

MEDIA EDUCATION FOUNDATION

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Framing An Execution *The Media & Mumia Abu Jamal*

Transcript

INTRODUCTION

DANNY GLOVER: The case of Mumia Abu Jamal a Philadelphia journalist convicted and sentenced to death in 1981 for the murder of police officer Daniel Faulkner has been at the center of unprecedented public concern in the last few years. Many people believe that the trial, which led to his conviction, and death sentence, was deeply unfair and that a new trial is needed to fairly assess Jamal's guilt or innocence. This call for a re-trial has been the centerpiece of many marches and demonstrations in the United States and around the world. At the same time the largest police organization in the country, the Fraternal Order of police, has launched a vigorous campaign to have Mumia's conviction and death sentence carried out as quickly as possible.

(Media clip-Back ground yelling...
Shoot him up, shoot him up! Hang him high! Murderer!)

DANNY GLOVER: Until recently the mainstream media has not paid much attention to this case but in the last few years a number of media outlets, such as Vanity Fair, Time Magazine, and ABC News has given it some attention. In this program we're going to examine the way the mainstream media have chosen to tell the story of this controversial case. And, we're going to ask important questions about the responsibility that journalists have when it comes to issues of life and death. The controversy surrounding the case is based on the events of December 9th 1981 when Mumia Abu Jamal, a radio journalist well known to the police because of his sharp criticism of them and their dealing with the black community was working as a cab driver. He was parked on the streets of Philadelphia in the early hours when officer Faulkner pulled over a car driven by Jamal's brother, William Cook. There's widespread agreement that there was a physical altercation between the two, that Jamal ran toward them, and that he had with him a licensed .38 revolver. A number of shots were fired, at the end of which Jamal lay seriously injured with a chest wound, and officer Faulkner was dead. Shot twice in the back and the face. But after that everything is disputed

between the prosecution and the defense in terms of who did the shooting and the surrounding circumstances. The issue is: What is the responsibility of the news media and journalists when it comes to controversial cases such as this?

JANINE JACKSON: If you're gonna cover something that's very controversial, that there's been a lot of debate about, and particularly in this case, of Mumia Abu Jamal if you're talking about a trial where you have very clearly two sides laid out as it were to a story, if you're gonna go for that kind of story then I think you have a special burden as a journalist to be fair minded. In other words to present, how would a reasonable person come to accept this perspective?

DANNY GLOVER: Because of the large audience that it commands, over 9 million people a week, we are going to pay particular attention to the way that the ABC program 20/20 covered this case.

CHAPTER 1: FRAMING THE STORY & TAKING SIDES

SAM DONALDSON (*the reporter covering a story about Maureen Faulker*): *Is this man a cold-blooded killer? OR, America's last political prisoner. The compelling story of Hollywood's unlikely hero*

TOM GARDNER: Instead of a dispassionate investigation into the facts that were promised, we see the story framed right at the top in the most dramatic terms as a widow's quest for justice.

SAM DONALDSON: *On a cold December day in 1981 Maureen Faulkner buried her husband, officer Daniel Faulkner. But for seventeen years there has been no closure because of the voice that won't go away.*

MAUREEN FAULKER: (*news interview*) *I was driving to work one day, and all the sudden I heard this voice, this haunting voice. (Radio clip...inaudible...the election is yours...) And, I could not believe it was Jamal on the radio doing this commentary. I began to shake, because I was so upset.*

SAM DONALDSON: *Since that day a few years ago Maureen Faulkner has waged a crusade against the Free Mumia campaign.*

TOM GARDNER: Now there's no doubt that Mrs. Faulkner deserves our sympathy, as would anyone losing a loved one, including Mumia's family. But what we want to consider here is her critical role in this story as a rhetorical device. It's important to understand why she's portrayed here as part heroine and part damsel in distress. It may be because she's a far more sympathetic character than the Fraternal Order of Police for instance, the organization which

is the real power behind the national campaign to execute Mumia. Now to make a good fairy tale of course, with reporter Donaldson gallantly coming to the widow's aid, we must have a villain set against her cause. And in this case, the person who's cast in that role is the lawyer then handling Mumia's appeal, civil rights attorney Leonard Weinglass. To hear from people on both sides of an issue is basic journalism. But what's unusual in this case, is that Maureen Faulkner as spokesperson for one side is given the privilege of characterizing the other side, without being challenged.

