is ...



[Veronica Jones] I swear that's the truth.





INVESTIGATION INTERVIEW RECORD	
NAME	VERONICA JONES
ADDRESS	
PHONE	

PHILADELPHIA POLICE DEPARTMENT HOMICIDE DIVISION		C. IN G D P
AGE <div style="text-align: center; font-size: 1.5em;">20</div>	RACE <div style="text-align: center; font-size: 1.5em;">N</div>	
APARTMENT NO.		

[Narrator] In 1981, Veronica Jones was a 20-year-old prostitute working the area of downtown Philadelphia. A few days after the murder, she was interviewed by the police, and she then gave a full account of what she had seen that night.

RECORD FILED INDEXED	DATE AND TIME 12-18-81 9:45 PM
WE ARE REQUESTING YOU CONSIDER THE Homicide, by shooting, of OFFICER Daniel Faulkner MURDERED WHEN BY	
ADDRESS (1) (2) (3) (4) (5) (6) (7)	
Q Veronica, will you go on in your own words and tell me what you know about the shooting death of Officer Daniel Faulkner?	
A I was in a little restaurant called Rocky's it is on Chancelloe Street, we were drinking beer. We came out of the restaurant and went down the alley towards 12th Street. We went down 12th Street and crossed Locust Street. We jacked around on the corner for awhile. We walked around by the entrance to the high speed lane and she (Candy) started talking to someone in a car and I walked back around the corner to Locust Street. As I was walking down Locust	





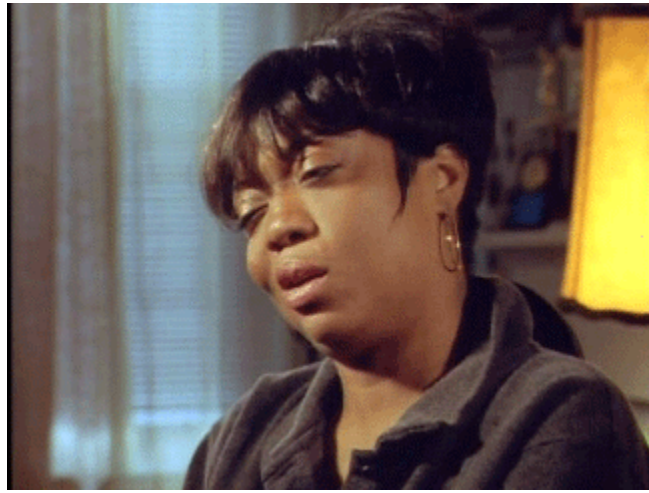
[Veronica Jones] I told them the same exact thing that I seen: I heard nine shots when I turned around and looked around the corner, and I seen the white male falling, and the two males jogging away.

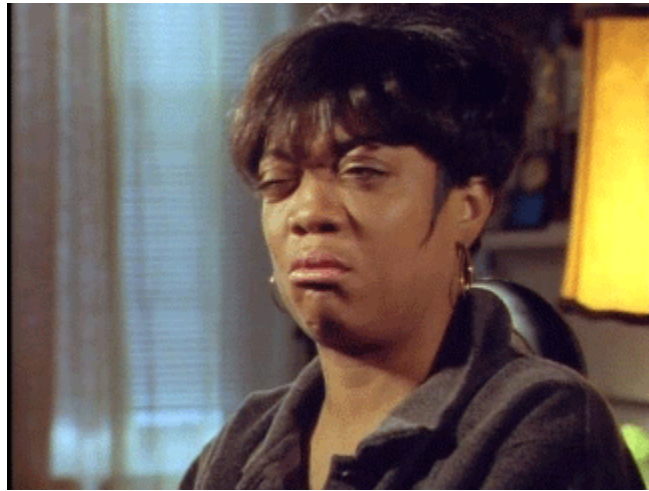
LOCUST STREET
jogging.
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dine bu

the police officer?

Veronica Jones

[Narrator] Several months after giving this statement, she was under arrest and on remand in jail on a robbery charge.







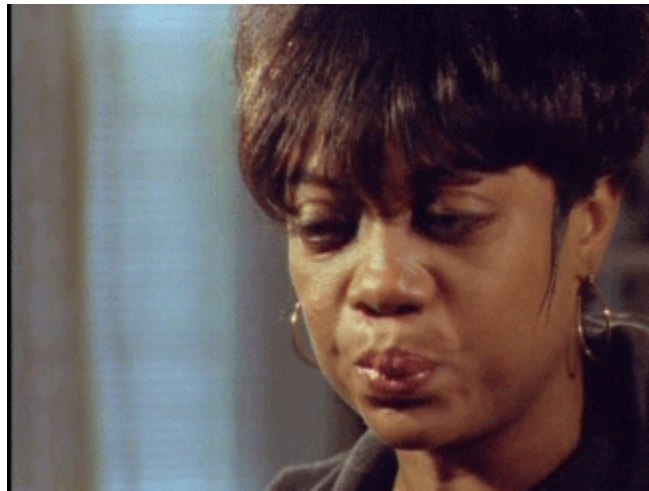




[Veronica Jones] I got arrested on a felony charge. A robbery charge. And I couldn't make the bail. So I was sitting, and I was visited by two white males in suits. But I was told they were my lawyers. So when I went down, they told me that they were detectives. And they were telling me how they could work a deal with me. They told me all I had to do was name Mumia as the shooter -- Mumia Abu-Jamal as the shooter -- and that they would make sure that I would get off on the 15 years -- 5-15 years. And also, any other charges that I was already in there on, which there were a number of charges. And they said that they had helped Cynthia White out, so they would help me out also. And you don't know how good that sounds to somebody who's going away for 15 years. Not even really knowing the law, you know. And so they promised me. And so I told them I would have to think, you know. But all they said was they would be back.





