

Interview with Eric Smiley in the Killing of Detective Antonio Terry

True Psych Ward

Streamed live on May 28, 2022

00:01:01:23 - 00:01:39:06

Dr. B

What's up, everyone? How's everyone doing? Where's my friend Lou? Jenna. Welcome. Welcome, everyone. So here's how this is going to go down. Smiley. Mr. Smiley and I spoke for God. I don't even know how long and recorded the whole entire interview. And I'm going to play that for you all now. So while you guys are listening to Mr. Smiley's story, jot down questions that you have or whatever comes up.

00:01:39:12 - 00:02:04:01

Dr. B

Grab a notepad, pen, paper, pencil, whatever, and yeah, and start jotting down questions because I told him to give us a call back in about well, first of all, this is going to be a long one. I told him to give us a call back in about 2 hours so that we can do a live Q&A. All right.

00:02:04:01 - 00:02:33:00

Dr. B

So we're going to hear his story first and then he will call back and we will have him on the livestream answering your questions. So if Ms.. Jen General would like to help me, please, yikes. Why do I hear myself? I haven't been here for such a long time. Everything is looking weird and I feel like I'm yelling.

00:02:33:00 - 00:03:21:11

Dr. B

Sorry. Hi, Heather. Whatever. Team Psych Ward. All right, so this is the first one. So I'm going to remove myself. And this one I'm starting at seven, so. Okay, first of all, the calls are recorded because the calls are only 20 minutes, right? So rather than have talking for 20 minutes, then waiting for 15 minutes for him to call back and then talking to 20 minutes and then waiting for him to come back, I figured this would be the easiest way for him to just get his story out and then we can play it in just one setting and then we'll have him call in for a 20 minute phone call to answer your questions

00:03:21:11 - 00:03:35:01

Dr. B

at the end. All right. So let's go. I will stay quiet if there's any issues with sound or anything, let me know. But other than that, buckle up. Here we go.

00:03:36:08 - 00:03:56:07

Dr. B

Oh, yeah. So let's get started. Hi, Eric. Thank you for doing this interview with us. I'm really excited to have you here and why don't you just go ahead and tell us a little bit about yourself first.

00:03:56:21 - 00:04:30:11

Eric Smiley

Before I get started, I would like to put this out there that if anything happens to me, some police department is involved in trying to prosecute. It, often involve the Department of Corrections with the bar and anything that happens to me, it's no coincidence. It was it was it was deliberate. So let's start with who I am. I grew up in Seattle, Washington.

00:04:30:11 - 00:05:08:06

Eric Smiley

I grew up in the central area of Seattle. I'm at school that's different eyes, different different schools around the city. Um, my last school that I attended was Nathan High School in Lake City in the North End. Then I went to Columbia College in Bremerton on a Scottish basketball scholarship. I played there two years and then I came back home and, uh, and so, uh, and I'll come back home and, you know, you start living a life that you never thought you live.

00:05:08:06 - 00:05:37:06

Eric Smiley

You know, I was just kind of wayward, just like everybody else when there's no one that, you know, I mean, you know, just hanging out with people I should not have been hanging out with at all. So, um, basically that opened the door to where I am today. Um, so do you keep talking? Do I keep talking to you?

00:05:37:06 - 00:05:39:07

Eric Smiley

Just keep talking. I mean, do you ask me questions?

00:05:40:18 - 00:05:49:02

Dr. B

Yeah. No. I mean, I didn't realize that you had played basketball as well. College basketball. You said.

00:05:50:21 - 00:05:51:08

Eric Smiley

Excuse me?

00:05:52:10 - 00:05:56:21

Dr. B

I said I didn't realize that you also played basketball. You said in college.

00:05:56:21 - 00:06:16:10

Eric Smiley

Yes, absolutely. Yes, I do. I went to college for two years. Yeah, I love the college. And from the turn up there, I was pretty good at news articles on either talked about me having the occasional go to NBA, things like that. So, uh. Yeah, so, but.

00:06:17:04 - 00:06:23:09

Dr. B

So how old were you when you were arrested?

00:06:23:09 - 00:06:39:03

Eric Smiley

How, how? When I was I just turned 25 years old. My birthday is April 8th and so this was two months after my birthday. So I was basically a fresh 25 when I got arrested.

00:06:40:20 - 00:06:47:12

Dr. B

So. So you turned 25 years old on the day that the world found out that Kurt Cobain is dead? That's kind of.

00:06:47:22 - 00:06:50:10

Eric Smiley

Yeah, yeah. Unfortunately.

00:06:50:10 - 00:06:50:22

Dr. B

Wow.

00:06:51:10 - 00:07:11:03

Eric Smiley

Yeah, I remember I remember watching it at home when I was at home and watching on the news. And and, you know, I really didn't know anything about him. I really never listened to his music again. So but I just know that, you know, it was a big news story on the local news, on MTV and on CNN and all that.

00:07:11:03 - 00:07:17:15

Eric Smiley

And so, yeah, that's how I became familiar with and after before that, I really didn't know who he was.

00:07:18:18 - 00:07:29:16

Dr. B

No. And so walk us through kind of what happened on June four, 1994.

00:07:31:04 - 00:07:59:03

Eric Smiley

Okay. We'll start with June 3rd. Alaska Pride was a Friday night and June 4th and Saturday early morning. Okay, when it happened. So we meet our past owner of a gentleman McCallister. We're all joyriding and, you know, playing music in the car, just having fun and not being malicious and, you know, like detriment to anybody. You know, we were just I don't have a bond, just ride around in my car.

00:07:59:22 - 00:08:27:07

Eric Smiley

And so, you know, the car began to malfunction. So we decided to go home and in the car, you know, end up coming to rest in the south part of Seattle on on this swift off ramp off off ramp of our five. So I guess when Jeremy McAllister went Auburn, walked to a car, ran a couple of blocks away and a town was called almost.

00:08:27:07 - 00:08:52:11

Eric Smiley

It was ah it was a little district in the south of the Seattle, my bowling field, uh, they went to make calls to get family or France to come get us because my clutch ended up blowing out on my car. And so on the way back, you know, I stayed with the car and go with them. And so I'm leaning over the guardrail, blowing up and vomiting because we don't want to die.

