

THE
**Final
Straw**
A WEEKLY ANARCHIST SHOW

The Final Straw is a weekly anarchist and anti-authoritarian radio show bringing you voices and ideas from struggle around the world. Since 2010, we've been broadcasting from occupied Tsalagi land in Southern Appalachia (Asheville, NC). We also frequently feature commentary (serious and humors) by anarchist prisoner, Sean Swain.

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The Final Straw Radio / Merced Hunger Strike & Eric King

MERCED PRISONER HUNGER STRIKES

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ERIC KING TRIAL ENDS

THE FINAL STRAW RADIO
March 27 & April 3, 2022



MERCED COUNTY PRISONER HUNGER STRIKES

Here is a conversation with California-based activist Victoria from Merced Under Construction, who talks to us about the prisoner hunger strikes at Merced County Jail and John Latorraca Center. Over 40 prisoners engaged in hunger strike for 17 days, fighting for issues like protesting black mold, little food, lack of visitation and other issues. The hunger strike ended Saturday, March 28th, despite the disrespect of the jail administration. You can learn more about how to support and keep up on <https://linktr.ee/mercedunderconstruction>



Victoria Espinoza: Alright, great. My name is Victoria Espinoza, and identify as a Child of God. I'm born and raised in Merced, California, and I'm the founder of Merced Under Construction.

TFSR: And could you tell us a bit about where Merced County is? What listeners should know about the county? The economy, who lives there, what it looks like, that sort of stuff?

VS: Well, Merced, man, not a lot of people know where Merced is. When they hear Central Valley. They're like, "what is that?" They think of like Bay Area, LA, when you think of California. But we are literally the central of the state of California, like the Central Valley area in between Fresno and Modesto, or Stanislaus and Fresno County. Our city slogan is "we are the gateway to Yosemite." And, you know, we boast about it, or the city does at least. But nearly 25% of our population is living in poverty. So it's predominantly white, Latino, like Hispanic, Mexican, indigenous folks living here with some other races mixed in. We have like, less than 4% Black folks, we do have a very strong Hmong community here and a lot of other different nationalities, race that are here.

TFSR: And for like, as far as, you mentioned, 25% of the population living in poverty, what are the sort of industries that people are involved in? Is it agriculture? Since we're gonna be talking about prisons, I'm sure that prisons, and police and military are like big employers for parts of the population.

VS: Yeah, so we are a very large agriculture community. So we do have a lot of farm workers. We have a lot in many of our cities and our outskirts as well and unincorporated areas. So that is one thing that we do have strong here in Merced is the ag. We have some industry, industrial stuff, but mainly we're known for agriculture, honestly. We do have UC Merced, last university that's been built in. They're

EK: For me, the most important thing is just asking people to please be there for my family. Mutual aid and community support, she is in prison too. I got two little girls, they're in prison too. Lend us your voices, keep these eyes on me. I'm not trying to be an attention grabber here, like I'm Mr. Big Deal. But this can get very serious very quickly, it could get very dark. That's all I can think about right now. Help me fight, help me keep an eye on these people so they can't bury one of us. Don't let them put the dirt over me right now after we just got this big-ass plan. Don't let this win turn into a loss. That's where my heart and that's where my head's at right now. And be nice to my wife.

TFSR: For sure. That's true.

Automated voice: The call will be terminated in one minute.

EK: Bursts, thank you so much. Please give my regards to both Swains, to Lauren and Sean.

TFSR: I will.

EK: Please give yourself a big hug for me.

TFSR: Thanks, Eric. I appreciate it. Take care of yourself, okay? Make some friends.

EK: How are you doing? It's been a very selfish call. We only got 20 seconds.

TFSR: I'm good. Just got off of work, and got some pizza and a beer waiting for me. Some local IPAs Chicago area.

EK: Oh, IPA is gross.

TFSR: Right. I'm from the West Coast. It's what I do.

EK: Oh my gosh, don't...

EK: Josh is the perfect person to talk to, he is just such a clever, beautiful person. I started having this idea after reading some IRA books that talked about not just the bombing and killing, but the trauma of suffering and doing suffering to others and what's left afterwards? What's left when the ashes and the smoke clears? It's not glory. It's internal. Then I had that time with Jaan in his cell and just hearing him talk, and all these stories that I knew, these aren't documented, no one will ever hear these stories. These stories could change someone's life, they changed my life. I, Josh, and all of us really honor our mothers and fathers that were in this struggle before us. What they've gone through in prison shouldn't be negated down to a couple of typed-up quotes for some magazine, or their ideas on the struggle. Their lives inside are equally as valuable in the mundane as they are in the extreme. So I didn't want just to have their stories about how bad they suffered, I wouldn't want my story to just be about all the SHU time I did. I'd wanted it to be about my life because I still exist. I want that for those that have been through this.

I had that idea and brought it up to Josh, and Josh is just an astoundingly productive person who just wants to help and work, brought it to life. We typed up a questionnaire and he just got to work. I think he's interviewed some 7000 people so far. It's actually just 30 or 40, but it is still a lot. That's a lot of work. You got a full-time job. This is just comrade work, which - I don't want to disrespect movement, but I don't see that all the time. I haven't seen that in my entire life. I see it a lot, you do it, a few other people do it, but it's not the most common thing. No questions asked no, "oh, I don't know, this might be a bad idea." It was "Let's bring this shit to life." And we have, and some of the things I've read have been so touching. Something I didn't know about people. I didn't know what Kojo [Bomani Sababu] had been through. I didn't know that Oso [Blanco] was so aggressive. I didn't know so much about Ray [Luc Levasseur]. So, to me, it's a project of honoring our existences, not just our suffering, if that makes sense.

TFSR: Absolutely. Recognizing that people aren't just these two-dimensional struggle machines that are there for putting on a flyer or sticker whatever. That could be a band name.

EK: Yes. It could be title the cover of the book.

TFSR: We have a minute and a half left, these are 15-minute calls. Is that right?

EK: They'll tell us the two-minute mark.

TFSR: Are there any other things that are coming to mind right now that you want to express?

Automated voice: The call will be terminated in two minutes.

building on that. UC Merced is growing, obviously. So we are seeing some of that, some things that are happening in our community, with rent controls not happening, people are getting pushed out and it's not the Merced that it used to be 10 years ago, definitely.

TFSR: I guess I do want to ask some questions about Merced Under Construction later and imagine that that's, like, gentrification and issues like that are being engaged with that group. Is that right?

VS: Yes.

TFSR: Jumping off into the main topic, though. So we're speaking because there's been hunger strikes among incarcerated folks at the jails in the county. Can you talk a bit about the conditions at Merced County Jail, and also at the John Latorraca excuse me...

VS: John Latorraca, you said it right. It has a nickname called Sandy Mush? I don't even know that nickname comes from, but it's its nickname.

TFSR: Yeah, what's been up with the hunger strike? Can you talk a little bit about what sparked it? And how many folks are participating and sort of like the basic stuff on that?

VS: Yeah, so the last count that we had, it was about 44, initially, but since then, we've had people probably come out and people probably go in. So I haven't got an accurate count as to how many that could be from the initial start of the strike. Yesterday marked day 17. I haven't heard from anybody since noontime yesterday, so I'm hoping privileges were not taken. But they were dealing with a ton. A ton of stuff going on, black mold in the housing units and that's impacting health, not being given hot meals, even hot water, just simple basic human asks, just necessities to live on.

The grievances for these things that there were issues in administration, they were being ignored, or they're getting vague responses, that whole system had failed. Losing mail, incoming and outgoing was already a problem before the pandemic. And since the pandemic had started it became even worse. Since they had their visitations taken for over two years with the excuse of the pandemic, and weren't offered any other means, the mail and the phones became a vital lifeline. Those were basically stolen from them.