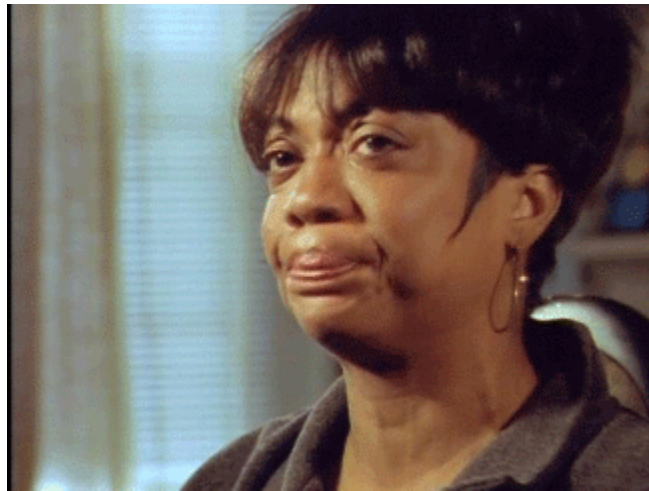




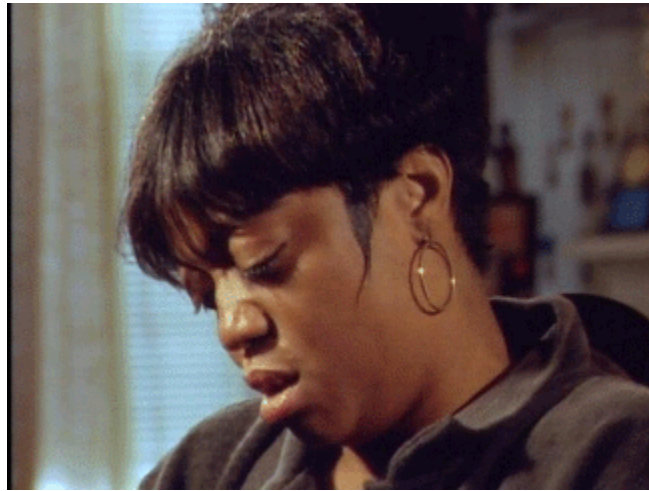
And then one day, they came to get me to go to court, and I thought I was going to court on my charges. And when I got into the courtroom, I was facing a whole room of police officers. And the two detectives who had visited me, they were standing in like the far right corner.





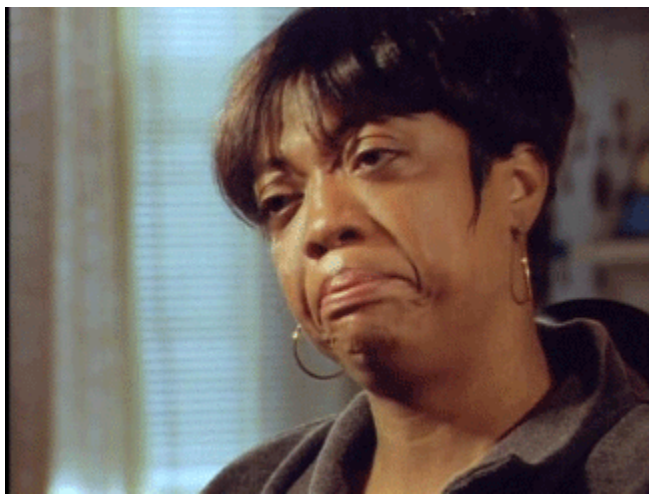






And they had all of these other police officers. And there was Mr. Jamal, who I didn't even know, per se at all. I was totally confused. I didn't know what to say. I'm looking at a man I've never seen in my life, that I'm giving a lie on, and I'm looking at these officers that can put me away. So I just thought I'd say I didn't see anything. Sorry.

[Filmmaker] So, it was a lie.



[Veronica Jones] It was a big lie, a lie that almost cost somebody his life. And I hope it didn't.



[Narrator] After her appearance at Jamal's trial in 1982, Veronica Jones was released from jail and sentenced to probation on all her outstanding charges. In gathering evidence for the new hearing in 1995, Jamal's defense team considered Jones a key witness, but couldn't trace her. Then, in 1996, they discovered her living in New Jersey. And so opened a new chapter in the case.



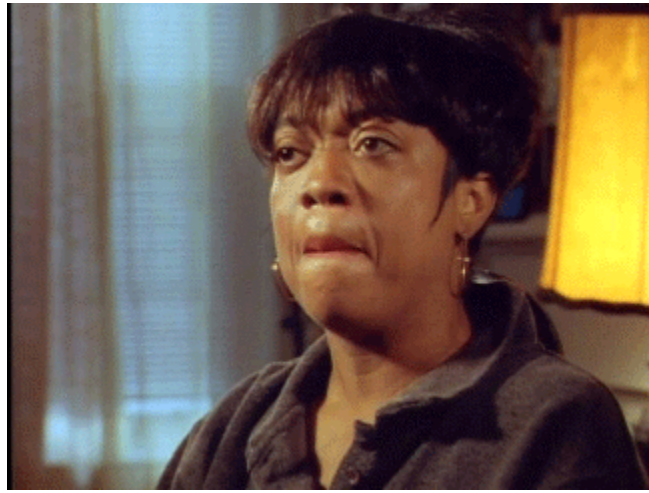
[Rachel Wolkenstein, Defense Lawyer] When we finally found her in April of 1996, we were quite astounded to learn that there was yet another concrete instance of police coercion. This made very graphic the type of actions that were being taken by the police and prosecution to prevent favorable witnesses from coming forward and testifying on Mumia's behalf.



[Narrator] Veronica Jones now agreed to tell her story at a new hearing, ordered by the State Supreme Court, but presided over once again by Judge Sabo.









[Veronica Jones] It was very difficult, because I was trying to leave my past in the past. You know, because once people get hold of something negative about you, they tend to let it linger. They don't care if you're trying to make a change. They make it linger. And I don't care what you do good, it's always the bad overrides the good to these people. But it was still doing the right thing. I mean, I've had a grandchild. It's my first. And I've got two daughters that are in college. They're doing good. A daughter graduated from high school. Everything positive. But there's that one little ghost in my closet that I had to get rid of. I expected to go in there, and say what I'm saying, and go home. But it was not that easy.