00:08:52:16 - 00:09:18:21

Eric Smiley

And I had a little bit too much. And and so, you know, uh, you know, thanks for the little beer and everything. It just, it just didn't pan out that good. So on the way back, I could, I can hear their voices. I looked up and I seen them coming across the bridge. And so, as you know, I go back to doing what I'm doing and all of a sudden gunfire erupts.

00:09:19:15 - 00:09:39:19

Eric Smiley

So I got behind the car and and, uh, after Rick is gone, Ira and Jeremy come running back to the car, and. And then so I saw what happened. Manisha Man, I don't know, man. Dude just came out and start shooting for no reason. So, I mean, Quentin staggered back. He's got the gun in his right hand, and and he's got blood on his back.

00:09:40:16 - 00:10:14:10

Eric Smiley

So, uh, we I'm. I'm, like, trivialized. And so I stood up, and then I looked and, um, I noticed a guy doing some funny movements and jumping around and going home, and then he fell to the ground. And so I told you who shot him? Do I look back and, you know, we seen him and and so and then eventually he gets up and he starts to walk back towards us.

00:10:14:10 - 00:10:37:20

Eric Smiley

And you can see I still got the gun in his hand. So we ended up and I'm I'm gonna be truthful. I can't sit here and are like, I'm not going to do that. So, you know, out of fear for myself and for everybody, you know, I probably come from Quentin, you know? I mean, and I got a shot.

00:10:38:22 - 00:10:42:08

Eric Smiley

I can't. I do. I shot towards his wife, you know what I mean?

00:10:42:10 - 00:10:45:16

Dr. B

And he was walking towards you?

00:10:46:10 - 00:11:01:07

Eric Smiley

Yeah, he's walking towards back towards us. He's coming back towards that. His car is low off from us, but he's coming back, you know what I mean? And I don't know. You know, you already just shot it. I went in the back and so I don't know what he's going to do, you know what I mean?

00:11:01:07 - 00:11:04:11

Dr. B

So it's like Quentin was also shot in the back.

00:11:05:07 - 00:11:30:00

Eric Smiley

Yeah, he was shot in the back. That's where he got shot from. What? You know, the story says, you know, we told the detectives that what happened was well, let me let me go ahead and go into that. So, yeah, I want to jump in here. Okay. So, uh, we ended up, uh, you know, we end up jumping across a guardrail, going to the brush that was over on the right hand side.

00:11:30:08 - 00:11:54:03

Eric Smiley

He got in his car and drove off. Now, at this time we call them dude because at the time nobody knew who he was. He was in a regular car, he was in regular clothes, and he identified himself. He had. So he was dead after that. We need to help. What happened was, uh, he got out and he got mad when some happened between him.

00:11:54:03 - 00:11:57:14

Eric Smiley

Equipment finally. I'll get into that. So.

00:11:58:14 - 00:12:00:23

Dr. B

Uh, but.

00:12:02:12 - 00:12:04:18

Eric Smiley

I said all that. Okay.

00:12:08:00 - 00:12:33:17

Eric Smiley

Okay. So then after he left, there was two women that I knew from around around the club and this and, you know, socializing. Wendy Miller policy from Koski I'm sure they they drove down off ramp and they seen us coming from the bushes and we stopped we told them what had just happened to us and they told me that they had all they had seen.

00:12:33:17 - 00:12:57:05

Eric Smiley

They drove by, had seen me by myself. And to see the other guys. And so they because they knew me, they were coming back around asking if I needed help. And so they, like I said, they came back around and, uh, we told them what happened and then we hopped in their car, say, give us a ride to the south in what just happened in the car, which was asking was Maureen McAllister.

00:12:58:18 - 00:13:16:15

Eric Smiley

So we all hot from the car when they had to let them went around. What. Because I guess he was getting a little nauseated or whatever being shot or whatever. And so I had to drive and we we travel along Beacon Hill, we go up the street and the high school, you can see that from where we're at.

00:13:16:15 - 00:13:38:08

Eric Smiley

And we make a light go towards beacon. Beacon out of the little fellow. Okay. So that right there is where the Seattle Police Department shaft precinct is located, like diagonally right across the street. And so all of a sudden we seen all these emergency vehicles parked at the entrance. We see cop cars coming from all different directions, was like, wow, wonder what happened here.

00:13:38:19 - 00:14:07:21

Eric Smiley

You know, I'm saying we didn't know anything. And so we proceeded on to the south end of Seattle, to Germany, France house Marie McAllister I get out and we go inside, I think our leave and go to his grandmother's house. And so he disappears. Uh, when he gets in the car with his girlfriend. Coffee, she drives, I guess, to his, his mom and dad's house to go get them.

00:14:08:20 - 00:14:42:06

Eric Smiley

And so me and Marie, I call the tow truck and it seemed like some of our hung up. The total problem was there. I'm like, Whoa, that was quick. So, uh, we didn't pull truck with a tow truck driver, and we, we drive towards back to Beacon Hill and we get on the freeway on Alaska Street, which is the opening and exiting, getting on I-5 or exiting on fire.

00:14:43:01 - 00:15:02:20

Eric Smiley

The tow truck driver out of the blue. And a strange comment tells us, hey, you know, that a police officer was shot over here. You know, I'm afraid he says, uh, should I can I can I can let you out here if you need to look at them like let us out. What do you mean, let us help me to get my car?

00:15:02:20 - 00:15:19:10

Eric Smiley

I said I don't have nothing to do with me. You drive a little bit more. And he said his agreement is, look, man, he said, if you guys want to get out here, I can let you out. I'm looking at this. Do like what is what is what is he talking about? What is his what he's saying? So as we approach.

00:15:20:01 - 00:15:21:18

Dr. B

You have 60 seconds remaining.

