

TV documentary presents case of political prisoner Mumia Abu-Jamal

Tom Bishop
23 February 2000

On Wednesday, February 16 the US cable network Arts & Entertainment presented the documentary "Death Row Radical: Mumia Abu-Jamal" as part of its American Justice series. Mumia has been on death row for the past 18 years after being framed up in connection with the shooting death of a Philadelphia police officer. Governor Tom Ridge of Pennsylvania has signed two death warrants for his execution.

In the most recent warrant, the former Black Panther and radio journalist was scheduled to be put to death on December 2, 1999, but the execution was stayed when his lawyers appealed the state courts' rulings in his case to federal court. Since October 1999, Abu-Jamal's lawyers have submitted several briefs to Federal Judge William Yohn detailing why their client is entitled to a new trial. A decision from the federal court is expected some time later this year.

The A&E documentary was in marked contrast to ABC television's December 9, 1998 "20/20" broadcast on Abu-Jamal's case. In that broadcast, "20/20" exclusively presented the police and prosecutor's version of the shooting and subsequent trial, which found him guilty of murder. While the A&E documentary put forward the version given by police, it included the facts of the case as presented by his lead attorney, Leonard Weinglass, along with interviews from celebrity supporters, family and friends.

It portrayed Abu-Jamal as a well-respected print and radio journalist before the arrest. It explained his involvement in the Black Panther Party as a youth and how this caused him to be placed under surveillance by the FBI. It showed how his reporting on police brutality, especially during Mayor Frank Rizzo's two terms in office from 1972 to 1980, made him a target of the Philadelphia police. Before becoming mayor Rizzo served as Philadelphia's police commissioner.

While the A & E report represented a shift in how the case has been portrayed in the American media, its weakness lies in the presentation of material. In the course of the hour-long documentary, interviews were shown of the policeman, the prosecuting attorney and the policeman's widow, Maureen Faulkner. It presented video clips showing all sides of the case in the interests of "objectivity" rather than critically examining the many questions raised from hearings for a new trial held in the state courts in 1995 and 1996.

Despite these limitations, any objective observer would draw the conclusion from the material presented that Mumia was the victim of a police frame-up. Following the program, Leonard Weinglass commented, "It is a documentary which put forth our case fairly. People who were not aware of the case have called me since Wednesday and told me they were convinced, having known nothing of the case before the program. But watching the program, they now think Mumia is certainly entitled to a new trial."

The strongest evidence for Mumia's case in the documentary was in exposing the alleged confession Abu-Jamal was said to have made immediately after the shooting. The "confession" was a key element of the prosecution's case against him. The narrator pointed out that police only reported the confession two months following the 1981 arrest.

During the program Officer Gary Bell stated that he "forgot" to report the confession because he was upset. The program showed that Bell's comments directly contradicted a written police report filed by his partner, Officer Waskshul, who stayed with Abu-Jamal from the time of arrest until he was treated. The report notes, "during this time the Negro male made no statements."

It could have been added that Bell first made the claim immediately after Abu-Jamal filed a civil suit charging police abuse. The documentary has an interview with Jamal's sister, Lydia Barashango, explaining that she barely recognized her brother because of the terrible bruises on his face. He told her, "I'm innocent. They're trying to kill me."

It is pointed out in the documentary that Abu-Jamal's attorney attempted to inform the jury at the 1982 trial that the three prosecution witnesses had substantially altered statements given the night of Jamal's arrest. Here, however, a number of very critical details are left out. For example, Cynthia White, who testified in 1982 that Abu-Jamal was the shooter, was at the time of the trial serving an 18-month sentence for prostitution in Massachusetts.

She had been arrested 38 times in Philadelphia for prostitution and had three open cases awaiting trial when she took the stand. None of the other witnesses could identify her as being on the scene at the time of the shooting. Her initial description to police of the shooter did not at all match Abu-

Jamal. In the following weeks, her photograph was posted in Faulkner's precinct with a notice that homicide detectives were to be told if she were arrested. She was arrested twice in the next 10 days and taken to the homicide unit. A revised statement was given after each arrest.

Another prosecution witness not shown in the documentary was Veronica Jones. On the night of the incident she testified she saw two men "sort of jogging" away from the shooting and down a side street. She signed a witness statement a week later repeating her observation. At the June 1982 trial, however, she denied this is what she had seen. When she attempted to state at the trial that she had been coerced by police to change her story, Judge Albert Sabo interrupted her, ruled her statement irrelevant and ordered Mumia's lawyer not to question her further.

Veronica Jones testified on behalf of the defense during hearings for a new trial in 1995. She explained that she changed her testimony to conform to what the police were looking for because she was visited by two detectives in jail, where she was awaiting trial on serious charges, who threatened her with a 10-year prison sentence if she helped Mumia's defense.

After Jones gave her testimony in 1995, she was arrested by two New Jersey police officers on an old warrant arising from a bad check charge. Refusing to be intimidated, Jones stated, "This is not going to change my testimony." Judge Albert Sabo, who presided over the original trial and hearings for a new trial, ruled her testimony as "not credible."

The program acknowledged the flimsiness of evidence by the police and prosecutors against Abu-Jamal. It pointed out, for example, that routine ballistics tests were never conducted on Abu-Jamal's gun and that his hands were not tested for gunpowder residue.

During the course of the program a 1996 interview is shown of Abu-Jamal. Here it is important to note the context in which the interview was given. Abu-Jamal was responding to the attempts on the part of the prison authorities and the state to silence him.

On June 3, 1995 Abu-Jamal was served with a "write-up" from prison officials for "engaging in a business or profession." This was in connection with the publication of his first book *Live from Death Row*. Commenting on this experience in his second book, *Death Blossoms*, Abu-Jamal states, "My book, *Live from Death Row*. It paints an uncomplimentary picture of a prison system that calls itself "correctional" but does little more than corrupt human souls; a system that eats hundreds of millions of dollars a year to torture, maim, and mutilate tens of thousands of men and women; a system that teaches bitterness and hones hatred."

The punishment for "write-up" was 90 days in the "hole" and a prison investigation monitoring of his mail and limiting visitors, including family, paralegals, spiritual counselors and the press. When he was asked at the suit he filed for this violation of his civil rights why he would go ahead and write

the book, knowing the consequences, he replied, "Because, whatever the cost to me, I knew I had to offer to the world a window into the souls of those who, like me, suffer barbaric conditions on America's death rows."

Several months later, Jamal gave the 1996 interview broadcast as part of a documentary presented on the case. At its conclusion, and presented in the A & E documentary, he said, "I'm fighting every day, not just for my freedom, not just for my liberation, but for all of our liberation. Unabashedly I'll fight for revolution because I think revolution is our only solution. I'm not shy about using that word." His comments underscore the fact that Abu-Jamal is sitting on death row because of his political views.

A & E's presentation of the case is bound up with a growing support for Abu-Jamal's right to a new trial. As actor Alec Baldwin alluded when the program opened, the case is symptomatic of the barbaric use of capital punishment in the United States.

What emerges from this program is that in the case of Mumia Abu-Jamal, it is the Philadelphia Police Department, the American media, and American justice that are on trial.

Letters calling for a new trial for Abu-Jamal can be sent to:

Judge William Yohn
c/o Leonard Weinglass
6 West 20th Street
New York, NY 10011

See Also:

Amnesty International calls for new trial for Mumia Abu-Jamal

[19 February 2000]

The case of Mumia Abu-Jamal: US court agrees to consider defense motion charging bias

[4 February 2000]

Mumia Abu-Jamal
[WSWS Full Coverage]



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact