

One Problem in Abu-Jamal Crusade: He's Guilty

STEVE LOPEZ;

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Steve Lopez

Columnist Steve Lopez joined the staff of The Times in May 2001, after four years at Time Inc. where he wrote for Time, Sports Illustrated, Life and Entertainment Weekly as editor-at-large.

While at Time, he helped establish the Bonus Section, a series of narrative news features. His first story in the series, about the French capture of Philadelphia hippie guru and suspected murderer Ira Einhorn, won a Society of Professional Journalists Award for national magazines.



He also was the author of Time magazine's "Campaign diary," a road journal filed during the 2000-01 presidential campaign; and of the weekly, "American Scene" column, for which he traveled the United States.

Prior to joining Time Inc., Lopez was a columnist at The Philadelphia Inquirer, where he won the H.L. Mencken Writing Award, the Ernie Pyle Award for human interest writing and a National Headliner Award for column writing. During his 12 years at the Inquirer, he filed dispatches from Iraq, Bosnia, Colombia and the Soviet Union.

His earlier newspaper jobs were at the San Jose Mercury News, the Oakland Tribune and three other daily newspapers in Northern California.

He is the author of three novels, "Third and Indiana," "The Sunday Macaroni Club," and "In the Clear." A collection of his columns is published in the book "Land of Giants: Where No Good Deed Goes Unpunished."

Lopez is married and has two sons.

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It's true that the 1982 trial was a circus, but that's because Abu-Jamal wanted it to be. His own attorney told me that Abu-Jamal, a Black Panther, considered himself a revolutionary and didn't want a legal defense. He wanted to make a political statement. At times, Abu-Jamal was removed from the courtroom because of his outbursts.

While there was a grain of truth to some of the claims, many were simplifications, exaggerations or outright lies. For instance, Abu-Jamal supporters scream that a .44-caliber bullet was removed from Faulkner's body but that Abu-Jamal had a .38. In fact, that claim has been debunked by the defense team's own ballistics expert.

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Maureen Faulkner moved across the country after her husband was shot and killed on a downtown Philadelphia street 20 years ago this month. In Camarillo, she made new friends, started a new job and tried to build a new life.

But the old one keeps chasing after her.

Faulkner's late husband, Danny, was a cop. The man who killed him, Mumia Abu-Jamal, has become an international celebrity and a symbol of everything that's wrong with the American judicial system.

This week, after years of appeals, a federal judge in Philadelphia affirmed the 1982 murder conviction but threw out the death sentence. He ordered that Abu-Jamal either be kept in prison for life or be given a new sentencing hearing.

Maureen Faulkner, who manages a medical office in Camarillo, has been a wreck since the news. The other night, just after dozing off, she bolted up, gasping for air.

"I jumped out of bed and couldn't catch my breath, and the reality hit. Oh, my God! I'm going to have to go back to that courtroom and go through this again."

Having lived and worked in Philadelphia for about 12 years, I happen to know a few things about the murder of Officer Danny Faulkner. I've talked to the prosecutors and to Abu-Jamal attorneys, read the transcripts, studied the appeals and visited the scene of the murder.

And without qualification, hesitation or a shadow of a doubt, I can tell you this:

Mumia Abu-Jamal is guiltier than O.J.

On Dec. 9, 1981, Officer Faulkner made a traffic stop on Abu-Jamal's brother, Billy Cook, who put up a fight. Abu-Jamal happened upon the scene, and shooting began. Faulkner ended up dead, and Abu-Jamal was shot in the chest.

A gun registered to Abu-Jamal, with five chambers empty, was on the sidewalk. Four witnesses who saw all or part of the shooting implicated Abu-Jamal. One witness said that after Faulkner went down, Abu-Jamal stood over him and sealed the deal with a bullet through the head.

And yet an international crusade to free Mumia--fueled by endorsements from Hollywood celebrities including Susan Sarandon, Paul Newman, Ossie Davis, Ed Asner, Tim Robbins and Alec Baldwin-- has had people marching in the streets from Africa to Asia and beyond.

I've seen "Free Mumia" posters and T-shirts in Canada and Greece. Twenty-two members of the British Parliament called for a new trial, and this month the Paris City Council made Abu-Jamal its first honorary citizen in 30 years. The last was Picasso.

These people believe with all their heart, and very little of their head, that Abu-Jamal is a political prisoner who was framed, scapegoated and railroaded by a racist police force and a hanging judge.

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When I lived in Philadelphia, I couldn't begin to make sense of the Abu-Jamal juggernaut until I got a call one day from Los Angeles.

The caller told me he worked in entertainment and had been handed a petition demanding a new trial for Abu-Jamal. Everyone in his office was happily signing up, but he wanted to know more before jumping on the wagon, and someone suggested he call me.

He read me a list of claims about coerced witnesses, suppressed evidence, fabricated evidence and dark conspiracies. And then I understood the Abu-Jamal fever and accompanying dementia.

While there was a grain of truth to some of the claims, many were simplifications, exaggerations or outright lies. For instance, Abu-Jamal supporters scream that a .44-caliber bullet was removed from Faulkner's body but that Abu-Jamal had a .38. In fact, that claim has been debunked by the defense team's own ballistics expert.

Mumia supporters, who tend to work themselves into a lather, have foamed at me for years, and I think I know why I make them so uncomfortable.

I believe there's an unconscionable history of police brutality and frame jobs on minorities in Philadelphia, Los Angeles and the rest of the country.

I believe the death penalty is so disproportionately applied to minorities without adequate legal representation, it ought to be abolished.

And yet I refuse to buy into their political claptrap and help them make a martyr of Abu-Jamal, who shot Danny Faulkner in cold blood and watched him die.

Had Abu-Jamal argued that it was a matter of self-defense, I might have thought differently. But he didn't. For 20 years, in fact, he said absolutely nothing about what happened. You'd think that might set off a few alarms among breathless supporters, but not a chance.

In the absence of an explanation from Abu-Jamal, Hollywood celebrities, racially motivated apologists and other misguided opportunists created their own, pitching half-baked conspiracies and cockamamie tales of mystery killers fleeing the scene.

But here's the topper:

For 20 years, Abu-Jamal's own brother Billy, who was at the scene of the crime, never uttered a word in his defense. What kind of sap buys into Abu-Jamal's innocence when his own flesh and blood lets him stew on death row?

Earlier this year, Abu-Jamal's latest defense team broke the big news that Faulkner was killed by a Mafia hit man, a scenario so ridiculous that the previous attorneys kept it quiet to avoid embarrassment. And Billy Cook finally broke his silence with the blockbuster report that an unnamed acquaintance of his did the job.

These were the developments that apparently inspired Parisians to elevate Abu-Jamal into the realm of Picasso.

This week, when the federal judge ruled that jurors were improperly instructed in the penalty phase of the 1982 trial, neither side was happy.

Abu-Jamal supporters had wanted the judge to throw out the conviction altogether, prosecutors wanted the death sentence to stick, and both sides plan to appeal.

And so it drags on for Maureen Faulkner, who was just 24 when this nightmare began, and wishes the federal judge would have left things as they were.

In past court appearances, she has been spat upon and cursed by Abu-Jamal supporters, for no reason other than her unwavering belief in justice for her husband's killer.

"Now I'll probably have to relive the whole thing once more," she says. "I'll have to hear Mumia supporters screaming at me and pointing their fingers like they're shooting at me. It's been over 20 years now. Is there any regard for the survivors of crime?"

Steve Lopez writes Monday, Wednesday and Friday. He can be reached at steve.lopez@latimes.com