

Appeals filed to block December 2 execution of US political prisoner Mumia Abu-Jamal

Helen Halyard
18 October 1999

Lawyers representing US political prisoner Mumia Abu-Jamal filed two appeals in Federal District Court in Philadelphia on Friday, October 15 before Judge William Yohn. Abu-Jamal has been on Pennsylvania's death row for the past 18 years after being framed up for the shooting death of Philadelphia policeman Daniel Faulkner. Pennsylvania Governor Tom Ridge signed a death warrant for Abu-Jamal on October 13, setting December 2 as the date of execution.

The appeals filed on behalf of Abu-Jamal are an emergency application to stay the execution and a 160-page Petition for Habeas Corpus of over 600 paragraphs detailing allegations of wrong-doing in the state process. Abu-Jamal's legal team is requesting an evidentiary hearing to enable the federal court to examine all the evidence and hear witnesses proving their client's innocence. A decision is expected from the judge early this week on when arguments will be heard. He will also determine by that time whether or not to stay the execution.

Following the signing of the death warrant Mumia was placed on "death watch" where his movements are monitored by a 24-hour surveillance camera, effectively silencing the political prisoner at a critical point in the fight for his freedom and a new trial.

Abu-Jamal's case has become a focal point in the struggle against capital punishment and in defense of democratic rights. The internationally renowned radio journalist and former Black Panther has consistently spoken out from behind bars drawing attention to the barbaric treatment meted out to America's growing prison population. He has become well known as an opponent of police brutality, racism and the death penalty.

Abu-Jamal's lawyers Daniel Williams and Leonard Weinglass presented a thorough review of the legal

issues involved in the case to a well-attended press conference follow the filing of the appeals. They explained that all state appeals for Abu-Jamal have been exhausted and the case is now entering the final phase of legal appeals through federal courts. Weinglass pointed out that Mumia's case is very unusual because, of the more than 3,000 inmates on death row, he is the only one with a well-funded national campaign supporting his execution.

Mumia's legal team also condemned the Effective Death Penalty Act of 1996, signed into law by Bill Clinton, which severely restricts the right of federal courts to overturn state trial decisions. Williams explained that before this law went into effect 38 percent of state death penalty cases were reversed by federal judges. If these cases had not been overturned there would now be over 5,000 individuals on death row in the US.

The appeal pending before the federal district court is the last chance Mumia Abu-Jamal has to present the evidence uncovered since his 1982 trial when he was condemned to death. Extensive investigation carried out over the past decade into the circumstances of the shooting point more and more in the direction of a political frame-up of Abu-Jamal by the Philadelphia police and prosecuting attorneys.

A hearing in federal district court would be Mumia's final opportunity to present the evidence and witnesses denied by Pennsylvania's state court system, although the judge in this court is not required to grant him a hearing. After the federal district court, all higher federal appeals courts would only review transcripts, not hear any new evidence.

Amnesty International labeled the setting of the execution date "an overtly political act" and issued a public statement reading in part, "The vast majority—or

almost all—of the death warrants signed by Governor Ridge have had two effects: forced the prisoner concerned to undergo the harsh regime of 'death watch', and forced the prisoner to file his appeals earlier, when the appeal may be insufficiently prepared.”

Governor Ridge has signed 171 death warrants since 1994, five times the number signed by his predecessors over a 25-year period. In 99 percent of these cases, death row inmates still had time to appeal their convictions.

The City Bar of Philadelphia recently called for a moratorium on all executions because of the overtly racist character of the Pennsylvania judicial system. Black prisoners make up 62 percent of the state's death row prisoners, while blacks make up only 7 percent of Pennsylvania's population.

At Friday's press conference it was reported that statements have been received from all over the world protesting the death warrant for Mumia. In light of the execution order, the European Parliament will discuss taking an official position on the case.

Those issuing statements protesting the death warrant include the Congressional Black Caucus, Jesse Jackson, historian Howard Zinn, actor Mike Farrell, poet Adrienne Rich, Steve Hawkins and the National Coalition to End the Death Penalty.

Messages demanding a new trial for Mumia Abu-Jamal should be sent to:

Governor Thomas Ridge
Main Capital Building, Room 225
Harrisburg, PA 17120
Phone 717-787-2500, Fax 717-772-1198

Messages of support can be sent to Abu-Jamal at:

Mumia Abu-Jamal
#AM 8335, SCI Greene
1040 E. Roy Furman Hwy
Waynesburg, PA 15370-8090

See Also:

December 2 death warrant signed for US political prisoner Mumia Abu-Jamal
[14 October 1999]

The social context of a police frame-up
Why we defend Mumia Abu-Jamal
[17 May 1999]

The fight to free Mumia Abu-Jamal and the defense of democratic rights

[23 April 1999]



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