MAUREEN FAULKNER: *Leonard Weinglass is a liar.*

SAM DONALDSON: *Maureen Faulkner is the slain officer's widow. (to Maureen) Have you looked over the evidence that Leonard Weinglass says would prove that Jamal was innocent?*

MAUREEN FAULKNER: *Yes I have.*

SAM DONALDSON: *There's no substance to it?*

MAUREEN FAULKNER: *No, he has duped the world into believing that this man is a political prisoner and is innocent of the crime charged when that is not the case.*

JANINE JACKSON: There's this presentation of this as kind of a David and Goliath story in which the prosecution people who support the death penalty for Mumia, believe he killed Daniel Faulkner, these people are a small band of people who are fighting this more powerful and larger force.

SAM DONALDSON: *You're up against a very impressive number of people.*

MAUREEN FAULKNER: *I know. I am. But I believe that I have the truth on my side. Mumia is nothing but a cold-blooded murderer*

TOM GARDNER: It's very revealing that it's fully five minutes into a twenty minute program before anyone who represents Mumia, his lawyer, is allowed to speak. And when Leonard Weinglass does speak, Sam Donaldson is very confrontational in his questioning. Interrupting him constantly. And the editing techniques that are used are designed to make it appear that he's being evasive and squirming under Donaldson's relentless pursuit of the truth.

SAM DONALDSON: *The police say, that that slug has the lands and grooves consistent with being a .38 slug. It does, but if it's a .38, then your contention that it's a .44 is wrong.*

LEONARD WEINGLASS: *Well, I think that issue is very much something that should be played out in front of a jury.*

SAM DONALDSON: *But it has already been played out in front of a judge.*

DANNY GLOVER: The other major device that sets the context for the report is the idea that Mumia is Hollywood's unlikely hero. And that although a number of liberal celebrities have taken up the case they don't really know the facts, and are about to be surprised by 20/20's tough investigative reporting.

20/20 REPORTER: So why have some of the most recognized names in entertainment and politics taken up his cause?

DIANE KEATON: What is it about this case? He has generated international fervor, support from all kinds of celebrities and politicians. Do they know the whole story? Are they in for a surprise?

20/20 REPORTER: Well Diane they could be.

JANINE JACKSON: So when ABC 20/20 made the decision that this was not going to be a story about a trial, a highly problematic trial that quite possibly represents a violation of justice. Instead the story was going to be framed as a cause celeb. Hollywood's unlikeliest hero. A Hollywood story. That is a signal then also to other journalists, to other media outlets that this is the category of story this is. This is a story about a person who has incited a lot of passions among activists and particularly African American's and there's a lot of emotion. It's an emotional story. Right away that sends journalists the signal that it's not really a legal story, it's not really a serious story, it's really a story about the Hollywood left.

DANNY GLOVER: There are a number of ways to approach this case. One way could be to see how supporters of Mumia's trial frame the issue. That they are not sure if Mumia is guilty or innocent, but that the trial he received in 1981 was patently unfair and that a new trial is necessary for justice to be served. So there could be a series of questions asked about the fairness of his original trial. Or you could ignore the issue of the fairness of the trial, and concentrate instead on asking whether Mumia is guilty or innocent of the crime. In a controversial case such as this a responsible journalist might give equal time to each of these issues. What does Sam Donaldson do? He ignores the issue of the fairness of the trial, and adopts instead the prosecution case. In fact, he actually allows the very same prosecutor of the case, to define the story with his version of highly disputed facts.

CHAPTER 2: THE EYEWITNESSES

DANNY GLOVER: What you have, is eyewitness testimony, not one, but three. You have a weapon, clear and later at a hospital he blurts out what he did in an arrogant way. It is clear that 20/20 has accepted the prosecution's overall frame as a way to approach this case. But within this, there's still a lot of room to make sure that both sides of the argument about what happened that December night in 1981 are presented fairly. On the question of witnesses, for example, the prosecution and the defense present very different arguments. The prosecution rests its case on three witnesses, who they claim, all saw Mumia shoot Officer Faulkner. In contrast, the defense presents five other witnesses, who saw something different. Moreover, the defense claims that at least two of these witnesses were coerced by the police to change their stories. Additionally, the defense claims that at least two of the witnesses on the prosecution side may have also been threatened to tell an untrue story that implicated Mumia. So, how does 20/20 treat these two very different ways of framing eyewitnesses?

