

Does justice system really protect us?

By GRANT LONG

Does the American justice system really protect those it says it is suppose to serve? Are we really innocent until proven guilty? Can everyone in America go into a court of law and honestly say that they will receive a fair trial?

These are good questions that I honestly cannot answer right now. As for the American public, the whole O.J. Simpson soap opera of a trial changed the way many Americans viewed the legal establishment. We know, or like to think at least, that O.J. got a fair trial, but does everybody else? Before you come to a conclusion, I want you to think about why Dec. 9, 1981, was an important day in American legal history.

Imagine that it is a cold December night in Philadelphia. In the early morning hours of Dec. 9, 1981, a police officer, Daniel Faulkner, is gunned down and so is a cab driver Mumia Abu-Jamal.

But what is so weird about this? There is always some shooting or some type of illegal activity going on in a big city like Philadelphia. But the only reason why Mumia Abu-Jamal stopped his cab was to help his brother who was being beaten by officer Faulkner. After this encounter the details of the case start to become unclear.

In the ensuing moments officer Faulkner was fatally shot four times and Abu-Jamal was shot once in the chest. Although there

was little evidence that suggests Abu-Jamal was the trigger man in the shooting, he was arrested and charged with the murder of officer Faulkner.

Usually the death of a cop is taken very seriously in legal circles and the accused has a minimal chance of winning the case. In Abu-Jamal's case this could never be more true. The Constitution may say that you are innocent until proven guilty, but the deck was stacked against Abu-Jamal from day one.

For starters the judge that heard his case, Albert Sabo, has put more people on death row than any other judge in the history of American justice. Secondly Abu-Jamal's attorneys only had \$1,000 to conduct research for his case, not nearly enough money to conduct a proper defense investigation.

The jury was also poorly selected. In a city that is 40 percent African-American, there was only one African-American juror during the trial. Plus you must throw in the fact that the .38 caliber handgun that Abu-Jamal had in his possession was not tested correctly by ballistics experts. Judge Sabo also ignored the fact that a .44 caliber gun was used to kill officer Faulkner, while Abu-Jamal only owned a .38.

There was also testimony that was suppressed by four eyewitnesses who saw a man with dreadlocks run from the scene of the crime. The star witness for the prosecution was a prostitute

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who cut a deal with the police that if she testified for the state they would continue to let her practice her trade.

One of the more ironic tidbits of information that was discussed during the trial was Judge Sabo's affiliation with the Fraternal Order of Police. Judge Sabo was not a member at the time, but his link with them could have led to a biased opinion on his part.

Another thing that was held against Abu-Jamal in his trial was his past, or some like to say his radical past. At the age of 14 he was under surveillance by the Federal Bureau of Investigation because he was the minister of information for the Philadelphia branch of the Black Panther Party.

When J. Edgar Hoover launched his COINTELPRO operation in the late 60's Abu-Jamal was on his enemies of the state list. For those who do not know what COINTELPRO was, it was an F.B.I. operation to get rid of all the supposed enemies of the state, but basically it was an F.B.I. witch hunt to get back at 60's radicals.

During the 70's Abu-Jamal became a journalist and exposed the brutality of the Philadelphia police force. It was also during this time that he was seen as a menace to the Philadelphia power structure, especially by people

like Frank Rizzo, then mayor of Philadelphia. Even though they say we are innocent until proven guilty, Abu-Jamal's political past hindered the outcome of the verdict of his trial.

It is now crystal clear that Mumia Abu-Jamal was found guilty of the murder of officer Daniel Faulkner, and that he was sentenced to die. But then again what could he do? The prosecution stacked the deck against him and what else could he do, but fold. Right there is where the case would have ended for most people.

I mean, sure he would probably sit on death row for another 15 to 16 years while his case would have gone through the very lengthy and monotonous appeals process where the justice system would have played a craps game with the rest of his life and then eventually sent him to the electric chair to die. But it was Mumia Abu-Jamal who had the last laugh because he proved that the pen is mightier than the sword.

The state of Pennsylvania thought it had the last laugh when they incarcerated Abu-Jamal, but they forgot that he can write and that is exactly what he did. In prison he wrote "Live From Death Row," and got his message out to the public. In his text the author talks about his trial and his life before and after the shooting of officer Faulkner.

This book finally opened the public's eye to the plight of Mumia Abu-Jamal. His attorney, now Leonard Weinglass, is actively seeking to get him pardoned or at least to have his case retried. Weinglass does know that he is facing an uphill battle.

In an interview with Nation Journal he says, "We are up against a well-orchestrated, well-organized, well-financed campaign to see to it that Mumia is executed."

Weinglass's and Abu-Jamal's cries have not gone unheard, there has been a mass movement that has taken up their cause, even such people as Ed Asner, Whoopi Goldberg, KRS ONE, and Mike Farrell, among others, are beginning to chant the phrase "Free Mumia."

Although Mumia Abu-Jamal is just one of the many people who have gotten shafted by our legal system, can we honestly ask ourselves with a straight face does our legal system work? Of course the answer is a resounding *no*, and if you believe that American justice works, then I wouldn't be surprised if you believed the earth was still flat too.

I'll be the first person to admit that American Justice does work, but only if you have money to pay for it. Just ask Orenthal James Simpson; it cost him about three to four million to get the system off his back. But how many people can afford to pay Johnnie Cochrane's legal fees?

It is a shame that we have a document like the Constitution and most Americans don't even know what it means. The only thing they know is the first and 26th amendments. Well I have news for you people: there are 25 others worth knowing. The Constitution is the basis for all laws in our land, but instead of reading this, people go to attorneys and pay them for the constitutional rights that are already granted them as American citizens.

It is time for Americans to open their eyes to what is going on within the American legal structure and realize that unless you can go to the ATM machine and get out a million or two for a trial, you don't stand a chance in the court of law. Until the legal system truly works for all Americans I will continue to chant "Free Mumia."



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