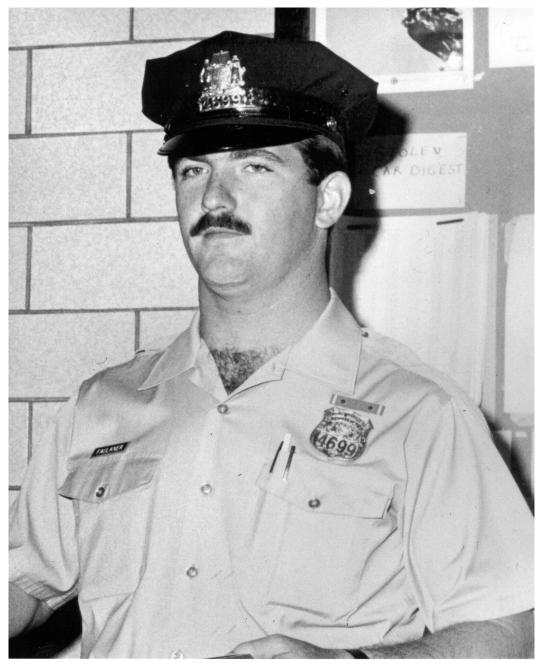
WE HONOR HIS MEMORY



Officer Daniel Faulkner

MURDERED

by Mumia Abu-Jamal

December 9, 1981

THE CRIME:

- Jamal's taxi was found in the parking lot across the street from the shooting.
- Jamal was apprehended sitting wounded at the crime scene just 40 seconds after the final shot was fired.
- Jamal was found wearing an empty shoulder holster, with a gun registered in his name on the ground at his side.
- The first officer at the scene said that after he identified himself, Jamal reached for his gun, attempting to fire at him too.

THE TRIAL:

- Unlike most indigent defendants, Jamal was not saddled with a public defender. At public expense (\$13,000 in 1981, or \$40,000 today), he personally selected Anthony Jackson, an attorney in private practice, to represent him at the 1982 trial.
- Jackson stated under oath that he was highly experienced in ballistics and forensics, and that he had represented "perhaps as many as 20 persons" accused of murder, prior to Jamal. Of those cases, he had "lost only 6 times". (N.T. 7/27/95, 92-93)
- Jamal had access to a ballistics expert, an investigator, a private court stenographer, a photographer and several "legal runners".
- Unlike most defendants Jamal selected his own jury. The judge permitted Jamal to personally decide how each of his 20 peremptory challenges was used after each prospective juror was questioned by his trained and experienced attorney.
- The prosecutor accepted 4 "blacks" and 8 "whites" to the jury. When the final jury was seated, the prosecutor had 5 unused peremptory challenges. One of these black jurors (James Burgess) was personally rejected by Jamal with a peremptory challenge.
- The jury was initially made up of 3 "blacks" and 9 "whites". With full knowledge and agreement of Jamal's attorney, one of the three "black" jurors (Jennie Dawley) was removed for violating sequestration, making the final jury 2 "blacks" and 10 "whites".
- On the first day of trial the judge and the prosecutor beseeched Jamal to represent himself. Jamal refused to speak when asked to enter a plea; then he said that he would not allow himself to be represented "by any member of the Bar." For the next two full days, Jamal argued with the judge, demanding to have John Africa, a non-lawyer and the founder of a violent anti-government group called MOVE "represent" him. After two days of delay, Sabo reappointed Anthony Jackson as Jamal's lead counsel.
- Despite repeated warnings by the judge that it would be detrimental for him to be absent from the courtroom, Jamal persisted with his innumerable disruptions, tantrums and violent outbursts. He was removed from the courtroom no less than 13 times.

THE BALLISTICS EVIDENCE:

- Jamal's 5 shot Charter Arms revolver contained 5 spent shells. Ballistics tests (none of which has ever been refuted by the defense) verify that the bullets found in Jamal's gun were the same caliber (.38), brand (Federal Arms) and unique type (+P with a hollow base) as the fatal bullet that was removed from Officer Daniel Faulkner's brain.
- Though the fatal bullet could not be matched to Jamal's gun to the exclusion of all others, etched into its outer edge was the same general riffling pattern as is found in the barrel of Jamal's gun. (8 lands and grooves with a right hand direction of twist.)