That has impacted them in negative ways. I mean, their mental health, inability to make appropriate decisions. So many people that were in the facility the past two plus years were taking deals just to get out of the jails here so they could go to a prison that offers visitation, and that is crazy. That's like people at there last, at their wit's end, like

"I'm gonna take a deal just so I could get out of here because this is like living hell." That was a serious thing.

Being discriminated against based on their housing status, the jail uniforms that impacts them when they're before a judge or the district attorney. A lot of these same asks were things that we saw from the 2016 prison strikes that Merced county jails were also a part of, and it's nearly six years later, and not much has changed. It's just kind of kind of crazy. They were on day 17 as of yesterday, and they were in negotiation. So the agreement was actually yesterday for them to end their strike. They were supposed to end it with the hot breakfast, have their hot water.

But then the morning came, and we ran into issues with the staff. They began to be hostile towards them. And when meals came around, they didn't bring them anything, they didn't even bring them cold food, they didn't bring them anything that did not bring them hot water. They were just being cold. When I think about it, it was just evil towards them. So they basically went through all these negotiations for what purpose? They were with the Sheriff's corrections, they had agreed to this on day 17, that it would break in the morning on these conditions. Those two basic conditions weren't even met.

So they weren't accepting any meals from the admin. They weren't doing any movements at all. So that means their yard time and they're getting maybe two or three hours a week, if that. Anyway, they weren't accepting court movements. They weren't even seeing their attorneys for meetings. They basically weren't doing anything, any medical, anything like that, they were basically saying, "I'm not moving, I'm not eating until you guys change some stuff." And the negotiations after noon time yesterday, they said that they had pulled some folks out. We were doing some phones zaps for them on their behalf yesterday to all the jail facilities and the Board of Supervisors. They did pull some of them out to have more talks. But after that, it's been radio silence. So I'm hoping everything's going okay.

TFSR: That sounds like a terrible flex, kind of authoritarian flex, that places like jails and the kind of people that staff them would make. When you're mentioning people taking deals just so they can go to prison, are a lot of the people that are there and who are participating in this in pretrial conditions right now just sort of awaiting their day in court? And also people who've gotten county charges who are being held there, too?

VS: Yeah, we do have some people that serve sentences here locally. I think if it's under two years, one year. It's at the discretion of our county facility if they want to house somebody for their time, or if they're going to send them to state prison. They have that ability. But most of the folks that are here are pretrial detainees, so they haven't yet been convicted of a crime. Some of these are not sight-and-release

know the same people. It's all respect, there's no conflict or tension or anything. It's all just internal.

TFSR: You've been someone who's done a lot of practice and meditation and yoga and instructed other people on these practices. Are you finding that those are helping you right now? Or are you just having to move through it?

EK: Not right now. The meditation, yes, because I can just focus on breathing and focus on my being. There's obviously no room to sit in the middle of this goddamn open dorm and start doing yoga. I would look like a complete jackass. Justifiably so. But just being in my own space, being centered definitely helps because in the past, when I did long SHU days- Because I always do these goddamn long SHU bids, I don't know what's the deal it, it is just a vindication on resistance, I guess. But in the past, when I got the SHU, it would be so suffocating that I thought I could die. Things have improved drastically.

TFSR: Do you have any more updates, any news about when you think you're getting transferred out? Have you been able to hear from any lawyers or anything like that while you're at Grady?

EK: I had my legal call, Lauren did get ahold of me. I told her what I needed. She asked, and I told her, and so I trust that it will help. I've heard that they are organizing the calling campaign and doing that which I asked for and have been desperate for. I hope people stick with that and continue to put pressure because these people aren't going to tell me anything. The people at Grady County are not going to tell me shit because they don't know anything, they are just the county workers. It is just what I'm hoping on and I've read some things and heard some things from different comrades. Everything seems like it's going in the direction that I need. So often we will need something and maybe the people don't understand how serious it is, or some people don't. You just need a few to listen to you and believe you and hear you and they can get this ball rolling. It feels like that's what's happening right now. I'm really grateful, that makes me feel safe and seen. What this whole thing is about is just making sure that the Bureau knows that people are watching. They're not going to get away with any sly shit. People are watching, senators will be checking in or whatever we're able to do with a little bit of pressure. That makes me feel good. Really good.

TFSR: This is a little bit off-topic. But when Josh was on the show the other day, Josh from Certain Days. He was talking about the book that you all are working on. Can you say a few words about that if it's interesting?

EK: [laughs] Those extra sheets could come in handy for violence, for sure. I don't know if people understand how horrible the SHU's get. As I mentioned earlier, we don't have pens or pencils there. They give you a rubber pencil. You have to sharpen it by scraping it on the concrete. Then you can't file grievances with that. You can't write legal mail with that. When I try to write to one person I can write, my wife or my cousin Deb, who was at trial, God bless her. They can't read what I'm writing. It's just a complete way to cut you off from the. They can do whatever they want. No visibility has no accountability or whatever. That's what they do. They bury motherfuckers there and once you leave, you can cry about it, but you're going to say nothing while you're there. They might take away your 16 sheets.

Automated voice: This call will be terminated in two minutes.

EK: Do they have to word it that way?

TFSR: Terminated. "I'm the Terminator, enjoy this call."

EK: Please, stress my gratitude, but also my urgency. This isn't a sit like, "Let's plan, and let's see what feels best." This is I need action. If we make a mistake, we make a mistake. I need people mobilized quickly. I'm okay with a mistake. I need them to know the eyes are on me.

TFSR: Yeah, for real. How is it you said that you haven't shared space with other people in years and you just got moved to an open dorm, general population? Could you describe how that feels?

EK: I've been in it, literally a 6x8 box for two and a half years, and before that different SHUs for another year. Going from such a confined space by myself and now I am literally surrounded by people. It feels like a fucking wave of people. There's also a microwave next to me. When's the last time I use a microwave? There's a TV above me. I haven't seen anything from the Ukraine-Russia war. I just now saw the Will Smith hitting Chris Rock thing. It's super, super positive. But also, the SHU really damages you. I didn't realize it until I got out, like right now for this brief period. It feels like someone's stepping on my chest this entire time. It's exhausting.

TFSR: Are you able to like find the corner and breathe by yourself? You don't have to say anything about this. But you know someone who's in there, right?

EK: I got a bro in here. There are a few other people from the system that we know the same people. Because it's a small-ass system. There are people here that have been in the same prisons I have, or we

offenses with the whole bail reform law. Some of these people are sitting in there on bale-able offenses, but yet they don't have the funds to make that happen.

TFSR: It's so so inhumane that you expect someone to be able to put their life on hold and also not be able to necessarily access the means to build a defense for themselves because they're worrying about how their family is doing on the outside. They're just kind of waiting until the courts have enough time to see them.

You'd mentioned the uniforms too. And I know that in the demands, there was a statement about how the uniforms that were being assigned to people weren't necessarily respective to like security threat group status that people were in. I know that even the STG [Security Threat Group] type thing, saying that someone's in a gang or whatever isn't always applied according to someone's actual participation in a criminal organization. But can you say a little bit about people's experience of the of the issue of the uniforms and what that means for access to programs or to things like ability to research in the library? Not that there probably is a library, but you know what I mean?

VS: Yeah, I think a lot of it... the people that are more impacted by this whole uniform thing, are predominantly brown, Latino, hispanic, Mexican, indigenous individuals, because they separate them by the two gang classifications, NorteOos and SureOos. Pretty much everybody else gets housed as general population when it comes to the maximum security facility of the Merced County Jail. But mainly these folks are the southern, northern, or the red and the blue, however the classification deems it. They separate them, and since Merced County unfortunately operates on LA County's informal gang injunction model, a lot of people come into our jails are impacted and being labeled gang members based on familial association, based on where they live. They might live next to somebody that's a documented or validated gang member. So they get housed, and they say it's for their safety to house them this way, but then we have people that are not from any of these origins, being classified like this.