00:15:21:23 - 00:15:49:07

Eric Smiley

I told him again that, you know, man, I don't know what you're talking about, man. Just take me to get my car blocked. And so he takes me to get my car. And so as he approaches approach a bunch of emergency vehicles already there. So all don't know what happened up here. And so yeah, I didn't nobody had no idea how we got we got like 30 seconds.

00:15:49:15 - 00:15:49:19

Eric Smiley

Oh.

00:15:50:01 - 00:15:51:18

Dr. B

You had 30 seconds remaining.

00:15:52:10 - 00:15:52:22

Eric Smiley

So we'll do.

00:15:53:07 - 00:15:56:12

Dr. B

You. Yeah, you can just call back.

00:15:57:13 - 00:16:00:16

Eric Smiley

Okay, let me let me let me call right back. Okay. All right, back here.

00:16:01:02 - 00:16:01:10

Dr. B

Okay.

00:16:02:06 - 00:16:40:13

Eric Smiley

Okay. This you still feel government quarter, right?

00:16:41:08 - 00:16:47:12

Dr. B

Yes. Yes. So you said you were in the tow truck and he kept telling you to get out?

00:16:48:14 - 00:17:11:14

Eric Smiley

Yeah. Yeah, we're we're approaching we're approaching the off ramp and you can see emergency vehicles, flashing lights. Obviously, something happened over here. We're still not aware of what's going on. You know, all we know, we just got into it with a stranger with with who was in plainclothes and in a regular car. So to us, he's just a regular do you know what I mean?

00:17:11:14 - 00:17:43:03

Eric Smiley

Especially not saying who he was, not offering his help. You know, I mean, like the prosecutor alleges that that we just attacked him. But. Okay, I'll get to that. What? So the talk survivor, when he gets to the offer, if he gets out and goes and talks to, I guess, whoever the emergency personnel, what then? Probably about 30 seconds later, we hear these voices yelling at us, telling us, passenger, don't move.

00:17:43:03 - 00:18:06:02

Eric Smiley

Put your hands up. Uh, put our hands up. Which are left arm or right arm out of the tow truck door open and slowly open it slowly he says, get out on the ground. Put your hands on your head. You know, I open my Anthony all my gear and the handcuffs and get the same two. Germans asked me McAllister.

00:18:06:14 - 00:18:29:12

Eric Smiley

So I was taken by two gang unit officers when they were gang unit, and they put me in the they put me in the in the in Seattle Police Department on my car. And then they the the officer with

the hanging an officer, he says to me, he says, he says, You didn't know that was a police officer.

00:18:29:21 - 00:19:00:10

Eric Smiley

I said, Who are you talking about? And he says, The one the one that you shot. Actually, what I said, first of all, I didn't know nothing about I don't know who you're talking about. Second, I had nobody by then. He got quiet and didn't say anything. And so they brought us down to the police department while I was taken down to the cell police department, west precinct, downtown.

00:19:00:10 - 00:19:21:11

Eric Smiley

And, you know, I was taken to a room so that the officers there were cool for a minute. And, you know, one was giving me soda and you know, and for really one issue. And then all of a sudden an officer comes by the room and he says turns their whole whole mood, changes. Oh, my gosh, you know, all my thoughts.

00:19:21:11 - 00:19:46:00

Eric Smiley

You know, I'm raising my boss laughing, you know, like, like this individual. We just I'm I'm confused. I'm like this. This can't be to do with this. This happened with you can't be so I'm confused like a day. Hell so my thought was this, you know, like this, this guy, this. It's got to be a mixed up. If this this can't be.

00:19:46:14 - 00:20:15:16

Eric Smiley

We can't just do it. Can't be the dude who they're saying he is. So, you know, I'm racing. I know talks are going through my head. I'm tempted, teary eyed now. I'm like, Oh, man, don't tell me that this is who this is, man. And so I'm like, okay, here we go, here we go. And so, you know, offers came by the game by the whole stands and started me funny.

00:20:15:23 - 00:20:38:10

Eric Smiley

And I was eventually moved to another room where the interview process began. And so the first shady experience I had was with this detective named Martinez. He tricked me at the signing in the form on the top of the form, just to make sure you understand the rights at the bottom of the form. And I finally my rights to talk to you.

00:20:39:07 - 00:21:12:14

Eric Smiley

What he said was hot here and here to make sure you understand your rights. So, you know, I'm, you know, I'm a lot to do, nothing to do. So I know that I'm really not in fear of any any

type of crookedness or anything being aimed my way, you know? I mean, but so yeah. So I guess, see him?

00:21:14:11 - 00:21:15:04

Dr. B

Yeah, I'm here.

00:21:16:13 - 00:21:39:23

Eric Smiley

Okay. Uh, like I say, he basically tricked me into signing away my rights, and so then I basically started to tell them what had happened, you know? But you can see, you know, how everything played out. They weren't gathering information from us to find out what happened. They were gathering information from us so they could shape their their story and how they wanted to present it to the public.

00:21:40:21 - 00:21:59:03

Eric Smiley

That's what they were doing, you know what I mean? And that's why you came. That's why this story came out. Uh, we attacked him. Yeah, he identified himself. He was trying to help us. You know what I'm saying? That's. That's the narrative that they threw out there, you know? So, um.

00:22:02:09 - 00:22:28:07

Dr. B

So how so? You said after. After everything happened, Terry got in the car and drove off. And as far as you're concerned, that was a nobody, no one you didn't know him. And you guys then left the scene to go get your family and the other people went their own way.

00:22:29:21 - 00:22:43:14

Eric Smiley

Yeah, well, we we left the scene because two girls came and got us, you know, they drove around. We would have still been there if they had to come back around. But they know me there. No point in I run Jeremy. They knew me so that's why they so.

00:22:43:15 - 00:22:49:05

Dr. B

How did and how did Quentin end up in the interrogation room?

00:22:50:17 - 00:23:16:18

Eric Smiley

Well, after he was after he went to the hospital with with when he left and when they dropped him off at Jeremy Colleges and how he left his girlfriend coffee and went and they went got their their mother or their dad and went got their mom, I think his mother. And they drove to

the hospital. So and then from there, you know, when you end up when you come into the hospital, the police are alerted.