WHAT THE EYEWITNESSES SAW:

- The prosecution called 4 eyewitnesses to testify in 1982, none of whom knew each other before the shooting. These are their initial statements, given to 4 different police officers, in four different locations, less than 1 hour after the shooting (3:52 AM).

 MICHAEL SCANLAN (was 60 feet from the shooting with an unobstructed view): "Then the guy running across the street pulled out a pistol and started shooting at the Officer. He fired while he was running at the officer once, and the officer fell down. Then he stood over the officer and fired three or four more shots point blank at the officer on the ground." (12/9/81, 4:24 AM) Scanlan repeated these words while testifying. When asked if he thought the shots hit the officer he said, "Yes sir. I could see that one hit the officer in the face. Because his body jerked, his whole body jerked. (N.T. 6/25/82, 8.8)
 - **ROBERT CHOBERT** (was sitting in his cab 15 feet from the shooting with an unobstructed view): "I looked up and I saw this black male stand over the cop and shoot him a couple more times. Then I saw the black male start running towards 12th Street. He didn't get far, maybe thirty or thirty-five steps and then he fell. They got him. The cops got him and stuck him in the back of a wagon." (12/9/81, 4:25 AM)
 - **CYNTHIA WHITE** (was 30 feet from the shooting with an unobstructed view): "They [Faulkner and Jamal's brother, William Cook] got to the front of the car. Another guy came running out of the parking lot on Locust Street. He had a gun in his hand. He fired at the gun at the Police Officer about four or five times. The Police Officer fell to the ground. I started screaming. The guy who shot the Police Officer was sitting on the curb. The police handcuffed the man who was sitting on the curb, the man who shot the Officer." (12/9/81, 4:15 AM)
 - **ALBERT MAGILTON** (was 60 feet away from the shooting, but turned away as the first shot was fired to avoid being struck by a passing car): "I noticed a guy walking from the parking lot across the street. I turned around and next thing I know is, I heard some shots. I looked and saw the officer on the ground. The police had him [Jamal] on the ground. Then they placed him in the back of one of the wagons." (12/9/81)
- In 1995, the defense produced **ROBERT HARKINS**, a fifth eyewitness to the crime. The testimony of the defense' own eyewitness corroborates the prosecution's eyewitnesses and verifies that none of them was coerced into giving false testimony, as is alleged by Jamal's attorneys and his supporters.
 - Harkins: "Well, he leaned over and two, two or three flashes from the gun. But then he walked and sat down on the curb." Dan Williams (Jamal's attorney): "The guy who did the shooting walked and sat on the curb?" Harkins: "On the pavement." (N.T. 8/2/95, 208-9)
- As stated by his attorney in his Federal appeal, the night of the shooting Jamal was wearing a "distinctive red and blue stripped ski jacket" and brown pants. He was also 28 years old, 6'1" tall, 180 LBS, dark complexioned, with a slight beard and wore his hair in "dreadlocks". This is how eyewitnesses to the shooting described the killer, just minutes after the shooting.
 - MICHAEL SCANLAN: "He did have the same type of hair style, like the "MOVE" hair style. The guy that shot the Officer had an either red and yellow, or red and black bright colored sweater. The sweater was very distinguishable. He was 5' 10", 160 170 LBS; I think he had a beard. He had dark pants." (12/9/81, 4:24 AM)
 - **CYNTHIA WHITE**: "He was a black male, short, in his 20's, he also wore his hair in dreadlocks." (12/9/81, 4:15 AM) **ROBERT CHOBERT**: "A black male. He has knotty hair, like the MOVE members and its long, he is dark complexioned and he is kind of heavy set. He was about 6 foot tall and he was wearing a light tan shirt and jeans." (Clearly Chobert was mistaken about the color of Jamal's clothing. But like the other eyewitnesses, he correctly identified every other aspect of Jamal's appearance and that Jamal fired the fatal shot, attempted to flee and fell to the ground where he was captured 40 seconds later.)
- Though Jamal's supporters argue otherwise, only 1 witness has ever "recanted" their testimony. That person is defense witness Veronica Jones, who has never offered any testimony that implicates Jamal in any way.
- If Jamal were innocent his most logical exculpatory witness would be his brother, William Cook. But Cook and Jamal have both refused to testify for the past 19 years.