So when they go to court, and you see the northern, NorteOo, classifications, they're in green and white stripes, the southern are in a blue and white stripe. And so that takes a big toll on them, when they're going through the whole process, how the district attorney is looking at them, how the judges are looking at them, and the bias that comes with that. This has been going on for a long time with this facility. We know that other jails, like in Stanislaus County, have a different system. Basically, people are housed as general population, just like they do in prisons, everybody's pretty much housed together, and they know how to separate folks.

So that's what the sheriff's corrections here in Merced, were talking about introducing a bracelet system. But they've talked about this before back in 2016 and no changes have been made. So that's a problem for a lot of people, especially when they're going through this whole unfortunate situation, with being incarcerated, being labeled as a "gang member" even if they've never even been a part of that lifestyle. It's pretty disgusting that that's been going on for so many decades. This has been happening for a long time in this community.

TFSR: Do you have a sense of if they are just gonna keep going as long as they can go with it?

VS: So right now, so what they were doing, they were refusing all admin meals, and basically attempting to survive minimally off what they could get on commissary. Commissary is trash. It's a lot of things that are not even acceptable for the human body. And these are things that people are forced to buy because they're not getting proper nutrition from the food that they're getting from the facility itself. The food, they were protesting, part of the strike was protesting the inadequate conditions of the food and improper nutrition. I mean, people's health being impacted. They've been in there for a few months and we got folks losing teeth. I mean, that that's how bad it is.

So that was pretty much what they were doing, refusing all admin meals. Because they weren't even getting hot meals like they should have been. At least two hot meals a day. It's the minimum. They weren't getting that for so long. And that's pretty much what they were refusing. It was affecting a lot of them. I mean, yesterday was day 17. They were in the negotiations ready to say, "All right, we will accept if we get a hot meal. Like it's been a long time since we've had a hot meal." I can't imagine going 17 days without a hot meal or even hot water. That's just like the basic things that you need. Right? That was the other thing, is the hot water, being able to have hot water.

TFSR: So there's the cruelty of not offering these things. You mentioned that administration had made the agreement that after 17 days, they would offer them a warm meal and hot water and they refused that. How have they been expressing themselves and their reasoning for continuing to treat people in this manner in the media? Because I'm sure that they've been making statements, the media has been reproducing right?

VS: Yeah, well, initially, the Merced Sun Star had wrote an article, again, without interviewing any detainees or inmates, and without reaching out and speaking to any of the loved ones, or anybody that was involved in the organizing around the strike out here. They interviewed the Sheriff's Department. Basically, they were just talking about how they're supposedly meeting and in negotiations with these asks of the detainees and the inmates. Which was not true at that point.

safe." It's just such a horrible way to exist. You can't be super happy and celebrate with your family because you don't know what the Bureau's up to.

TFSR: Yeah, that's real.

EK: It's on my mouth on this fucking this \$8 coffee that we have here. They sell this little bullshit bag. It's called Maxima. It's got maybe 20 scoops in it and it is \$8.44. That's other shit my wife's having to deal with. God!

TFSR: Spaces like Grady really rely on people being in a panic mode and putting too much money in the commissary and too much money on phones, if people have money available because they don't know how long they're going to be there. Do you have any sense of how long you'll be at this middle facility? Or could it just be they'll swape you out today?

EK: It's important to acknowledge that this place is a hella exploitative. They know we're all panicking, all trying to talk to our family as much as we can. The best way to tell this is these phone calls are expensive. That computer that we use over there is expensive as shit. Commissary, I just told you \$8 for a bag of coffee and all of us are having coffee withdrawals, needing some coffee. They're vicious. I have no idea how long I'll be here. In my mind, I'll probably leave on Friday, on Friday morning, they'll probably come and grab us. But if we make it to the weekend, that's just two more days of spending shit-tons of money. They give you the lowest quality stuff, just bad.

TFSR: Two fewer days of being at Lee at least...

EK: My dream is that enough people contact them for the right, let's just get this fucking dope bag out of here. Get him moving. That's what I'm hoping, that they do it in a way that was different than at McCreary. Let's get this fucking dirtbag out of here. The way to do it is we're going to set them up to get jumped. Hopefully, at least they do it a different way. They're just like, "He's a problem, let's move him."

They don't have goddamn toilet paper, the toilet paper rolls. They don't give you those, they give you a little folded bundle, and it's eight squares in a bundle. You get two bundles a week. Think about that. Think about what that means. You learn to make do your 16 squares a week.

TFSR: That's so fucking cruel and inhumane. Well, if you did have like 20 sheets, maybe you could make a weapon out of it somehow, an explosive or-

somebody really fucked up. I don't want any more goddamn problems in the in here. It's been such a long arduous hassle with these people.

TFSR: You've been two years without mail, with mail bans and books bans and stuff like that, right? You just started getting books recently.

EK: Yeah, and they gave me another mail ban. They just put another one on in February. I'm going to land in this new play. I am just getting things back again for one month in January. Then they immediately say "well, we're taking it again, because you're circumventing the mail ban." So I'm going to land at [USP] Lee with five months left on this new mail ban. God damn it.

TFSR: All the way across the country from your family as you said.

EK: Yeah, they took away my phone. I don't get any phone calls ever. Because of this phoney-public-safety-factor bullshit they made up. I'm just stuck.

TFSR: What do you want to talk about, we have eight more minutes or something. You got to the point already of how fucked up it is and where you're heading.

EK: Yeah, things aren't going to be good. That's really where my mind is, I want people to know my family needs support too. Send them kindness, be kind to my family, my wife is the one that I give all my information to. If I'm scared, if I'm sad, if I'm depressed, I ask her, "Let people know this." People hear that shit from her. Please, take it seriously. She's often literally the only one talking to me. Because if I can pay some dude to use his phone, that's who I'm going to call. If she puts out the word that I'm in trouble, or I'm sad, or I need something, please show me love and listen to that. We did really well at the trial. It wasn't a flawless victory, we butted heads and there were things I wasn't happy about, things that they weren't happy about. But my legal team did fight for me tough. They spent a lot of money and time and they showed up and had me prepared. But it's not over. I want them to be able to celebrate because they spent a lot of resources to get this win. It is a win, but for me,...

TFSR: ...it's not a win till you're out. Right?

EK: Right. I don't get to celebrate yet because they can still put me in there with someone who is getting drugs from SIS to stab me or some shit like that. That stuff is still in the back of my mind because it's happened so many times that it doesn't feel- I can't celebrate, I got to celebrate for a few days after it happened. But right now it's back to "Alright, we need to focus on the Bureau and focus on keeping me

So we had sent out a media advisory, challenging, to show us to tell us exactly what's being done, because the public has a right to know. Public state funds or whatever is being used to fund that facility and all the things that are happening in there.

So I mean, they're going to paint their own narrative. That's basically what they're going to do and they're going to do that time and time again, I don't think that's going to change. But when they were in negotiations and they had clearly stated, "Okay, we will break our strike on day 17 when we get our hot breakfast and our hot water." At about five, six o'clock, when they're usually taking out the trays, they came around, nothing came. Not even cold food. Then when they were trying to communicate with the correctional staff, they were being treated hostilely. They were basically taunting, saying, "Yeah, your hot water is out here. But we're not going to bring it to you." Well how are they going to go and get it? How are they going to go and get that water? It's out there. But we're not bringing it to you. I mean, that type of behavior, it's just unnecessary.

So yeah, you're right, it was just kind of like that flex, "we can pretty much continue to do what we want," kind of thing. They were reaching out to us. So we started, we had put out posts and numbers for phone zaps to try to get something. Then after a couple of hours, they pulled some folks out, to have more communications with them. But that was around noon time yesterday. And again, like I said, we haven't heard anything from inside as of now.

TFSR: So yeah, as far as the public needing to know about this and you mentioned the taxpayer money and such. But also all the people that are in there, almost everyone is going to have people on the outside who care about them. I'm sure a lot of the people, not just people who have an idea that this is a wrong circumstance, but they have a personal care for loved ones that are stuck behind these bars. How is the outside engagement, then, as far as you could tell, in terms of organizing, communicating, offering support to loved ones, participating in the phone zaps, or showing up in person?