00:23:17:00 - 00:23:39:18

Eric Smiley

And so you can imagine that's why the tow truck driver showed up as quick as he did, because he had a he had a police scanner. So he knew that this call make making about the car on Offramp was connected was possibly connected to this situation. So part of why he broke it off to them, he wasn't taking me back to my car to get it removed.

00:23:40:07 - 00:23:59:04

Eric Smiley

He was taken off to drop off to there. And that's why he said, we'll let you out here. You know what I'm saying? But let us out. We don't know what's going on. So while we don't we don't want to run it, you know, I mean, so yeah. So they rescued Quentin from the hospital. That's how he ended up in the interrogation.

00:23:59:04 - 00:24:05:08

Eric Smiley

Well, they already knew who they were looking for. So let's get let's do this. Continue to proceed.

00:24:05:08 - 00:24:10:08

Dr. B

Okay.

00:24:10:08 - 00:24:38:15

Eric Smiley

Okay. Uh oh. So they took me to they took me to like I said, I was on the floor. I was moved to another room. And and that's when the interrogation of me started. What else occur? So we told them what had happened. You know, he told them exactly that he was in an unmarked car, were dressed in plain clothes.

00:24:38:15 - 00:25:11:02

Eric Smiley

Nobody knew who he was. He never said nothing to us as far as wanting to give us help. So we told them that no, he Quentin, some some happened where Quentin probably flagged down. That's what we told them. You flagged him down. And on that scenario, that they were different, flagged them down and Terry swerved and tried to hit Quentin with the car.

00:25:11:22 - 00:25:26:02

Eric Smiley

And so Quentin kind of like hit the car, like jump out the way, you know, I mean, they had Terry got off the car with a gun in his hand and he said to him, Why the fuck you get in the way of my car? And then Quint said, Man, look, man, I was just trying to get help, man.

00:25:26:14 - 00:25:56:00

Eric Smiley

And he said, Terry, start saying something else. And then he was going to start shooting at him. And that's what I we came back to the car was had to start shooting for no reason. I was I was way sat there and he had tried to run away. He was struck in his back. And so when he was struck at his back, Quentin Porter is gone, which I didn't know we had started shooting at him, hitting, hitting Terry and a shot.

00:25:56:00 - 00:26:33:21

Eric Smiley

So basically, you know, it was it was it was self-defense because like I said, nobody nobody to my knowledge, you know, I was shot anyway. I'll continue to move forward. I see. So he got hit his back and he tried to run away and then, okay, so Sara went home. We got dropped off at that house. I have Jim McCallister at house, our one around the corner, which his grandmother stayed around the corner.

00:26:34:16 - 00:26:56:01

Eric Smiley

So she hit up or down. I think that's where he stayed for the rest of the night, I'm not for sure, but so as I started, they start interrogating me and I started getting nervous because you could tell the narrative was you did you did this. But, you know, you can tell by where somebody is talking to you.

00:26:56:12 - 00:27:25:08

Eric Smiley

They're indicating that it was you who did this. You know, I mean, and I'm I'm getting nervous, like men about to try to try to pin this on me, you know, sure enough, exactly what it is. So what I did was this and this is where they start again. So the first line of their of what they did illegal was they tricked me into trying to say it's legal, but they took me to sign away my rights.

00:27:26:10 - 00:27:50:06

Eric Smiley

Okay. So then the guy that I had jumped in, when he jumped into the brush, I just do it in the bushes, just like, you know, you're right is the man. So I'm keeping my mind with Bush. It was quite so. But they interrogating me asked me when I told them I was in the bushes, I'd do it.

00:27:51:06 - 00:28:03:21

Eric Smiley

So we went back. They they took me back to the office and they asked me to show them what it was when they took me back to the law firm, to uniform officers there. When one got.

00:28:03:21 - 00:28:06:19

Dr. B

Out, do you remember their name?

00:28:06:19 - 00:28:29:11

Eric Smiley

I could not remember their name. I do not remember their names. But it was two black two black officers. That's what I do remember. And so they took me back to the off ramp. And I was trying to, you know, because I'm showing my head full speed and I can't remember the night out and dark outside. I really can't pinpoint exactly with my car with that.

00:28:30:02 - 00:28:54:18

Eric Smiley

So I'm talking to myself, but I'm kind of confident now. My friend said my car was down there and so he says no. He says, Your car was up there. I said, up there. I said, my car wasn't up there. I see my problem down here. He said when I found it had it marked. So I look up there and then there were like horseshoe markings around the top of my car.

00:28:55:18 - 00:29:19:09

Eric Smiley

So what the it was, it turned around and movement and marked my car from its original space or this is this this is what I what what I've seen when I went back and if you use red horseshoe markings, you put our car up, put my car up by here. That's what I seen and so on time. And I said, no, no, no, no.

00:29:19:11 - 00:29:21:07

Dr. B

I, my Terry's car.

00:29:22:17 - 00:29:42:12

Eric Smiley

Yeah, they put us right up by him. Now, however that played out or whatever that kind of helped their narrative. Like he's out of the car came towards me. It was a distance. There was a distance between our car and his car, my car and his car. So so he put it back in the car going back to the precinct.

00:29:42:20 - 00:30:09:09

Eric Smiley

Now this time they're looking for it. They're looking for our you know, they want to speak with him. So he could tell his version of what of what happened, you know. So I guess they ended up talking to Tara. And he came when I came back, he came he was coming into the office. So I think as they're trying to, I guess, put me back in every room or in a holding, holding room, I came in and I saw our man.

00:30:09:09 - 00:30:26:22

Eric Smiley

I said, many people are trying to blame this on me. And I tell them I didn't do this man. And so they act like they don't want me talking to him. And so he our game was interview told them what had happened, told them they didn't do it. It was it was different. It was it was this is what happened.

00:30:27:11 - 00:30:50:07

Eric Smiley

And so he told what had happened. And so, uh, after that, by maybe about an hour later, he pulled me out of his feel. Detective and I think it was Detective Cameron. He came in and opened the door with another uniformed officer and he handcuffed me and it got me out. I saw his. Do they detect a pipe?