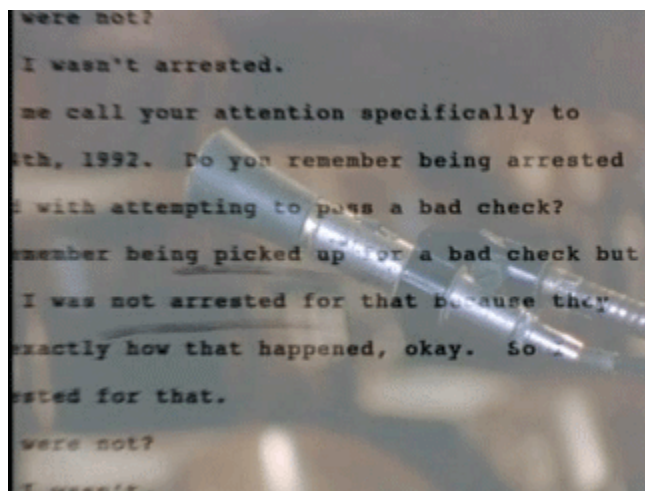
[Narrator] Even though Judge Sabo warned her that she could face 7-14 years for perjury, this time Veronica Jones insisted that she had indeed seen two men fleeing the murder scene. She said that she had withheld this evidence at Jamal's trial under pressure from the police. Then the prosecution tried to switch the focus onto Jones' past record of petty crime.

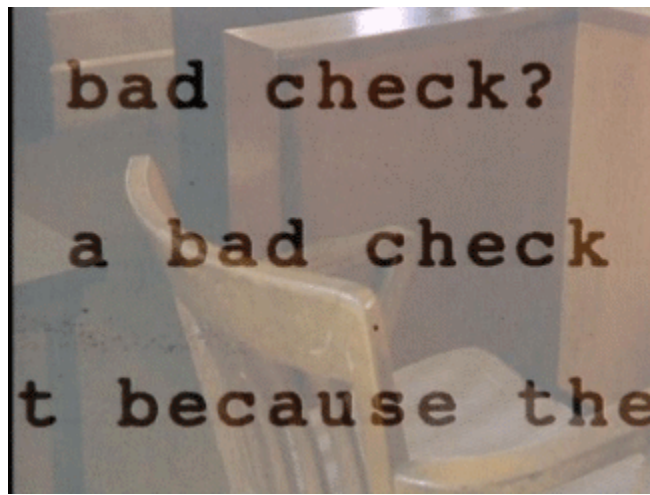






[Veronica Jones] Then they started getting dirty on me. And when I say "dirty," I mean they started going from left field, when I'm right-handed. You understand what I'm saying? I couldn't catch that left ball. It was coming at me at one time. And then they got real dirty and real ugly on me. But it didn't make a difference, because I'm here now. I want to get this off my chest. I want my kids to be able to walk around with their heads up high, because my mom did the right thing, regardless of what people say about her now. As long as it was okay with them, it's okay with me. And I went through with it. And I mean, they done dirty on me. Yeah. But they couldn't change it, because the truth was out. And I was not about to go back on that. I wanted to stick with it, because it was right.



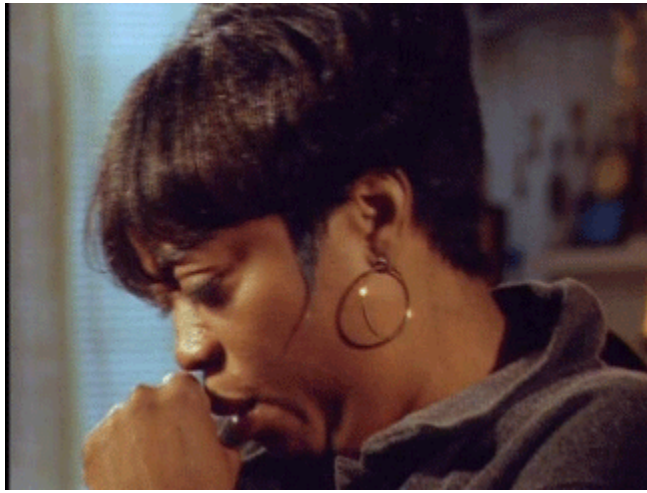


[Narrator] Then the prosecution brought up the fact that there was an outstanding arrest warrant against Ms. Jones for a \$250 bad check.









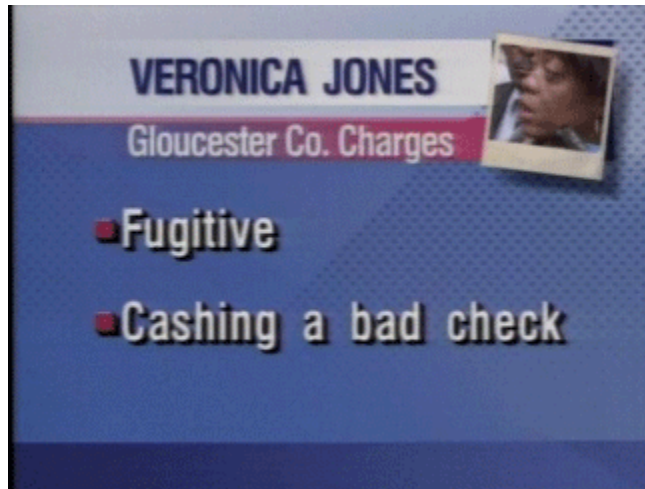
[Veronica Jones] The bad check thing, this is something that happened back in '90, '91, something like that. And it was something that I wasn't even charged with. All they did was take my picture, put it up on the bulletin board, [and say] don't ever do this again. I wasn't fingerprinted. Nothing like that. But they had this warrant that I was never aware of. [Coughs] Excuse me.