VS: Oh, yeah, I mean, for instance the rally that we had on the 21st, the turnout was low. We had less than 12, like 12 people total. A lot of that right now has to do with the inmates and the loved ones, they're concerned with the possibility of retaliation, and also the risk of even advocating for somebody, out here, that's in there, people that are labeled as "gang members," you run the risk of being labeled a gang member yourself. I mean, and that's a consequence, that many folks that are impacted face. I might even be labeled as a gang member, because according to a loved one that I had, that was inside the facility, just recently, the end of last year, they were taken out by classifications and asked questions about myself about "we know she's a gang member, who does she run with?" and these type of things.

I know that this facility has blocked my phone number so that folks in there can no longer reach out to me. That's unfortunate, because I didn't know about the hunger strike, actually, until day 10. Somebody from the family members in there had to find me, and search for me, in order to make the connection because I didn't know my number had been blocked from the facility itself. So I mean, that's another thing. Folks trying to organize in there trying to reach out for help and they're literally blocking their means of a lifeline from within the Merced County Jails, for whatever reason. I don't know why.

That's pretty much what we're seeing. There are people in there that don't have anyone. So we have people in there reaching out, because they need funds, they don't have any funds for personal care, or to get anything from the commissary line. And it becomes a community within the facility when you have people like that that are indigent, and they should be able to utilize the welfare funds. And when they utilize the welfare funds, when they do get commissary on their book, then all of a sudden, the staff comes and takes that for anytime they went to the doctor, anytime they got a mail package for the one month, what are those four or five dollars if they've been in there for a year. Then somebody puts \$50, \$100 on their books, and all of a sudden administration comes and says, "Oh, you owe us this money," and then they snatch it. So that's kind of a problem as well, for those people that are impacted in that way. They don't have loved ones out here at all.

TF SR: So, if the administration takes the tack of separating people, according to ostensible gang certifications, or whatever, putting them in these different uniforms, have people been able to, despite that, organize across these lines with each other for the hunger strike and the common understanding that we're all suffering under this?

VS: Yeah, I have seen that this time around as well, that people were joining in solidarity within the facility itself. But yet, it's just very hard to try to make those connections inside the facility. The Merced County Jail is the maximum security facility. So it's heavily segregated. But people were still in solidarity with that, trying to say, "hey, we're having the same issues, let's join together, let's band together." So that was one thing that they were doing in there to try to show them "hey, we don't have to be segregated, we don't have to be labeled like this, and we don't have to work different uniforms. We could be housed together, we can even organize together inside of the facility for change."

TF SR: Is anyone on the outside raising the alarm, obviously, black mold is a health issue that that is on the books that black mold can cause mental issues, it can cause lung issues, quite obviously. And, not getting your caloric value or your intake of calories every day can also cause mental anguish,

"Well, that's not what you motherfuckers just told me." "Well, it is what it is." There's no way for this not to be retaliation, I'm the one that has low security points. I should be coasting with my feet up wearing shower shoes all day, not having to work, wearing boots for the shower.

TF SR: You're going to USP Lee, as far as I was aware. Is that a max facility? Or what level is that? Have you been there before?

EK: It's a penitentiary, so it holds high-security people, max-security people. There are big gang leaders there, but then there are also just violent assholes that can't function in lower securities. Then there's me and one of the World Trade Center bombers.

TF SR: What are you thinking in terms of what recourse you and your support folks have right now? I know that getting your voice out right now is an important part of it, that people know what's going on.

EK: The issue is that most likely, they're going to dump me in the SHU. In the SHU, you have no radio, books, magazines, newspapers, no pictures, no commissary, no food, you don't even have pens and pencils, they give you rubber pencils. I'm going to be isolated, I'm going to be cut off. People need to know: get a hold of these Virginia centers, get a hold of the Northeastern Atlantic region. I want people contacting those in charge to get a hold of the designation center in Grand Prairie, Texas, the SEC. Call these people, do mass calling. Call 1,000 times and ask them why is a medium or low-security guy being held at this prison again? Why is he back here? Why are you going to take someone's mail, take someone's phone calls, say all this communication shit about them, and then put them somewhere where you can't be in touch with his family and his life in danger. Now, I can't let anyone know something's happening to me. We got to have a spotlight on this. We got this big-ass trial victory, people are watching, people are happy. This is the next stage in that fight. I still need support. I still need people. The trial didn't end the problems. It ended with one big problem. But now we have this other big problem. I still need people to fight for me and let them know that we're keeping EK safe.

TF SR: This trial ending is pretty enormous. But you do have a year and just under nine months left inside, and since your whole time inside has been a history of provocations, harassment, diesel therapy, violence by the administration...

EK: I said this to my wife. "Not every win is a win." If we had two months last maybe, but 19 months is more than enough time to get

ERIC KING TRANSFERRED TO HIGH SECURITY PRISON IN VA

Eric King, anarchist prisoner whose recent legal victory against the Federal Bureau of Prisons in the US was featured on our episodes from the week of March 27th, 2022. Last week, Eric was suddenly transferred out of Colorado toward United States Penitentiary Lee in the southwest portion of Virginia near Johnson City, TN. This is in spite of the fact that Eric should be held at a medium security facility according to BOP standards, unlike the high security and max prisoners at USP Lee. We caught up with him mid-transfer while at Grady County Jail in Oklahoma where many Federal prisoners stop during cross-country transfers. Eric and his supporters are afraid that he'll be facing time in the SHU, or Secure Housing Unit at USP Lee for no reason other than punishment for his legal case and his supporters are putting together a call-in campaign to raise Eric's visibility to keep him safe.



TFSR: Eric, where are you at right now?

Eric King: Right now I'm at a federal transfer facility called Grady County. It's one of the marshal's contracts out in Oklahoma City.

TFSR: It seems like a pretty frequently used facility. This is the one that I talked to Jeremy Hammond at a couple of years ago in 2020. What's the facility like?

EK: It's usually fucking sweet but right now we're having a goddamn Ad-Seg thing where we only get out one-two hours a day tops. It went from being super sweet where you get commissary and video visits to goddamn annoying.

TFSR: Did they give you some reason as to why directly after the trial where BOP was found to have abused you that they transferred you across the country from Colorado.

EK: This makes me sick, for real, because everyone at Inglewood [Prison] during the pre-trial shit was telling me, "If you get found innocent, you're good, you're gonna go to a medium or the communication unit, things are gonna be better for you. You could just feel the venom in their kindness. So they're telling me all these lies, and then I go to pack up for transfer and they are "Oh, we're sending you back to this miserable, horrible dup of a penitentiary out in Virginia."

as well as starvation basically. Have there been anyone successfully being able to raise concerns about the demands of the folks inside of these two jail from a legal standpoint saying, "this doesn't follow the California requirements for how a county jail operates?" Has that been a direction that's been helpful at all?

VS: We haven't had any support in that area. And I've reached out and it just seems like they're not. I've reached out to ACLU, I've reached out to other firms for prisoners rights, and a lot of these places, they're not based near our area and so they just say, "we don't have anybody that can cover" or, "we're at our capacity." So we haven't seen any relief in that way. But I'm gonna hopefully be getting together with some folks in the next week to draft something up, because we want to have an external review and investigation because I don't think our Merced County Grand Jury is doing a good enough job, because they've seen these conditions for a number of years and they haven't enforced any type of action to make them correct it on a permanent status. So we're gonna have to look to like OGI or OIG, whatever the that external government entity that's over our prisons and our jails is going to have to come and put eyes on this.

TFSR: I See. So could you talk a little bit about MIRA and about Merced Under Construction, who's getting involved, and what the groups are about, and talk about the difficulties or any difficulties or wins that you've seen with those groups?