SAM DONALDSON: *Three eyewitnesses, one stopped in that intersection, one standing on a corner there, and one sitting in a cab here right behind the squad car all say they saw Jamal run from across the street and shoot the officer in the back. As the officer spun round, he grabbed his revolver and as he fell to the sidewalk, fired a shot that wounded Jamal in the chest. It was then that Jamal, according to the witnesses, executed Officer Faulkner.*

DANNY GLOVER: Nothing more was said about the prosecution witnesses, other than they all saw Mumia, and Donaldson's words, "execute officer Faulkner." Is this true?

JANINE JACKSON: There are lots of stories in which you could accuse journalists of being sloppy, of leaving out certain facts, or of not perhaps including every source that they might have, this case of 20/20 and Mumia Abu Jamal is not that. This is an instance in which direct lies are made; you know statements, which are simply not statements of fact. All three eyewitnesses say they saw the same thing. That's simply not true.

DANNY GLOVER: Given that only one witness, Cynthia White, claims to have actually seen the entire incident, including Mumia shooting Officer Faulkner, a good journalistic question would have been, does this witness have any motivation to tell something other than the truth?

LEONARD WEINGLASS: Well they actually had only one witness who said that she saw everything from start to finish and that Mumia shot the officer first. Of course that's Cynthia White, and she has 38 prior arrests and three pending cases. We found out that the three pending cases were never prosecuted. We

found out that in 1987, five years later, when Cynthia White was arrested she was released on bail for a serious charge, never returned to court, never was re-arrested on a warrant, we found out that her boyfriend who was also her pimp, when he was arrested, he was released at her request as well. I think all of the subsequent events demonstrate that the DA, I think, misrepresented to the court that a deal was made.

DANNY GLOVER: Veronica Jones another prostitute on the street that night and defense witnesses, has testified that she was offered the same immunity deal for her false testimony that Cynthia White received from the police.

VERONICA JONES: All I had to do was name Mr. Jamal as the shooter. That's all I had to do. And they kept specifying that I would get the same deal as Cynthia White, we call her Lucky, I would get the same deal as she got.

DANNY GLOVER: If it does not do a very thorough job at examining the witnesses on the prosecution side, does 20/20 have a similar standard for the witnesses on the defense side?

SAM DONALDSON: *Then there are the defense eyewitnesses. Leonard Weinglass says four people saw the real killer running from the scene. But his number one witness, William Singleterry, waited more than a decade before testifying to a story so bizarre even Weinglass has trouble defending it.*

SAM DONALDSON: *(to Weinglass) He said the shooter emerged from the Volkswagen yelling and screaming, shot Officer Faulkner in the head and ran away. Whereupon, according to Singleterry, Abu Jamal approached the scene and said, "Oh my God, we don't need this." Bent over Faulkner who was then shot between the eyes and asked, "Is there anything I can do to help you?" Whereupon, according to Singleterry, Faulkner's gun which was in Faulkner's lap, miraculously discharged, hitting Jamal in the chest. Now that, that's incredible.*

LEONARD WEINGLASS: *He might be wrong on some of his timing, there's no doubt about that.*

SAM DONALDSON: *Timing? He's telling a story here which clearly from the forensic evidence, couldn't have happened.*

LEONARD WEINGLASS: *This is my point. The jury should have heard from Singleterry.*

SAM DONALDSON: *Witness number two was a cab driver parked here, in plain view of the murder.*

LEONARD WEINGLASS: *As the police arrive, he told one of the officers, I believe a Captain, "The guy ran away." Those were his first words.*

SAM DONALDSON: *But the report from which Weinglass quotes goes on to say, the shooter didn't get far, and that he fell. And Weinglass's third witness, high up in a hotel room one block away actually insisted that police were already on the scene when she looked out her window. And, (to Weinglass) She did not testify that she saw someone running away, simply that she saw someone running.*

LEONARD WEINGLASS: *Yes, which was different slightly than the statement she gave the police.*

SAM DONALDSON: *Defense witness number four was a prostitute standing on this corner, two blocks away, who after fourteen years silent, claims she saw two men jogging from the scene. She also admits to being in drug lingo, "half a nickel bag high."*

20/20 REPORTER: *Now where was she, she was really far, she was, I mean really it's actually two streets. So I'd say it's beyond a football field.*

SAM DONALDSON: *You mean she's as far away as our camera?*

20/20 REPORTER: *I can't even see the camera*

SAM DONALDSON: *In contrast, prosecutor Joe McGill's three key witnesses were all within fifty feet of the shooting. And they gave essentially the same statement to three different police officers within thirty minutes of the murder.*

DANNY GLOVER: The questions that Donaldson poses may be fair questions, but they are presented in a hostile way that seeks to totally discredit the witnesses. Here's Leonard Weinglass presenting the defense version of these same witnesses.

