

25. Later Poppi talked about a plan to kill Faulkner. He told me that he was armed on that night and participated in the shooting. He was connected and knew all kinds of people. I used to ask him about it but he talked but never said much. He wasn't a talker. I didn't see Poppi for a while after that.

26. Poppi had been in Germany in the army. That night he was wearing his green army jacket. You know just a regulation army jacket. The jacket he always wore, He had been discharged. I don't know for what.

27. I got out. I wanted to run maybe I could have gotten away. I even started to run. I did. But I couldn't run because of my brother. Not after I saw my brother down on the ground.

28. I spoke to him. I told him, "I'm here for you." I don't remember his answering, but I remember his groan.

29. I saw a gun on the street. It was in the gutter. I kicked it under my car. Before the cops came.

30. If they asked me something, I don't remember. I didn't answer them anything. I sure don't remember them reading me my rights. I knew Shoemaker. He used to stop by my stand and sit there and smoke weed. His wife used come to my stand with him.

31. I think they took me away before they took Mumia or the cop. I remember them pushing me. But I can't remember whether I was in a paddy wagon or a squad car or whether I was sitting up or not. My mind was just not to talk.

32. When they had me in the police station they threatened to kill me and throw me in the river.

33. I have been afraid for my life since that night. I have been afraid to tell anything about what happened. Wouldn't you be?

34. They took me in a room. There were two officers black and white. I was saying things to give them something to chew on.

35. I finally came to my senses. I didn't like the whole idea of making a statement. They wanted me to sign a statement but I just wouldn't do it, I told them I wanted to see my lawyer. I didn't like it. So I just wouldn't sign.

36. I think I was in jail a day or two then they let me out on bail.

37. I had been living in center city, but I couldn't stay there after it happened, I got help and moved out of my apartment in the middle of the night. And moved back in with my Mother.

38. I remember Jackson coming to my house several times. My Mother and sister were there. I don't remember him ever interviewing me. I just

remember him trying to calm us.

39. I don't remember meeting with him anywhere else except at my Mother's house. He never asked me to testify. Alva advised me not to testify. My lawyer implied to me that if I came to court I would also be charged with murder. I had to pay him \$1,000.

40. Alva was Freeman's lawyer too

41. If they (Jackson) had said they wanted me to testify I would have done it but they never did.

42. At PCRA, I was expecting to testify. Leonard and Rachel were giving me cross signals, Rachel wanted me to testify but Leonard didn't. So I didn't testify. In 1999, I was asked to testify again and I said I would.

43. I will testify now.

44. Mumia was not holding a gun. Mumia never intervened in anything between me and the cop.

45. I had nothing to do with the shooting or killing of the police officer. My brother Mumia Abu-Jamal, had nothing to do with shooting or killing the policeman.

I declare under penalty of perjury, under the laws of the State of Pennsylvania and the laws of the United States of America, that the above is true and correct and was executed by me on 4-29-01 at Philadelphia, Pennsylvania.

—WILLIAM COOK

## MUMIA ABU-JAMAL

is an innocent man who has been on death row for over 20 years. He is a respected and award-winning journalist and was president of the Philadelphia Association of Black Journalists in 1981.

His reporting of police brutality and eloquent exposure of injustice in the U. S. are why he is known as the "voice of the voiceless." In 1981, Mumia came upon a murder scene of a Philadelphia Police

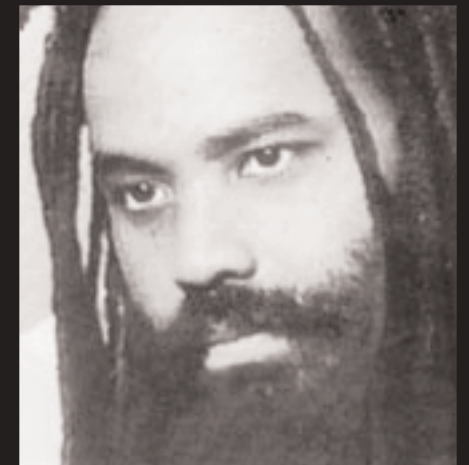
Officer. Afterward, he was falsely accused of killing this officer.

