

Vanity Fair's Article

"The Famous And The Dead"

By Buzz Bissinger

Daniel Faulkner was a police officer with a square face and arching eyebrows, an everyday cop riding a patrol car in the quirky and restless hours before dawn. Already that night Faulkner had accompanied a seven-year-old alleged rape victim to the hospital. But this was the graveyard shift in the red-fight belly of the city, where the ghosts of the night always came out most vividly-muggers yanking gold chains from necks, runners on 10-speed bikes hired by pimps to make sure the prostitutes were being productive, the flow of beer in sodden after-hours bars.

At 25, he had been a cop in Philadelphia for five years, and he had aspirations that didn't reach too far-maybe a long career as a police officer, maybe a career as a prosecutor in the district attorney's office, maybe a little getaway house in the Poconos if he and his wife, Maureen, could scrape together another \$10,000. There had been talk of kids between the two of them-how many, what sex was preferred. But the marriage was young then, barely a year old. He had adapted to the fact that she was a cook without potential. She had adapted to his life as a policeman: the crazy hours of shift work, the nagging queasiness that every police wife endures, knowing that something unexpected could always happen.

It had hit home earlier that year, when a fellow officer of Faulkner's, Pete Dailey, was injured in an explosion. The Faulkners had visited him in the hospital, and on the way home Maureen had expressed, for the first time, the fear she felt for her husband's safety. "I love police work," he had said in response. "And if anything happens to me, life goes on." It was the kind of statement that cops like to make-slightly fatalistic, slightly macho-and she didn't take it as an ominous harbinger. He had cooked dinner that night. Then he had sat at the table, paid bills, and put aside some money for Christmas shopping. Running late, he had decided to dress at home, white T-shirt, blue police shirt, blue uniform sweater to ward off the chill of early December. He left the two-bedroom row house in the southwest section of Philadelphia at 11:30 pm.

His shift had nearly reached its midpoint when he pulled his his patrol car, 612, behind a light blue Volkswagen Beetle near the dimly lit corner of 13th and Locust Streets. Faulkner had apparently stopped the Beetle for some sort of traffic violation. But at 3:51 A.M. something caused Faulkner to radio for a wagon-a clear indication that he had decided to make an arrest.

612: I have a car stopped ... 12, 13th and Locust.

Radio: Car to back 612, 13th and Locust.

612: On second thought send me a wagon 1234 Locust.

A police car then swung out in the direction of Faulkner. But as it was doing so, a passerby frantically stopped the vehicle, and an officer immediately put out a broadcast over the radio.

"We just got information from a passerby, there's a policeman shot."

Nine seconds later, when police arrived at the scene, they found that Officer Faulkner was not in the act of making an arrest. Instead, he was sprawled on the sidewalk with two bullet wounds. According to eyewitness accounts and testimony by ballistics experts and the pathologist who examined his body, the first bullet had been fired from approximately 19 inches away. It tore into the left side of Faulkner's upper back, one inch to the left of the midline, almost at the base of his neck. According to the prosecution's reconstruction of the incident, Faulkner returned fire and actually hit the man who had just shot him.

While Faulkner was down on his back, the shooter walked over to him, stood at point-blank range, and continued to fire. One of the bullets hit Faulkner in the face. It erupted in a flash that a witness could clearly see, and Faulkner's entire body jerked from the impact. The bullet, fired from a distance of approximately 12 inches, entered his face five inches below the top of his head, exploded through his nose, tore through the bones of his face, through the bones above his eyes, through his entire brain, through the right parietal bone in the back of his head, and lodged in the right occipital bone. If there was anything merciful about the way Faulkner died on the night of December 9, 1981, it was this, taken from the testimony of the medical examiner who performed the autopsy:

"Complete instantaneous disability and death."

The deprivations of death row in Pennsylvania are wrenching by any standard- 23 hours of every 24 spent alone in a locked cell, family and loved ones viewed only through Plexiglas, strict rules on the number of personal items that can be maintained. It has been the fate of a former radio broadcast journalist named Mumia Abu-Jamal to have been on death row since 1983 -first in a Gothic-looking prison known as SCI Huntingdon and now in a modern facility, SCI Greene, in the southwest pocket of the state, hard by the West Virginia line, which from afar looks like a shopping mall. For part of this time, there may have been some negligible comfort in the fact that Pennsylvania had not actually carried out an execution since 1962. But in May, 1995 the state did execute an inmate, and a second execution followed that August.

In 1995 the governor of Pennsylvania, Tom Ridge, signed a death warrant for Abu-Jamal, who on July 2, 1982, had been found guilty by a jury in Philadelphia of the first-degree murder of Officer Faulkner. The jury, composed of 10 whites and two blacks, deliberated for less than six hours before reaching a verdict in the two-week trial. A day later the jury began deliberations on the penalty phase of the trial at 2:27 pm., and reconvened an hour and 53 minutes later, returning a sentence of death.