LEONARD WEINGLASS: In terms of what happened that night and who was the shooter, there were five witnesses who reported to the police that night or shortly thereafter, that someone ran away. They all have that person running, or persons, from the same side of the street in the same direction. Either five people who were not together and didn't know each other who were in different parts of the street were hallucinating about the same event, or the shooter did in fact the shooter run away.

DANNY GLOVER: Now one of the things 20/20 could have done was to actually go and interview these witnesses. They're not difficult to find. In fact John

Edginton, who produced a film on the case did precisely that and talked directly to a number of them. Here's a segment of his interview with William Singleterry, a local businessman and Vietnam veteran.

WILLIAM SINGLETARY: The police officer stopped the car, jumped out, the gentlemen in the Volkswagen met him, they had a brief confrontation. The cop had the guy go against the wall. As he went against the wall there was back and forth verbal, talk back and forth back and forth, and a guy was in the car, a passenger, he jumped out, hollered some obscenities. And the police officer turned to say to him, get back in the car or something, and the guy pulled a handgun, and when he reached in his pocket for a handgun, I just went behind the little thing there, the subway, to get cover more just cause I figured it was a gun, and I heard a popping sound, I ducked, saw the cop turn around, then I saw the guy point the gun directly at the cops face. And then I saw the fire from the barrel hit the cop directly in the face. The guy turned around, looked at me, and then he turned the other way placed the gun in the Volkswagen, took off running east on Local Street. And another person appeared and he asked me who was the guy driving the Volkswagen and I said he took off running down the street. He says what happened there, I said a police officer got shot, he said, "Oh my God we don't need this." And he walked toward the police officer with his hands up in the air and as he leaned over to ask the cop, he says, "may I, is there anything I can do?" And the cop's gun discharged, hits him in the chest, knocks him against the Volkswagen.

DANNY GLOVER: Another key defense witness that John Edginton spoke to was Veronica Jones.

VERONICA JONES: I happened to be at the corner of Twelfth and Locust and I heard a gunshot. I was standing there talking and heard a gunshot. I looked around the corner, and to my left angle, I saw a white male fall, a white person fall, I didn't know if it was male or female. And I seen, two black males jogging away from the scene. That's what I saw.

DANNY GLOVER: What is significant is that neither William Singleterry nor Veronica Jones gave this testimony at the trial. A result they both say, of police intimidation. Here's William Singleterry describing his experience that night, at the hands of the Philadelphia police.

WILLIAM SINGLETERRY: I remember clearly what I wrote. Exactly what I told you is what I saw. I wrote it and, they said it wasn't good enough, it wasn't correct, they destroyed it. And I wrote it again. I did this over repeatedly four times I did this. It was like two or three pages each time. And they were destroyed each time. I was threatened to be beat up, my parents were gonna be harmed, my business was going to be destroyed. Everything I worked for all of

my life was going down the tubes. I was told basically this guy's not worth it, he was the scum of the earth, I don't know why you're taking up for him. You know, we know who did the shootin'. Look, we've got this guy, we're gonna put him away. You're gonna do what we tell you to do, or you won't be no good in this city. I wasn't gonna let them beat me up, but I knew if I hit one of them or something happened I would go to jail for some other charges or something I hadn't done. So when he gave me the offer to write something, I wrote, he told me what to write. He told me word for word that's what I wrote that's what the guy typed on the paper, I signed the paper, two sheets and I left. As I left I felt like a lady would have felt if she was raped. I just felt violated. I knew what I did wasn't right I knew everything that I had stood for was down the tubes, and I felt real bad about it, and I knew this other person was being wrongly falsely accused for something he didn't do, he never know what happened.

LEONARD WEINGLASS: I attach a lot of credibility to his very emotional statement, that when he left the precinct that night, or the following morning that he felt he had been raped. Because here is a man who worked with the police he had a towing business at a gas station. The police were his friends. He doesn't say that, the police who testified said that. That Singleterry had a very good attitude toward the police. That he was friendly to the police. His business depended on it. And yet he was abused and mistreated that night.