Another man has come forward and confessed to the killing. This confession has been ignored by the courts.

**Mumia is still on death row.**

Mumia never received a fair trial.

He must be freed.



IT IS TIME TO  
INTENSIFY  
OUR EFFORTS TO  
FREE  
MUMIA  
ABU-JAMAL

FOR INFO AND UPDATES CHECK THE CCFMAJ WEBSITE:  
[www.chicagofreemumia.org](http://www.chicagofreemumia.org)

Mumia Abu-Jamal with his son, Mazi.



### CHICAGO COMMITTEE TO FREE MUMIA ABU-JAMAL

Phone: 773/381-6507 • Email: [organizers@chicagofreemumia.org](mailto:organizers@chicagofreemumia.org)

Website: [www.chicagofreemumia.org](http://www.chicagofreemumia.org)

Mailing Address: 2421 W. Pratt, Box 112, Chicago, IL 60645

**current situation:** Those who've clamored for Mumia's execution for 20 years made their first concession in December 2001. A federal judge overturned Mumia's death sentence. BUT, the conviction stands and the judge ignored all evidence of Mumia's innocence. Because the prosecution is appealing the December decision, **Mumia remains on death row**. Currently, the federal proceedings are on hold until Mumia's new appeal in state court is decided upon (His attorneys are asking the Pennsylvania Supreme Court for new hearings on evidence of Mumia's innocence). Unless we can force the courts to hear the evidence, he faces life in prison or a new death sentence for a crime he did not commit.

■ **MUMIA IS INNOCENT:** In their declarations, both Mumia and his brother, William Cook, tell what happened in the early morning hours of December 9, 1981. *See pages 3 & 7*

■ **ARNOLD BEVERLY HAS CONFESSED:** Arnold R. Beverly says that he killed the police Officer Faulkner. The defense asked Judge Yohn for permission to take a deposition of Beverly when they filed his statement. Judge Yohn refused to allow this and ignored this confession saying that it was "too late." *See page 4*

■ **LIE DETECTOR TEST CORROBORATES CONFESSION:** Noted polygraph expert Charles R. Honts, Ph.D. reported in his affidavit that Arnold Beverly confessed to him and submitted himself to a polygraph examination and audio taping of the session. Honts concluded that Arnold Beverly was telling the truth when he said Mumia was innocent. *See online: www.chicagofreemumia.org*

■ **JUDGE SABO MADE RACIST COMMENTS ABOUT MUMIA:** Concrete proof that Mumia never had a fair trial has surfaced with the declaration of Terri Maurer-Carter, a court reporter who heard the original trial judge make racist comments at the time of the trial in 1982 and his intention of helping convict Mumia. *See page 5*

■ **NEW WITNESS SAYS KEY PROSECUTION WITNESS LIED:** Yvette Williams has come forward saying Cynthia White, the prosecution's key witness, told her that she lied in court because of police pressure and threats. *See page 5*

■ **RAMPANT POLICE CORRUPTION:** In his affidavit, informant Donald Hersing, who worked for the FBI (81-'82) describes precisely the kind of corruption among Philly police that Beverly says he was acting to protect. His description provides a context for a Philadelphia reality of police corruption. This is the same police department investigated and monitored by the U.S. Department of Justice, resulting in 100s of framed people being released. *See online: www.chicagofreemumia.org*

■ **CRIME SCENE UNGUARDED:** In his declaration, Linn Washington, writer for the Philadelphia Tribune, says that only a few hours after the incident, the crime scene was left completely unguarded – in contrast to procedure he had routinely witnessed on his beat as crime reporter. We know about the failure of regular police procedures in this case: no regular tests, bullets "lost," etc. his statement reinforces this picture of a frame-up by police who knew Mumia was not the one who shot Faulkner. *See online: www.chicagofreemumia.org*

**what can you do to help free Mumia? get involved:** Hand out information; Plan teach-ins at schools, community centers, and union halls. Ask your organization to make support statements; Put pressure on local media to show the Arnold Beverly video confession; Participate in and plan actions for Mumia. Help organize to free Mumia at CCFMAJ's monthly meetings.