The warrant was stayed by a state-court judge, putting off for the immediate future any possible execution of Abu-Jamal. Various lawyers have been working on his case for

years, and a legal team that has now grown to five attorneys and 13 investigators labors feverishly to get from the federal court what, despite exhaustive appeals, the state courts of Pennsylvania have refused to grant: a new trial for Abu-Jamal on the basis that he is innocent, and that he was convicted in a kangaroo-court-style proceeding that was grotesquely unfair.

"Don't tell me about the valley of the shadow of death," Abu-Jamal has written in one of the two books he has had published while on death row. "I live there." Those who have visited him in prison say his spirit and strength are remarkable. But, however harsh, the rigors of his imprisonment unique. Around the world his case has a cause celebre, making the most famous prisoner simply in America but in the entire world. And it is clear that even on death row the demands of celebrity are never easy. Too many people who want to visit. Too much mail that needs to be answered. Take, for example, the foreign-dignitary dilemma. Last April, Danielle Mitterrand, the widow of former French president Francois Mitterrand, wanted to see the 45-year-old Abu-Jamal in order to express her support and solidarity. So did Dr. Winfried Wolf, a member of the German Parliament. To accommodate them, Abu-Jamal had to juggle his visitors' list. Given that prison officials have a specific limit on the number of visitors-and generally allow an inmate to change that once a month -it became quite a logistical nightmare, according to Abu-Jamal's lead attorney, Leonard Weinglass. With an open slot in the visitors' list, Mine. Mitterrand was able to get in. But Winfried Wolf was not so lucky, a fact that Weinglass found particularly awkward due to the importance of what he characterizes as Abu-Jamal's "German support."

If it isn't the foreign-dignitary dilemma, it's the mail dilemma. Some inmates on I death row get no mail, but Abu-Jamal gets batches of it, according to Weinglass, and there's just not enough time to answer all of it. It may be because of the master's degree Abu-Jamal is studying for through the auspices of California State University. It may be because of the regular column he writes about world and domestic affairs (distributed over one of a host of Web sites dedicated to his cause on the Internet). It may be because of the prodigious reading that he does.

And then there are little things that also require his time: the statement of thanks he recently wrote to a teachers' union in Rio de Janeiro for conducting walkouts on his behalf, a decision on how to allocate the \$90,000 that Weinglass says was raised from a benefit concert; the guards who seek his advice on where to send their children to college; the taped commencement message he recently sent to the Evergreen State College in Olympia, Washington.

"He doesn't have time," Weinglass says of the mail". "When I go in to see him, he asks me to contact this one, contact that one, apologize, tell them I'm busy." But Weinglass is hardly complaining, since his days in the cauldron of high-profile cases go all the way back to 1969, when he and William Kunstler represented the defendants in the Chicago Seven trial. "The worst thing that can happen to anyone in the criminal-justice system is to be a number, to be faceless and a number," says the lawyer, whose resume also includes the Pentagon Papers criminal case; the Angela Davis murder trial; the defense of

the kidnapers in the Patty Hearst trial; and a trip to Peru on behalf of Abimael Guzman, the leader of the Shining Path guerrilla group, whose war with the government led to the deaths of nearly 30,000 people. "The best thing that can happen to anyone in the criminal-Justice system is to have outside support."

While efforts to gain a new trial have been rejected by the Pennsylvania Supreme Court on two separate occasions, the support for Abu-Jamal shows no signs of stopping. Last April, rallies held the same day in San Francisco and Philadelphia attracted a combined 25,000 people. Several months earlier, a controversial benefit concert on behalf of Abu-Jamal, featuring Rage Against the Machine and the Beastie Boys, played to a sold-out crowd of 16,000 at the Continental Airlines Arena in New Jersey.

When Weinglass first became involved, in 1992, support for the death-row inmate was still relatively small. But then the mainstream media discovered him, irresistibly drawn to the novelty of a prison inmate- a death-row prison inmate no less- with radio and writing skills too good to pass up.

In 1994, National Public Radio signed Abu-Jamal up to do commentaries on prison life and issues of crime on the popular afternoon show *All Things Considered*. NPR backed off after a vigorous protest. But the swirl of publicity over NPR's flipflop only made him hotter. In 1995 the Addison-Wesley publishing house, responding to a proposal from a literary agent, published a book of writings by Abu-Jamal called *Live from Death Row*.

Support from Hollywood also picked up in a major way in 1995 after Governor Ridge signed the warrant of execution. Ailing members of the literary community rallied around Abu-Jamal as well. In the summer of 1995, a full-page advertisement contending the convicted killer had received an unfair trial appeared in *The New York Times*. It was signed by a glittering array of individuals from the Hollywood, writing, and academic communities, including Maya Angelou, Alec Baldwin, Derrick Bell, Noam Chomsky, E. L. Doctorow, Roger Ebert, Ganter Grass, Spike Lee, Norman Mailer, Paul Newman, Joyce Carol Oates, Tim Robbins, Salman Rushdie, Susan Sarandon, Oliver Stone, and William Styron.