00:30:51:14 - 00:31:09:17

Eric Smiley

He was standing there. So I as they're taking me away, meaning to him confront each other, he says, Well, this is it. That was repeating, Well, we're going to we're gonna send you to jail for a couple of days. Let's get him off the semi jail for what if I didn't do that? He says, we know you didn't do it.

00:31:09:17 - 00:31:30:11

Eric Smiley

We know you do it. We just want to thank you for your cooperation. We'll let you out. I send me to jail for white man. I said I didn't do it, man. He says, here is my car. Car I secured a car for when he told you to take them away. And so they took me away. And so I was taken to the King County Jail, placed on level floor in isolation.

00:31:30:19 - 00:31:39:12

Eric Smiley

I was initially in a red jumpsuit and they had after maybe about a few days or a week or so, I was placed into obscurity.

00:31:41:15 - 00:31:48:13

Eric Smiley

And so that's what I had on for the rest of my three year stay up the county jail. Yeah.

00:31:49:21 - 00:31:52:03

Dr. B

So what is an ultra security?

00:31:53:01 - 00:32:13:02

Eric Smiley

It's when you're a high profile case, that's the type of jail Obama still put you in. It's all security on the side of the lake. Oh, it's not security on the back. So you're supposed to be a high profile individual and they are they need to put you in back to identify your some minor case. Okay.

00:32:14:00 - 00:32:20:00

Dr. B

So you you are you are supposed to be identified as a cop killer, right?

00:32:20:11 - 00:32:46:10

Eric Smiley

Yeah. I mean, a high profile profile case. I wasn't quite a cop killer just for a high profile case. I mean, if you if you if you murdered ten people, they will probably put you in that. Well, right. Probably put you on that drug. Yeah. It's just the news media, the news, the news media, the attention that the that your cases, it puts you in in that category with.

00:32:46:10 - 00:32:51:10

Dr. B

So and I'm sorry. And you were you were in jail for three years.

00:32:52:04 - 00:32:55:02

Eric Smiley

I was in jail for three years on isolation on the 11th floor.

00:32:56:03 - 00:33:06:09

Dr. B

Okay. So how did that trial preparation go? Well, you'll get to work.

00:33:07:05 - 00:33:34:08

Eric Smiley

Which I was I'm fine with that right now. So. You ready? Mm. Okay. During the middle of the night, two women came and saw me. When I think it was my first or second day in a county jail. One, one, one was really nice and she was helpful. Another one was had. I get all really sad. It's not your attitude like she may have been working with the police or prosecutor's office and was being nosey trying to find out stuff about me.

00:33:35:00 - 00:33:56:19

Eric Smiley

And so the one with the it was nice. She, you know, I just got to talk with me, I guess, or have you or whatever or whatever she said, Is there anything I can do for you? I said, Yeah, go contact Lori Gustafson, which was an attorney that I knew from a buddy who had her. And so I told the lady to go get her.

00:33:56:19 - 00:34:21:11

Eric Smiley

She said, Yes, I'll go contact her for you. And for the next week, Lori came up to visit me along with an investigator and Gil Zimmerman. And so in this interview were they came to see me and had this kind of, you know, meet with me. And it kind of had some questions about what happened that I think that may happen on Monday.

00:34:21:23 - 00:34:52:22

Eric Smiley

I did this happen on Saturday, early Saturday morning. So this was probably Monday when she came to see me and she so she agreed to represent me. And so that was my attorney. I was able to speak with my family and stuff while working there. And then I found out from the local news, they, they told me that the local news reporter said that Gary shared, I shot the one who shot me.

00:34:53:16 - 00:35:17:16

Eric Smiley

I never got shot. You know, my family was confused as to as they during get shot for they were wondering, well, why why? Why am I still why am I in Calculative if they already identified what had happened and who did it? And also so.

00:35:18:09 - 00:35:18:15

Dr. B

I.

00:35:21:14 - 00:35:32:23

Eric Smiley

They were confused by that. But anyway, so that lawyer and the girls, all of them are talking to me killed some. I mean, they, they told me you.

00:35:32:23 - 00:35:34:11

Dr. B

Have 60 seconds remaining.

00:35:35:08 - 00:36:00:15

Eric Smiley

For doing finish this. This is really important. We talked about the charges and you know, you talk about also being charged. I mean, w after I was on duty, this was what had happened. But no, so but they said, well, let us get the discovery. So then all of a sudden they asked me like, let me let me, let me stop right there because okay, I need to be able to I need to be able to tell you this.

00:36:00:15 - 00:36:02:18

Eric Smiley

And I'm like, I'm going to try.

00:36:02:18 - 00:36:04:11

Dr. B

You have 30 seconds remaining.

00:36:05:00 - 00:36:09:18

Eric Smiley

Waiting on the phone. So this kind of in a week. So give me a few minutes and I.

00:36:09:18 - 00:36:10:18

Dr. B

Will know when we.

00:36:10:18 - 00:36:12:16

Eric Smiley

Call you. I'll call you back. Okay?

00:36:13:10 - 00:36:14:18

Dr. B

Sounds good. I'll be here.

00:36:15:06 - 00:36:16:22

Eric Smiley

Okay? Okay. Call you right back.

00:36:17:13 - 00:37:14:02

Dr. B

All right. Bye bye.

00:37:17:00 - 00:37:31:19

Dr. B

Well, the complex, what's called, will be recorded and monitored. If you wish to block any future calls of this nature, dial seven. Now, to hear the cost of this call, press eight. Now, to accept this call, press. Thank you.

00:37:32:08 - 00:37:37:06

Eric Smiley

All right. Okay. All right. Are you sure you're okay?

00:37:37:22 - 00:37:39:21

Dr. B

Yep.

00:37:40:17 - 00:37:45:11

Eric Smiley

Okay. As it as is my voice and everything coming through on the recording and all that.

00:37:46:06 - 00:37:47:11

Dr. B

Yes. Perfect.

00:37:48:10 - 00:37:53:15

Eric Smiley

Okay. All right. So let's pick up again. You ready to go on?

