

My Crucifixion

By Eric "Wally" Wallach

The D.C. Movement

I got fired-up in Washington D.C. the night George W. Bush and his posse stole the White House on a stormy gray day January 2001. The preacher, an old black man with a peppered beard, had more energy than a large group of high school students put together. He screamed repeatedly into the crackling microphone, "We've got to fight! We've got to fight!" he said over and over until we leapt to our feet. Then he got serious and officially inaugurated an agenda he called the D.C. Movement., the D.C. standing for Direct Confrontation. "They've taken the White House; they transformed our highest court to a Supreme Joke and have peopled our halls of Congress with corporate cocksuckers, but it shouldn't be so easy for them. We need to stand in the face of their business plans and simply get in the way. Speak up and act up."

The next morning, I went to the Republican souvenir shop along the parade route with Keith. Both of us were armed with Sony DV cameras (PD 150s) loaned from Manhattan Neighborhood Network. As soon we were both inside the tiny, crowded store and had finished documenting the merchandise and eager shoppers, I started speaking up, "Educate Republicans. Read a book! Educate yourself! Republicans for reading!". The both of us were physically thrown out of the store by some aggressive Bushites. Keith and I had gotten into trouble before and I've spoken out in public spaces, but this was on a different level, this was for a reason, and we documented the whole thing.

When we got back to the city the only clear question I had was: If I'm not trying to create the change that I want to see in this world then what am I doing? I could go about my life and work, but underneath it all, I must always be engaged in the struggle that has been going on for far too long.

Too many people have died. Too many leaders assassinated. Fascism is too much the fashion. This is our time, and we should add as much to the knowledge that is accumulating amongst who, I like to call, the people of the growing awareness. We all know what's going on now, but what do we want? Where do we want to be in the future? At war? No, I just can't stomach it anymore and I know I'm not alone.

January 2005 my girlfriend Belinda took me to Costa Rica to celebrate my 33rd birthday in a country with no standing army. This is after the protests during the Republican National Convention in Manhattan and later driving to Ohio to suffer through our second stolen election.

This was my first birthday celebrated away from home. The six numbers of the license plate on our four-wheel drive jeep added to 33. All was well. I read *The Four Agreements* because a friend recommended it to me. From it I make the following agreements: I'll be impeccable with my word. I won't assume anything. I won't take anything personally and I'll do my best.

I have only twice before dared to grow a beard and I wanted to do it again. January 12th came, and I stopped shaving, and I was thirty-three. On the golden coast the locals all greet you with, "Pura vida" meaning "Pure life", it's their "Aloha". We spent most of our time at the Pacific Ocean. Where else?

At the end of the month, I went to some meeting for art activists. It was dreadfully depressing as most of the energy was spent trying to find out the ways to keep the organization alive financially and not on how we can affect change. What's our action? No one ever asked the people who came out if they had an idea.

I came up with something. I have in my book on March 20th I wrote "take Jesus pic". I wanted to take a picture when the

streets were white with snow with myself up on a pole, impersonating the crucifixion, with my beard. For awhile I looked for the right spot for such a set-up shot. When they took away the big black cube, a sculpture called the Alamo, from the central triangle at Astor Place, it opened up and revealed the perfect location.

I don't remember the moment when it happened, but the picture soon revealed greater possibilities as a live event. On March 30th I typed out a brief script. I titled it "American Terrorist - a random act". I usually go through a hundred titles before the right one comes. This is what I wrote:

A 33-year-old Jew, with black curly hair and beard, wearing a blue sarong diaper and upside-down American flag ascends a New York City signpost. The flag is held by a silver Sheriff's pin in the shape of the star of David. Across his lower body is written "TRY PEACE" in red. His arms are held to either side by a long narrow piece of wood.

He stands up there in silence for at least five hours and no longer than twelve days or for as long as New York City can allow free speech.

Over 18,000 civilians have died during our two-year-old Iraq war. This is dedicated to all those humans who have been senselessly murdered.

April 26, 2005 Astor Place 3:00pm

I took a second to look at the calendar and picked a date for myself that seemed good. I chose a Tuesday, in honor of September 11, 2001, and the 26th because it was Passover and would be my first night free from seders.

Prepare Ye

I talked to Scotty the Blue Bunny about it. We talked about making the act of being looked at an aggressive act. We talked about the impending global demise. After trying on the three flags that I had here at home I got frustrated and reached out. I told Scotty, "What I need is an American flag sarong." "Well, that's it", says the Bunny. A google, a phone call and two days later, the American flag sarong arrived.

I changed some things, the piece was now called *Radical Jew*: 33 and "TRY PEACE" message to "terrorist", then I thought best, "All-American". Scotty told me that I would write whatever I felt like writing on the day of the happening.

I was in Tompkins Square Park with my friend Peter who liked to play devil's advocate about my plans. He knows that I'm into activism, but he didn't understand the whole Jesus angle. When I told him that I was going to fold thirty-three dollars into the crown he looked at me like I was nuts. He said to me plainly, "Why don't you rip the bill in a spiral then make the crown from that?" I said, "Yes, why don't I" and immediately began slowly tearing one-dollar bills like apple peels.

After W. stole another election the word on the air waves was that the movement needed to focus itself on the Media. We need to penetrate it as often as possible. Before every action we need to take every step to alert news outlets. Now I understand it means that you better talk to someone on the phone if you think anyone is going to show up anywhere. I chose my outlets carefully and purposefully kept my list select.



Before Shooki got to my place for rehearsal on Wednesday, April 20 at 11am, I took a practice shot and had compiled a short list of the contacts that I needed. The National Lawyers Guild, *The Villager*, Associated Press City Desk, The New York Times Metro Desk, New York 1, and Fox News. The lawyers said they'd send one to three lawyers to Astor Place.

I talked with one of the editors at The Villager who was eager to agree to send someone to the event which I told them would begin at noon on the following Tuesday at Astor Place. I asked for anonymity, and he asked for exclusivity. We didn't get either. And I didn't see any lawyers running to my defense when the cops arrived. But we're not there yet.

When Shooki got there, we got into our usual rhythm of collaboration, throwing things back and forth. I showed him the pole that I had, and he quickly objected offering that I could use a wooden rifle, which I could get my hands on. He suggested cutting the fringe off the sarong.

We walked the route up Fifth Street, across Bowery and up 4th Avenue along the yellow line, passing Cooper Union on the right and the new multi-million-dollar condominium mirrored monstrosity on the left. I brought the new white gaffer's tape, a thick black pen, and my thermos. We talk about the sign; Shook makes it very clear to me that everything should be big. It's important to be able to be recognized from far away. All details should fall away and only the clearest and most essential elements should remain. We cooked it down.

Shook helped me articulate what the heck I was doing. "It's a call for peace!" I exclaimed. "Simple. No more war."

I climbed up on the perch made by the arms behind the two Walk/Don't Walk signs. I quickly doctored the ONE WAY sign to read "NO WAY" and placed a piece of tape where the sign will go and wrote on it: "WAR?". Shook and I agreed that the sign was of the utmost importance, and this worked. I stood up for a second, shaking with nerves and came down quickly. It was around 1:30pm.