Support for Abu-Jamal continued to build on an international basis, much of it fueled by overwhelming opposition to the death penalty. France, Greece, Italy, the Netherlands, and Spain are among a raft of countries that have abolished the death penalty during the past 20 years, in contrast to the United States, where executions are carried out with numbing regularity. As a radio journalist in Philadelphia, Abu-Jamal had enjoyed a certain degree of success, friends and former colleagues say, before unraveling both professionally and personally to the point where his occupation at the time of the shooting was that of cabdriver. But from the canyons of death row his career resurged and skyrocketed, and now Abu-Jamal takes offense at those who describe him as a "former" journalist.

"Calling me a former journalist is like calling me a former human being," he said in an interview in 1995. "I've published more than 90 percent of the Black and white journalists in America." His cause and his case go beyond writing contracts. There is the honorary

law degree he received from the New College of California School of Law in San Francisco. There are the honorary citizenships bestowed upon him by a district of Copenhagen in Denmark and the city of Palermo in Italy. There is the call for clemency by South African archbishop Desmond Tutu, 71 members of the Danish Parliament, Elie Wiesel, Jesse Jackson, and Martin Sheen. There is the sabotage of an edition of the San Francisco Chronicle, in which Abu-Jamal supporters took thousands of copies of the paper from news racks and wrapped a virtually identical-looking four page section around each one demanding a new trial for the convicted killer.

A growth industry has sprouted on his behalf, a mass of merchandising at rallies and college lectures that any movie studio would envy-books, CDs, videos, T-shirts, tote bags, jackets, whistles, candies, buttons, mouse pads ("You can have Mumia or your choice of political prisoner," a woman selling the mouse pads helpfully offered at a recent rally).

Some support Abu-Jamal because they believe, regardless of his guilt or innocence, that he received a trial riddled with problems before a judge notorious for his pro-prosecution leanings. Some support him because of their opposition to the death penalty. Some believe he is the victim of a frame-up by a Philadelphia Police Department that had a national reputation for brutality and racism in the 1970s.

They have found in Abu-Jamal the perfect spokesman and symbol, and the ingredients of star quality which are an absolute requisite for any cause in the culture of today, a Madison Avenue dream of the death-row inmate whose image can sell and sell big-a man with a radio voice as tranquil as a lullaby, a man who can write with a clarity made all the more remarkable by the fact that he has spent nearly 20 years of his life in incarceration, a man of clear sex appeal with that interesting chemistry of sultry eyes and hanging dreadlocks, a man who laces his writings with just the right dash of revolutionary spice so as to be provocative. In the past 12 months, more than \$200,000 in donations poured in to just one of his many support groups.

He has been transformed into a mythic figure, canonized at almost every opportunity-an outspoken revolutionary and hero to millions, in the words of one of the band members of Rage Against the Machine; a man similar in spirit to Mandela, in the words of novelist Alice Walker. Abu-Jamal himself, in a rare interview with a member of the mainstream media in 1995 (attempts, both in writing and through his lawyer, made by Vanity Fair to interview Abu-Jamal were unsuccessful), said he was uncomfortable with his role as a symbol. But those who once worked with him wonder. "The guy's a worldwide celebrity," says a former colleague. "I don't know if late at night he says, 'What the fuck have I gotten into? Look at what I've accomplished.'"

Whatever the motivation, the beat of Abu-Jamal goes on. And, there may be only one thing to mar it all: compelling evidence Abu-Jamal ran across Locust Street with a gun in his hand on that December night in 1981 and killed Daniel Faulkner.

In addition to the evidence, a former volunteer for a prison-reform organization who regularly visited Abu-Jamal has come forward with what he says was an admission by the inmate to the killing. In the early 1990s, Philip Bloch was an active participant in the Pennsylvania Prison Society. He was also a student at Juniata College in Huntingdon, Pennsylvania, the town where Abu-Jamal was incarcerated. Bloch says that he had at least 10 conversations with Abu-Jamal in prison, and that it was during one of them when he asked the inmate, "Do you have any regrets about killing the officer?"

"Yes" was Abu-Jamal's reply, according to Bloch.

When police arrived at the scene, they not only saw Faulkner with blood pouring out of his face, but also saw Abu-Jamal sitting in close proximity, on the curb.

Raised in a housing project in Philadelphia, Abu-Jamal developed his political activist beliefs in earnest in 1969, when, at 15, he co-founded the local chapter of the Black Panther Party and became its "minister of information." Known in high school as a strong student, he was also expelled for his radicalism. Those who knew Abu-Jamal say that he never lost his ideological beliefs about the system and the intense degree of oppression against minorities. But Abu-Jamal also became part of the journalistic mainstream, working at a variety of commercial radio stations in Philadelphia. At a certain point in his life, he was highly regarded, with a voice that seemed born for the airwaves—rich, velvety, beautiful. Some saw in him the kind of talent, particularly in his ability to evoke mood and atmosphere, that could have led him as far as he wanted to go in the radio business. Others admired him for the way he had managed to bridge the gap between traditional journalism and social activism by doing stories on the disadvantaged.