Like, "Okay. I can deal with that. I can work with that." Then there was another old prostitution case from 1982 that I never received. I never received the paper on that. But all these cases I never received anything on, all of a sudden it's right in front of my face now that I'm trying to do something right. If I was still doing the wrong thing, I would never see those papers.





[KYW-TV NEWS REPORT, OCT. 1, 1996] As she testified, two South Jersey detectives were arriving at the Criminal Justice Center. They wanted Veronica Jones on a Gloucester County warrant, claiming she was a fugitive who tried to pass a bad check in a liquor store. She went from the witness stand to the Philadelphia Police Detention Unit in custody for processing.



[Leonard Weinglass, Jamal's Lawyer] This should not have happened. And that it did happen, reveals and exposes the prosecution's case from day one until now.



[Richard Costello, Fraternal Order of Police] If she broke the law, she faces the consequences of it. This nonsense about police abuse -- the only abuse here is the murder of a police officer by a convicted killer, and a team of corrupt defense attorneys.



[Narrator] After being arrested in court, Veronica Jones spent a day and a night in jail, before being released on \$15,000 bail.



[Rachel Wolkenstein, Defense Lawyer] What the prosecution did by arresting Veronica literally off the witness stand, while she's testifying on Mumia's behalf, shows again the extent of the vindictiveness of this prosecution against Mumia Abu-Jamal. If they could do this to Veronica, threaten her with a 4-year-old warrant in court because she came forward to testify for him, if they can do this in open court with press there, with a full courtroom, one can only imagine the types of threats that people were subjected to in police precincts, in the homicide division, and in jail cells when there was nobody looking.





[Veronica Jones] What else can they do to me? They've locked me up. They've dug up more dirt than I can even remember. So there's no more they can do to me. And even if they could, I couldn't change my story if I wanted to. Because it's the truth. And I want to stick with that.

ABU-JAMAL :

OPINION

BY THE COURT:

Albert F. Sabo
ALBERT F. SABO, J.

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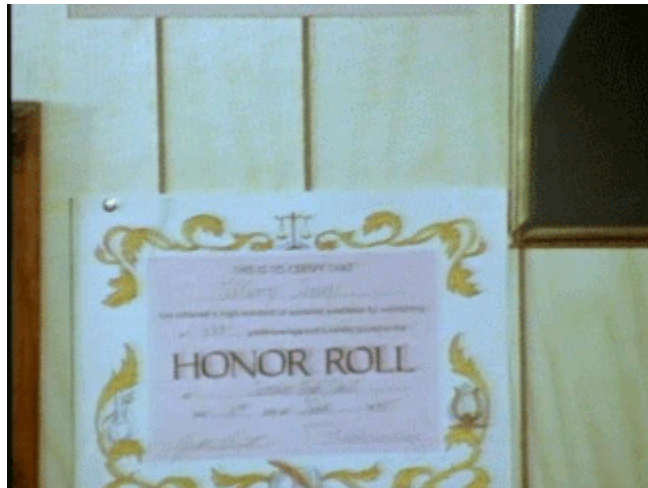


[Narrator] In his opinion to the State Supreme Court, Judge Sabo totally rejected Veronica Jones' new testimony, describing it of such an incredible nature as to be of no value. Judge Sabo argued that even if it were true that Veronica Jones saw two men running, because she had described seeing the men "a few minutes" after she heard the shots, the timeframe meant that at that stage, Faulkner would already have been shot by Jamal. And so her observations were irrelevant.



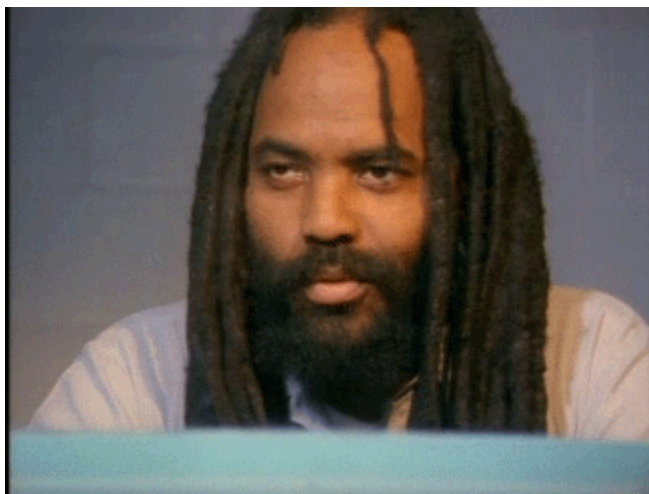
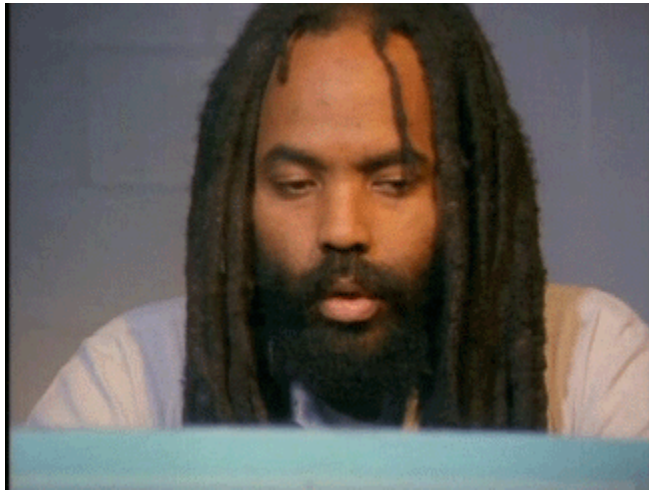
[Rachel Wolkenstein, Defense Lawyer] Her testimony is critical, not only to support the defense theory that the shooter ran away, but also in showing the extent of misconduct engaged in by this prosecution. What Veronica testified to also lends credence to the other defense theories, and the substantial

allegations we have of prosecutorial misconduct. It lends additional support to what was done to Veronica was also done to William Singletary, perhaps to an even greater degree, causing him to sign a false statement to deny that he actually saw the shooting, and leave town. It also helps explain and show that in fact it's entirely plausible that the police fabricated this confession that they were saying Mumia made, as he was literally dying, critically wounded in the hospital. So what Veronica testified to has great impact on the entirety of the evidence that we've presented, as well as on the very specific real situation that she was in. And that her own false testimony at the trial was the result of police coercion.