VS: Oh, awesome. So MIRA, was actually Merced Inmates Rights Association and it is the page that's ran by the loved ones of the current detainees and inmates of the Merced county jails and the John Latorraca Jail. It's pretty awesome, and they're new to all of this stuff. But they're so passionate and driven to bring awareness. And that's kind of where I fit in. I've been a directly impacted person, right? It's kind of how Merced Under Construction all came together.

Right now, we're just looking for support. Merced Under Construction isn't officially an org or anything like that. I'm actually, we're opposed to the whole nonprofit industrial complex. So we're really looking to folks, to keep it really grassroots and centered around real people, and being able to find funding for the work and whatnot. Hopefully, we can start doing that here pretty soon. But that's basically what we're doing. We're just centered around incarceration, and the impacts of that on people in their families, a lot of work around police accountability, and creating opportunities for formerly incarcerated folks and their families. One of the pillars is to definitely to reach out to the children that are impacted by it as well.

TFSR: Can you talk a little bit about the name Merced Under Construction? Does it concern that the community is not completed? It's not done? We're still building it as we go? Or

is it more of a like, “there’s money coming in for development projects, we need to make sure that those developments are actually supporting the people that already live here as opposed to larger entities?”

VS: It’s a little bit of both and the fact that we’re just never done. There’s so much work to be done. When we have developers, and we have businesses looking at Merced to build, and we have more and more funding going into suppression and first-responding in our community. Yet, we still have youth that are being impacted, joblessness, homelessness, houslessness, and people that are struggling trying to stretch a food stamp, people that are just falling through the cracks. I just feel like it’s always gonna be undone until we can finally bring that awareness and bring folks together, have this accountability, and figure out where the money is going. Because some of these funds that they’re they’re getting, like the COVID-19 funding, and all the extra grants and stuff that they get for every arrest that they can deem a gang related arrest, or an incarceration they can deem gang related, they’re getting federal and state fund grants on top of that. So is that a reason? Merced is just always under construction.

TFSR: Kind of like a side note, I did Cop Watch when I was living in Sonoma County. This is like the mid 2000s, and we were seeing that the local Gang Task Force, which was made up to some degree, it did have California Highway Patrol participation, but also it’s mostly the county that was coordinating with local police departments. They would all kind of joined together under the auspices of gang issues, would set up checkpoints. They would also get Driving Under the Influence, like federal anti DUI funding, to set up checkpoints in immigrant neighborhoods where people maybe didn’t have the papers for the car that they were driving because they were sharing it among multiple families, or maybe they didn’t have a license because they weren’t legally allowed to because they were undocumented. Just getting the money to go and set up there under the auspices of gangs, or DUIs nowhere near a bar, and taking people’s vehicles who were absolutely being marginalized by capitalism and white supremacy, and selling those and funding their own department out of that. That sounds kind of like it’s par for the course for California’s policing systems.

VS: Yeah. There’s so many. There’s the minor decoy program grants that they get. There’s just so many little things and it’s all fruit of the poisonous tree, in my opinion. It doesn’t really impact anything like what you’re talking about, the DUIs, and the minor decoy. These little grants get a ton of money. but yet, in my community, violent crime is up, murder is up, rapes are up, child murder... We just had a little girl that was killed in our community, her body was found. Nine years

Josh: Absolutely. Yeah. I’ll just mirror pretty much everything Mookie said. CLDC is great. Actually, in two days now I guess it’ll be in the past when people are listening to this, but the CLDC is hosting a political prisoner talk with Daniel McGowan, with Linda Evans, Ray Luc Levasseur, Rattler, a few other people. I’m sure it’ll be amazing like most of the other projects are. But also yes, just write political prisoners every chance you get. Just try to learn about them. Eric has really been amazing with that. Every time he’s sent to a new prison, he finds friends that he advocates other people writing to and building relationships. I think it really can be life changing not only for those inside, but for those of us on the outside, too.

I guess besides getting a Certain Days Calendar if you can, we’re coming up with a theme now for 2023. But if you’re heading over to burning books to get a calendar, you could get some Oso Blanco greeting cards. It’s a project called ‘Children’s Art Project’ that he and I and a few other people helped start where greeting cards are made with artwork from indigenous political prisoners and the funds benefit the Zapatistas in Chiapas. It’s a really cool project. Oso Blanco is a fascinating person to get to know. And a shout out to Sean Swain. I hope he’s doing all right, even though he’s one digit down.

TFSR: One digit down, but he’s still two fists in the air.

Josh: Absolutely.

TFSR: Yeah, that’s awesome. We didn’t end up interviewing folks about Certain Days this year, but there was one that some of y’all participated in on, “Millennials are Killing Capitalism,” I saw.

Josh: Yeah, yeah. That was Daniel and I a few weeks ago. That was a good one.

TFSR: That’s awesome. I’ll link that in the show notes, too. Mookie and Josh, thank you so much for being a part of this conversation and for the work that you do. I really appreciate it

Josh: Thank you Bursts, it was a pleasure.

Mookie: Hey, Bursts, yeah, it was. Thank you so much. And, Josh, thank you so much for your support for me in this case, you were really instrumental in bringing me along and I’m so grateful for the whole team that came to come together to stand with Eric. It was really a group of outstanding people and thanks again Bursts.

Josh: Yes, thank you.

Josh: Well, yeah, I'll share one, actually, if you haven't picked up the 2022 Certain Days Calendar, Eric wrote a poem for the month of May. So you're still in time to get one you can go to BurningBooks.com. They are only five bucks at this point and all the proceeds benefit political prisoners. But in May, Eric wrote a poem, he actually wrote it to me one time before this calendar came out when we were just thinking of the theme. It's called "Mutual Aid is Friendship." Yeah, it's a great piece. It's very short. And it's one of the last ones he was able to send out before one of the many mail bans he's faced.

TFSR: Well, that's about it for the questions that I had. Are there any other topics that you want to talk about? Otherwise if you could remind folks about how they can support the CLDC, the defense work that they do, and the research and we've had guests from CLDC on the show a few times to talk about digital security. We've had Lauren Reagan on before to talk about political repression more generally. I'd love to hear more about where to find more about that. Also, Josh has prior been on the show to talk about Certain Days, it'd be good to hear about that, too. But were there any other topics other than shouting out projects that I didn't ask about that y'all want to touch on?

Mookie: I guess I would just like to throw this in the ring a little bit that I know that supporting political prisoners in this country and around the world is something that I think a very narrow band of people who are politically active do. I just would like to say publicly to anybody who's listening to this podcast, that it's very easy to find resources to support political prisoners in this country. You can go online and literally Google that. There's going to be a ton of different places that sends you to, and I just want to encourage people to take 15 or 20 minutes out of their week and find a different prisoner to write to. I think it can't be overstated how potent this act is. Not only does it have the potential to change somebody's time on the inside, but I also think that it creates bonds that can last a lifetime, but it's also an incredible way to build our movement. So I just want to give a "Rah! Rah!" for that. I think that's something that's really worth people's time.

And just since I have the I have the air right now, if people are interested in supporting the CLDC, which I think is a really great to do. The CLDC, one of the things that I love about working with this organization is the breadth of their work in movement building, and resistance, and support for activists. It's staggering, really the CLDC goes to where the work is, whether it be in pipeline work, or prisoner support, or environmental, or animal rights work. It's just a really remarkable organization and anybody can find how to support that at CLDC.org.

old, Sophia Mason, a beautiful black child. These types of crimes are happening. But they're putting money into checkpoints. They're putting money into seeing if anybody's gonna buy a minor alcohol or cigarettes. But we have some dark, unnecessary crime rising here. My mind is blown. Home invasions are up, it's just crazy. We're a very small community compared on the scale of the state of California, Merced County is tiny. We're very small. So again, it just doesn't make any sense to me at all whatsoever.

