

### *What can you do to help free Mumia?*

- ▶ Put pressure on local media to show the Arnold Beverly confession
- ▶ Reach out to campuses, unions, churches, I/g/b/t groups, women, and anti-repression organizations about Mumia's case
- ▶ Send donations for Mumia's legal defense and organizing. Make checks out to National Black United Fund/Mumia Abu-Jamal account and mail to NBUF, 40 Clinton St., 5th Fl., Newark, NJ 07102.
- ▶ Organize with MFM/IAC for April 6th actions in Philadelphia and internationally coordinated actions for Mumia on April 24th (Mumia's birthday.) Contact your local MFM/IAC chapter and/or Free Mumia Committee in your area for more information.
- ▶ Attend Tuesday MFM/IAC volunteer meetings in NYC to get important updates and get involved with Mumia's case.

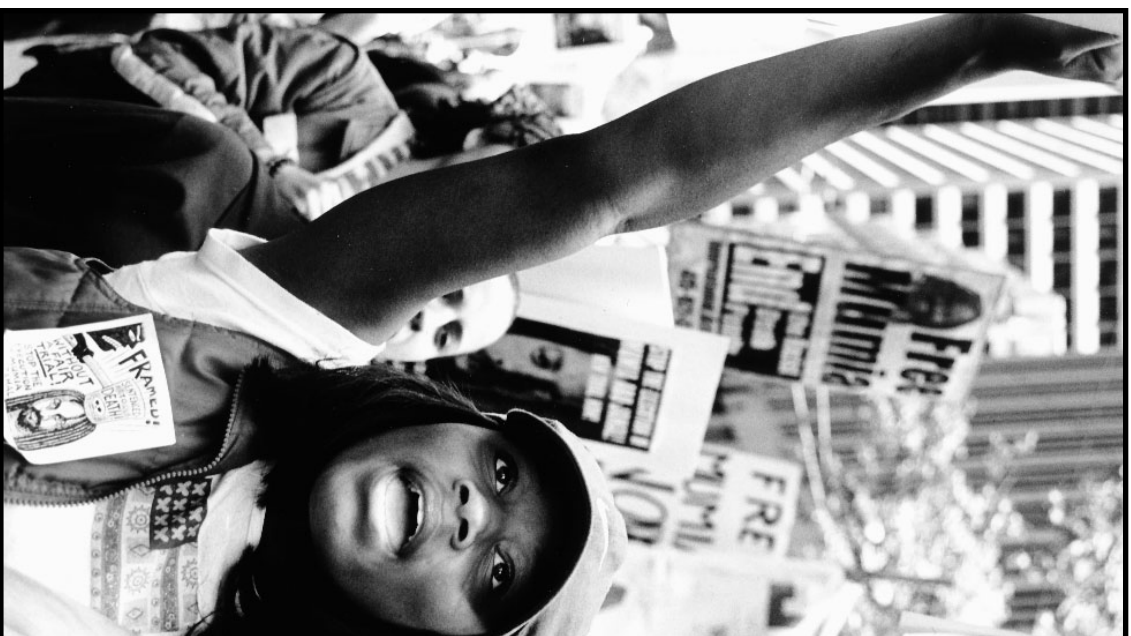


### **MILLIONS FOR MUMIA INTERNATIONAL ACTION CENTER**

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December 2001 San Francisco rally for Mumia.

Photo: Bill Hawkeall

For local information:

*While Yohn's decision is a hard-won concession*

# **Struggle must intensify to free MUMIA Abu-Jamal**



U. S. Federal District Judge William Yohn, in a 272-page ruling issued on December 18, 2001, threw out the death sentence for revolutionary journalist Mumia Abu-Jamal that resulted from his sham of a trial in 1982.

Yohn threw out the death sentence based on his findings that instructions given to the jury were flawed. The judge concluded that information was withheld from the jury that could have led to a different sentence. There can be no question that lifting the 1982 death sentence—a concession wrested by the worldwide movement in support of Abu-Jamal—is a painful, bitter pill for the cops and judges in the court system in Philadelphia to swallow. They want to quietly kill Abu-Jamal. And had it not been for the movement, he would be dead.