Riding my bike to work along the Hudson I was thinking about the Radical Jew action and asking myself how bloody the image had to be. Without hesitation I resolved that blood red was necessary. I came across a familiar gentleman who works for Sanitation on 59th Street directing bike and truck traffic. He was waving bicyclists on as I lifted both my hands up to give him the double peace sign and a smile. He smiled back with an encouraging word. I didn't count three before I lost control of my bike (a rarity) and fell hard on the ground. I yelled, "Safe!" so the concerned guy could hear me. I tore my pants and my new boots. Blood gushed out of my left knee. I smiled, got back on my bike, and rode to work. I just had to give that guy my special double peace sign I get tired of myself sometimes. I just can't stop acting up against the war.

Before I was to meet up with Belinda, I ran over to Chelsea and visited a floral shop of a friend of mine, and he cut to size a perfectly straight birch tree branch for me. We didn't tell anyone what it was for. I rode across town with it on my bike. On my way I also picked up stage blood in a little jar from the magic store, and the sign and wire from the hardware store.

Before falling asleep that night, I had to make the sign. I got out my big red pen and my blue paint pen and slowly, very slowly drew out the sign.

The following evening was the first night of Passover. We celebrated with my family on the Upper West Side of Manhattan. Second night was with Belinda's brother and his family and friends in Kensington, Brooklyn. My Passover classic, *Get Out of Egypt*, has been refined at these two homes over the past four years. The final refrain of the song goes like this:

*No more to silence
Get out and shout tonight
No American Empire
Get out of the churches
No homeland security
Get out of my head
No more to Pharaoh
Get out of Egypt*

All I needed now was red fabric, which is the final nail on the economic impact of this cute idea. I looked around the fabric store on 1st Avenue and they didn't have Japanese silk I was hoping for, so I opted for a sequined bright red piece that could work. I paid \$14. As I left the store I looked back in the windows and saw a dark liquid red fabric that wasn't in the store and went back and inquired. Sixteen more dollars later and I had what I needed. I took another spin over to Astor in my blue sarong to buy multiple bottles of red wine. I already had enough matzo at home.

I paced through many hours eating and drinking trying to reach out to what friends I could get on the phone. My mother Mary called me with the tentative question, "what are you doing tomorrow?" I couldn't go into the details. I stayed up til an appropriate time to finish the preparations.

I installed the sign and finish doctoring the One-Way signs after 1:30am. This went off without a hitch. I got up the pole quicker and realized how to do it smoothly. I descended then walked down St. Marks Place to Gem Spa for a chocolate egg cream.

On Monday it was cold, and it's supposed to storm on Wednesday and Thursday. But they said that Tuesday would be partly sunny with temperatures in the upper 60's.

It takes a Village

I woke up before 9am to a quiet sunlit day and walked the route again. The "WAR?" sign was thankfully still there, and it looked good in the daylight. The sun felt great and there seemed to be a palpable positive vibe. After I took pictures of the pre-event scene, I picked up a large beet/carrot/ginger juice at B&H Dairy and headed home to shower and write on my chest in stage blood. I didn't eat or drink anything else.

I came home and taped my key underneath my mailbox on my way in. I went on-line and checked the current totals on www.iraqibodycount.org. As of April 26, 2005, 22,000 civilians have died.

I called Clayton Patterson who is the Lower East Side's great chronicler. Out of a deep respect for his experience with activism I wanted and needed Clayton to at least hip him to what was going on. He said he'd try to make it. In my last moments alone, I tore up two-dollar bills and fattened my crown a bit more.

At 11am Steve arrived, and Jeanne followed a little thereafter. They both were focused and prepared with cameras. I had a short list of items to go over with them. I described the walk I was going to take from home to Astor Place. I made it clear that I would be silent throughout the event and that I wished to remain anonymous. I also asked that they not divulge any intention or meaning that I may have. I would be able to get up on the pole myself and Jeanne would hand up the branch that I had tied loops for my hands to slip through. I also asked them to be sure to video the responses that people were having. It would be of the greatest interest to me.

I described for them the movement of the sun that I had expected. For the first two hours the sun will be above and to my left. At 2pm a large shadow cast by the new building will pass over me for about an hour and a half. Around 3:30 I would have a gorgeous front light for two hours at least.

I gave Jeanne my bag that contained a small bell on a ribbon (that I asked her to tie below me), incense to burn if possible and a pair of pants and sandals to be given to me before I got into a police car. Luckily, a couple of strangers I met the night before enlightened me about what I'd need in The Tombs. But these two guys predicted that I probably wouldn't be taken down there at all.

Steve and Jeanne waited for me outside while I got ready. It took me dozens of attempts before I figured out how to securely wrap the sarong correctly for the desired look. I had to lay the sarong down on the carpet, make two symmetrical folds then lay down on it to begin wrapping myself. The worst part about this technique (or lack thereof) was that if I lost the knot or something happened, I wouldn't be able to get it back on right. I put my crown of torn dollars on, grabbed my branch and walked out my apartment.

I did not prepare myself to play anyone but myself. I didn't think about Jesus once. I thought about war and the 22,000 people who had their lives senselessly stolen away from them in Iraq.

As I approached the door to the street, I saw both my friends at different angles ready to start filming. I proceeded as I rehearsed it. Crossed the street, touched my bike, and walked west toward Bowery. I saw a helicopter high in the sky and wondered if they were watching me. Before reaching my final stretch up Fourth Avenue I paused for the light to change and to take a breath. Green light. I walked slowly as I passed the Cooper Union clock at 11:50am.

Astor Place, the Indian footpath crossroads, the place of the riot in 1856 when the Irish revolted when an Englishman played the Scottish king Macbeth ... the place where "The Cube" usually is but it's not right now. There's a Starbucks directly in front and directly behind the pole. At my two o'clock there's our K-Mart, at ten o'clock our Barnes & Nobles.

I heard that the coffee truck guy described my ascension by saying I climbed up the pole like a monkey. I grabbed on the bottom set of arms then lifted myself up till I could grab the top arm. Having gotten a good grasp, my feet then climbed the pole. I got my left leg over the top as swiftly as possible. There was a police car that was there while it happened. As Jeannie handed me my branch they drove away.

I stuck my hands through their respective loops and let them relax into it. I tried to get full control of my breath. I looked over my entire surroundings. My chest felt wide, vulnerable, and open. And just as soon as that feeling of accomplishment came it was gone, replaced with the horrible realization that I was stuck.

Here are a few of the directions I gave myself for this part of the show:

1. Do not smile and absolutely don't laugh.
2. Looking up is good, for lighting and to draw the viewer's eyes up to the sign then hopefully up to the sky.
3. If and when the police come don't give them any focus. Let them do their job, you do yours. Go limp.

But now what? I guess I didn't have to do anything except watch it happen. I looked over to the left and saw a consistent flow of people passing under the scaffolding. Saw one mother stop her family to take a picture. To my right was the Mudtruck selling coffee and playing some good reggae music. In front of me, one person after another whipped out their cell phones held it above their heads and took a shot, then they'd check it and walk away. Those without hellphones could fully take in the scene and did.



Clayton was ten feet from me the entire time, sometimes shooting with two cameras simultaneously. Steve roamed about shooting as well. Jeanne made the calls, to the

Associate Press, New York Times, New York 1 and Fox News, none of whom said they'd come.