TOM GARDNER: So if you were to tell the story with any sense of journalistic fairness, you would allow the defense to point out that rather than three witnesses, the prosecution only has one witness who claims to have seen the entire sequence of events, including Mumia twice shooting Officer Faulkner. And she in fact, had very good reasons to give the police the story they wanted to hear. On the other hand, the defense has five witnesses who say they saw someone running away and one person William Singleterry who says he saw everything. Including the shooter running away. Singleterry also says that the key prosecution witness Cynthia White, could not even see what happened from where she was at the time. And these people have no reason to lie. In fact, coming forward and telling the truth for Veronica Jones was pretty rough on her. As evidenced by her being arrested right off the witness stand, in the appeal hearing on an old bad check mark that she said she'd never even known about. Now that's an astounding display of police intimidation in broad daylight that tells us volumes about what may have been going on with witnesses behind closed doors before the trial. My question as a journalist is, how could you just ignore these witnesses, as they do in the 20/20 story, and call this journalism?

CHAPTER 3: THE BALLISTICS

DANNY GLOVER: The second plank of the prosecutions case is the ballistics evidence. Again the prosecution and defense present two competing stories about this. The prosecution rests its case on trying to prove that the bullet removed from Officer Faulkner's gun was a .38 caliber bullet. The same caliber as Mumia's gun, found at the scene. The defense case rests on a number of points. First, two key tests, whether Mumia's gun was fired that night, and whether Mumia had fired the gun that are routinely collected, were for some reason not done. Second, the police pathologist who removed the bullet from Officer Faulkner's body in his notes described the bullet as a .44 caliber bullet, not a .38 caliber bullet. Third, the police expert at the trial said that he could not match the bullet to Mumia's gun. And four, two fragments of the bullet had gone missing, making it difficult to draw any conclusions from the available ballistics evidence. So how does 20/20 treat the issue of the ballistics?

SAM DONALDSON: *Jamal's supporters say the bullet that killed officer Faulkner was .44 caliber, not a .38 like the gun found at the scene.*

ED ASNER: *The fact that no ballistics tests were done which is pretty stupid.*

SAM DONALDSON: *But ballistics tests were done. And prove the bullet was fired by a .38 caliber revolver. The claim that the bullet was a .44 rests solely on a hasty note scribbled by a pathologist at the autopsy. However, the pathologist later testified that he had no expertise in ballistics that he had only been guessing.*

SAM DONALDSON: *The police say that that slug has the lands and grooves consistent with being a .38 slug.*

LEONARD WEINGLASS: *Uh, it does.*

SAM DONALDSON: *But if it's a .38, then your contention that it's a .44 is wrong. Well, I think that issue is very much something that should be played out in front of a jury. But it has already been played out in front of a judge when three years ago Weinglass's own ballistics expert testified the fatal bullet was a .38.*

LEONARD WEINGLASS: The caliber of the bullet is not central to Mumia's defense. What they didn't say was that when the police expert testified at the trial, he said he could not match that bullet taken from Faulkner's head to Mumia's gun. That was their expert and he said he couldn't do that, because in

his opinion the bullet was too debraided to be matched. So while in the program they're talking about the caliber of the bullet being the same, they are omitting the fact that the police expert said he could not match the bullet to Mumia's gun because of the condition of the bullet.

TOM GARDNER: One of the ground rules that journalists learn early and often is that to be fair you don't quote your sources out of context in a way that makes them seem to say something different than what they intended.

ED ANSER: *The fact that no ballistics tests were done which was pretty stupid.*

TOM GADNER: Now Donaldson knew that Asner here was referring to the two standard tests that for some unexplained reason were not done on the scene that night. First to determine if Mumia's gun had been fired, and second to see if he had fired the gun. And yet by altering the context of the quote, it's framed as though Asner was talking about the later lab tests on the incomplete bullet which he knows very well were done.

SAM DONALDSON: But ballistic tests were done. And prove the bullet was fired by a .38 caliber revolver.

TOM GARDNER: In journalistic terms this kind of out of context manipulation is the equivalent of lying.

DANNY GLOVER: Actor Mike Farrell was interviewed along with Ed Asner by 20/20. He describes how Sam Donaldson used this segment of their talk.

MIKE FARRELL: None of those ballistics tests were done, what he was referring to was the simple, sort of primary ballistics tests, the sniff test, the paraffin test that weren't done. And in, and I jumped in to explain that. But of course they left my explanation out and just used his line, and again, it's a way to set people up, make them look like they don't know what they're talking about.