TFSR: Well, how can listeners find out more about the strike and support it from where they're at? Maybe not locally? Or if or locally? If you have some suggestions?

VS: Oh, definitely awesome. So we will continue posting on the MIRA page, the Merced Inmate Rights Association page, and the Merced Under Construction Instagram and Facebook page. But like I said, we're unofficial org, so we're asking folks to support. Right now we have a link tree link up. If folks have it in their heart or their conscience to support us, we'll be accepting donations through 'buy me a coffee,' through that outlet. But we're putting funds together for detainees and inmates directly. So we want to be able to put, fund several people's, at least a month commissary account, whether that's \$25, whether that's \$50, we want to be able to put money for them to use themselves, for the phone, for food, for personal care, etc. We're also going to be having some letter writing days, where we'll be sending them out handwritten letters, cards, and communication with folks that are inside of the facilities themselves. So we have a direct line. There's a lot of people like I had said before, they don't have anybody out on the outside, they don't come from much. We want to be able to support them, and let them know that they are loved. That they're cared about and that there are people out here that say that they matter.

A lot of other work we're doing that we need support with, it's police accountability part of our work. And man, sometimes we have bits of a drive, we have to drive got to take reports, do our own investigations. We also have to request records from whatever government agency that the officer involved works with. So we have to pay for flex or dash cam or other records. And again, we don't want to be a part of the nonprofit industrial complex, so we're trying to just keep it grassroots and just real people funding real work that's really happening in Merced. We've never done this before. It's only always been on our own time on our own dime. And now we're like really needing assistance because it's growing. So that's basically it. Just check us out on Facebook, Instagram, and hopefully we can get our website up here in like the next month or so.

TFSR: Victoria, thank you so much for having this conversation for the work that you're doing. Yeah, I guess

keep in touch. And we'll keep trying to cover this when we can.

VS: I appreciate you Bursts. Thank you so much.

[Editors note: The hunger strike ended Saturday, March 28th, despite the disrespect of the jail administration.]



ERIC KING TRIAL ENDS

Josh from the Certain Days Calendar and Mookie from the Civil Liberties Defense Center do an update on a roundup of the recent trial of Eric King. Eric was found innocent on charges of assaulting a Federal Bureau of Prisons Lieutenant, a charge that would have added another 20 years to his time in prison, thankfully. More on his case at SupportEricKing.Org, more on Certain Days at CertainDays.Org and the CLDC at CLDC.org



Josh: My name is Josh, I'm based out of Baltimore. And I do a lot of political prisoner support work and abolition work. I'm a member of the Certain Days Calendar Collective, and the children's art project with political prisoner Oso Blanco. I'm currently also editing a book with Eric King, where we interview political prisoners about their lives inside. I work in communications with the Zinn education project. And I guess I first started writing Eric in 2017 or so and we've been corresponding ever since.

Mookie: My name is Mookie Moss, and my pronouns are he and him. I've been on the CLDC board of directors for gosh, maybe six or seven years, my day job has been a farmer for the last 25 or 26 years. But I've worked in and around a lot of radical organizations, both in the United States and in South America. A lot of the work that I've done has been around indigenous farmers down south, and anti-capitalist movements in South America, and here in the United States, environmental activist, that kind of stuff. So that's who I am.

TFSR: So for listeners who don't know, Eric, can you say some words about who he is and what he was convicted of?

destruction is violent. I have very strong feelings that it's not, but I think that there was some concern that the jury could grab on to certain terminology that would then bias them and they would lose their ability to see this case for what it really was: One side is speaking the truth and one side is making up stories as they go along.

So I have to say that not having access to what has happened in those sidebars, I feel like there was 100 sidebars, I'm sure I'm exaggerating, but there was so many that I felt like judge Martinez did a pretty darn good job running a clean courtroom. I didn't see bias in him, what I saw was a judge that actually just really wanted to follow the letter of the law. Luckily, you know, in this case, the letter of the law is on Eric side, he was defending himself and that's a right that every single person has to do in this country, even if you're locked up. So I thought the judge did a pretty good job walking that middle path. I have to say that I think that he was impressed with Eric's defense team. I think that because of the nature of this trial would have been very possible to have lawyers that weren't necessarily prepared to handle something at this high level. I think they hit it out of the park.

TFSR: I can see how like bringing up the fact that there are political views that are held by Eric, and the nature of his conviction, and pointing to that as being potentially counter to the political views of the guards, and thus, motivating them to act in juvenile and petty manners... Differentiating that from like, "he burned down a politician's office, and someone could have been hurt!" That seems like a very thin line to walk and it sounds like folks did that very, very well. Do you all have any updates on how Eric's health is these days? And how are his spirits?

Josh: Due to the mail ban, not many people have heard from him. I've heard through the grapevine that he is extremely happy about the outcome of the trial, happy to be getting the few visits that he does, that he is able to get. He's looking forward to getting everyone's letters and everyone's love. Everyone keeps sending solidarity from around the world. He's looking forward to reading everyone's letters, responding to everyone's letters. You can follow him on social media. His support site is SupportEricKing.org. You can send a books now, which is great. If you follow him on social media, or check out his website, you'll find out when the mail ban is lifted, and you can write to him. But in the meantime, just know that he does appreciate all the support. I think he's vocalized that as much as possible to those he has been able to speak to.

TFSR: So it's been mentioned that Eric's a pretty prolific poet, you can find a bunch of his poems up on his support website. I don't know if y'all want to share any poetry by Eric that you feel especially moved by? If not, that's totally okay. But I just wanted to put that out there.

was remarkable how quickly his memory sharpened up. So that was really, really interesting.

The other Lieutenant that that got on the stand, Lieutenant Kammrad, his his testimony was really weak. And I think the take home, the important take home of that piece was that the government was really trying to flip it 180 degrees, they are trying to say, "Look how authentic our guys are. It's been three years since this incident and you can tell that our guys are telling the truth, because there's variation in the story." Well, the fact of the matter is, is that the variation of the story was wildly varied. And it was backed up with video evidence that the defense team had brought that just punched so many different holes in the way that this moment in the broom closet unfolded that it just was absolutely unbelievable. Then the inverse of that is when Eric went up on the stand, he told such an incredibly lucid and cohesive story that matched up to every single one of his previous statements. So that was, I thought that was pretty interesting. How about you, Josh, what am I forgetting? Give me a second to think about those highlights.

Josh: No, no, I think you captured them all. My partner and I were kind of glued to the phone all week, working and listening to this in the background. I think you've captured all the major highlights. Eric did a great job while he was on the stand, of course.

Mookie: Yeah. Eric did a great job. I guess I would also just say, Bursts, that I had heard lots of things about Judge Martinez going into this case and I definitely had some concern. I've got concern anytime in the same realm as a federal judge, of course, but I have to say that... And of course, my experience as somebody in the gallery watching or Josh's experience listening and I know a lot of people have listened, we don't have the same experience that the attorneys do, because we're not privy to all the sidebars. And I will say that there were more sidebars in this case than I've definitely ever heard of. I think even judge Martinez said, "there are more sidebars and objections in this case than he's ever seen in his career."

So, it was very clear to everybody in the courtroom that this was not only a very contentious case, like any political case can be, but it was really important to find a passage through this story in a way that didn't bias the jury either way, and because this case was political in nature, and because Eric chose to do a politically motivated act of property destruction, it was very tenuous in in how they would go after Eric. You could tell that the government, the US Attorney's, were doing everything that they could open up lines of questioning that we're going to shock and dismay jurors who might not have the same or even a political analysis as Eric's. I think that Eric's defense team did a really skillful job guiding the jury through the story in a way where it didn't open those doors necessarily.