00:37:54:06 - 00:37:54:14

Dr. B

Yep.

00:37:54:22 - 00:38:27:07

Eric Smiley

Okay. Okay. So I'm up in the county jail. Attorney law office, along with an investigator named George Zimmerman, came with the disc and with the discovery. Some of what the prosecutor was saying, what I'm being charged with, I was being charged with along with quite with reattach. The site of the first murder occurred life in prison of the death penalty because he was a police officer allegedly in the line of duty.

00:38:28:17 - 00:38:53:14

Eric Smiley

We'll learn a lot later why this was why this was true. Who also charged with attempted first degree murder, a second felony murder for one of the things that caught my attention reading Discovery is he said he shot four times from a fire service revolver. That was not true. I told my attorney that this guy did a shooting, No.

00:38:53:14 - 00:39:21:03

Eric Smiley

Four. I told him he shot about at least 15 or 20 cops. Of course, she said while she said, well, that's what they have in discovery. I her I told my attorney, that's a lie. I know what I heard that night. And it was definitely not before shot. And that's how you. Yeah. Yeah, exactly. I saw the investigator, Gil Zimmerman, was telling me how this probably would even be an issue with this because I wasn't a police officer.

00:39:21:20 - 00:39:53:11

Eric Smiley

I told them that I don't understand why I'm here. I said I didn't shoot this guy. I told him the most that I could be charged with felony assault while off possession of far basically an actual murder. No way. So again, the prosecutor then shockingly said this coming. He says that the police have this idea of you being this big to sell drugs and Perry's got.

00:39:54:05 - 00:40:11:15

Eric Smiley

So he says because they didn't they didn't get you on what they wanted to get you on. They're going to get you on this. I responded. But I asked them. I said, Well, what is it that they want to get me on? He was more that didn't say anything. I later learned what he meant by what he meant when he said this.

00:40:12:05 - 00:40:19:12

Eric Smiley

So we'll get into that later. In July or August, we wanted to want to ask a question.

00:40:20:22 - 00:40:21:13

Dr. B

No, no, go ahead.

00:40:22:10 - 00:41:01:14

Eric Smiley

Okay. So in July or August of 1994, my lawyer came to the county jail to update me on on new developments of the case. He said My attorney told me that prosecutors have found so-called eyewitnesses who came down offramp and seen what happened. I told my lawyer that this was a lie because nobody but it's unknown guy. And I swear on my life often about the time that this incident happened, I told my lawyer, I don't know where they got these witnesses from, but it definitely wasn't an off ramp at the time it happened.

00:41:02:15 - 00:41:05:11

Eric Smiley

So now you went witnesses that wasn't even there.

00:41:06:14 - 00:41:11:03

Dr. B

Would this be that is Christie, the person that testified in trial.

00:41:11:04 - 00:41:38:18

Eric Smiley

Yeah, exactly. Yeah, absolutely. Christine Martin. Exactly. Okay. See, if you look at her testimony, what she described coming down off ramp, trying to help carry out the car. Come on, man, that never happened. She was never there. She was never there. So the whole when I was in my cell in 1985, when I fell, the tow bar came and got me and told me to get dressed.

00:41:38:18 - 00:42:04:01

Eric Smiley

And I thought I thought it was an emergency. But an hour rushed out of the courtroom. When we got there, my lawyer told me that the prosecutors were trying to do something they had no business doing. But I listen to the hearing alarms that the prosecuting police are set up has

secretly set up a surgery at Harborview Medical Center, two blocks from the jail to have the bullet holes, lives and equipment back removed.

00:42:05:00 - 00:42:09:01

Eric Smiley

Now, anybody knowing about it.

00:42:09:01 - 00:42:11:01

Dr. B

What they did, what they they.

00:42:11:17 - 00:42:33:23

Eric Smiley

Set up a surgery, they secretly set up a surgery at Harborview Medical Center. And I just run the caucuses in the court records. There was a hearing that we had to go to, and his lawyers were complaining, telling the judge to tell him, don't be trying to move. Quinn without without nobody knowing about it and secretly set up a surgery to have Quinn.

00:42:34:16 - 00:42:50:09

Eric Smiley

This lawyer told me I'm listening in the court. And according to this, I started to try to have a bullet that was lodged in Quinn's back that I shot him with, removed out of his back without nobody knowing about it.

00:42:52:05 - 00:42:53:10

Dr. B

So were they able to do that?

00:42:54:10 - 00:43:17:19

Eric Smiley

No, they didn't. Okay. And the reason why that happened and the reason why that didn't happen is because somebody they don't know who called his mother's house and was asking about medical records concerning him. She became alarmed and call to call the attorney. And then they did some investigation about what they were trying to do. That's how it got stopped.

00:43:19:02 - 00:43:24:16

Dr. B

So and Quentin was 18 at this time, right?

00:43:25:14 - 00:43:55:15

Eric Smiley

He. I think he was 18 at this time. Yeah. Okay. So, you know, that's the first indication of some strange activity surrounding this bullet that was stuck in someone's back. I, you know, I remember what I heard that night. It definitely wasn't four shots fired far, far short of revolver.

You're going to show that to me. You know, as a person who's been to the gun range and some knowledge about guns, that had to be a nine millimeter.

00:43:57:03 - 00:44:23:06

Eric Smiley

There's only way. Definitely, definitely got I knew at that time they could shoot extensive rounds of bullets, which meant it was like that. And so but the Discover say he didn't use them. They said a use of force four sharp revolver and unraveled the law. No way he used that. No way. I've got to go to my great friend.

00:44:23:06 - 00:44:52:04

Eric Smiley

That one had a 22 caliber pistol, which wasn't as loud as a 38. So, you know, guys, you know, you know the 38 is loud in the 22 nine. Mm. Louder of 22. So therefore you understand that uh, what you were hearing that night, you know, I mean, so I know what I heard that night. You know, with all this playing out, my understanding tells me that he had to use it.