LEONARD WEINGLASS: Ed Asner was absolutely right. They didn't test the weapon, and they didn't test Mumia's hand. And, there's no explanation for that. They lost a key fragment of the bullet. There's no explanation for that. The pathologist said the bullet he removed was a .44 caliber bullet. There's no explanation for that. Does this ballistics evidence add up to proof of guilt? Or does it add up to reasonable doubt? The ballistics part of the case favors Mumia, very strongly, and yet, in the program, they treated it as if it favored the prosecution.

CHAPTER 4: THE CONFESSION

DANNY GLOVER: These frequencies for broadcasting to television broadcasters for free at no charge. We should actually get something in return. We should get genuine public service. There's a whole list of things I think we should make as conditions for getting a broadcasters license. For example, no political ad's during political campaigns. Make that a condition of a broadcasters license. That wipes out seventy percent of the expense of campaign costs right there. I would eliminate any advertising to children under twelve, which is the law in Sweden. It's the law in Greece; it soon may be the law in all of Europe. Maybe you could consider taking all of the advertising off of television news altogether and putting it in the hands of journalists somehow basically. The third part of disagreement between the prosecution and the defense is based upon Mumia having apparently confessed to the killing on the night in question. The prosecution claims that at least three people heard Mumia confess to the killing of Officer Faulkner in the hospital. These people are Officer Faulkner's partner, officer Gary Bell, Officer Gary Walkshaw, and hospital security Guard Priscilla Duro. The defense contends that these confessions are fabricated by the prosecution because it was fully two months after the event before anyone remembers that Mumia supposedly confessed. That Officer Gary Walkshaw actually wrote in his report that night that Mumia made no comment and that the attending physician reported that Mumia said nothing. So how does 20/20 present these contrasting views of the confession?

SAM DONALDSON: *Yes, Jamal had even confessed at the hospital according to the slain officer's partner, Gary Bell.*

GARY BELL: *We made eye contact, and just he shouted out, that I shot the M-F-er I hope he dies.*

ED ASNER: *And later at a hospital he blurts out what he did in an arrogant way.*

SAM DONALDSON: *Weinglass challenges the report of Jamal's hospital confession.*

LEONARD WEINGLASS: *And that testimony was produced by the officer's partner plus a security guard who wanted to be a police officer. More than two months later they remembered that Mumia said that.*

SAM DONALDSON: *It is a fact that the confession surfaced only after two months and that one officer present originally reported, the Negro male made no comment. But hospital security guard Priscilla Duro told the jury that she reported it to a supervisor the next day and another security guard James LaGrand says*

he too heard the confession. The slain officer's partner Gary Bell says the shock of the shooting suppressed his memory.

GARY BELL: *I searched my soul, I've beaten myself up wondering how I could not have gone at a sooner date, immediately even, and report what I had heard.*

SAM DONALDSON: *Finally, if there was a plot to fabricate a confession, then it had to include at least the eight people reporting and investigating it. And idea rejected by two separate appeals courts in the last three years.*

TOM GARDNER: 20/20 treats this fantastical confession as fact. Officer Bell gets to repeat his statement twice, and then is given a chance to explain why it took him two months to remember that someone confessed to his partners murder on the night of the crime.

MIKE FARRELL: I'm sorry. A police officer, two police officer's heard this man confess and didn't think it was significant enough to mention it to anybody? The security guard didn't mention it for two months because she said she didn't think the police would think it was important? Any audience, the American audience that watches The Practice would say, Boo! What? What are you telling me these guys are making this crap up! And they're trying to tying to rig this trial. Well of course if the intention of 20/20 is to paint Mumia Abu Jamal and his supporters as a bunch of crazed left wing murderers and apologists they're not going to ask the question that way. If on the other hand, they want to get to the truth, that's of course the question they're gonna ask.

LEONARD WEINGLASS: It's hard to believe that with Mumia allegedly confessing to having shot Officer Faulkner in the hospital, Officer Faulkner's partner Officer Bell did not report that confession which he claimed he heard for sixty-three days. That is just an unbelievable set of circumstances.

TOM GARDNER: The defenses' contention that Mumia said nothing that night is also confirmed by the doctor who attended him. You know it's curious that this doctor somehow doesn't turn up in 20/20's in depth four-month investigation.

DR. ANTHONY COLETTA: I was with Jamal within a moment or two of him going into the emergency room throughout the entire time in the emergency room and on into the intensive care unit and he neither made any confessions to me nor did he say anything that would be even remote in the way of a confession to any other individuals once I was in his presence.

