

THE FACTS OF THE TRIAL OF MUMIA ABU-JAMAL

Mumia Abu-Jamal, acclaimed black journalist, was unjustly convicted of the murder of a white police officer in the Philadelphia red-light district at 4 A.M. on December 9, 1981. Victim of vengeful police chief and then mayor Frank Rizzo and his administration, Jamal was sentenced to death on July 3, 1982, and has been on death row ever since. Governor Robert Casey can sign a death warrant at any time.

Jamal and his attorneys, led by Leonard I. Weinglass and including the NAACP Legal Defense Fund, are conducting a thorough investigation of the incident and a complete review of the trial record in order to file for post-conviction relief in state court and if denied, habeas corpus in federal court. Their preliminary work has exposed glaring errors regarding both law and fact:

- **CRITICAL EVIDENCE DEMONSTRATES JAMAL'S INNOCENCE.** Jamal has always maintained his innocence, but the original investigation failed to pursue evidence of his innocence. Four eyewitnesses saw another person shoot and flee from the scene. And all four saw this person run away in the same direction and on the same side of the street. If these eyewitnesses' reports are correct, Jamal could not have been the shooter since he did not flee and could not have fled, but was found at the scene laying in the street near-fatally shot in the chest. No attempt was ever made to investigate these eyewitnesses' reports.

- **AS A WORKING JOURNALIST, JAMAL WAS TARGETED BY THE RIZZO ADMINISTRATION.** Jamal was a courageous and trenchant critic of the Rizzo administration and police department, both as a working journalist and as former Black Panther Party minister of information. A year before Jamal's arrest, Rizzo blamed a "new breed of journalism" for the death of a police officer who had been shot in a raid on a MOVE residence, warning that "it's got to stop. And one day, and I hope it's in my career, *you're going to*

have to be held responsible and accountable for what you do."

Jamal's case was assigned to Judge Albert F. Sabo, former deputy sheriff of Philadelphia and a Rizzo ally. Sabo has put more men on death row than any other sitting judge in the United States. In fact, the city of Philadelphia has put more people on death row than 21 of the 36 states that have reinstated the death penalty. A scandalous 71 of the 86 inmates currently on death row from that city are black.

- **JAMAL WAS DENIED A JURY OF HIS PEERS.** In a city with a black population of over forty-five percent, all blacks except two were excluded from his jury. Another black juror was replaced in a meeting in the judge's chambers, from which Jamal was excluded, by an elderly white man who informed the court he could not be fair to both sides. The jury also included a man whose best friend was a former Philadelphia police officer on disability, having been shot while on duty, and an alternate juror whose husband was a Philadelphia police officer.

- **JAMAL WAS NOT ALLOWED TO DEFEND HIMSELF.** The trial began three weeks after Jamal announced his intent to represent himself. The court allocated just \$150 for a pretrial investigation in which the police had already interviewed 125 witnesses. While those interviews were turned over to the defense, the addresses of the witnesses were withheld so they could not be located. Badly needed experts in pathology and ballistics could not be retained because the court allowed just \$150 per expert. When Jamal continued to insist on his right to defend himself after it was taken from him on the third day of jury selection, he was excluded from the courtroom and missed most of the prosecution's case. His court-appointed lawyer, who never had tried a death penalty case before, was ordered to take over. He repeatedly asked to be relieved and has since been disbarred.