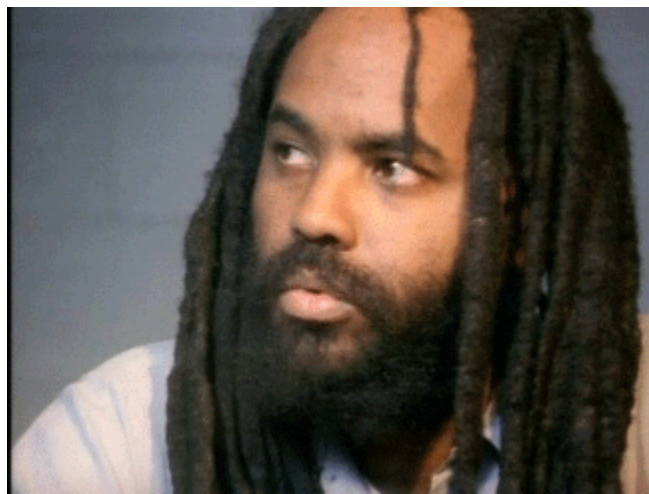
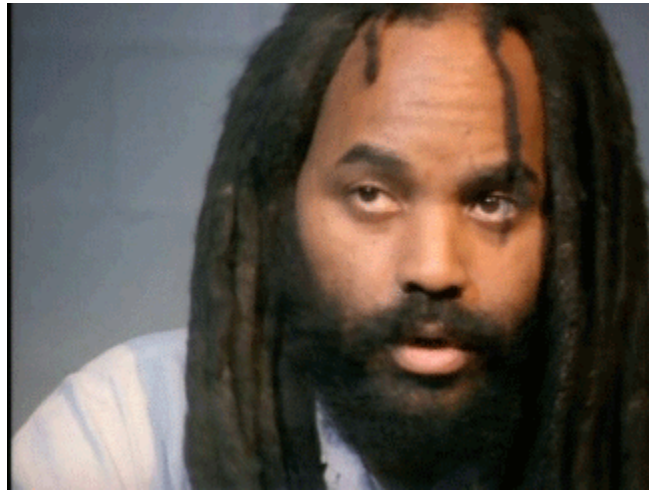


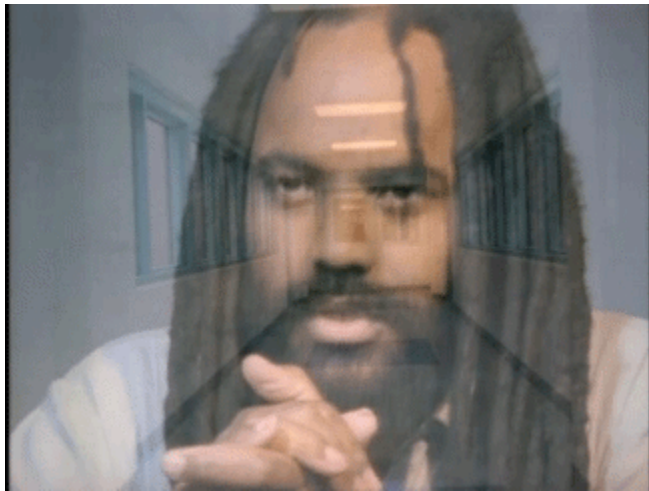
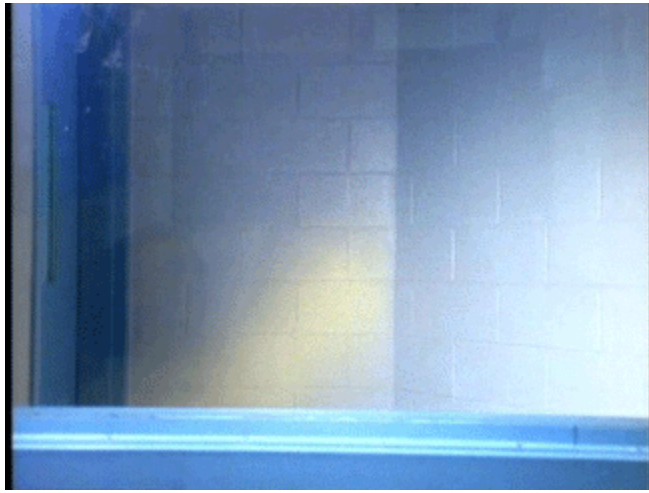