From here I opened myself up to the moment. I touched people far away from me just with an attentive thought. The construction workers, the suits on the go, the derelicts, the NYU students in their NYU bus and the MTA bus number 3 rolled past me too. People stayed away while others came close.

Children were most apt to vocally respond. One child called me a hippie, another told me to put clothes on. That missive almost made me laugh, as did the teenager who didn't notice me until I was directly above him. He screamed, "Oh my God!" Then there was the lovely lady who stood still opposite me for a long while. She was shockingly gorgeous. Made me want to smile very badly. We exchanged vibes from afar.

Not long after, a blanket of grey clouds rolled in creating a nice diffusion of light but also brought with it gusts of cold wind. Suddenly none of this was going to be easy. My crown of dollars was loose enough that I ran the risk of it blowing off my

head entirely. So, I moved the top of my head so that it faced the on-coming wind. As the wind shifted direction I had to as well. This would continue being a problem until it finally fell over my eyes for a while, then finally my face emerged as it fell around my neck. No worries.



With the wind against my almost completely naked body I was prone to bouts of shaking. My teeth shivered. I gave people cause to worry if I could fall. Clayton even asked me a couple of times, "Are you alright?", to which I gave the slightest of nods. It was comforting knowing I had back-up in my friends who knew a thing or two about direct action. I was fine. Simply stayed in the moment.

About three times over the course of the event I wept deeply. Waves of sorrow would come through me as compassion and hope followed close behind. I made no judgments of myself while I was there, nor did I judge anyone else's response. I had only one question on my mind, "War?"



One other time almost made me laugh. Belinda's brother Jonathan arrived with his baby daughter Lucy and pointed up to me and said, "Say hi to Eric. Hi Eric!" I forgot to tell him my wish to remain anonymous.



From this moment it felt like I could stay up there forever. One guy said, "Give me a can of gasoline, I'll get his ass down." A crowd began to grow as the fifth police van approached. The only thing different with this van is that it stopped and ordered me down.

Through a megaphone, "Sir, get down off the walk sign." I didn't even look in their direction. The voice ordered me a couple more times then, silence. Not a minute went by, but all types of sirens and vehicles rolled in. Even a T.V. news camera arrived on the scene.

For the first time I looked out at the crowd. I scanned the mass of people who had assembled on the island as soon as the police appeared. As police strung a Do Not Cross tape in front of the pole my thoughts shifted to the People, "What are you going to do now?" The eyes that met mine were stunned, confused, worried, and appreciative.

The realization quickly dawned on people as they stood still, watching, witnessing that the event was coming to an end. A couple of officers yelled at people to scatter or get arrested. Some people stayed while most people obeyed. A helicopter now hovered above.

Behind me I heard voices, "Now come on, make this easy and just step on over here." "He's not tied to the pole." "Be careful." Someone took my left hand out of its loop and my arm fell to the side of the NO WAR sign that faced south. The sign behind me, that can't fully be read until I'm taken away, answers the question of the sign above my head asking, WAR?! The ONE WAY sign below now read, "NO WAY".



I kept my breath consistently mellow throughout the event, but I came to a deeper rest when they took my right arm. I let my body give its weight to the hands of these strangers who gently placed me on top of the shiny metal roof of their Emergency

Vehicle. I laid there, face down, dead as a fish, without a thought in the world.

Once they got the second hand free, they placed my hands behind my back and handcuffed me. One of them asks, "What's your first name?" The three of them roll me around awkwardly trying to get an orange board underneath me. After they do, they strap me on. There's one gentleman smarter than the others who I believe saved me from possible injury a couple of times as they tried to maneuver me into a position where I can be passed through the roof hatch.

I'm looking up listening to the smattering of applause as one woman kept yelling, "Bravo! Bravo!" As they position me closer one officer says, "I hope you're happy. You made your point." The other guy asks me again, "What's your first name?"

When they tip me up, I can see the crowd once again. It's all so sad; for them, for me, even for the officers, some of whom are former military men. I was all the way in the vehicle when they realized that they hadn't made a safe landing spot. During the awkward exchanges, my first words were, "Nice exit. Not necessarily smooth but real nice. I'm okay though the cuffs are too tight, they hurt." They undid the straps and I helped myself down onto the floor and then out the back door which was open, had stairs and lots of sun.

I saw an officer holding my clothes that I asked Jeanne to make sure came with me. I tried gesturing with my eyes to an Officer to put down the sandals so I could slip them on, like charades without hands. I stuck out my foot to show the Officer what I was meaning by my wild eyes and was quickly misunderstood. Officers jumped back and told me to watch it. I tried my best not to laugh. Once again, I heard, "What's your first name?"

Two officers led me to their car and as I walked towards it a news camera stood beside Clayton Patterson, getting that last shot. The camera guy takes his microphone off the camera and points it at me and loudly asked, "So, ah ... why'd you do it?" I looked at both cameras and sustained the play, written without dialogue, to its finish and got into the back of the car. The door shut and we were off. Meringue music was playing.

I saw video later of one bystander saying out loud, in disbelief, "Why'd they arrest him? What'd he do?!"

Under Arrest

I hadn't planned this part at all. We arrived at the temporary Avenue B location of the NYPD's 9th precinct around 2:15pm.

I walked barefoot into the station; my hands cuffed behind me, wearing my American flag sarong. Most officers treated me respectfully. We engaged in a little dialogue when they asked why I did it. I said, "It was the clearest statement I could make about the war." "Aren't you two years too late?", asked the guy behind the desk. "The war is still going on," said another officer before I could.

I gave them my information at their main desk then was taken to a jail cell just behind a door that was close by. It was all going very easily at this point, and I had every hope of being exonerated or sent home with a Desk Appearance Ticket. For a while I was singing softly in the institutional tan 10' long and 7' deep cell. There was a seven-foot wooden bench with "L.E.S. MESSIAH" written on it and one small fluorescent light. One officer complimented my voice. I began to understand why the caged bird sings: there's absolutely nothing else to do.

"Did you get arrested during the Republican National Convention?" "No. I kept it real, and most police officers

supported my actions. I'm a peaceful protestor. No violence."
"Oh, I was just wondering." "I got lucky really."

Finally, I was handed my brown jeans through a little opening in the bars and kicked my sandals underneath the bottom. The officer left the white hooded sweatshirt with a zipper that Jeanne loaned to me at the last minute on the desk in front of my cell. I don't know why he doesn't give it to me, straight off. It just sits there while I shiver for a while. I assumed I was paying for my action, and they were going to give me my D.A.T., my stick, and sarong and show me the door.

My arresting officer, R. Pereira, gave me the sweatshirt and got me out of the cell. He told me where to stand and I did dutifully. He walked me nearby to take my fingerprints. As we pass the other cells, I see two guys, one black man and one large white guy, I try to make eye contact.

Officer Pereira tells me quietly that he's a Marine who agrees with my action but not with the American flag flanked around my naked ass. He's good at the finger-printing machine, manipulating my hand on the glass. All the prints came out very clear. He asks me a series of procedural questions. Do I do drugs? Am I in treatment? Am I HIV-positive?