But in the months before the shooting, according to colleagues, it was a talent that he had basically jettisoned. His last full-time job had been as a reporter with WHYY, the local public-radio station in Philadelphia. He had started at the station in the summer of 1979, and for some of that time, as a member of a staff putting out a local version of *All Things Considered* called *91 Report*, much of his work had been of high quality.

But he was something of a manipulator, say those who worked with him, particularly since he knew that his talent was in demand. "I wanted it to work," says a former colleague. "I wanted his voice and I wanted the voice he represented on the air. I'm not at all surprised at his ability to get people to buy into what he wants them to, because that's what he did to me."

In January of 1981, Philadelphia magazine listed Abu-Jamal in its group of "81 to Watch." But the mention seemed almost silly. Colleagues say that his work habits at the station had begun to deteriorate seriously.

Increasingly, other reporters had to cover for him because he could not be found. Former journalistic colleagues say there were indications that he was having personal and financial problems. And he was increasingly falling into lockstep with a militant and radical group in Philadelphia called MOVE. In May 1980, nine of its members had been

convicted in the death of a police officer during a shoot-out. And because Abu-Jamal frequently covered MOVE for the station, there were constant concerns over his reportorial bias, to the point where it wasn't uncommon for entire pieces to be re-edited. "His behavior at the station was really out of control," says a former colleague. "He looked like a guy who was high. He acted like a guy who was high."

Toward the end, Abu-Jamal had become a "virtual no-show," according to another former colleague. Then, after he vanished for three days with the station's staff car, he was asked to resign.

In the media, Abu-Jamal has been portrayed as a journalist whose reportage on police brutality and misconduct, particularly in the aftermath of the MOVE shoot-out, made him an open target for the police department. "To uniformed men in mourning for one of their own," wrote Doctorow, "he was an enemy delivered to their mercies."

The statement is powerful and provocative, and it adds to the legend that has blossomed around Abu-Jamal since his incarceration. Abu-Jamal reported of topics, including the police, according to Weinglass. In one of his books, Abu-Jamal recounted an incident in which an officer in a patrol car, upon seeing him, smiled and molded his fingers into the shape of a gun.

But by numerous accounts Abu-Jamal did virtually no original reporting on police brutality, and Weinglass acknowledges that he doesn't know whether any of the officers arriving on the scene that night had any idea of who he was.

"I was involved right in the middle of this whole police-misconduct business," says George Parry, who was in charge of the unit of the district-attorney's office that was established in 1978 to prosecute police officers for excessive force. "Mumia Abu-Jamal just was not a factor. I don't have any recollection of having spoken to him. It appears to be a triumph of propaganda over truth. You have to give him credit for that. The notion that Jamal has been framed because he was a critic of the police is just a hideous lie."

William Marimow, whose reportage on police brutality (along with Jonathan Nueuman's) earned *The Philadelphia Inquirer* the Pulitzer Prize for public service in 1978, also has no recollection of Abu-Jamal ever doing anything on the subject. "I was very attuned to everyone who wrote about Philadelphia police violence," says Marimow, now the managing editor of the *Baltimore Sun*. "This guy didn't register a blip on my radar screen."

In writings on his behalf, Abu-Jamal has been described as a "widely acclaimed" journalist when he worked in Philadelphia, a "voice of the voiceless." But after his departure from WHYY, says a former friend, he actually became a "lost voice, his voice was lost." This friend saw in him an increasing grimness as his obsession with MOVE intensified. And while he never saw Abu-Jamal react violently to anything (Abu-Jamal had no criminal record before the shooting), he did sense in him "a lot of pent-up

emotion. Some of it was anger. Some of it was frustration. Frustration at his inability to make the media a platform for [his] sociopolitical views."

From time to time, Abu-Jamal visited the city-hall newsroom where he had once been a fixture, but there was less and less to talk about with his acquaintances there. "I wasn't so anxious to see Mumia after a while," says the former friend. "Brief conversations would lapse into this disaffection with the media. By that time he was no longer an effective sounding board for me. He had become so disconnected."

The friend thought Abu-Jamal was basically lost, straddling two worlds. "He found himself neither part of the revolution nor part of the mainstream," he says. "What the hell was he?"

By the time Abu-Jamal was found on the curb by the police, he wasn't working as a radio journalist at all. Instead, he was driving a cab. "Mumia was not an award-winning, crusading journalist when he killed this cop," says a former colleague. "He was a journalist who had lost his job, who was having a personal crisis."

Others who knew Abu-Jamal vigorously dispute that description. E. Steven Collins, a highly regarded radio figure in Philadelphia who became quite close to Abu-Jamal, said he never saw any change in his temperament after the split from WHYY. Several hours before the shooting, Collins said, Abu-Jamal came to his house for spaghetti. He "was in a great mood," said Collins, and stayed until 11 pm.