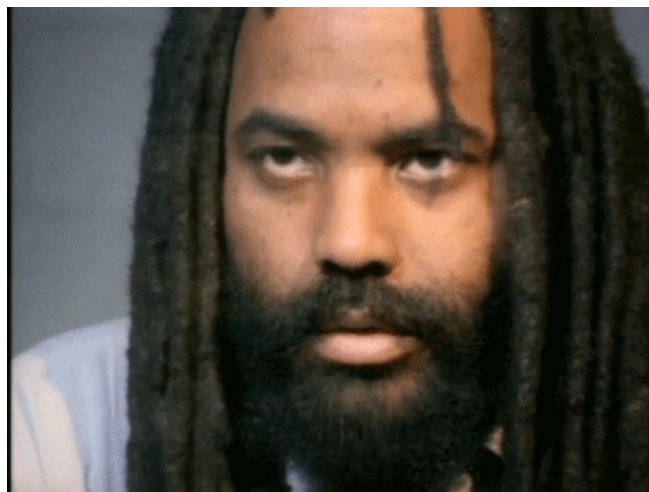
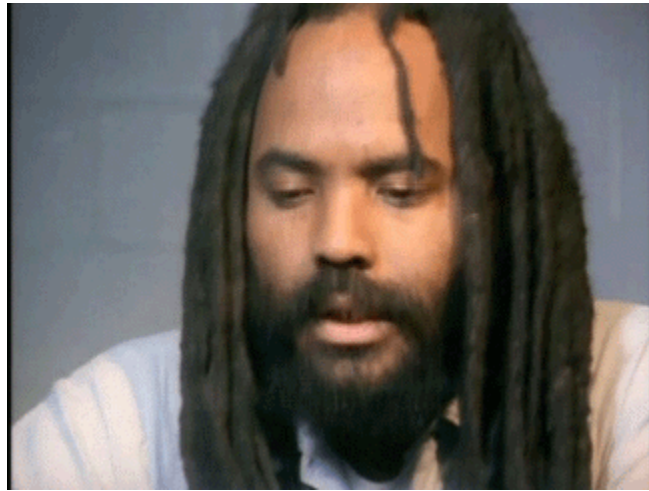
[Veronica Jones] I'm quite sure that he has a family just like I do. He wants to be with thm, just like I didn't want to be taken away from mine for 5-15 years. But he's been away from his for 14 years. And I regret waiting this long to tell the truth. And I apologize for doing that. But I'm here now. And I'm going to stick to my story, because this is what is the truth. Because I know he wants to be home with his, like I am with mine.

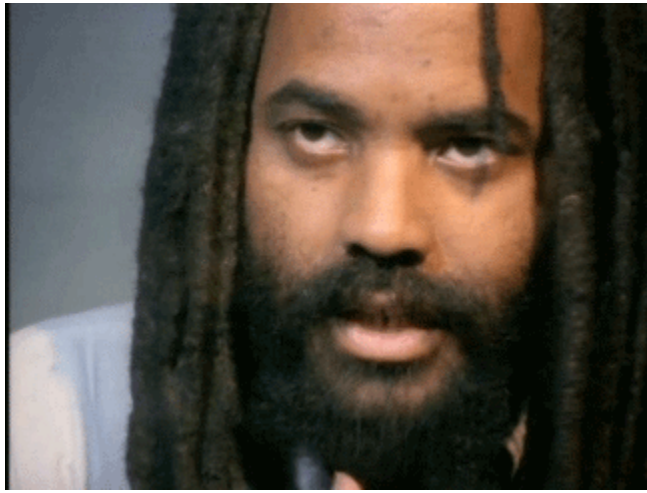




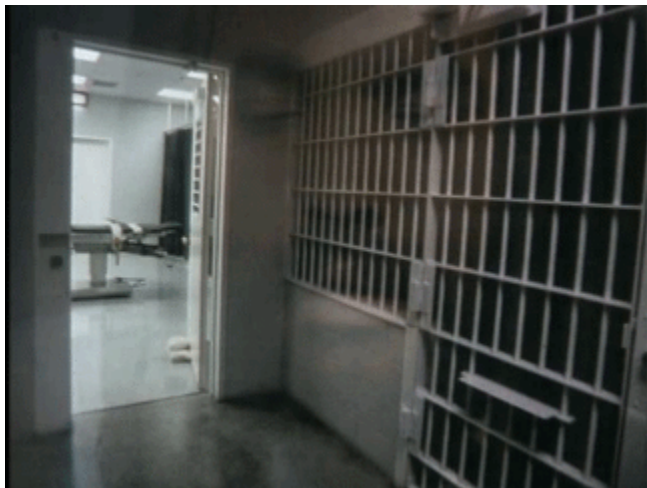




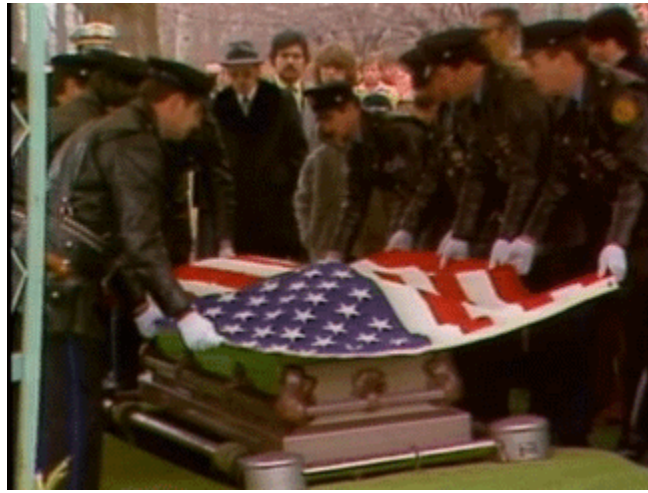




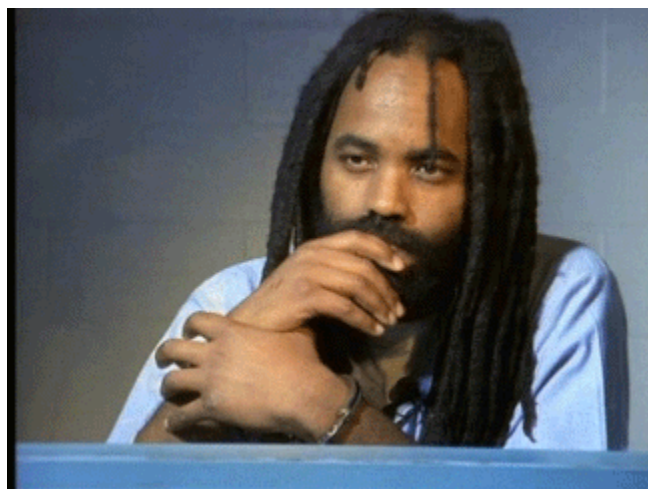
[Mumia Abu-Jamal] I think that all true freedom, whether for one on Death Row, on Life Row, in prison, or out of prison, all true freedom exists in the mind. And I think only in the mind. To the extent that someone has a free consciousness, and is able to exercise that consciousness, they are free within the most restricted prison on the planet. I'm not Superman. I'm a man, like any other man. I weep. I cry. I hurt. I feel the same pains that any other man would feel. The opportunity to touch one's loved ones, it's something that is intrinsically human. To touch one's child, to touch one's mate, or parent, you know. Or even a friend. I have grandchildren that I've never touched, that I've never held since their birth. And I have seen them only through this plexiglass barrier. I think that everything this system, this prison does to people, is designed to separate them, not just from those that they love, but to separate them from themselves, in terms of to alienate them from themselves. To create such a shattered sense of self that one dies, literally -- before one dies in the flesh, one dies in the spirit.



