

Amnesty International calls for new trial for Mumia Abu-Jamal

Tom Bishop
19 February 2000

At a press conference in New York City on February 17 Amnesty International called for a new trial for Pennsylvania death row inmate Mumia Abu-Jamal. Jamal has been incarcerated for 18 years, and had death warrants issued twice, after being framed-up for the December 9, 1981 murder of police officer Daniel Faulkner in Philadelphia. His case is currently at a crucial stage before the federal Third Circuit Court of Appeals in Philadelphia where Jamal is appealing for a new trial.

Amnesty International has issued a 35-page report, "A Life in the Balance: The Case of Mumia Abu-Jamal," documenting the human rights organization's extensive research into the case. The press conference was well attended by members of the international press corps. Notably absent were major American news sources.

In introducing the report, Dr. William F. Schulz, executive director of Amnesty International USA, said that AI has been monitoring the case since 1991 and done an exhaustive review of the original trial and appeals in state court. Schultz said that AI has concluded that the proceedings under which Jamal was tried, convicted and sentenced to death failed to reach the minimum international standards for fair trials.

Schulz stressed that Jamal's case "is not an issue affecting the life of just one man. This is about justice, which affects us all." He added that Jamal's case has received more attention and generated more controversy, nationally and internationally, than that of any other death row inmate. He said AI is focusing on Jamal's case because it represents fundamental problems that plague the administration of the death penalty in the United States, which has about 3,600 men and women on death row.

Schultz noted the growing momentum for a

moratorium on executions as evidenced by the recent call for a temporary halt of executions by Illinois Republican Governor George Ryan and in other states such as Louisiana. He also pointed out that the Philadelphia City Council on February 10 passed a motion in support of a bill being debated in the Pennsylvania state legislature calling for a moratorium on executions for two years, during which a special commission would study state laws governing capital punishment.

Schultz said, "Our report shows how Jamal's trial was tragically marked by inconsistencies in the testimony of witnesses, contradictory ballistics evidence, a questionable confession, inadequate legal representation, judicial bias, and a politicization of the judicial process."

In reviewing these issues, Schultz continued, "From the time they gave their original statements to police to when they testified at trial, the three prosecution eyewitnesses substantially altered their description of what they saw the night police officer Danny Faulkner was killed. Witnesses were confused and unclear about the height of the shooter, what clothes he was wearing, in which hand he held the gun, and whether or not he ran away from the scene. There is also evidence that witnesses were offered inducements to alter their testimony in favor of the prosecution's version of events, but the jury never heard that particular information."

Schultz pointed out that police officer Gary Bell and a hospital security guard took more than two months after the shooting to report an alleged confession by Jamal in the hospital emergency room. Yet another police officer wrote in his report the night of Jamal's arrest, "The Negro male made no comment." This alleged confession was crucial to the jury's decision to

convict, but they never heard about the second officer's notes.

Shultz said the ballistics evidence did not determine whether the gun had recently been fired or whether there was gunpowder residue on Jamal's hands. Nor did it include that shortly after the shooting the medical examiner identified the lethal bullet as from a .44 caliber gun, while Jamal's gun was a .38 caliber.

Schultz stated that international standards require that accused have access to counsel of choice, that they have adequate legal assistance, and that there are facilities to prepare a defense. He said the report documents numerous instances of how Jamal's defense at his first trial in 1982 failed to meet these standards, his court appointed attorney did not have resources to prepare expert testimony or interview witnesses, and the attorney frequently described himself at trial as "unprepared."

The report documents how, at the original trial and subsequent appeals, Judge Albert Sabo demonstrated clear bias against Jamal and acted with undue haste and hostility toward the defense. The jury that convicted Jamal, who is African-American, had only one African-American juror.

Finally, AI expressed concern at the politicization of the judicial process. The Philadelphia Police Department had monitored Jamal's political activity since 1969 as part of the FBI's Counterintelligence Program (COINTELPRO). This resulted in extensive prejudicial media coverage of the case and the prosecution's use of statements during the sentencing phase of the trial that Jamal made as a teenager when he was a founding member of the Philadelphia branch of the Black Panther Party.

Piers Bannister, AI's researcher on Jamal's case, said, "Mumia Abu-Jamal's case has become a focus in the rest of the world. Mumia Abu-Jamal is undoubtedly the world's most famous death row prisoner." He said that when AI's researchers travel to the remotest areas in underdeveloped countries, human rights activists ask them about AI's policy on Jamal. Bannister added that one reason AI focuses on the United States is that it finds that in those countries that use the death penalty officials cite the United States as justification of their use of capital punishment.

Also participating in the press conference was Ronald Hampton, a retired 23-year veteran of the Washington

DC Police Department, and now executive director of the National Black Police Association. He stated the NBPA is joining with AI in calling for a new trial for Jamal.

Hampton said, "The NBPA has observed the behavior, patterns and practices of the Philadelphia Police Department for many years and it is our position that the statements of Mr. Mumia Abu-Jamal relating to his imprisonment could very well be true."

A correspondent from the WSWWS asked whether AI in its research has found that the growth in police brutality, revelations of wrongful convictions and the expansion of the prison-industrial complex were bound up with the growth of social inequality in the United States. Mr. Hampton replied, "What we have seen is a very intentional, a laid-out methodical plan across the country to turn the police loose. What we have seen is that, where police are supposedly supposed to be making a community safe from crime, the police are victimizing the people in the community.

"That is why we see the behavior of the LAPD and the Philadelphia police. In our minds, that is what has led to the jails being full and raises questions of proper legal representation, proper police behavior, or over zealous prosecutors."

Hampton continued, "We have to examine not only the death penalty, but the whole machinery of how we go about operating the criminal justice system in this country. We ought to pull back the police in this country because in my opinion, having worked with some of these knuckleheads, they are out of control."

"A Life in the Balance: The Case of Mumia Abu-Jamal" can be found at: <http://rights.amnesty.org/abolish/reports/mumia/index.html>



To contact the WSWWS and the
Socialist Equality Party visit:

wsws.org/contact