There's just lots of different feelings on what the term "violence" means and whether a politically motivated act of property

Mookie: To be totally frank and honest, I have come to Eric Kings' case pretty late in the game. But I did jump in with both feet based on this opportunity to work with the organization that I work with, which is the Civil Liberties Defense Center. My learning of Eric's life and his story was kind of a crash course. But just based on my past experience being there for his trial, he came across to me as an incredibly emotionally sensitive guy, and also a really intelligent guy. He spoke really, really well. Obviously, because he's a political prisoner, my view is that he really looks at his experience, both in jail and the world around him through a very, very strong political lens. So I would just add that.

TFSR: Oh, yeah. And with, with the usage of the term **political prisoner in there, that says a lot, not only for what he was convicted for. Right? For that politically motivated property destruction, but also for the way that he's conducted himself, and also how he's been treated by administration's since he's been inside.**

Can you all talk a bit about as sort of background for this case, what has Eric's treatment been like in prison? How is he related to other prisoners as an antifascist, and as an anti-authoritarian, and also how the staff has related to him for these reasons?

Josh: Sure. So Eric, currently has been in solitary confinement for over 1,000 days, for over three years. He's been in federal prisons all over the country, in private prisons as well. And he's been brutalized and attacked wherever he's been sent, either by guards or by Nazi-type prisoners. He's defended himself every step of the way. He's tried to help other prisoners, whenever he's been given the chance, to to help voice their concerns.

I think it's also important to point out that it's not just Eric being targeted, that this happens to political prisoners and prisoners in general, throughout history. It's currently happening not only with Eric King, but as you know with Sean Swain having his finger chopped recently by guards, there's several indigenous prisoners being abused now, for the religious reasons, having their sweat lodge destroyed in a federal prison in California. I mean, it goes back all the way, the Attica brothers, Herman Bell being abused years ago before he got out. You know, it goes back throughout American history of guard abuse. It's it's pretty endless.

Mookie: I would also add, just to what Josh eloquently put, is that witnessing what Eric actually just went through as an extension of that type of torture, and bullshit, and experience that he has dealt with all along the way. Watching how the Bureau of Prisons handled him even just during this court case, where there was obviously a spotlight put upon him and put upon his conditions and experience was mind boggling to watch and to bear witness to. I have been interested in

political prisoners and the struggle for a very, very long time. It's not like I came into this with a blind eye like people are being treated well in prison, but the amount of punitive and destructive behavior from the Bureau of Prisons towards Eric, just during this case, there was something coming up. I can talk about that. Josh and I can talk about that. But it was just it was a microcosm of a much larger experience of let's turn the screws against the people that are standing up for themselves and for their belief system. It was really something else.

TFSR: He was speaking of “screws”, would y'all mind talking a little bit about what this trial was about? And what what sort of outcomes Eric was facing during it, and how long it's lasted? Because it seems like it's lasted a very long time to get to the phase of actually going before a judge and jury.

Mookie: Yeah, that's right. So if I'm getting my dates right, the original incident which caused this recent trial, took place August 17, 2018. It was a situation where an assault had happened in the institution that Eric was spending time in and Eric wrote a[n] email to his wife to sort of blow off some steam and describe the situation that had happened in the institution he was spending time in. Basically, he said... I don't have the email in front of me. So I'm not going to read it word for word, but basically, he was describing and feeling some excitement over the fact that a prisoner had struck a correctional officer. And beyond that, he went on to describe the feeling of wishing that he could be there to witness it, wishing he could have seen it, he said something along the lines of even watching it in virtual reality.

He was pulled out of his pulled out of his cell, because that email, obviously was read by the correctional authorities and the guards. So he got pulled out of his cell under the guise that they were going to do an investigation. He walked himself from his cell down to a place called the lieutenant's office. And the lieutenant's office, which really was a long hallway that had four rooms that came off of that hallway. A couple of them were lieutenant's offices, one was a property room, I believe it was described as, and then the last room in that hallway was a broom closet. A broom closet full of mop buckets, rakes, tools, all these different things.

What happened next changes a lot depending on which correctional authority you heard the story from but Eric's story never really changed a bit. What Eric's story was as he was led into this broom closet. There were two correctional guards, two lieutenants, Lieutenant Wilcox and a Lieutenant Kammrad. Lieutenant Wilcox got in his face, Eric said, "I don't want to fight. There's two of you," essentially, Wilcox kicked out his subordinate, Kammrad. Wilcox started a fight with Eric and he called him a 'bitch' he called him a 'punk' in this broom closet and he attacked Eric. Eric, decided that he didn't think that being attacked a broom closet was going to be good for his life or good for his situation and so he fought back and

that that even the Bureau of Prisons... I'm sorry, there is nothing funny about this. It's just unreal.

The Bureau of Prisons story when a cup of coffee was spilled on his documents and made them impossible to read, the BOP story was that a bird flew into his cell and knocked this cup of coffee over on his documents. The courtroom, when this was said, was just like... jaws dropped. And the judge who presided over this case, Judge Martinez, he even at that point leaned back in his chair and shook his head and said, I'm not going to be able to quote him verbatim, but basically the gist of what he said was, "I cannot believe that what's happening to Mr. King is happening to Mr. King and the Bureau of Prisons better watch itself, because they're setting themselves up for a civil suit." I don't know if he knew that was already in action, but all of those actions are going to be added to the suit. So hopefully, that gives them just the tiniest bit of cover from more torture and abuse. But it's hard to say.

TFSR: Yeah, I remember seeing tweets about the stupidity of that moment. Unicorn Riot had a nice image for their posting of their coverage.

Were there any other highlights that stood out from the case? Either testimony from Eric or... because he was actually able to speak on his own behalf and had to answer like cross examination, I would imagine, but can you talk about any other elements of how the the case itself went?

Mookie: Sure. Let's see highlights or lowlights. I guess in a case like this, they are kind of one and the same. It was very interesting to see Lieutenant Wilcox walk into the courtroom for his testimony. I think that was on day one. You know, all the photographs that I'd seen of Lieutenant Wilcox. He's a fairly large, imposing, hulking figure and that was not the guy who walked into the courtroom. The guy who walked into the courtroom had a cane was bent over. Evidently in his off time, he has now since retired from the Bureau of Prisons, probably related to this incident... But he's got a ranch and I'm not sure exactly if he was supposedly or actually injured on his ranch. I'm really not sure. But he walked into the courtroom and sort of shuffled down the center like an old man. I was like, "wow, the theatrics just don't stop" and I'm not I'm not saying that he wasn't actually injured, but whatever was happening, they did their very best to make sure that he didn't come in as an imposing hulking prison guard type.

He got up on the stand and I would say what was most interesting to me, and I guess this was written and you could have seen it coming from a mile away, but the government's case was so incredibly weak that anytime he was asked a question by the CLDC, or by Eric's defense team, in any way that could impeach a previous story, or a previous statement he had made, it was just one, "I can't remember, I can't remember, I can't remember" after another. Then when the government would come and ask him a similar questions, it

his spouse in his family, is there anything brewing in terms of that? Or is he just scheduled for release in December 2023 and we're just hoping to get him out.

Josh: Yeah, I think a lot of that is still to be determined. Like you said, he's scheduled to be released in a year and a half, in December 2023. But I think it's also important to keep in mind that he's still locked up in there. As of right now, the end of March, he's still on a mail ban, he can still only receive mail from his family. Last I heard he's still in solitary confinement, even though he won the case. I think that there's a likelihood that he'll probably be transferred, who knows where that might be. Probably a lot of diesel therapy, a lot more diesel therapy.

But I think it's also again, important to keep in mind that in the face of all this violence, in the face of all this state repression that he's met it face on with a sense of humor, and he's been able to build strong relationships, not only with people, those of us on the outside, but with those imprisoned right alongside of him, even when he's in the worst possible conditions. He's organizing them. He's educating and is sharing as much as he can with those around him.