**write the governor of Pennsylvania:** Demand that he: 1) Refuse to sign a death warrant. 2) Do an independent investigation of Mumia's case. 3) Unconditionally free Mumia because of innocence. Governor Mark Schweiker, 225 Main Capitol, Harrisburg, PA 17120.

**send legal defense fund donations:** Write checks out to "SEE MUMIA FREE" (in all caps). Mail to SEE (Social & Environmental Entrepreneurs), 20178 Rockport Way, Malibu, CA 90265. If you want to know more about SEE go to [www.saveourplanet.org](http://www.saveourplanet.org).

**for more detailed information contact:** Chicago Committee to Free Mumia Abu-Jamal (CCFMAJ) phone: 773/381-6507 • email: [organizers@chicagofreemumia.org](mailto:organizers@chicagofreemumia.org) • website: [www.chicagofreemumia.org](http://www.chicagofreemumia.org) (website includes updates and flyers & literature to download)

## ■ DECLARATION OF WILLIAM COOK

*I, William Cook, declare:*

1. If called to testify as a witness in this matter I would competently testify to the following from my own personal knowledge:

2. On the night of December 9, 1981 I was with my partner Kenneth Freeman, my friend from childhood.

3. Mumia had stopped by at my stand that night. He would do that periodically. Mumia had been robbed about a week before.

4. I left my gun locked up at my stand that night, but Poppi always carried his gun. It was a 38.

5. I probably was wearing a black knit cap, I had dreads and always tucked them in.

6. We had closed up late at night.

7. Kenny (Poppi) and I had hit a few bars. We were just unwinding. We used to do that all the time after we closed up the vending stand for the night.

8. We were headed along Locust.

9. Poppi had got some beer and gotten back in the car.

10. At Locust at about Juniper I saw flashing lights of a police car. He followed me for about a half a block and I pulled over behind another car in the first empty spot on the south side of Locust.

11. I had wooden bumpers on my car and they were supposed to be metal. I had been stopped for that but he never said anything about that or gave any reason to have stopped me. I never hit him.

12. I had never seen him before. I knew the cops that worked in the district where my stand Locust and 13th is an adjacent district but I didn't ever see him before.

13. I got out my car. Poppi stayed in the car in the passenger

seat. I let him (the cop) know I was not happy.

14. After that we went back and forth verbal confrontation. He pulls out a stick or some kind of object and slaps me in the head three times. By that time he had me on the side of the car, I started bleeding profusely. So I go back to my car to get my paperwork.

15. I never raised my hand to the policeman. I may have gone to block him when he was hitting me. That's all. I am not that stupid. I never hit a cop. He hit me with a flashlight and I was bleeding but then he let me go back in my car.

16. After that I got in the car. I was in the front seat looking in the back seat.

17. There were people on the street. There always were in that area. The bars were supposed to close by two o'clock but the clubs stayed open later. Some until 5 o'clock, They served drinks anyway.

18. I can't say I recall where other people were and I can't describe anyone was, but there were people milling about. I never saw a taxi that they later claimed was there. I don't really know how many people were on the street. But there were always people out there it didn't matter what time. It could be five in the morning and there would be people.

19. When I heard the first shot I was in the drivers seat facing toward the back of the car looking for something in the back seat to give to the cop like an owners card. I am not the organized type and I didn't keep papers in the glove compartment. The back seat had a lot papers and things from the stand, teddy bears, stuffed animals. We sold all that kind of stuff. Like special stuff for the holidays

like on Valentine's day we'd have Valentines and we sold novelty items and artificial flowers.