Somewhere between the fingerprinting section and the digital photographs desk I asked, "So, am I going to get a DAT and go home?" To which an officer replied plainly, "Oh no, what you did ... you can't just ... no, you're going to have to go downtown and see a judge. What you did was serious."

We took two pictures. He was behind the desk at a computer, the camera was affixed to a metal arm up near the ceiling, you have to look up. Whoever looks at that picture later will be looking down on me. The officer says, "Try to look innocent."

I was let back into my cell without a word. I sat. I laid back. I climbed the bars and it finally dawned on me that I was in jail. I couldn't go out to get a bite to eat if I wanted to.

Now it was time to watch the gentleman in the other cell do his prints and take his picture. He was a round white guy with thin brown hair and a funny knowing yet stupid smile. He was wearing a solid purple sweater with a preppy white collar sticking out. I called him Mr. Purple. He enjoyed having his picture taken. His arresting officer asked if he wanted something to drink.

The door opened and another officer, a young black guy, brought in a tall thin man who looked like a cross between Scottie Pippin and Bob Marley with a lot of jewelry. He stood there as the officer decided where to put him. I put the welcoming vibe out and was lucky to have a cellmate.

Once locked inside he was asked for his belt and shoelaces which he gave up, all the while trying to work out his situation. He sits silent next to me. His officer gave him his cellphone to use to call his mother, his girlfriend, and his daughter. He knew where he was going and how to prepare. He's not in any mood to get to know a new friend.

His name is Derek. The officer interviews Derek while sitting at a desk where he can't see Derek who is laying down on the bench. I stand at the bars watching and listening to the interrogation. Six tattoos, three on each arm: Mother, Asian writing, a cartoon character, a pit bull, his daughter's name, and something else. He describes his height, weight, and full appearance in detail. It goes on for a bit and then the holding cells get quiet again.

Derek tells me that some crazy woman at a Blockbuster said that he was shoplifting when he hadn't taken anything. Though he happened to have a bag with him that could be used for

shoplifting, no theft had taken place. Three movies were in his hands and there was over a thousand dollars cash in his wallet. But no one asked him his side of the story. No one looked at any surveillance footage.

Officer Pereira was apparently told to carefully identify each one of my belongings as it seemed to take him forever. He started undoing my money crown then got frustrated and handed the bunch of torn dollars to me through the bars. "Here, you do it," he said. I sat down on the floor and carefully undid them, flattening the bills as best I could on the floor.

Derek was brought out for his prints and pictures. When he came back, he shares with me what he scored from the trash can while his officer was fiddling with the computer. A Blunt cigar, Bamboo rolling papers, and the real prize, a half-filled book of matches. Smooth and excited he tears out each match individually and stores them in each of the myriad of little pockets he had in his baggy pants. He offered me a match and/or some of the papers. I tell him I'll be alright. He looks at me suspiciously and says, "Suit yourself. One of these matches buys me a cigarette."

Mr. Purple's officer comes back in with a Gatorade. Mr. Purple insists on giving the officer money but is refused. I said to the officer, "I'd love to get one of those." "Aah, can't do it. Only your arresting officer can give you anything. Ask him." And he leaves.

I wait. While Derek closes his eyes again. I read some of the graffiti on the walls made with shit smeared with fingers. Half-hour or so later I see Officer Pereira and ask him if I could get something to drink. He unlocks the cage, tells me where to stand, locks the gate, walks me down the room, and points at the bathroom. "That's the best I can offer you." I cup my hands and take a few gulps. When I come out Pereira is surprised, "That's it?" "Yeah, was getting real thirsty. I'm also pretty

hungry. Don't laugh but I've only had matzo and wine since last night." "You know what this guy did?" Pereira asks Derek as I get put back in. Pereira tells my story and I confirm by unzipping my jacket to show the ALL AMERICAN on my chest.

Derek understood. Some other officer pipes up, says to me "You should've given out your number. There were a lot of fine women checking you out." I couldn't respond to the phone number comment. The thing that really saved me while I was on the inside was that I know a thing or two about acting. The secret to acting is listening. Sincerity and empathy help too.

Derek tells me he's got an order for Chinese food going out and asks if I want anything. I explain to him that it's Passover and I can't eat bread, pasta, or rice. "A banana would be tremendous." I tell Pereira again about my hunger and Jewish observance and he reassures me that they'll have something for me to eat as soon as I get downtown. I keep quiet.

Derek's girlfriend shows up. She got his truck off Eighth Street where it was illegally parked. He signs away his bling bling and \$970 in her care. You're allowed to take \$100 with you to The Tombs. I've got a twenty-dollar bill, my driver's license, and my lucky coin which I preset in the pockets of my jeans.

After three and a half hours since I got there, Pereira finally comes to take me downtown to "see the judge". I still don't really understand what my charges are when they take me. I'm joined by a silent soul that was locked up in the Ninth precinct's holding cells. I'm not sure if he spoke English or not, he was in shock, in shut down. If he said a word, it might kill him.

We're cuffed, double-locked, so they won't get too tight, and shuttled into a van where we wait again. Pereira opens the side window for me when I ask, then he pulls out The Post and flips through it. The officer sitting shotgun flips through the radio and chooses poorly.

The sky has cleared, the day is bright. We ride through the projects to the East River and take the FDR quickly downtown. I don't know why but the driver seems to be in a rush.

"So, what's next for you?" "Well, I'm not doing this again. This was a one-shot deal. I'm a theatre director, I'll do the next thing that comes along. I've got no plans." "Your thing would've been great if it weren't for the flag thing." "What can I say?" "What did you mean by it?" "A friend of mine said that it sounded like I was wiping my ass with the flag, and I guess I am. That's how I feel about the degradation of the flag's meaning as we perpetrate unnecessary war for the profit of the few. I wish I could fly the flag out my window, but I'm shamed by it."

"Hey, well, he's Army," pointing to the driver. "I respect your service. I do," I said, "but it doesn't mean I have to accept the war."

They drive us down the FDR and into Chinatown. The driver predicts that we won't have any problem when we get to the gate, saying, "Now it just stays open."

We made it to downtown all too quickly. Contrary to expectation, we watched the large metal garage door ominously raise up slowly and shut quickly behind us. The mouth that just swallows people. The van parked and we got out and went to the back door of The Tombs.

THE CRIME IS THE SYSTEM

Being escorted into The Tombs was relatively simple. Descending the stairs was like walking down into a missile silo. The stairs were wide enough for a single file line. Not an ounce of natural light. The TV hanging off the walls was on even though no one was watching it.

The absurdity of my situation, mixed with a heavy dose of naivete, left me vaguely optimistic that this too shall pass. No handshakes or tears were shed when Pereira put us in our first cell at The Tombs.

The Caribbean lady who ran the business down there locked us into the 28' x 14' cell with over 25 other men. "Here's your food," the Caribbean lady said as she handed me two sandwiches wrapped in plastic bags and a little carton of milk, the kind you'd get in school. "Excuse me, but I can't eat this, I'm a kosher vegetarian." "Too bad." "What? You have no food for a Jew on Passover?! A banana?!" "We ain't got no bananas!" "That's it?!" "What do you want me to do about it?" "Why don't you let me out so I can get myself something to eat?" She vanished behind the control center. I grabbed the sandwiches and milk and turned to the assembled, "Who wants it?" I passed out the goods to three different people and sat down next to the biggest guy in the pen.