While freedom loving people worldwide are understandably happy that the imminent threat of execution is no longer hanging over the head of Mumia Abu-Jamal, Yohn's decision stopped short of overturning the first-degree murder conviction. The judge has called for a new sentencing hearing for Mumia that could result in Mumia receiving life in prison or once again receiving a death sentence.

Judge Yohn was assigned to Abu-Jamal's case in October 1999 after Mumia's state appeals had been exhausted. Yohn was charged determining whether Abu-Jamal should have an evidentiary hearing. Such a hearing would have allowed suppressed evidence to finally be heard and entered into the court record, which could have led to a new trial.

Yohn avoided the issue of an evidentiary hearing by ruling on only one of 29 constitutional rights violations that occurred during the 1982 trial.

Now that Yohn has made this recent ruling, the system that framed Mumia is hoping that everyone will lose interest in the case and that they will get away with their racist conspiracy to keep an innocent man in jail. The growing worldwide movement for social justice will continue to fight for Mumia's freedom. Judge Yohn's ruling is not justice. It is part of a political cover-up through legal means.

**Let the facts speak for themselves.**

◆ Why have both the federal and state courts refused to acknowledge the Arnold Beverly confession to the murder of policeman Daniel Faulkner? This evidence alone should have overturned Abu-Jamal's murder conviction. On January 9, 2002, attorneys for Mumia Abu-Jamal filed an appeal to the Pennsylvania Supreme Court asking it to order Common Pleas Court Judge Pamela Dembe to hear the testimony of ex-mob hit-man Arnold Beverly about how he killed Faulkner in 1981. Beverly admits that he was hired by corrupt elements in the Philadelphia Police Department and organized crime because Faulkner was an obstacle to the "protection racket" corrupt officers were running in center city Philadelphia.

◆ During the 1996 post-conviction relief hearing the courts refused to accept the real testimony of a number of eyewitnesses who had testified against Abu-Jamal under the coercion of the Fraternal Order of Police. They have all recanted their previous bogus statements that Abu-Jamal killed Faulkner.

◆ Mumia Abu-Jamal was denied the legal counsel of his choice in 1982. His court-appointed attorney, Anthony Jackson, and the district attorney's office were in collusion to railroad Mumia to a conviction. This collusion has been well documented. And when Abu-Jamal attempted to legally represent himself during his trial, he was physically removed from his own proceedings.

◆ A startling revelation was made by Terri Maurer-Carter, a stenographer who overheard Judge Albert Sabo, the presiding judge in Abu-Jamal's original trial and in the 1996 post conviction relief hearing, make a horrendous racist epithet about Abu-Jamal. When Carter attempted to bring this horrendous statement to the attention of other judicial authorities, she was ignored. Sabo has the reputation of being a "hanging" judge since he has sent more people to death row than any other judge. At the time, Sabo was a card carrying member of the Fraternal Order of Police, a group that has wanted to permanently silence Mumia for his strong opposition to police brutality.



Photo: Daride Griswold

**On Dec. 8, a videotape was shown from a fatbed truck at 13th and Locust Streets, the site where Abu-Jamal's arrest took place 20 years ago. The tape allowed everyone there to see and hear the confession of Arnold Beverly. The cops then carried out a vicious attack.**

◆ And what about the ballistic evidence? A forensic analysis originally said a .44-caliber bullet killed Faulkner. Mumia had a registered Charter Arms .38-caliber gun. Bullet fragments were lost while under police custody and the prosecution now claims it was a .38-caliber bullet. The prosecution's own ballistic expert says that it cannot be determined if the bullet that killed Faulkner was fired from Mumia's gun.

If it had not been for an international grassroots movement including people from France, Germany, the Netherlands, South Africa and the U.S. and many other lands; if it were not for the countless marches and rallies that have propelled the conspiracy to murder Mumia Abu-Jamal into the light of day, the courts, police and jailers of Pennsylvania would have legally murdered him a long time ago. And this struggle will not be over until an innocent journalist, political activist as well as father and grandfather—persecuted for his courageous and effective leadership in the struggle against racist police brutality, the death penalty, war and social injustice—is free.

**The Yohn ruling is not the final chapter.**

Ninety-nine wrongly convicted people have been released from death row from Florida to Illinois to Pennsylvania based on evidence proving their innocence. The system can free Mumia but they will not voluntarily free him unless the mass, grassroots pressure is intensified.