20. When I had gotten in my car Faulkner was in front of the car by the hood where he had stopped me and frisked me. When I was in the car looking in the back, I heard gun shots and saw sparks but I didn't see him shot. I saw flashes of a gun out of the side of my eye. He was standing in front of the car but I didn't see him shot. I was facing the back of the car.

21. Out of my peripheral vision I knew, I could feel other people around but I can't say where they were. His car was behind mine and the policeman was standing on the street between my car and whatever car was parked in front of me.

22. When I first saw my brother, he was running. He was feet away from me. We hadn't made any plans to meet that night or anything like that and I didn't even realize that he came around that area there to pick up fares. He had nothing in his hands. I heard a shot and I saw him stumble. I didn't see who shot him. He was stumbling forward.

23. It is strange people told me later everything happened in a few seconds but I could never see it that way. It seemed like everything was happening at once, but it took a long time. I have tried over the years but I can't see it as a few seconds. It seems to me as if it was 45 seconds not three.

24. When I was looking in the back seat Poppi was still there and then I looked and Poppi's door was open. He had been in the passenger seat and I don't know which way he had gone. He left the area right after this happened.

threatened Lucky while incarcerated. She was scared when she told me all of this plus she was crying and shaking. Whenever she talked about testifying against Mumia Abu-Jamal, and how the police were making her lie, she was nervous and very excited and I could tell how scared she was from the way she was talking and crying.

8. Lucky told me that what really happened that night was that she was "on the stroll" (looking for and serving customers) in the area of 13th and Locust when Officer Faulkner got shot, but she definitely did not see who did it. She also told me that she had a drug habit and was high on drugs when it happened. She tried to run away after the shooting, but the cops grabbed her and wouldn't let her go. They took her in the car first and told her that she saw Mumia shoot Officer Faulkner.

9. While Lucky and I were locked up in the "hole", the detectives would come to the jail

a lot and get her out to talk to her. When she came back she always had things they wouldn't let us have in there, like cigarettes and candy and even hoagies, syringes and white powders. They would let her out for two (2) hours recreation time during times the women's jail was on lock down for count.

10. I feel like I've almost had a nervous breakdown over keeping quiet about this all these years. I didn't say anything because I was afraid. I was afraid of the police. They're dangerous. They can hurt you and get away with it. I know, I've been trouble with the law and they know me. I'm still afraid of what they could do, but when Mr. Jamal's case was on TV and in "The Daily News", in the middle of December of last year, I couldn't get it out of my mind, I kept thinking that man could die because of all the lies that Lucky told on that witness stand and Mrs. Faulkner would never know the truth.

11. I read in the papers that Mr. Jamal's lawyer was in California, but I didn't have long distance service. When I saw that Mr. Jamal had a lawyer in Philadelphia named J. Michael Farrell, I looked him up in the phone book yellow pages and called his office on December 18 or 19, 2001. I talked to one of Mr. Farrell's assistants and told him I had information about how Cynthia white lied at Mumia's trial. He took my number and told me someone would call me back.

12. Two or three days later, I got a call from Mr. Mike Newman, who told me he was a private investigator for Mumia Abu-Jamal's attorneys. I gave him the same basic information that is in this declaration. He called me back a couple of times with more questions, asking for more details.

13. Before calling attorney Farrell's office on December 18 or 19, 2001, I never had any contact of any kind with any of Mumia Abu-Jamal's attorneys, past or present. Before talking to Mr. Newman, as explained above, I never had any contact with any of the investigators, assistants or other agents of Mumia Abu-Jamal's attorneys. I do not know Mr. Mumia Abu-Jamal. I never met him, spoke to him, or had any contact with him.

14. I have carefully read this declaration before signing it to be sure that it is truthful and accurate.

This declaration is made subject to the penalties provided for in Pa. Cons. Stats. Sec. C.J.S.A. 4904 for unsworn false statements to the authorities.

I declare under penalty of perjury under the law of the United States of America that the foregoing declaration is true and correct and was executed by me on 01-28-02, 2002, at Philadelphia, Pennsylvania.