Mookie: I would also just add, Bursts, to echo what Josh said. I mean, Josh is right on there. And also I do know that the CLDC has a civil case filed on Eric's behalf. I think that ideally, when somebody is wronged to such a grievous level, as Eric was wronged in prison, that there would be some sort of... I don't even know if I should say like financial or time served retribution, but my understanding is that based on the law, it would be almost impossible for Eric to benefit in any monetary way from this civil case. I believe that there's a Prison Act that says that you can't benefit, even if you're wronged from something that occurs if you [are in] prison if you're there. I wish I knew and could speak a little bit more articulately.

But I think what's really important about this, the civil case is that what I really think that the CLDC, and what Eric's defense team, and what I would imagine Eric is hoping for is that by bringing the civil case, it's going to effectively shine a spotlight on his treatment and will be a cautionary tale to any of the psychopaths in the bureau of prisons that decide to make his remaining time the hardest time in the world. That's not to say that it's not going to happen. I am just always shocked at the level of depravity that the Bureau of Prisons will go to make people are uncomfortable on the inside.

But having said that, every single night of this case, as it went on through the week, Eric was subjected to some new bizarre turn by the Bureau of Prisons, whether all of a sudden he was getting yanked out of his cell that he'd been in and got transferred to a whole new facility next door. That happened one night. Another day, his cell flooded and coffee was spilled on his documents, another day, his documents and all of his personal property were removed. That made it almost impossible for him to prep for trial. I mean, it was so bizarre

he struck Lieutenant Wilcox in the face three times very in very quick succession. Lieutenant Wilcox was a really big guy, and Eric is not a big guy.

So it was pretty clear that Eric was more skilled in that expression, and he broke Wilcox's nose. And after he broke Wilcox's nose the other guards the other lieutenants ran in and you know, Eric had assumed a neutral position after he put wilt Wilcox down on the ground, and then from there, a whole series of things unfolded. Essentially the case was a "he said, he said" case, you know, where Wilcox said one thing and Eric said the truth. Fortunately for this court case, the guards that all had a story to share, the story was so convoluted and and frankly bullshit that that really came out in the trial.

So this turned out to be a self defense case. And it's pretty remarkable, the legal team for the CLDC Lauren Regan, Sarah Alvarez, and Sandra Freeman, they did an incredible job of not only showing the inconsistencies and discrepancies in the Bureau of Prisons story, but also did a really good job giving Eric an opportunity to speak his truth up on the stand. And we're lucky enough to be in one of those very rare situations where justice prevailed.

TFSR: Okay, there's a few things that are heard throughout the course of the last, I guess, three and a half years, including that Wilcox had said, "Oh, you're in Antifa, huh?" Something about his daughter running into anti-fascists and having a problem with that. He just sort of threw out a bunch of weird, disconnected shit, it sounded like. But it seemed like it must have been some sort of prefigured situation for them to take him into a room that the only room that didn't have any cameras, which was a bit suspect, and then afterwards to hold him down in restraint for a number of hours, like 14 hours or something like that. Can you talk a little bit about some of that?

Josh: Sure. Yeah. He was held in four point restraint for hours after the incident occurred, after he was beaten. Yeah, there's parts of it on video. There's parts of it that were missing on video. I think it's also worth mentioning, I listen to the trial from afar, but at one point I think they tried to make the case that a black eye that Eric suffered, was actually his Antifa tattoo on his face, which is just another way of showing that it's his politics that they're attacking, which I think does go to show what you were saying that it's intentional and it is planned out. Anything to add, Mookie?

Mookie: You know, Josh is correct. They did at one point try to pin that black eye on the fact that he had a tattoo there. At another point, they were sort of edging towards this reasoning and this was very skillfully shut down by Eric's defense team, but potentially that Eric either got the black eye when he was brought down on his face by the

rest of the guards who rushed into save their buddy Wilcox. It was sort of hinted at one time that maybe potentially he could have given himself that black eye, which is of course ridiculous. Because after this incident, there wasn't a moment that Eric was off camera.

Luckily, there was a nurse at the facility that Eric was sent to after this attack took place. This was the only Bureau of Prisons nurse that actually checked Eric out in any sort of realistic way and made notes that he had showed up with a pretty significant shiner. If you look at the video of the medical assessment that they did after this whole incident took place. This should shock absolutely no one who has any sort of understanding about how the Bureau of Prisons works, but the nurse who did the initial medical assessment spent about three minutes. Eric complained of a high level of pain in this temple, he had pain in some other places, but really was like, "hey, yeah, I'm hurt, and I'm hurting right now." And there was never a second look given to him.

It was really something else. She inquired about a potential new tattoo, which he was like, "No, this tattoos not new." But you could tell that there was a very purposeful, obfuscation of the truth that started immediately following the incident, because my perception was, is that they knew that they were going to have a difficult storyline to defend. And so at every turn where modicum, a little chunk of truth could come out, instead of asking questions and risking documented truth on Eric's behalf coming out, they just slid right past it.

So the medical assessment, even though Eric, the State, or the government in this case, showed a picture repeatedly of Eric immediately following the incident, but we're talking minutes after the incident. They're like, "look, he's got no black eye. This isn't true. This didn't happen." Because their whole case hinged on the fact that Wilcox never took a swing at Eric, never assaulted him. That Eric sucker punched Wilcox, which is just blatantly not true. But so yeah, so they showed this picture of Eric right after the incident. And he didn't have a shiner, because as anybody knows, it takes a good chunk of time after you get hit the eyeball to to get a big black eye. So it was really, really, really something.

TFSR: Eric has had a history of negative interactions with authorities and with guards in the past. And if I recall, a lot of those instances were in relation to private communication with his partner, or poetry that he's written, or drawings that he's made, and them being eschewed as threats by administration. So for that he's gotten time in solitary, he's had his rights to mail taken away, he's had his ability to receive books taken away, or magazines. Just sort of exacerbating, and just amplifying the academic isolation as well as personal isolation of prison that he's had to go through over these years.

Usually, he would just face ,as most prisoners... This this kind of crap is not abnormal in the US Prison System,

whether it be in a State system, in a county, where someone's in jail, or in the BOP, retaliation for petty things by petty guards, and all being adjudicated before some sort of internal rules board or some sort of internal court. Luckily, Eric did not have to defend himself before a kangaroo court inside without press and without legal defense from other parties. How is it that this case, why is it that this case, that could have tacked another 20 years onto his sentence, why did this become a public case? And how did the CLDC get involved, as far as you all know?

Mookie: My understanding, Bursts, is this case was brought to Lauren Regan initially by Daniel McGowan. Correct?

Josh: Yeah, believe so.

Mookie: So Daniel, you know, has a long standing relationship with the CLDC, because they did defense for him back in the day when when he was going through his trial, that he had been in contact with Eric for some time and reached out to Lauren Regan, who's Eric's lead defense attorney, and was the founder of the CDC, and said, "Hey, there's this guy who's serving time, he's got a really compelling story. He was assaulted. He's a really good guy and I really believe in him and believe in trying to seek some sort of justice in this case." Lauren has a very close friendship with Daniel, and they've got really good history together.

So I think that really, Bursts, the reason why this happened is because there was a lot of trust. There's a lot of historic trusts. And I think that's a really important piece of this case is that. Lauren, and I were talking about this after the trial wrapped up just that. It's really incredible when you see real true solidarity pay dividends like it does. Daniel felt solidarity with Eric, and because he had solidarity with Lauren, they came together and Lauren was like, "Daniel, if you believe in this person, I believe in you so much that, let's go." And that's how it went forward. The CLDC, this is one of the things that they specialize in is shining lights in the dark corners of the key parts of our judicial system. So, I think that that's that's originally how Lauren got the case.

TFSR: What are the next steps in legal process for Eric? Is the outcome of the not guilty finding by that jury, does that does that mean he's going to get any sort of reduction in his sentence? Or are there grounds for, because they were able to prove in a public court that the claims from the administration were false and that he had been subjected to harm, are there grounds for other lawsuits to sort of go back and point to the other portions of time when he's been stuck in solitary? Been put in courtyards with giant Nazis? Gotten diesel therapy? Not had the ability anymore to get visits from