When Police Officer Robert Shoemaker approached Abu-Jamal about five hours later, he was sitting at the end of the curb, with a bullet wound in his chest from Faulkner's gun. Abu-Jamal's right arm was crossing his chest, Shoemaker later said in testimony, and his left hand was on the ground. Shoemaker ordered Abu-Jamal to freeze, but instead, said Shoemaker in court, Abu-Jamal's arm started to move to his left. Shoemaker again ordered Abu-Jamal to freeze. It was then that Shoemaker saw a gun approximately eight inches from Abu-Jamal's hand. When Abu-Jamal did not halt, according to testimony, the officer kicked him in the throat to get him away from the gun. Abu-Jamal then fell backward, saying, "I'm shot. I'm shot."

It would later be determined that the gun Shoemaker saw- a .38 Charter Arms undercover special worn in a shoulder holster-belonged to Abu-Jamal and had been purchased by him nearly two and a half years earlier. The gun had five empty cartridges in its chamber. While subsequent ballistics examination by the prosecution could never specifically match the bullet extracted from Faulkner's skull to Abu-Jamal's gun, it was determined that the bullet's markings-eight lands and eight grooves with a twist to the right-were consistent with the type of revolver that belonged to Abu-Jamal.

Lawyers working for Abu-Jamal have offered a variety of theories about what happened that night, but the one they refer to the most is that Faulkner was shot by an unknown gunman who then fled. But in statements given to the police roughly within an hour of the incident, four different witnesses-none of whom knew any of the others-described

crucial stages of Abu-Jamal's actions at the scene. Three of those witnesses made their identification of Abu-Jamal directly at the scene. (The fourth could not identify Abu-Jamal that night, but at trial correctly identified the clothes he had worn.)

The assistant district attorney who tried the case, Joseph McGill, points out, "This is not a situation where someone was arrested and brought back to the scene. In this case, [Abu-Jamal] never left the scene, because he was shot in the chest. You cannot get a better identification than that."

Not all of those witnesses saw every single moment of the fatal shooting. Only one testified to actually seeing Abu-Jamal with a gun in his hand. But another testified that he had heard the shots and then seen Abu-Jamal stand over the officer, with his hand in the clear gesture of firing. Taken together, the accounts of those four witnesses formed a consistent picture of what happened that night:

The driver of the Volkswagen, who happened to be Abu-Jamal's younger brother William Cook, was spread-eagled against the side of the car. Cook, 25, turned to take a swing at Faulkner, and Faulkner responded with force of his own, perhaps a flashlight or a billy club. Abu-Jamal, whose cab was parked across the street, then came running through a parking lot. He fired at least one shot at Faulkner's back and Faulkner fell. Abu-Jamal stood at Faulkner's feet and fired several more times, hitting Faulkner in the face. Abu-Jamal sat down on the curb, obviously debilitated by the bullet wound to his chest. Meantime, Abu-Jamal's brother stood by the wall along the sidewalk with a shocked expression on his face. (When police arrived at the scene, Cook's first-and only-words about what had happened were not in defense of his brother, or about a gunman who had fled the scene. They were: "I ain't got nothing to do with it.")

Of the four witnesses who testified for the prosecution, two were hardly angels. The only witness who said she saw the gun was a woman named Cynthia White, whose record included at least 38 arrests for prostitution. Another witness, who said he saw Abu-Jamal in an up-and-down motion of firing a gun, was a cabdriver named Robert Chobert, who was on probation for throwing a Molotov cocktail into an empty school building. Despite his vocation, his driver's license had been suspended. White's record of past arrests was made known to the jury. Chobert's conviction was not, because the judge ruled that it was inadmissible on the legal basis that it was not a crime indicating falsehood. Both witnesses were intensively cross-examined by the attorney representing Abu-Jamal, and their accounts of what happened that night remained firm. "I know who shot the cop and I ain't going to forget it," Chobert testified in 1982.

Two other witnesses, a Philadelphia police officer and a security guard at the hospital where Abu-Jamal was taken, testified that they heard Abu-Jamal confess to shooting Faulkner. Officer Garry Bell said he heard Abu-Jamal say in the hospital, "I shot that mother fucker and I hope the mother fucker dies." Bell did not, however, report hearing the confession until 77 days after the crime had occurred, prompting the defense to suggest vigorously that he had concocted what he heard (particularly given that another police officer who had been with Abu-Jamal the night of the shooting filed a report

stating that the suspect had made comments). But the security guard Priscilla Durham, also testified having heard Abu-Jamal say at the hospital, "I shot the mother fucker and I hope the mother fucker dies." Furthermore, she testified that she had reported the statement to hospital investigators the next day.