— YVETTE WILLIAMS

## DECLARATION OF MUMIA ABU-JAMAL

I, *Mumia Abu-Jamal*, declare:

1. I am the Petitioner in this action. If called as a witness I could and would testify to the following from my own personal knowledge:

2. I did not shoot Police Officer Daniel Faulkner. I had nothing to do with the killing of Officer Faulkner. I am innocent.

3. At my trial I was denied the right to defend myself I had no confidence in my court-appointed attorney, who never even asked me what happened the night I was shot and the police officer was killed; and I was excluded from at least half the trial.

4. Since I was denied all my rights at my trial I did not testify. I would not be used to make it look like I had a fair trial.

5. I did not testify in the post-conviction proceedings in 1995 on the advice of my attorney, Leonard Weinglass, who specifically told me not to testify.

6. Now for the first time I have been given an opportunity to tell what happened to me in the early morning hours of December 9, 1981. This is what happened:

7. As a cabbie I often chose 13th and Locust Street because it was a popular club area with a lot of foot traffic.

8. I worked out of United Cab on the night of 12/9/81.

9. I believe I had recently returned from dropping off a fare in West Philly.

10. I was filling out my log when I heard some shouting.

11. I glanced in my rear view mirror and saw a flashing dome light of a police cruiser. This wasn't unusual.

12. I continued to fill out my log/trip sheet when I heard what sounded like gun shots.

13. I looked again into my rear view mirror and saw people running up and down Locust.

14. As I scanned I recognized my brother standing in the street staggering and dizzy.

15. I immediately exited the cab and ran to his scream.

16. As I came across the street I saw a uniformed cop turn toward me gun in hand, saw a flash and went down to my knees.

17. I closed my eyes and sat still trying to breathe.

18. The next thing that I remember I felt myself being kicked, hit and being brought out of a stupor.

19. When I opened my eyes, I saw cops all around me.

20. They were hollering and cursing, grabbing and pulling on me. I felt faint finding it hard to talk.

21. As I looked through this cop crowd all around me, I saw my brother, blood running down his neck and a cop lying on his back on the pavement.

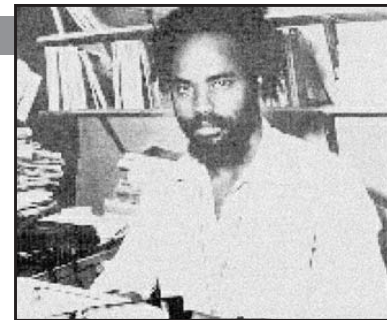
22. I was pulled to my feet and then rammed into a telephone pole beaten where I fell and thrown into a paddy wagon.

23. I think I slept until I heard the door open and a white cop in a white shirt came in cursing and hit me in the forehead.

24. I don't remember what he said much except a lot of "niggers", "black mother-fuckers" and what not.

24. I believe he left and I slept. I don't remember the wagon moving for a while and when it did for sometime.

25. I awoke to hear the driver speaking over the radio about his prisoner.



Mumia Abu-Jamal as a young writer.

26. I was informed by the anonymous crackle on the radio that I was en route to the police administration building a few blocks away.

