

Gag order against former Black Panther leader on trial for murder

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A judge ruled January 7 that Jamil Abdullah Al-Amin, the former Student Non-Violent Coordinating Committee and Black Panther leader who is standing trial in Atlanta, Georgia on murder charges, violated a gag order and will no longer be allowed to make phone calls, send mail or have any visitors other than his attorneys.

Al-Amin, now 58 years old, changed his name from H. Rap Brown when he converted to Islam in the 1970s. He was one of the founders of the Student Non-Violent Coordinating Committee in the 1960s and later became a leader of the Black Panther Party. Converting to Islam while in prison 30 years ago, he has lived in Atlanta for the past 25 years. In March 2000, he was arrested after a five-day manhunt, and charged with killing a sheriff's deputy who had come to serve an arrest warrant on him at the grocery store he ran on the west side of the city. He has spent most of the last two years in jail awaiting trial.

The ruling, by Fulton County Judge Stephanie Manis, came just as jury selection began in the case. It was a response to a telephone interview given by Al-Amin to the *New York Times* that was published Sunday, January 6. Several weeks earlier Al-Amin had also sent a letter (parts of which were published in the *Atlanta Journal-Constitution*) to the mosque of which he is spiritual leader, reiterating his claim that he did not kill Ricky Kinchen or wound his partner, Aldranon English, on March 16, 2000.

Al-Amin called the prosecution case against him a frame-up that is part of a government-inspired persecution stretching back decades. "The FBI has a file on me containing 44,000 documents, but prior to this incident, their investigation has produced no fruits, no indictments, no arrests," he said in the phone interview. "At some point, they had to make something

happen to justify all the investigations and all the money they've spent."

He also charged that the gag order was an unprecedented attempt to deny his constitutional rights. "I can't even say I'm innocent," he said. "Do you know of any other defendant who is not allowed to say he is innocent? It's just part of the same continual persecution and prosecution against me, just part and parcel of the same thing."

The Superior Court judge declared that Al-Amin's comments "may taint the jury pool." "He can profess his innocence, but in the courtroom, not in the newspaper," the judge said.

The charge of jury tampering or "tainting" to silence the defendant in this case is ironic, in light of the fact that it is Al-Amin who faces a possible death sentence at a time when racial and religious profiling of Muslims has been justified in official circles in the wake of the September 11 attacks. Although his arrest came before September 11, there is every reason to suspect that the prosecution will now attempt to utilize the fear and hysteria being whipped up against Muslims to strengthen its case against Al-Amin.

The defense plans to dispute all the main claims of the prosecution's case, above all the identification of Al-Amin by the surviving sheriff's deputy. Both deputies had said they had shot their attacker, but Al-Amin was found uninjured. The assailant was said to have gray eyes, but Al-Amin's are brown. The surviving deputy said the attacker was on the sidewalk, but the bullet holes indicate that the shots came from the middle of the street.

Jury selection in the case began on January 8, with about 1,500 prospective jurors summoned to the Fulton County Courthouse.

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