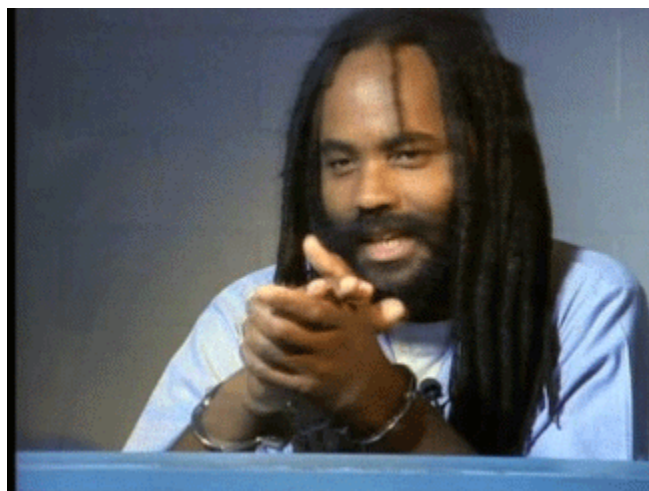
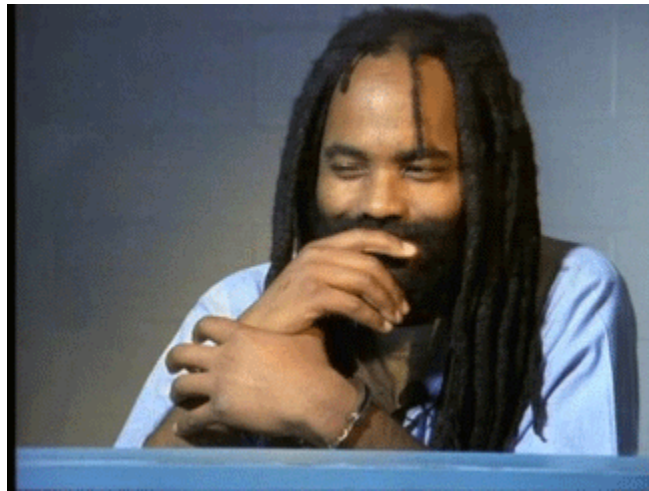


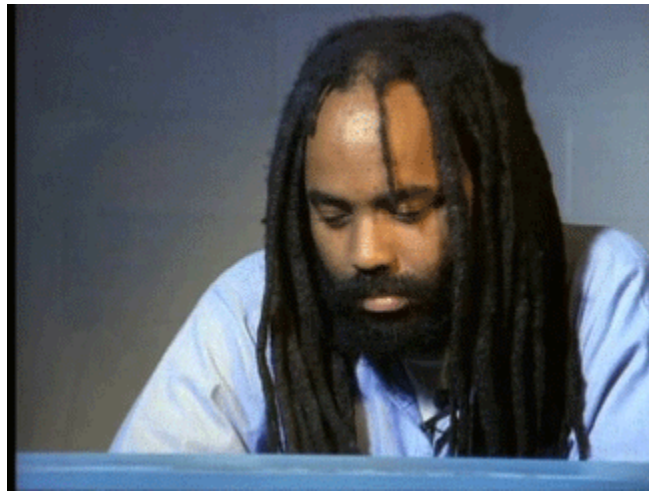
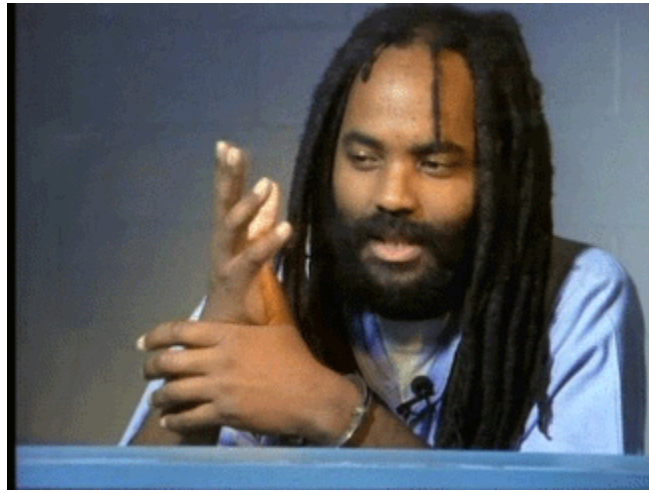