Prosecutor McGill doesn't describe the evidence as simply strong. Instead, he calls the case against Abu-Jamal "the strongest homicide case I have ever tried," during a career that spanned approximately 125 homicide cases before McGill went into private practice, in 1986. The testimony of the eyewitnesses, says McGill, was "absolutely unavoidable in terms of truth.... [Abu-Jamal] never left the scene. He was identified by witnesses who never left the scene." The only thing more persuasive, he says, would have been a video-camera recording of what happened.

After reading the trial transcript, one could reasonably conclude that, in terms of fairness, there were some potentially troubling developments. There was the fact that the case was tried before a judge, Albert Sabo, with a reputation for being pro-police and pro-prosecution, raising immediate questions about the impartiality of any trial he presided over. There was the question of whether Abu-Jamal's efforts to represent himself were unfairly denied by Sabo in the midst of jury selection (the judge justified the action on the basis that Abu-Jamal was taking too long and scaring potential jurors with his approach). There was the possibility that the resources allotted by the court for Abu-Jamal's representation, roughly \$14,000, were simply inadequate by any standard, since he was facing the death penalty. There was the question of why there was no testimony on his behalf either from a ballistics expert or from a pathologist. There was the question of why witnesses who might conceivably have been helpful in advancing the defense theory that another person had shot Faulkner were never called. There was the question of why a residue analysis on Abu-Jamal's hands was not done on the night of the shooting. A prosecution expert said at trial that such a test becomes invalid as soon as someone touches his trousers or wipes his hands. Because of the way Abu-Jamal struggled with the police during his arrest, there was ample opportunity for loss of residue, but an expert retained by the defense after the trial said that such tests were "frequently performed when a suspect was apprehended immediately after a shooting incident."

Given that the shooting of Faulkner occurred so suddenly and that Abu-Jamal himself was shot, some observers also wondered why a claim of self-defense was not more actively pursued.

Virtually all of these issues were raised on appeal to the Pennsylvania Supreme Court, however, and denied. At the root of the verdict was Abu-Jamal's own conduct acting out to the point where one newspaper columnist wrote that his behavior was as "bizarre as it was suicidal."

On numerous occasions the judge, after repeated warnings, had Abu-Jamal removed for continued disruptions and verbal outbursts such as these:

"I need the microphone at the table."

"You have ruled, Judge? This is not to my satisfaction."

"I don't care what you believe."

"I'm not finished. We are not finished."

McGill has always believed that Abu-Jamal's behavior had been calculated to create a record that could be used in a later appeal to claim that the trial was unfair. "He wanted to make the trial a political show in which he was the victim," says McGill. "Once he was prevented from taking complete control of the forum, he then aggressively became a negative force of his defense."

Weinglass says that Abu-Jamal began to act up in court only after his right to represent himself was taken away. In fact, Abu-Jamal's behavior had been disruptive during the previous proceedings against him. At a pre-trial hearing about a month earlier, he had called the presiding judge a "bastard" and had told him to "go to hell."

Much of what Abu-Jamal's defenders have claimed, however tantalizing, is still unsubstantiated despite nearly eight years of investigation. Weinglass concedes that Abu-Jamal headed across the street that night from the parking lot after seeing his brother grapple with Faulkner. But it is his theory that Faulkner, in the act of trying to subdue one black male and seeing another black male running at him, took out his gun and shot Abu-Jamal. Faulkner in turn was shot by someone else, who fled the scene.

At lengthy hearings in 1995 and 1996 in Philadelphia, lawyers seeking a new trial for Abu-Jamal called six witnesses to indicate that someone else had done the shooting. But three of them, in statements given years earlier or in their own testimony during the hearings, had said they did not witness the actual shooting but saw someone fleeing only after shots had been fired.

The fourth, who said that Faulkner had been shot by a passenger in the Volkswagen, also said that there was a helicopter with a searchlight on the scene (no other witnesses saw a helicopter) and that Faulkner, after being shot in the head, whispered, "Get Maureen ... get the children."

If in fact Faulkner had already been shot in the face, as the witness said, it would have been virtually impossible for Faulkner to talk. Furthermore, he had no children. The fifth witness said that Faulkner was shot by two different people, an assertion that was contradicted by all physical and medical evidence in the case. The sixth ended up giving brief testimony that substantiated the prosecutions account of what happened that night.

Much of what Abu-Jamal's supporters point to, while deeply troubling (such as the fact that 115 of the 130 prisoners on Pennsylvania's death row from Philadelphia are members of a minority), has nothing directly to do with the facts of the case. It also seems apparent that some of the most recognizable figures supporting Abu-Jamal are doing so without having read the complete trial transcript.

"I don't remember what portions I read. I obviously didn't have the entire transcript," says E. L. Doctorow, who in 1995 wrote an op-ed piece in the *New York Times* on behalf of Abu-Jamal. But Doctorow also says that a full reading of the transcript is not necessary to see the obvious unfairness of the proceedings, and that efforts to dismiss reports for Abu-Jamal as the predictable leanings of "armchair liberals and sentimental bleeding hearts" are convenient and misguided.

