

## 'Free Mumia' rally overcomes police intimidation

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Philadelphia

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Try as they might, intimidation and terror tactics by the Philadelphia police, including death threats, could not stop an important solidarity and informational rally for Mumia Abu-Jamal on April 24. Hundreds came out to demand justice, due process and freedom for this political prisoner and death row resident.

Each year at this time has seen a rally marking Abu-Jamal's birthday.

The one this year was particularly significant, however, because his case is finally going to be taken up by the U.S. Third District Court of Appeals on May 17. As a result, police intensified their campaign to frighten supporters away. But they did not succeed.

Police first targeted the Clef Club—an African-American jazz club that receives public funding—and forced it to cancel its contract to host the

Mumia event. However, the Third World Coalition at the American Friends Service Center stepped up and provided an alternative meeting space.

The Fraternal Order of Police (FOP) put pressure on invited speakers, including actor/activist Danny Glover and Delacy Davis, founder of Black Cops Against Police Brutality, who told the rally he had received over 20 death threats from Philadelphia police officers in the last few weeks. Glover and Davis also spoke at a press conference prior to the evening rally.

Pam Africa, head of International Concerned Family and Friends of Mumia Abu-Jamal, says that when all this couldn't stop the rally from taking place, she was informed by the head of the police Civil Affairs Unit that "400 plain-clothed police carrying weapons" would march on the Friends Center to "confront" the rally.

Africa then called on the progressive community to unite and stand against what Michael Coard, an attorney for Abu-Jamal, aptly described to the rally as "creeping fascism." The movement answered her call in one of the most united and spirited rallies Philadelphia has seen for some time.

Meanwhile, outside the hall the police mob—which turned out to be a little more than 100 nearly all-white, all-male cops—met a strong showing of



Actor Danny Glover speaks at 'Free Mumia' rally.  
WW photo: Joe Piette

Mumia supporters, including Delacy Davis. The police were unable to disrupt the event.

### **'The place to be'**

Danny Glover opened the press conference with a quote from the late Ossie Davis who, when asked why he was at an event for righting an injustice said, "This is where I am supposed to be."

Glover continued: "This is a critical moment in the fight for Mumia Abu-Jamal. Every moment has been critical, but at some place we have to let due process take its course.

"Over the past 25 years that process has been subverted, not only in the case of Mumia Abu-Jamal, but wherever people are not empowered. The basic intent of denying people their rights has been to create a climate of fear. They don't want us to ask the right questions. How do we define the truth that's been denied in this case and consistently denied to people of color?"

Later, at the solidarity rally, Glover challenged the police to take responsibility for their brutality against oppressed communities. "When I walk outside, I see a fraternity of policemen gather to attempt to desecrate what we do here to hold up justice. When will these same police walk out to the community and apologize for what they have done to African Americans? When will they confess to all that they have done?"

"Mumia talked about education. We need to know the history of this movement. People who stood up around justice, civil rights, we saw it dismantled through the murder of our leaders; then through the drugs when the system decided it would no longer provide the bread to sustain our communities. We saw our brothers be turned around by the viciousness of this profit system. We've watched it happen. I am a child of the civil rights movement. We know the history of lies, of torture. Now we demand a new history—that we make our own history—you are a testament to that. Free Mumia!"

### **Death threats**

Delacy Davis of the Black police organization described the climate of racism, sexism and homophobia within the police force that led him to retire after 20 years of service in New Jersey: "I had to stand up and say to white America, 'No, we don't accept this.' We know everything about the workings of this system to see the writing on the wall in Mumia's case. We call for his right to a new trial.

"I had to show up today. They can try to kill me if that's what they want—it's a climate of intimidation. It is so painful for me to return to Philadelphia today with this case because of what our staff has gone through in the past four weeks with threats like 'We're going to pinch him tonight if they show up.' But we are the police; we will shoot back. If I must die, I will stand up as a man. If dissenting voices are not going to be allowed, you can't call yourself a democracy.

"I witnessed the Ku Klux Klan in the South growing up and what I just saw was reminiscent. The few black police out there tonight 'go along to get

along,' but I challenge my colleagues. We are not going to go along with Black people who support white supremacy.”