His name is Tony Serrano, his muscles were bursting as much as the sweat off his jittery brow was. He doesn't know whether he's a monster or a huge teddy bear wearing a collared shirt small enough to show every pulsating vein. He's a cross between John Travolta and Rambo. We watched the eating ritual. Take the sandwich out and go to the trash can and tear off all the crust, then eat.

A young thin black guy with a baseball cap roams about the cell as if he's in detention at school, acting too cool for the situation. "I'm tight yo. I'm all wound up. Who's got a quarter? Yo I'm tight."

There's one pay phone in the cell that's in constant use. Thankfully no one gets into making a line, that would be too much. Tony tells Tight, "Hey, I've got a quarter, if you've got a dollar."

“What??” Groans are let out around the benches. “A quarter for a dollar my friend, a deal is a deal. You don’t want it, I’ll keep my quarter, no thing.” “Yo, that ain’t right yo.” “That’s business.” Someone else piped up, “Round here, they’re selling Newports for five dollars each.” “What?! Ohmygod.”

Someone else silently gives Tight a quarter – the phone eats it without remorse or a phone call. He got nothing for it. Back to square one for Tight. Everyone tries not to laugh out right, but they do.

“What did you do to get in here?” goes the question like, What’s your major? Or What do you do for a living? Tony answered quietly to me, “I did some angel dust, freaked out – was locked in the hospital for the past four days. You?” I told him as quickly and softly as I could.

When he looked at me in disbelief I pulled the wad of ripped dollars from my pocket, mumbling, “I wore these as my crown of thorns.” After a beat he says, “I can respect that,” before getting up and using his quarter.

No one pronounced my name correctly and it always came last name first. I jumped when my name was called and went to the bars to meet a lady who seemed ready to take my order with a palm pilot of sorts in her hand. She entered all my information with a pointer on the pad, saying, “I am conducting this interview for the courts. I am not a lawyer. Okay?”

She asked me my name, social, address (how long I lived there? Where did I live before that? How long?). Am I employed? How long have I been unemployed? (A question not easy for me to answer – there’s really no option for “freelancer”.) Does anyone live with me? Do I have any dependents? How much do I make? Do I receive any benefits?

Once she was done, she vanished before I could tell her I'm Jewish and hungry.

I walked to the back of the cell and sat next to the eldest man amongst us. His name was Ray and he had well-manicured hands and more than a few missing teeth. We talk cards. His game is knock-rummy for money. He plays with an ex-girlfriend who likes to play 20-40-60 a hand. "She's real good." He explains to me the rundown of how you can lose or make a bunch of money quickly. I asked him his story and it's the first of many stories of lady woe that I was to hear.

"I was picked up for stealing my own car. My girlfriend went crazy on me and thought she'd show me something by reporting the car she bought me stolen. I'm cruisin' with my side man up on 145 when he keeps leaning over lookin' in the mirror. He says to me, 'I think we're being followed.' I said, 'Sit up straight.' But sure enough we were being followed and there goes the lights. I tell my man not to leave anything in the car cause you know whatever is found in the car I am the owner of. They got me out of the car – and my brother, I just see him shakin' his head, "Yes, yes." They let him go and now I'm here. And my lady done fucked up. And I ain't gonna call her – she's sittin down there in Virginia realizing how fucked up she is. She's got to figure her shit out." He told me she was loaded. Just moved down to Virginia and wanted him to cohabitate with her. But she's that kind of woman who makes money, bossy and ordering people around as if she owns them. Well, Ray wasn't gonna have it like that.

Witnessing never felt so heavy. The injustice, well, you know ... Ray had been locked up since the night before. It's seven o'clock by now.

Some new guys arrive sporadically in the first hour. When they enter, they crash down as if they finally made it to the bottom.

Some are already drunk, or high, or both – others are trying to figure out how they're gonna get high.

Ray says to me, "You shouldn't try to learn so much." I'm a sponge," I answer. I ask Ray about his manicure, and he tells me that his father taught him to take care of his hands if he were to be a good hustler. Ray's father taught him how to work 3-card Monty before anyone was playing it on the streets of New York. He beat the gig into him.

We all talked about the 3-card Monty hustle and the varied ways to take people's money, sometimes literally taking it out of someone's wallet when they're looking to see how much they have. The news on the street is that someone has brought the show back on West 34th Street just far away enough from Penn Station to nab those suckers who get lost.

I take time out to use the phone myself. I've got a phone card number memorized and it has minutes. I call the only person I know will answer their cell phone, my friend Keith. "I thought I was supposed to be your third call!" He doesn't believe I'm calling him from inside The Tombs. I rejected all pleas for assistance. Nothing to be done.

I laughed quietly at the absurdity of the situation. Finally, I called Belinda and got her answering machine and left a message asking her to hook up whatever legal aid she could and add more minutes on our phone card. I tell her I'm fine, in a voice a little too shaky and not earnest enough.

I sat back near Tony. He starts complaining about the fact that he has to call his girlfriend in the Bronx to have her come downtown with \$500 bail.

I let a little time pass before I offered to hook up my phone card code for him. I tell him to play it cool. "Wait for me to put in the code" then he can take the phone and dial his number.

It doesn't run smoothly but no one says anything. We all end up listening to Tony try to explain to his lady that he'd give her back the money when he gets paid on Thursday. This goes on for a while, all the boys are grinning knowingly.

Ladies don't agree to anything at face value, everything has to be explained two times from each angle. Tony gets off the phone exclaiming, "You treat people right and they don't forget it. That's just the way it is. I used to give her \$500 allowance a week. She don't forget." Everyone nods.

"Hey yo she's got a big stack with her, get your asses ready," Ray says. "I hope I'm not one of the poor suckers who stays." All the gentlemen got up and crowded the gate - hoping, waiting to be called. "I say your name, you come out and tell me your birthday, and take off any goddamn hat."

Everyone save for about six of us got called out. We made a time check, 8pm. Ray, Tight, and about twenty others were gone, leaving us pondering how late the night court was gonna stay open. Apparently, back in the Giuliani days the courts ran 24/7. But with Bloomberg in charge, courts are closing at 1am, but there's rumor that last night the cogs turned til 2am. We had a chance of getting out but little hope. I sat resigned. Tony, who didn't get the call out, came back to me with a request for another call on my card.

"Come on Tony, if I let you rock my number again then everyone's gonna want to get at it. I don't think I can do it." "Alright alright." "I thought you already talked to her." "Yeah, but she wants to wait in the Bronx for a lawyer to call her, and I need her to start moving now." "Besides I didn't hear from you what you're offering me. Business is business." "I'll give you a punch in the face." I responded simply and low, "That's not funny Tony. Threatening me is not cool." "I was joking." "I'll let you use it once more but then that's it." "Alright."

I punched the code, then passed him the phone, and then curled up on the metal bench and hid myself from the fluorescent lights with my white hood. I closed my eyes but nothing could block out Tony's pleas of understanding with his lady. Once she agreed, Tony hung up the phone and gave my head a push on his way to a long expanse of bench to lay down. Nothing to be done.