00:44:52:04 - 00:45:24:04

Eric Smiley

He had to use a nine millimeter pistol because. That's the only gun that's able to discharge that volume around. But I heard those early morning hours. So then the question becomes, what was the nine millimeter? Well, what was that, nine millimeter? Why was it not admitted into evidence? Why were the why were the guns switched? Uh, part of his task as a policeman specifically set up a surgery without the attorney knowing about it.

00:45:24:04 - 00:45:42:05

Eric Smiley

I mean, they put the shell pieces up off the road the time, you know, all that all crazy stuff, you know? I mean, you can guess you can put two and two together, but I mean, so in 1995, I finally had a chance to talk.

00:45:42:08 - 00:45:57:18

Dr. B

1/2, 1/2. So what you're telling me is that what you heard that night is not consistent with what would have been Terry's police guns.

00:45:57:18 - 00:46:04:20

Eric Smiley

Police were saying, is it not? Exactly. It couldn't have been. The revolver was five shots, Marcia.

00:46:05:15 - 00:46:07:14

Dr. B

But you've got margin of five.

00:46:07:14 - 00:46:12:22

Eric Smiley

I heard more than four. I heard like like I said, 15 or 20. That was a lot.

00:46:13:22 - 00:46:24:05

Dr. B

So they're trying to. So you're saying they're trying to make it appear as if he was on duty when he really wasn't?

00:46:24:18 - 00:46:53:21

Eric Smiley

Exactly. That's part of it. As part of it, absolutely. By saying it was a service revolver, that that that's part of it. And also from 1985, I finally had a chance to talk with the female when it came up. I mean, who picked me up on all fronts that night that I've been on, you know, for for a few years that she saw you kind of, you know, type on her phone.

00:46:54:06 - 00:47:15:03

Eric Smiley

You know, we kind of rehash over to the incident. She was telling me how, you know, that she seen it on the news the next day and actually seen my cousin at a and said I told him what had happened in it and so he didn't even know what had happened to me. Then Wendy dropped this nugget on me.

00:47:15:03 - 00:48:04:02

Eric Smiley

She says her cousin was a Seattle police officer and told her that Terry, they say he died at the hospital because of and told her that Terry died when he entered the South Street parking lot. This is critical to all sides of my message. More later to tell before before our first trial next. About on August four, 1995, the lawyers plenty of times you have the prosecutors a for months to hand it over.

00:48:05:12 - 00:48:41:03

Eric Smiley

My lawyer simply said that when they first when they got it, they finally got to be sensitive. The wife said, from home that haven't analyzed by handwriting expert during a pretrial hearing, my lawyer stood up in court, told the judge, I didn't know nothing about this file. Again, I just know what I heard at the hearing. And I told the judge that she received Kerrey's timesheet from the state state patrol crime lab and uh, and told and stated that it had been altered had it had been determined to be altered in six places.

00:48:41:03 - 00:48:42:07

Eric Smiley

Okay. And was determined.

00:48:45:02 - 00:48:56:05

Dr. B

By the, by the state's crime laboratory. So you're saying that every time she was admitted to the state crime laboratory for handwriting analysis?

00:48:56:21 - 00:48:57:12

Eric Smiley

Yes.

00:48:57:12 - 00:49:01:20

Dr. B

They found that it was altered in six different places.

00:49:02:05 - 00:49:11:14

Eric Smiley

And six places. And that's what they report in the books. Who Killed by a Life and Death. So you remember that part, don't you?

00:49:12:14 - 00:49:13:03

Dr. B

Yeah.

00:49:13:23 - 00:49:15:11

Eric Smiley

Okay. So.

00:49:15:21 - 00:49:21:03

Dr. B

I mean, I remember. What do you mean? Let's clarify that.

00:49:24:10 - 00:49:41:05

Eric Smiley

Yeah, that's that's mentioned on pages one 5153 of 24 or something like that. Okay. And who killed their love and death pages to 4241? I mean, to 44 to 45. Something like that.

00:49:41:22 - 00:49:42:06

Dr. B

Mm hmm.

00:49:43:17 - 00:50:12:05

Eric Smiley

Okay. How we proceed on? Uh, when after this. After this occurred, after my lawyer had said this, there was a female representative of the Seattle Police Department at Pearl Piddock who

quickly stood up, nervously shaking and rubbing their hands together. She saw I couldn't I mean, she was so rattled that I couldn't really understand what she was saying.

00:50:13:00 - 00:50:36:10

Eric Smiley

But she blamed the all the time. She told me that normally she was the mayor at the time, you know, just watching this play out. And she just looked scared to death. And I turned to my lawyer to ask her, the lawyer, I don't know. At the time I didn't know either. I'm looking back. I now know why she was so nervous as to will be.

00:50:36:17 - 00:51:04:15

Eric Smiley

I'll explain later. So prior to trial, Court TV wanted to come in and broadcast the case. Judge Schiller quickly dismissed that lady, you know, the lady who was making the motion or whatever and trying to convince the judge of it to allow them to broadcast. It wasn't having it at that time. I didn't know why. Looking back and it is clear what just sort of kept them out of the courtroom.

00:51:05:06 - 00:51:38:22

Eric Smiley

It's obvious. It's obvious why she did it. In addition to, you know, I mean, so the purpose of keeping them out because all this stuff you wouldn't want you didn't want the world to see it. That's what that was. That's why you kept Court TV out. You can't you can't control court. You might be able to control the local media because, you know, these detectives and these are the public officials have these relationships with these with these news media people or they have ability to to dictate what they report and what they don't report over Court TV.

00:51:38:22 - 00:52:22:02

Eric Smiley

You can't do that, at least not at that time you could. So also, I want to talk about Mercy. Oh, there was a firearm expert who came to testify. Now. Oh, let me go back to here during like of the church was talking about a guy that had a were there she was curious about I don't think the prosecutor did were aware of him what she said she said in the court, like I say, all the stuff that I talking about can be documented is documented.

00:52:22:20 - 00:52:48:06

Eric Smiley

So she called this dude out. She told the prosecutor, well, we want to know about this guy. He says he's law enforcement. And, you know, we want to find out who he is. So they called him out and we saw a guy like a little brown trench coat on the mustache. And so they the judge said, you know, I've seen I hear that you're a law enforcement I'm paraphrasing verbatim.