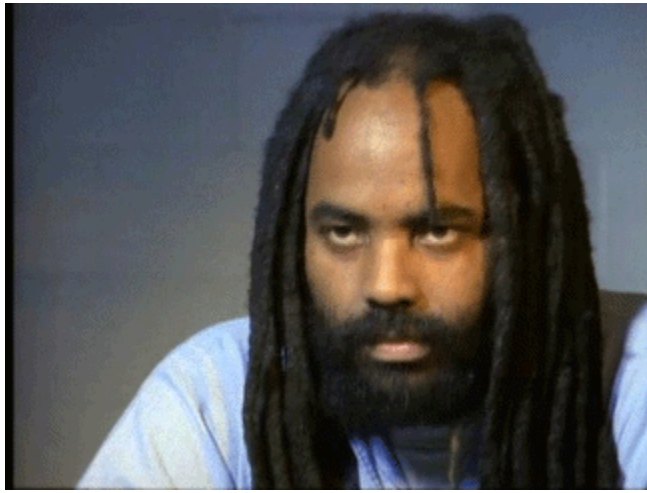
[Narrator] Jamal now says that if he can get a retrial before a jury of his peers, he will finally give a full account of the night of December 9th, 1981. But after 14 years, and the request for a retrial being turned down by Judge Sabo, the chances of Jamal escaping the lethal injection chamber are looking increasingly slim. Fourteen years ago, late at night, an officer is in an altercation with a man's brother. Witnesses change their stories of what they saw, shots are heard. But who is to say what the exact circumstances really were? All we know for certain is that a police officer was killed in the line of duty, and a widow and family continue to grieve. And yet, was American justice really served? Is this man, Mumia Abu-Jamal, guilty beyond a reasonable doubt?



[Filmmaker] I sort of sense that you have some belief in justice, in American justice?





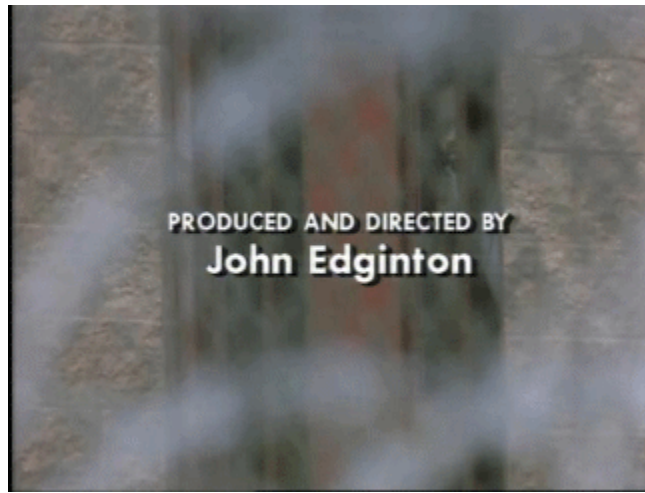


[Mumia Abu-Jamal] That sounds very naive, I know. Well, I have to. I know it sounds stupid. It sounds naive. But I have to. I mean, it's the only way one can survive and persevere.



[Cop killer! Cop killer! Cop killer! Cop killer!]

[Free Mumia Abu-Jamal! Free Mumia Abu-Jamal! Free Mumia Abu-Jamal! Free Mumia Abu-Jamal!]



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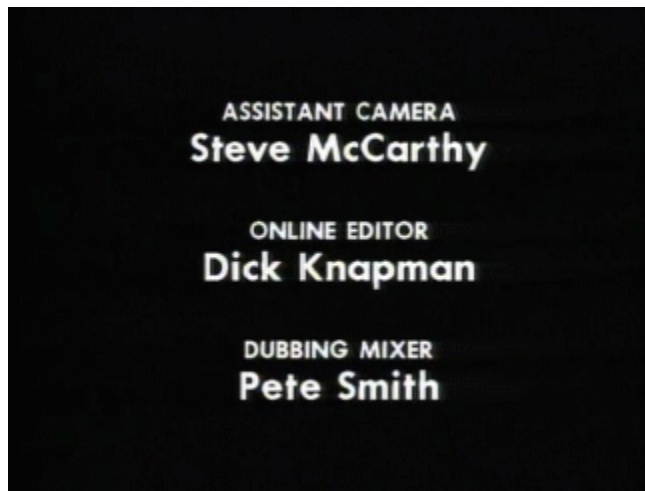
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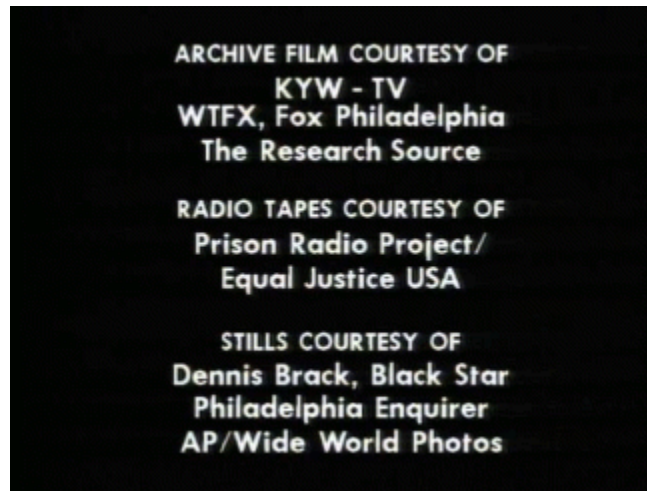
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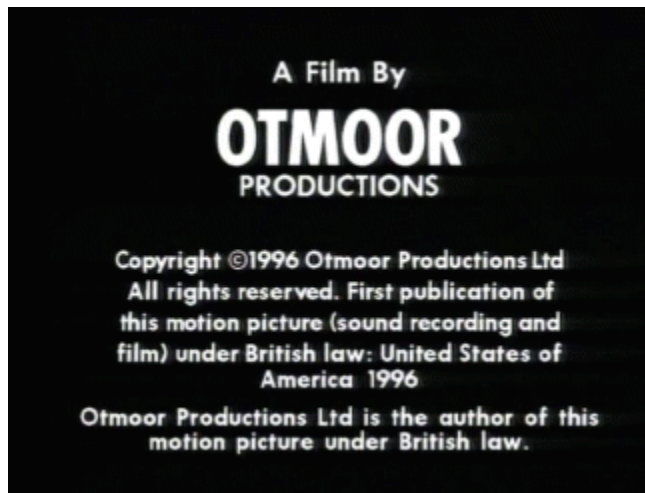
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