The gate opens and in walks more men and a few 19 year-olds. Three guys are dressed in Sean Jean style. They knew where they were, and they took over the lunchroom very quickly. The brief quiet was over, business was open again. They took over the back right corner as if it was their headquarters. They take off their coats and check out the scene for what prospects were viable.

They pointed to one man at the other end and mumble that he may have something they want. The three walk slowly over to the unassuming man and surround him closely. They whisper. The guy shakes his head and they walk back with an understanding, "He ain't got nuthin'."

An older black guy with a grey beard mumbles, "Well, what you got?" "What you want?" "Twenty for a dime." "You cool?" "What I do is what I do. I ain't gonna rat you." "Yes sir, I know you're not." "What's mine is mine." "Don't do it next to me yo." "I'll keep it down." They exchange a bag for a bill.

It's almost nine o'clock. One of the guys shows a handful of nickle and dime bags sayin, "Yo so, I'm gobblin' it up if they send me to Rikers. All in one, just gobble the shit up."

Tony comes awake and says in a low gruff voice, "You guys know how to smoke in the joint don't you?" He grabs a sweatshirt near him and holds it with both hands in front of his

face. "First you got to wet a shirt or preferably a sweatshirt, something thick." Understanding. "Works like a filter yo."

"Wet it – then blow out through the fabric covering your whole face with it." "Sounds like you talkin' from experience." "Two years in Rikers. And I hopped through some other houses." "Yo what'd'you do to get in here?" Quietly, "Freaked on angel dust." A sympathetic inhale goes through the bunch. "Wait, you're not that cat that threw the motorcycle." Tony grins, "Yeah." "Yo bro I heard about that shit. Hundred and nineteenth street?" "Yep." "Yo I heard about you son, you're famous."

Two guys are practicing the filter technique, to the third, smiling, "Son you got to wet the ..." "Nah I'll share with you." "Fuck that." "I'm not wetting my shirt. Yo. I have a few nice things in my wardrobe, and I like to keep what I got nicely." "You got to wet ..." "I ain't gonna do it." "You know my eyes are gonna be bloodshot in front of the judge."

They talk on and on about the prisons they've been to, who they met there, who they were loyal to. People came and went in dribs and drabs.

Mr. Purple arrived, sat on the floor by the garbage can with his milk and two sandwiches and started eating in silence. I quietly flipped my lucky coin in between my fingers. Waiting. Hoping for my luck to come in eventually.

It seemed rather pathetic really. The coin couldn't help me nor could any hope. The only thing to do is resign myself to the situation, though I had no idea of what lied ahead. I could just tell myself over and over, "No one's gonna kill me. I'm not gonna die, I just have to live through this."

Tony woke up for a sec. "What d'ya got there?" "My lucky coin." "Let me see." I flipped it to him, and he checks it out

closely. "I'll give you ten bucks for it." "You can give me twenty thousand and I still won't get rid of it. Not on your life." "Aright, where'd'ya get it?" "From a store called Remember on East 10th Street. A woman from New Orleans named Ms. Florence had it unknowingly buried in a dish of coins. She didn't know she had it. Charged me 20 bucks cause she knew that I wasn't leaving the store without it."

Tony starts listing the lucky charms he saw on the coin. "Wish bone. Four-leaf clover. Horseshoe." He reads from the flip side, "Good luck will accompany the bearer." I say, "It's almost a hundred years old. Depression era. People needed some luck." I reach for it, "A lot of good it's doin' for me now." I hold it up, "Anyone want to give the ol' lucky coin a good rub?" No takers. It goes back in my left pocket.

A new gentleman, black in his fifties maybe, says, "I have a small coin collection. All the coins from 1890, when my grandmother was born." "Good condition?" "Oh yeah. They're all in plastic and all that. I wouldn't cash them in. Probably not worth all that. They're for my kids." "That's nice."

The Caribbean guard yelled out something and everyone stirred. I stay on the back bench while most of the gentlemen crowded the gate waiting for their name to be called.

"Wallach, Eric" mispronounced it sounded foreign but familiar enough for me. "Yo yo you got me." As I exited through the men and then the gate, I gave my birthdate out loud to the lady holding my papers folded in her hand, "One, twelve, seventy-two." "Stand over there." Once five of us stood with our back to the wall, a guard ordered us to follow him. Maybe he's taking us to see the judge.

No. Down some stairs, through some corridors and into an empty lot of jail cells. We were ushered into the first cell on the

right. The long side had the bars, with a trash can in the middle, some feet behind the central door. Toilet and sink in the corner.

I was the second guy who entered the cell and had a wide choice of gleaming benches to sleep on. I put my head under one of the two payphones in the cell. I laid down under the one that didn't work, opposite the main doorway. Ours seemed to be one of the larger cells. I laid down, stretched out and tried to put my hood over my eyes as more men shuffled in.

"Listen up, it's 10pm, if you aren't called up to see the Judge by 11:30pm then make yourself comfortable because you'll be here for the night. You'll be given another meal around 1am and we'll be moving you from here at 5:30am. Don't ask no questions, cause we don't know anything about your case." He went on in a loud tone, I'm trying not to care.

When the gate closed and locked the deliberations began as to whether the courts would stay open til 1am or 2am. Gone were the good ol' days during Giuliani with the 24-hour open door. I wanted to share that I heard the Courts are staying open til 2am lately, but I don't care, and I don't believe anybody anyway.

An hour passes and a guard comes into the hallway with a short stack. "If you hear your name called, respond by giving me your birthdate then stand over there with your back to the wall – and take off any goddamn hats or I'll leave you here for the night." Another group leaves.

I look around the room and see Derek, my cellmate at the 9th precinct. We exchange smiles. "You missed some good Chinese food." "Damn right I did, they didn't have nothing for me here. Not even a banana." "Tough luck."

Tony stood anxious and smiling when his name is called, along with four other guys. Ray and two of the lunchroom posse stood

grinning. The last one in the short line still got his hat on. I want to whisper something, but their attention is on getting out. No one looked back. I murmur a pathetic, "Good luck."

Someone checks the phone above my head again. "It doesn't work." Chances weren't looking good. Two DOC women came and started counting.

My head is at the corner of an L shaped metal bench. My long stretch of 6' connected with the feet of a tall older black gentleman who had a white guy sitting beside his head, sleeping with his mouth open.

Twenty-two, yeah that's what I got. Someone comes out of the john. What about that one? I counted him. "You sure?," starts counting again. We got twenty-two. Three more guys are ushered into the cell. No, no, step back we have enough in here. "Hey when are we going to get something to eat?" "You missed the last meal next one is at 1am."

I pipe up again, "May I request again anything other than those sandwiches, a banana or ...?" "A banana? Down here? You can request all you want, you may just get some cereal."

Before midnight it started to sink in. I decided to call my lady even though she may not even be home. I leave my spot and go to the phone quickly, dial my code then her number. Her machine picks up and all I can say is, "Well baby I lost my place to sleep so I could talk to your machine. It's cool. I'm alright. There's no one to call. Don't worry."

(I'm writing this so that it doesn't become a black hole in my experience, a sleep-deprived nightmare – no, this happened and it's happening tonight too. And it's a crime.)