MIKE FARRELL: The bumper before they came back for one segment said could a police officer have forgotten a confession?

REPORTER: *Could a police officer forget a murder confession?*

MIKE FARRELL: And I wrote them and I said, you know, it was interesting that you hyped that segment that way but wouldn't it have been a little more honest to say could two police officers have forgotten a confession and only remembered it two months after the fact when it was to their benefit to do so? You know, it is just, you get used to cheap tricks in my business, you get used to people without integrity but I think the most hurtful piece of it is when people using cheap tricks and demonstrating their lack of integrity pose as journalists.

CHAPTER 5: OUTSIDE THE FRAME

DANNY GLOVER: The idea of framing has a couple of different meanings. The one that most people know is when it is used in the context of criminal cases to falsely set someone up to look as though they are guilty. And some people have argued that's a pretty good way of describing 20/20's behavior with regard to the Mumia Abu Jamal case. The other idea of framing comes from the world of photography or filmmaking where we can talk about how a scene is framed by the camera so that what is inside the frame appears in a particular way. At the same time, there are things left out of the frame, which if they were inside, would change the meaning of what is being shown. We've seen how 20/20 adopts the prosecution's view to set up how the story is told. But this requires excluding from the frame the defense's contention that the original trial was unfair. As soon as it is included within the frame then a whole series of other questions and issues have to be addressed. For example the contention by the defense that the judge Albert Sabel was inappropriate for a case of this kind was heavily predisposed toward the prosecution and made a number of unusual decisions against the defense. The judge refused to allow Mumia to represent himself and forced him to be represented by a lawyer who was both reluctant and ill prepared. The defense was not given sufficient funds to gather all the necessary evidence including expert testimony that African-Americans were unfairly excluded from the jury in a city where African-Americans make up forty percent of the population, they made up only fourteen percent of the jury. That inflammatory political comments attributed to Mumia when he was a teenager were used by the prosecution to persuade the jury to deliver a death sentence on him. Because of these irregularities, Amnesty International has concluded that numerous aspects of this case clearly fail to meet minimal international standards safeguarding the fairness of legal proceedings and believes that the interest of justice would best be served by the granting of a new trial to Mumia Abu Jamal.

MIKE FARRELL: I don't know if Mumia Abu Jamal is guilty or innocent. I don't know what happened on that night in Philadelphia. And very few people do in fact. You know there is a theory that the prosecution crafted which they claimed

to have proven in court. But more importantly if you look at the political context, the tone of the time in Philadelphia, at that period before and after you understand the context of this trial.

TOM GARDNER: Looking at the way 20/20 frames the issue of the trial is very telling. Here is the central issue that has motivated millions of people on this case. That 20/20 devotes less than a minute out of a twenty-minute story to the idea that the trial was unfair. And then only in a most general way. Ed Asner and Mike Farrel are not allowed to give any details. Remember Donaldson is trying to portray them as know nothing dupe celebrities so they have to be cut off if they start to sound knowledgeable.

ED ASNER: *I just know that the trial stunk. And the police malfeasance is sufficient, witness flip-flopping all over the place is sufficient.*

SAM DONALDSON: *Ed Asner and Mike Farrel are just two of many Hollywood actors who believe the police the prosecution and the judge Albert Sabel stacked the trial against Jamal.*

TOM GARDNER: And then this is really bizarre, Donaldson says the problem with the trial was not that it was unfair, but that Mumia was unfair to the trial.

SAM DONALDSON: *For four angry weeks Abu Jamal disrupted the courtroom, humiliated his own chosen attorney, insulted the jury, and threatened the judge with violence.*

TOM GARDNER: Another way in which the supporters of a new trial are discredited to 20/20's audience is by inferring that they are almost like a religious cult. In fact Donaldson actually uses the word disciple at one time to describe them.

CROWD: *Mumia! Mumia!*

SAM DONALDSON: *To his most zealous disciples, Mumia Abu Jamal is a prophet. To call him a murderer is sacrilege.*

SINGING: How long shall they kill our prophets while we stand aside and look...

ACTIVIST: *People are not just going to sit back and let another Malcolm X be murdered, and another Martin Luther King. Just like Jesus Christ they were all freedom fighters, and they were all killed by this government.*

MIKE FARREL: The job of 20/20 was deemed to be to paint the devil, Mumia Abu Jamal as the devil, and those of us who have fallen under his spell as being at least dupes, and at worst sort of co-conspirators with the devil.