"There is one issue here," says Doctorow. "Whether he got a fair trial or not. I don't know whether he is guilty or innocent. From the details of the trial and the portions of the transcript I read, any impartial juror would regard it as something of a fiasco. It's inconceivable to me that unless someone has some political stake they would not want some further examination of this whole thing."

Actor Ed Asner, another high-profile supporter of Abu-Jamal's, has also not read the entire trial transcript. "Could I stay awake?" he replies when asked the question.

Like Doctorow, Asner says his involvement in the case has nothing to do with Abu-Jamal's guilt or innocence, but with the issue of trial fairness. "Even if he is guilty, I find that errors and mistakes, the rancor and the severity of his sentencing, to be too damned much," says Asner, pointing to the two and a half months it took for the police officer to report Abu-Jamal's confession and to the lack of a residue test on Abu-Jamal's hands. "I've been reading selective pieces, but it all smells."

Actor Ossie Davis, who along with actor Mike Farrell co-chairs a committee that raises funds for Abu-Jamal's defense and has been actively involved in a number of death-penalty cases, says that he sees no point in reading the entire trial transcript. "We the people, in a democracy, are not going to read the transcript of all the cases that come before us. I take the word of attorneys, the word of people who have investigated."

"We're not asking, 'Let the man go. Free political prisoners.' We think the facts as we know them merit a new trial for Abu-Jamal."

Alice Walker, who gave an endorsement for Abu-Jamal's first book, says that she has read "tons and tons of everything" about the case, but that it is her recollection that she has read "bits and pieces" of the trial transcript. Nevertheless, she has come to an emphatic conclusion about the case that she says reminds her of the raciest frame-ups that took place in the Deep South. "I don't have any doubt that Mumia was framed," says Walker. "None. In fact, what I think happened is that he was actually trying to help Faulkner."

Walker has visited Abu-Jamal twice in prison, and her impression of him is distinct. "He is just beautiful," she says. "He is a beautiful person. He is intelligent. He is compassionate. He has a lot of light. He reminds me of Nelson Mandela."

Buoyed by such support, Abu-Jamal's legal team, which has already spent several hundred thousand dollars, continues to scour for new witnesses. It also continues to

suggest new possibilities of how Faulkner was killed, including one recently made by Weinglass that the officer may have been set up for execution by members of his own department because of a suspicion that he was an F.B.I. informant in an investigation of police corruption. He offers no concrete proof for this theory-just one loop-the-loop of conspiracy after another. The very fact that he would suggest it conveys a certain desperation on the part of the defense in trying to suggest an alternative version of what happened that night. But it also gives supporters one more theory to disseminate over the Internet and preach on college campuses, a myth that, if repeated enough, could begin to carry the authority of absolute truth.

Philip Bloch says that it was a reaction of "disgust" to Abu-Jamal's supporters that made him come forward several months ago with what he says was an admission by Abu-Jamal to killing Faulkner. Bloch says he learned of Abu-Jamal as part of his volunteer work for the Pennsylvania Prison Society, through another death-row inmate he was working with at the time. He and Abu-Jamal developed a "mutual friendship" grounded in similar backgrounds in the left-wing movement, says Bloch, and talked on a variety of subjects-philosophy, history, prison life. (Discussion of Abu-Jamal's case never came up, perhaps because Bloch, based on his own examination of the case through newspaper clippings, had concluded that Abu-Jamal was almost certainly guilty.)

It was in the course of one such conversation that Bloch talked to Abu-Jamal about the use of violence and whether it might be an acceptable alternative in the advancement of a cause. It was in that context, Bloch says, that he asked Abu-Jamal if he had any regrets over killing Faulkner, and Abu-Jamal replied with a one-word answer of "yes."

"There was a long pause," Bloch remembers. "I think we probably realized what he had just done."

Bloch did not ask Abu-Jamal to elaborate, and the conversation turned toward other subjects. "It wasn't something I planned in advance," he says of the question. "It was just in the flow of the conversation. The opportunity to ask such a question came up, and I asked it." Even without elaboration, Bloch says he was positive that Abu-Jamal understood precisely what had been asked.

"It was directly implied in my statement that he was the one who did it. I don't think there's any possibility of mis communication."

Bloch, a 47-year-old substitute teacher, kept the contents of the conversation to himself for roughly seven years. But in recent months, he says, the tactics of Abu-Jamal supporters increasingly began to gnaw at him. "Maureen Faulkner is being subjected to such calumny. They're trying to vilify the memory of her husband and make it seem like he was some rogue cop that was out beating Mumia's brother. So I see that. That's disgusting enough. I see the level of hatred that's being aroused people towards the police. And I think it's just crossed a line." Combing the Internet one day, Bloch discovered a Web site established by an organization called Justice for Police Officer Daniel Faulkner. He read some of the contents, and sent an E-mail in early April that

said: "There is at least one person to whom Mumia has admitted killing Officer Faulkner and that person may be willing to break his silence on the matter." In a second E-mail, Bloch revealed his name and phone number, and has since given a statement to a detective from the Philadelphia Police Department. Bloch says that his decision to come forward was not an easy one. He has not spoken with Abu-Jamal in roughly five years after letters he sent to the inmate went unanswered. But, says Bloch, "I still have a lot of respect for him. I don't think by any means he's proud of what he did. I'm sure that if he had to do it all over again he'd be somewhere else that night." But in the absence of that, says Bloch, "It's a lot easier to live the life now as a martyr than as a cold-blooded cop killer."