I walk back to my spot and there's a nice Spanish guy laying down with his back toward me trying to pretend not to hear

me. "Come on. You can't be serious. I'll kill my girlfriend if she lost me my sleeping spot so I could talk to her answering machine. Come on man, be nice. You don't want me to get upset with my girlfriend, do you?"

He turns around, smiles, and gets up, "No man, you can have it." "That's very kind of you sir. Thank you so much. I'll be able to sleep now."

He went back to his lengthy spot on the floor. I pulled the hood over my eyes and tried to shut my eyes, block everything out. More guys got added into the cell and found spots on the floor. Derek shuffles around from time to time, repositioning his coat so it could serve both as pillow and mat.

"Okay gentlemen, I've got change for the phone, snickers, peanut M&Ms" – one by one on both sides, men helped themselves to their high-priced candy. Business was transacted quickly while half the guys got up and got what they needed. "Snickers, but no bananas!" Derek tears off a third of his snickers and hands it to me. "Can you eat this?" "Yeah alright. Thanks a lot." "It's all good. You gotta eat." I enjoyed every bit of it.

A shorter stalky Mexican-looking man whispers to me, "You believe it's my birthday?" "What?" I sit up. "I was in the park over here in Chinatown with friends. Someone hands me this beer and I take it not even sure what it was. And I start to feel other people like close by – and right when I lift the can to my lips, 'New York police, can I see some ID?' I said, 'How come you want to see my ID, I haven't done anything. I haven't even taken a sip. You son-of-a-bitch.' I hand him my ID and he's like, 'Happy birthday, now turn around and put your hands behind your back.' I said, 'You don't have to do this,' and he just repeat his fucking order and I say to him, I swear I say, 'Fuck you officer, you piece of shit, I didn't do nothing. Fuck you.'" "He knew it was your birthday what an ass."

"What do you expect its Tuesday Thursday? Beef up time. They just keep the gate open at night, no need to close it, so many poor bastards being shuttled into here." "What do you mean?" "Everybody knows that Tuesdays and Thursdays are when the dogs are expected to keep them working down here. All of us sitting around to see some fucking judge who don't care less. It's been going like that for years ask anyone."

"I did not know." "I don't know why but it's the truth." Maybe Tuesday wasn't the best choice. I guess they're not gonna shut off the lights so we can get some sleep.

I am rolls around and another COD comes to the beginning of the hallway hollering something about our last meal. Rice Krispies in those little cardboard boxes and more of that school yard milk. It kills me that no one gives a rat's ass for my needs. I try to ignore it, but something insists inside me as I go over to the gate and try to get the guy's attention. "Sorry man, no more." "You don't understand, I can't eat rice krispies anyway – it's Passover and I can't have any bread, pasta, or rice. There must be a banana around here somewhere. I haven't eaten in 24 hours." "Tough luck buddy." Derek offers me a box, "I can't have it either." "It's cool. Thanks. You're the best." "You sure?"

I take a couple steps back to my spot that is now taken by a much larger man who feigns that he's already sleeping. "But ... come on ... damn." I find a bench spot on the other side of the cell. I take it. The guys around me are all up talking.

There's a skinny light-skinned black kid pacing in what little space was available on the floor, wearing a white gold puffy jacket with a large quarter with the American Eagle embossed on the back. He's talking about riding in the passenger seat of his friend's car when the cops pulled them over. "The cops didn't find anything on us, but they pull out an empty baggy on his side of the car." They almost let his friend go, but then later, chose to take them both in. He's upset and trying to make

sense of this city. His mother is from Cuba, his father from France. He speaks three languages and he's nineteen years. "I got a bad chemical reaction to this city. It's not good for me."

He sits down next to me and begins to cut through the cardboard box with his plastic spoon to make a bowl of Rice Krispies. I tell him I used to do the same thing when I was a kid.

In the opposite cell from ours I can see Mr. Purple sitting on the floor with his legs in front of him. He's eating something again. Another gentleman "pssts" over to us, asking if anyone has flame. This begins a back-and-forth slapstick trying to give our neighbors some fire. The first attempt was made with a match and some paper burning inside the box that was then shuffled across the 8' hallway. Payment for this flame was made in a plastic bag with a handful of cigarette butts – two of which you could get a couple of drags from. Everyone shares what little was acquired.

A couple of older men tried to sleep next to me. I moved again to a small space on the perpendicular bench. One of them thanked me for showing some respect for their age. Everyone is trying to desperately get comfortable but can't truly grasp a moment of peace, save for those who have the uncanny ability to shut down completely. We're like dogs in a pen shifting occasionally trying to find the right angle to fall asleep.

A radio plays at someone's desk at the opposite end of the hallway.

Now someone on the other side has a friend working for the COD maintenance and soon the two cells are up and buying cigarettes off this guy for five bucks each. It dawns on the young ones in the cell that the turnaround for Kools in The Tombs is much better than selling dope on the streets.

I'm resigned not to sleep. How often am I going to be a part of this kind of show? Someone asks about my arrest, and I offer a low-toned explanation, complete with the reveal of the ALL-AMERICAN still written on my chest. "You see that movie?" someone asks me.

We talk about Mel Gibson's *Passion of the Christ* focusing on the gruesome details of the crucifixion. "Did you really do that?" "Yeah. At Astor Place today." "Were you on the news?" "There was a camera there, but I have no idea, I've been here." "Wow. You're gonna be famous." "I doubt it." We drop the subject. The skinny kid, I later find out his name is Nelson, he starts listing the cities in the world that are better than NYC.

Around 3am DOC comes through with mops. They wake everyone up and tell those people on the floor to find a seat while they mop. One worker picks up loose cereal and milk boxes, as another changes the trash bag. Everyone is brown or black, save for one sleeping guy, Mr. Purple, and myself, and that includes the clean-up crew. They exchange half-barbs at each other, half-joking, half-threatening. The mopper was precise and glazed the entire floor with ammonia. It reeks so bad of cleanliness that I cover my nose and mouth. The crew leaves, locks the gate behind them, and does the same to our neighbors.

Nelson suddenly looks at me and says, "Man, you don't understand half the things we're saying down here, do you?" I respond simply, "How do you say ... 'Tru' nuf'?"

I crawl underneath the pay phone that's on this end and watch the action. Banging sticks, yelling – the clean-up crew allows no bullshit and sleepers who can't get up. When they vanish down the hall, the business picks back up. I try closing my eyes while sitting up with the pay phone directly above my head.

The next thing I know Nelson is on the phone talking with quiet intensity, "Wait a minute baby." then he tells me, "Yo, you missed the joint we rolled. We passed it all around." "What? I couldn't have been asleep fifteen minutes." "Less than that yo. And you missed the explosion. I swear." "What?!" "This guy tries tossing his lighter over to those guys for the dope they got, and it hits the crossbar of their cell, and it explodes just as COD walked by. The guy didn't say nothing." He's smiling and goes back to his girlfriend on the phone.

The most action the cell was seeing all night and I miss it along with the communal joint. So it goes.

Nelson talks forever to his lady a foot away from me crouching in the corner. They should move. He'll be in better company elsewhere. The city is a pattern that's killing him – the chemistry doesn't work. He's gonna be better. He loves her passionately.