DANNY GLOVER: There's a lot left out of the 20/20 story. But perhaps the biggest omission is not to even name the organization that is leading the call for Mumia's execution, the Fraternal Order of Police. The largest police organization in the country. Maureen Faulkner did suffer a great loss and our sympathies should go out to her. But she is not waging this campaign alone.

CROWD: *Yelling...*

ACTIVIST: *This man assassinated a police officer in Philadelphia and people such as Whoopie Goldberg, Ed Asner, Mike Farrel, Ozzie Davis, you have some politicians who are sponsoring this benefit for a cop-killer.*

TOM GARDNER: This is possibly the biggest campaign in this nations history to execute someone. And it's being lead by police. Was 20/20 unaware of the FOP's role in the campaign to execute Mumia? Not hardly. I'm afraid neither ignorance nor sloppy reporting can really explain 20/20's bias in this story. In fact if you want the smoking gun or perhaps the smoking pen that show's ABC knew exactly what they were doing and from who's perspective they were going to tell the story you just have to look at the letter that they wrote to Pennsylvania prison authorities when they were trying to get an interview with Mumia. They said explicitly that they were working with Maureen Faulkner and the Fraternal Order of Police. So this was never really journalism to start with. It was an exercise in persuasion, in rhetoric, really unadulterated propaganda masquerading as journalism.

JANINE JACKSON: It really should be studied by journalism students I think to show how can you take a serious story which would allow serious investigation and could perhaps raise some really provocative questions about policy about criminal justice policy about prisons, and instead make a mockery of it.

CHAPTER 6: WHY THE RUSH TO EXECUTION?

DANNY GLOVER: One of the main questions that arises out of all of this is why is there such a strong desire on the part of the mainstream media, as well as the justice system in general to make sure that Mumia does not get a new trial. Clearly there are some broader factors at work here.

JOHN BRACEY: I think the purpose of the 20/20 video was in fact to establish the official you know establish the American liberal line on which this particular

case is all about and I think that's necessary for two reasons, one is to head off those usually neutral American's who don't like injustice but who are not moved to do much about it unless there's something particularly egregious and to keep them out of the support network and to have them say, well, you may be concerned about this but this is not a person worthy of your concern.

DANNY GLOVER: Mumia Abu Jamal is not the first case where large international movement has been created around a prisoner. Angela Davis, now professor at the University of California-Santa Cruz produced a similar reaction in 1970 when she was arrested and subsequently cleared on conspiracy charges.

ANGELA DAVID: Well I think that precisely because his case brings together so many issues and potentially there is a huge terrain on which support can be developed. Potentially those who would speak out against the death penalty and we do see a growing movement against the death penalty. Not only are they a potential force of support for Mumia, but they can be radicalized. In California two years ago, the International Shoreman's Union shut down the docks from Canada to Mexico on the day that was designated a day of solidarity with Mumia Abu Jamal. And when I looked in the newspapers I could find no indication at all that this major event had occurred. We can say that there has been a concerted effort on the part of the established media to prevent people from understanding the case of Mumia to prevent people from becoming aware of the sort of major moments of support for him that of course might have the effect of drawing ever-larger numbers of people into his campaign.

JOHN BRACEY: I'll tell you one thing that the society has learned since the 1960's is that you don't know where a movement will start. And the notion of everyday working class people in Montgomery Alabama starting a national movement based on sitting in the back and moving to the front of a bus is ridiculous if you think about it. They didn't even ask to integrate the bus. All they wanted was to be able, if there were vacant seats to move in from the back over into the white section. Next thing you know you have a nation-wide movement with hundreds of thousands of people you know rocking the society to the foundations. And so, Mumia may be one person, right, but who's gonna take the chance. Rosa Parks was one person and look what happened with that. You know. So now what you get is, if it looks like a spark throw enough water on it right away so that it'll go out. And I think that the overwhelming and clearly way excessive response to the Mumia case on the part of the establishment is that this might be a spark and they're not taking any chances.

DANNY GLOVER: The case of Mumia Abu Jamal will reach some kind of conclusion soon as the appeals process works its way through the courts. And in fact, Mumia has recently broken his twenty-year silence on the events of that night to re-iterate his innocence. American's do not like injustice. But they depend

on the news media for their information about what constitutes injustice. It's crucial then to hold the media accountable for the stories they tell about matters of vital public interest. In the end, Mumia Abu Jamal's life or death will literally depend on it. And when the state takes a life, we are all implicated.

[END]