In 1994, Maureen Faulkner asked herself whether she would publicly respond to the swell of support for Abu-Jamal, or whether she would simply step aside. The answer came when she learned that NPR was planning to air commentaries by Abu-Jamal on life in prison. "I believe they were going to make him their poster boy," she says. "That was the beginning of it."

She called members of management at NPR, who, she says, told her that Abu-Jamal had a First Amendment right to freedom of speech. "Well, what about my husband, who is six feet under?" she responded. "He's lost his ability for his freedom of speech."

NPR reversed its decision, but Abu-Jamal's radio commentaries later surfaced on the Pacifica Radio Network. Faulkner was driving to work one day from her home in California and was flipping through stations on the car radio when she suddenly heard his voice. She flipped to another station, then flipped back. She started to shake and had to pull off to the side of the highway.

Since that time, Faulkner has consistently gone to battle with those who have promoted the case and cause of Abu-Jamal. When Addison-Wesley published Abu-Jamal's book, in 1995, she personally hired a plane to fly over the publisher's offices in Reading, Massachusetts, with a banner that read, ADDISON-WESLEY SUPPORTS COP KILLERS. In 1996, when she learned that HBO was planning to air a documentary that would leave out key elements pointing to Abu-Jamal's guilt, she wrote a letter to Gerald Levin, the head of Time Warner, which read in part: "The facts of my husband's murder are brutal and crystal clear. All physical evidence and eyewitness testimony has demonstrated over and over again that Mumia Abu-Jamal shot my husband in the back, and while he lay face up and conscious on the sidewalk Jamal emptied his gun into my wounded husband's face."

When she learned that Whoopi Goldberg, who has been a visible supporter of Abu-Jamal's, was helping to host a 50th birthday party for President Clinton, she wrote a telegram to the president that said, "Do you want someone who supports a convicted cop killer to host your 50th birthday? I know the law enforcement across this country will be appalled." (Two months later she received a letter from then chief of staff Leon Panetta that said, "The President certainly does not want to add to your grief and was very sorry to hear of your concerns. Let me assure you, however, that Ms. Goldberg's participation

in the President's birthday party does not imply that he endorses her view on this particular matter.")

"I really felt as though I was putting out the fires of hell alone," Faulkner says. "And they were popping up, these fires, throughout the country, throughout the world, and I kept trying to put them out and put them out."

Faulkner has been subjected to blistering attacks on her credibility as well as E-mail missives from supporters of Abu-Jamal that have said, "Fuck you" and "Nobody cares about you or that piece of shit cop that deserved to die" and "Get your head out of your ass."

But Faulkner shows no signs of giving up. "I hope someday there is closure, and I just believe the only way that there will be closure is if ... they follow out what a jury of 12 had decided. I am not the one who convicted Jamal of murder. A jury of 12 did in the City of Philadelphia, where capital punishment is imposed."

In the end, nearly 20 years after the murder of Officer Faulkner, the most intriguing element of Abu-Jamal's case is all that it doesn't say.

There is still the unexplained element of what caused Abu-Jamal and his brother William Cook to be at the red-light intersection of 13th and Locust Streets at close to four in the morning. There is still the unexplained element of why Abu-Jamal, even with a reputation for nonviolence, had purchased a gun two and a half years prior to the shooting. There is still the unexplained element of why William Cook has never publicly said a word about the shooting.

There is also the silence of Abu-Jamal himself. In his books, in his columns, Abu-Jamal has spoken out on virtually everything—the killing of a gay man in Alabama; the killing of Amadou Diallo by police in New York; the bombing in Iraq; Monica and Bill; the brutal treatment he said he received from police the night of the shooting after he was taken to the hospital. But there is one element missing from Abu-Jamal's prolific body of work—any account of what happened that night when Daniel Faulkner was shot to death.

Weinglass insists that Abu-Jamal is eager to tell, what took place as long as it is in the proper legal forum. A hearing in federal court for a new trial would be the appropriate setting, says Weinglass, although he also acknowledges there is no guarantee that such a hearing will ever be granted. "Let's first tell the story the first time in court," says the lawyer. "If we're blocked, we'll see then." Will Mumia go to his execution if it comes to that, without ever telling his story? The answer is obviously no." In the meantime, in the gaping void of that silence, his supporters continue to roar.

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