Everyone else has quieted down, contentedly (some of them). In the other cell the cool guy from the cool group upstairs seemed to be in a worse situation then he let on earlier. This isn't hell, it's an eternal limbo where you wait to meet one judge who will decide whether you get locked up in hell or whether you'll be released back onto the streets.

Around 5am the guards came rushing, threatening us that if we did not respond to our name being called than we would be left down here. And here we go again, last name then first name then a voice responds with a birthdate from the 80s back to the 1940s. Again, repeated attempts were made to wake certain sleeping people, once to no avail.

"Wallach Eric." "One, twelve, seventy-two." "Go and stand in line." I was the third man back in the third line from the wall facing the open doorway. One guard said there were seventy-two of us and that eighteen would go upstairs. My line was told to walk, following the person in front of you.

More hallways and doors, till we all filed down a narrow pathway that had a brick wall with bars on top. Anyway, we are all halted before going up some more stairs when someone, from behind the wall, starts screaming. Screaming loud, at a frightening pitch, from someone who clearly didn't want to be there and wouldn't follow orders quick enough. "I said get down on the ground." Screams and screams again. Guys behind me started pulling themselves up by the bars to get a look. Our guard threatened to take them back if they did it again. The screams continued, and worsened, as we got the green light to go.

I'm first in and take the unfortunate seat that faces the toilet. The cell is small. There's eight of us total in the cell not including the cockroaches. "Man, there's cockroaches in this cell. I can't stay here. You better come take me out." "They're small cockroaches," I offer. Sooner than later the squeaky wheel is replaced, and we settle in. Two guys are sleeping on the floor with half of their bodies in the tiny meeting room that has its door open now.

There's one chair in the room opposite a screen where we will all meet a lawyer that will represent us. I stomp on a couple roaches with my sandals.

It'll be at least four hours before we see a lawyer. So, one by one we hear each other's stories. The guy with the Yankee cap was arrested for selling Yankee hats on the street. They took all of his inventory and it's his second offense, he may do time. He has a son who doesn't know that he served time some years back. It was only for two days; he was able to keep it secret.

There was the eighteen-year-old kid from North Carolina. This was his first time in the city, and he lost his wallet or had it stolen. On 8th avenue and 42nd Street, he got a new ID with all of his real information on it. To him it's not a fake ID if it has all his real

information on it. If it is illegal to carry such an ID, then why aren't the people who make the IDs in jail? Why was he guilty for shopping in the City?

He and everyone else were going out of their minds subtly. It was only with the strongest degree of character and honor that none of us freaked out in our small cell. The screams persisted from downstairs, metal bars shaking hard.

"They're going to give it to him. No one told the poor bastard not to fight. You got to lay back when you're in the system. The easier you are, the easier the system will be to you. Show the littlest of defiance and they'll beat you. Step out of line and you turn a nice cop from a lamb to a wolf." He goes on talking about the shot the cops will give you if you act out like the guy downstairs. "Orange Crush for that dude. He's gone. They say that it makes you crazy. It subdues you first, you pass out, and when you come to, you ain't the same again." "Everyone knows about it. It's on the DVDs in the cells up in Harlem."

I sit opposite another guy who tells me a love-gone-bad story. The girlfriend he was trying to get away from, brought his bank records, a digital projector, and mixer to the police precinct. She told the cops that her boyfriend was stealing from his employer, who he was worked with for ten years. The cops came to his place of employment and led him away in cuffs. This was one day after she called the cops on him in Queens, where he spent one night in the clink. He told me it was much better in Queens. He had never been arrested before. We talk about his case and his odds for getting out.

Then there's Marcus, the Vietnam Vet, who doesn't stop interrupting conversation with the question of whether he'll get the keys to his apartment back. He says that he was arrested in the park buying a dime bag for his new girlfriend who was laying naked in his bed in his apartment. He had been homeless for a handful of years and doesn't want to lose his

apartment. His Vet's dues were due today and he needs to get out to pay it on time, or else his residence is at risk.

His eyes look lost, frightened, nervous. He brings up the fact that he got arrested ten years ago for beating someone up badly in a bar. He'd been good for ten years, then they'd let him go, we all told him. He didn't believe us. We went through it many times.

Finally, a lawyer arrives and talks to two of our crew, the ID guy, and the lover man. They go. I meet the next Legal Aid lawyer, who seems very new at this. She has a huge stack of folders and an assistant. After I tell her my story, she gets me two snicker bars and passes them to me through a slot.

Later, I get called to see the judge for two misdemeanors, Disorderly Conduct and Obstruction of Governmental Procedure, either because I didn't get down when the cops asked or for standing in front of a road sign, I'm not sure. The judge gave me what's called an ACD, an Adjournment in Contemplation of Dismissal. My case will be cleared if I'm good for the next six months.

Outside Now

I got out to a bright sunny morning at 10am and I walked back home. I shaved my beard and changed into my shirt that reads simply, 'I'm still here.' Later, I found out there was a photo of me in the AM/NY free rag that is given around subway stations. Included in the caption was, "The 33-year-old man, described by police as emotionally disturbed, was later charged with resisting arrest and disorderly conduct."



I also heard that FOX news did a story on Tuesday night that began, "Just another day in the City ... it was a sight to behold, a modern-day Jesus crucified on a street pole right in the middle of Manhattan ..." and ended with "Wallach paid a price for his passionate protest as he was charged with Disorderly Conduct and Resisting Arrest."

I made a video about the action and posted it YouTube. I controlled the message as best as possible, and it came out pretty clear: WAR?

The 9th precinct will soon be back trolling the streets bringing in black and brown people by the bundle. Now I know where they're all going. This revelation was unfortunately a shocking surprise to me. I had no idea that I had been living in the shallow end of the city.

No more prisons. No more war. It's all the same. We need to invest in humanity over profit.

Back in court

My case number #537774 adds to 33. The official statement from Pereira starts, "On April 26, 2005, at about 13:33 hours ..."

My statement began, "I, Eric Wallach, believe I am not guilty of the charges against me. I conceived and performed a precise action that did not hinder traffic flow at all. My public art performance was my personal expression rendered freely for the people and with full regard of the law. I was arrested because of the image I presented. I spent the night in the Tombs because the police didn't like my theatre."

There wasn't much chit chat, and the Judge was not going to spend any time on the nuances of my case. My punishment was to perform three days of community service. I chose a location near me, Tompkins Square Park, and signed the form with a flourish.

The last irony is at the pole where it happened. I found this detail when I went back to the scene of the crime. It's a broken plate of The Last Supper at the base.



Months later, Jim "Mosaic Man" Power, honored the action with the words NO WAR tiled on the pole, that has since been decapitated and moved.

My three days cleaning the park was the cherry on top of it all. I loved the job of caring for every inch of the park. For hours, I watched the sun stretch itself. I noticed every bird house, every

squirrel, and all the beautiful people doing their thing. And I kept cleaning up, like Wall-E, nonstop til we get to peace and beyond.

[There's a YouTube video](#) that I edited that shows the whole story as it unfolded. It's the cherry on top of the cherry on top.



*"To Error is Human" 3/33 by Shell.
Gifted to me randomly by a stranger.*

*Dedicated to Jazz Walter, who asked what happened.
With love and gratitude from Brooklyn, May 3, 2025.*