27. Then, it sounded like "I.D.'d" as "M-I" came on the radio band telling the driver to go to Jefferson Hospital.

28. Upon arrival I was thrown from the wagon to the ground and beaten.

29. I was beaten again at the doors of Jefferson.

30. Because of the blood in my lungs it was difficult to speak, and impossible to holler.

31. I never confessed to anything because I had nothing to confess to.

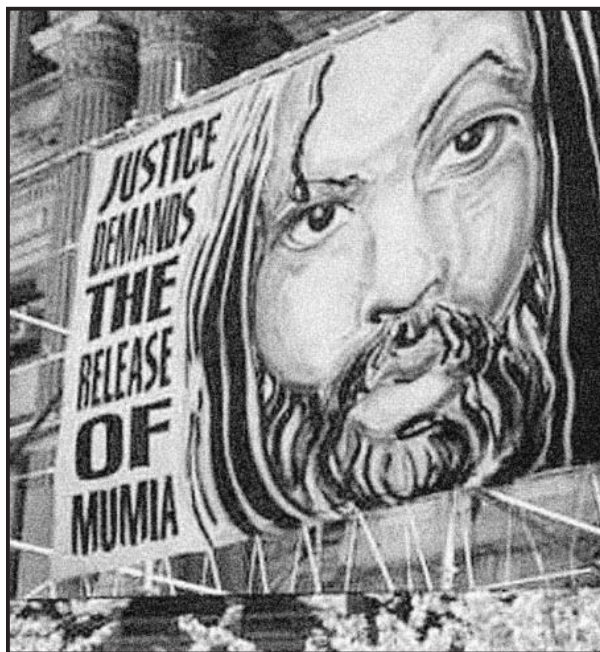
32. I never said I shot the policeman. I did not shoot the policeman.

33. I never said I hoped he died. I would never say something like that.

I declare under penalty of perjury under the laws of the United States that the above is true and correct and was executed by me on 3 May, 2001, at Waynesburg, Pennsylvania.

— MUMIA ABU-JAMAL

*Mumia Abu-Jamal is a journalist published in many periodicals and is author of several books including: "Live From Death Row," "Death Blossoms," and "All Things Censored."*



## STATEMENT OF ARNOLD BEVERLY

*I, Arnold R. Beverly, state that the following facts are true and correct:* I was present when police officer Daniel Faulkner was shot and killed in the early morning hours of December 9, 1981 near the corner of Locust and 13th Streets. I have personal knowledge that Mumia Abu-Jamal did not shoot police officer Faulkner. I was hired, along with another guy, and paid to shoot and kill Faulkner. I had heard that Faulkner was a problem for the mob and corrupt policemen because he interfered with the graft and payoffs made to allow illegal activity including prostitution, gambling, drugs without prosecution in the center city area.

Faulkner was shot in the back and then in the face before Jamal came on the scene. Jamal had nothing to do with the shooting.

Before the shooting, I was shown a picture of Faulkner and told that Faulkner was supposed to check something at Johnny Ds (at 13th and Locust) sometime in the early morning hours of Dec. 9.

Two of us were hired for the shooting so that either of us could take the opportunity to make the hit, get the job done, and leave. The other guy gave me a .38 caliber policeman's special and I was also carrying my own .22 caliber revolver.

I waited at the speedline entrance at the north east of corner of Locust and

13th at the parking lot, I was wearing a green (camouflage) army jacket. The other guy waited on the south side of Locust street east of 13th Street towards Camac Street.

While I was waiting at the speedline entrance for Faulkner to arrive at the location, I saw police officers in the area. Two undercov-



photo by Deidre Griswold. Dec. 8th demonstration and presentation of videotaped confession of Arnold Beverly at 13th and Locust Streets where the incident took place over 20 years ago.

er policemen were standing on the west side of 13th north of Locust. Also a uniformed police officer was sitting in a car in the corner of the parking lot. They were there while the shooting of Faulkner took place. I was not worried about the police being there since I believed that since I was hired by the mob to shoot and kill Faulkner, any police Officers on the scene would be there to help me.

After a while I saw Faulkner get out of a small police car parked behind a VW parked on Locust Street, east of 13th St. Faulkner was alone. He got out of the police car and went up to the VW.

I heard a shot ring out coming from east on Locust Street, Faulkner fell on his knee on the sidewalk next to the VW. I heard another shot and it must have grazed my left shoulder. I felt something hard on my left shoulder. I grabbed at my shoulder and got blood on my hand.

I ran across Locust Street and stood over Faulkner, who had fallen backwards on the sidewalk, I shot Faulkner in the face at close range. Jamal was shot shortly after that by a uniformed police officer who arrived on the scene.

Cop cars came from all directions. Foot patrol also arrived. I saw a white shirt getting out of a car in the middle of the 13th & Locust intersection just as I was going down to the speedline steps.