Temple professor and journalist Linn Washington Jr. addressed the climate of racism that is a key factor in the FOP's efforts to deny justice and due process to Abu-Jamal. Washington compared the virulent nature of the police intimidation campaign against the Clef Club to the racist commentary that got shock-jock Don Imus fired.

“The struggle today around Mumia is not new. In the 1850s Frederick Douglass said that tyrants hate free speech. We are here today in this venue because there are those who tried to suppress free speech. But the question that needs to be asked is, if Mumia is as guilty as they claim him to be, if the evidence is so overwhelming, if it's ‘an open-and-shut case,’ why are they protesting outside? Officers involved in the arrest of Mumia in 1981 were later fired and indicted for corruption in cases involving suppression of evidence.”

Abu-Jamal was charged with the killing of a white police officer named Daniel Faulkner. Washington asked why there have been no similar FOP campaigns around the murders of Black police officers in 1981, the year Mumia was arrested. “In May 1981 a drug dealer ripped off the car of an off-duty police officer, shot him in the head and went joy riding. If anyone deserved the death penalty for premeditated murder, this one did, but he had a competent attorney. That officer was Black—that's why you don't hear about it.

“They have fought to keep Mumia from having a fair trial, an impartial jury,” Washington concluded. “The jury has never heard the evidence because the prosecutor suppressed the evidence.”

Other speakers included Ramona Africa, survivor of the May 13, 1985, State Police fire bombing of a house belonging to the MOVE organization; Harold Wilson, the 123rd death row resident to be exonerated; and attorney/activist Lynne Stewart, who described the upcoming appeal as “Mumia's last, best shot.” Stewart noted that Mumia's chances before the U.S. Supreme Court, given last week's abortion ruling, would be nil. “As a lawyer I know that what happens outside the courtroom is as important as what happens inside. Because Mumia was an outspoken critic of the corrupt Philadelphia police department, when they got him near a murder, boy their cups overflowed.

“Let's get him a new trial, but let's never forget that Mumia is innocent,” she concluded.

Sundiata Sadiq, leader of the Ossining, N.Y., NAACP, noted that Philadelphia area radio host Michael Smerconish is scheduled to be simulcast on MSNBC in place of Don Imus. Smerconish served as a lawyer and fund raiser for the FOP and has been a leader in its public campaigns against Abu-Jamal.

### **Appeals to be heard May 17**

Michael Coard, a Philadelphia-based attorney for the case, reviewed key pieces of evidence that point to Abu-Jamal's innocence: inconclusive ballistics tests; Abu-Jamal's weapon was a 38-caliber gun but a 44-caliber bullet was found in Faulkner [Note by M.S.: Unfortunately, I must object to this, since it is almost certainly false. I don't know what exactly Michael Coard said, but the fact is that even though the Medical Examiner at the time concluded this was a .44 bullet, in fact, it could not have been one; it was later, and appar-

ently more accurately, measured as 0.40, yielding the conclusion that it was probably originally a .38 that mushroomed upon impact. All the same, the bullet that killed Faulkner could never be traced to Mumia's gun, with the prosecution expert at the trial explicitly conceding that it could have come out of any of "multiple millions of guns" in circulation in the U.S. The other points mentioned here are right on target, though.]; claims by the police that Abu-Jamal confessed right after the shooting were made months later and contradicted statements from witnesses that he never said anything; and the state's failure to provide evidence of a paraffin test. "Police and the district attorney claimed they did not do this test," Coard said. "They did it, but it came back negative. That's why they never introduced it as evidence."

Coard also reviewed key issues to be raised in the May 17 appeal regarding prosecutorial misconduct and racism in the case. One involves the use of peremptory challenges in jury selection. Coard explained that while both the defense and prosecution are allowed to challenge 15 prospective jury members without explanation, race cannot be a factor. However, in Abu-Jamal's case 11 of the prosecution's 15 challenges were used to get rid of Black jurists.

Another issue is the legality of the prosecutor's instructions to the jury minimizing the seriousness of a guilty verdict by stating that Abu-Jamal would have "appeal after appeal." The Pennsylvania Supreme Court ruled against this same prosecutor in a similar case in 1986. A third appeal concerns racist statements made by Judge Albert Sabo during hearings after Abu-Jamal's conviction.

The meeting concluded with a standing ovation and a round of applause for the AFSC's Third World Coalition members, whose courageous stand against police terror made this meeting possible.

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