I left the area underground through the speedline system and by pre-arrangement met a police officer who assisted me when I exited the speedline underground about three blocks away. A car was waiting for me and I left the center city area.

The foregoing is stated subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

— ARNOLD R. BEVERLY

## DECLARATION OF TERRI MAURER-CARTER

*I, Terri Maurer-Carter declare:*

1. From approximately February 1982 through September 1986 and in 1998 I was employed as an official court stenographer in the Court of Common Pleas in and for the County of Philadelphia, First Judicial District of Pennsylvania. In April 1997 I first became a Registered Professional Reporter. Thereafter I obtained a Certificate of Merit. In approximately 1978 I became a Federally Certified Court Reporter. I have "grand

jury clearance." I have received Awards of Excellence from the States of Virginia and Maryland.

2. In 1982, a few months after I started working at the Court of Common Pleas, I was sent to a courtroom different than that I usually worked in because the judge I was assigned to was going to be doing "VOP" (Violation of Probation) and post-verdict motion hearings there that day. I went through the anteroom on my way to that courtroom where Judge Sabo and another person were engaged in conversation.

3. Judge Sabo was discussing the case of Mumia Abu-Jamal. During the course of that conversation, I heard Judge Sabo say, "Yeah, and I m going to help them fry the nigger." There were three people present when Judge Sabo made that remark, including myself.

The foregoing is stated subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and is executed by me on August 21, 2001 at Philadelphia, Pennsylvania.

— TERRI MAURER-CARTER

## DECLARATION OF YVETTE WILLIAMS

*I, Yvette Williams, declare:*

1. If called as a witness in this case I would truthfully and accurately testify to the following from my own personal knowledge.

2. I was in jail with Cynthia White in December of 1981 after Police Officer Daniel Faulkner was shot and killed. Cynthia White told me the police were making her lie and say she saw Mr. Jamal shoot Officer Faulkner when she really did not see who did it. She said she knew Mumia from seeing him drive a cab.

3. I was in jail with Cynthia White and knew she was a prostitute in center city Philadelphia around 13th Street. She used a lot of different names besides "Cynthia White" one of them was "Lucky" which is what I called her. She liked to wear a lot of different wigs. The word on the street was that she was a snitch for the police. Cynthia and I met due to being in jail for not wanting to testify in homicides.

4. In December of 1981, Lucky (Cynthia White) was locked

up in "PC" (protective custody) in the "hole" for women. "G" Rear. I was in jail because the cops thought that I knew something about a homicide — I didn't — but they wanted to get information out of me.

5. Our cells were directly across from each other. Sometimes the inmates would use me as a "runner" passing contraband between inmates in the hole and inmates in population, and I would stop and talk with Lucky when I went to her cell. I had been involved in violent crime and was interested in what prostitution was all about so I was asking Lucky about it, considering it as an occupation. She was nervous and frightened and glad to have someone to talk to. She was always crying and sad. She told me she was scared for her life. I asked her, "Scared of who?" she stated, "The guards and vice."

6. When Lucky told me she didn't even see who shot Officer Faulkner, I asked her why she was "lying on that man" (Mumia Abu-

Jamal). She told me it was because for the police and vice threatened her life. Additionally, the police were giving her money for tricks. "The way she talked, we were talking 'G's' (\$1,000.00). She also said she was terrified of what the police would do to her if she didn't say that Mumia shot Officer Faulkner. According to Lucky, the police told her they would consolidate all her cases and send her "up" (Muncy), a women's prison, for a long time if she didn't testify to what they told her to say. Lucky told me she had a lot of open cases and out-of-state warrants and was scared of going to Muncy. She was scared that her pimp "would get pissed off" at all the money he was losing when she was locked up, and off the street. She was afraid that when she got out he would beat her up or kill her.

7. Lucky was worried the police would kill her if she didn't say what they wanted. She was scared of what the MOVE people would do to her after she testified against Mumia, but MOVE never