00:52:49:11 - 00:53:01:17

Eric Smiley

She says she's a curious what law enforcement are you? Are you who do you work for? He says, I'm an FBI agent. You you should have seen the look on his face.

00:53:02:09 - 00:53:02:23

Dr. B

She looked.

00:53:03:16 - 00:53:18:06

Eric Smiley

At her. She looked at the prosecutors like, oh, shit, you know what I'm saying? And she said, okay, well, thank you. We just want to know your work. So I remember those are the things I gotta remember.

00:53:19:16 - 00:53:23:14

Dr. B

Why do you think the FBI was there at your hearing?

00:53:23:19 - 00:53:34:19

Eric Smiley

How he's got he got he got a call as a potential juror. That's what that was. And so he came in the jury room and she called him out.

00:53:35:11 - 00:53:36:12

Dr. B

Oh, interesting.

00:53:37:10 - 00:53:41:20

Eric Smiley

Interesting. I'm just saying, what is even more interesting is the look she had on her face.

00:53:42:09 - 00:53:43:17

Dr. B

Mm hmm.

00:53:44:06 - 00:54:03:01

Eric Smiley

So, you know, when I see all these things that just let me know that these people are hiding something, they're hiding something. And at that time, I didn't know what. That's all I could say. A moment. I mean, common sense. You know, I live long enough to know when somebody's telling the truth or when somebody can't hide something.

00:54:03:10 - 00:54:21:20

Eric Smiley

Moment so far an expert you know during trial this ah oh I've got to tell you that the girl's name that, uh, that the the all the time she his name was Pam Nishimura.

00:54:21:20 - 00:54:23:07

Dr. B

And who is he?

00:54:24:09 - 00:54:37:01

Eric Smiley

He was the dude that determined that he was a handwriting expert to watch this program, that determined that the time she was offered penmanship for the law law, a little Asian guy.

00:54:37:12 - 00:54:39:08

Dr. B

Okay. And then he also testified.

00:54:40:13 - 00:55:08:07

Eric Smiley

He testified. Absolutely. So what he did was what he did was I got I got a note here. Okay. So what he did was he he blew up a montage of the time. She blew up a montage of the time. She put on an easel, put it in front of jury. And so he displayed it to the jury that with the naked eye, you cannot see that it's that these are it.

00:55:08:07 - 00:55:26:21

Eric Smiley

There's no alterations. So the jury was looking in and say any after jury, look, can you get any of your tail? And it was like, oh, he should be here. He says, okay. He says, Now he put on a pin. It was like a double red paint, like a like it had a light on it, some type of light a morning.

00:55:27:13 - 00:55:47:12

Eric Smiley

And he took it and he put it on the numbers. And he said, he says, when I do this, you'll be able to see the different types of ink. So he did it on like, uh, a three that was actually a three, but it had been selected as an eight. So we said, you see, this is why I put it here.

00:55:47:12 - 00:56:01:14

Eric Smiley

You see the different types of ink. And he saw that there was two different types of ink where judicial ink was a three. The ink that Payne Hilton included as a eight was another different type of ink.

00:56:01:20 - 00:56:04:21

Dr. B

Wow, that's interesting.

00:56:05:18 - 00:56:30:01

Eric Smiley

Yeah. So that's how when you see it in a book, you have to determine to be altered that horrible determined it was come more than did that. Okay. So I think we're on trial right now. So during trial, another expert never got a split second after that. That was from the Washington State Patrol.

00:56:30:07 - 00:56:32:00

Dr. B

You have 60 seconds remaining.

00:56:32:15 - 00:56:50:11

Eric Smiley

Testified that he had bullet a came on his back was matched with only serviceable that the state is alleging that period shot four times with. I know this was a lot and it was kind of purging itself because I knew I know what I heard that night those early morning hours. So he was.

00:56:50:14 - 00:56:52:07

Dr. B

Testifying was the bullet.

00:56:52:13 - 00:56:58:11

Eric Smiley

Sorry, I don't know his name. I don't know his name is is the so-called expert from the state patrol crime lab.

00:57:00:01 - 00:57:03:09

Dr. B

We have 30 seconds remaining, okay? I don't know.

00:57:03:09 - 00:57:09:06

Eric Smiley

Whose name is. So that was probably in a record. Can I call you right back?

00:57:09:20 - 00:57:10:02

Dr. B

Yeah.

00:57:11:06 - 00:57:21:20

Eric Smiley

I'll call you right back. That's Elise at the.

00:57:48:18 - 00:57:52:08

Dr. B

This is a global Tel Link prepaid call from.

00:57:53:10 - 00:57:54:04

Eric Smiley

Sarah Smiley.

00:57:55:07 - 00:58:12:22

Dr. B

An inmate at Monroe Correctional Complex. It's calls will be recorded and monitored. If you wish to block any future calls of this nature, dial seven. Now, to hear the cost of this call, press eight. Now, to accept this call, press five now. He declined this call. Thank you.

00:58:13:23 - 00:58:45:00

Eric Smiley

All right. Okay. So, uh, he testified. So I read on this guy after he testified that, you know, he confirmed that the bullet, his analysis that the bullet came from me, the five shots I was revolver. Uh, I disagree. I totally disagree. I don't know. It was a lot. And I know what I heard that night. If you're saying he shot four times, and I know I heard at least at the minimum, 15.

00:58:45:00 - 00:59:11:13

Eric Smiley

I'm just saying 15 and 20 because it was so many, you know. I mean, so there's no way that, uh, there's no way that it came from that. No way. Uh, so then. Then what's going on? What's the largest do? Why do you know? Oh, why is he saying that? Oh, uh, there are some nefarious activity that the cover up I may credit.

00:59:11:13 - 00:59:24:10

Eric Smiley

Will it be tied to something or someone just wanted to try to sneak out of the county jail? Why? They switched the guard saying so.

00:59:24:23 - 00:59:29:06

Dr. B

But they actually removed the bullet from Quentin's back.

00:59:29:21 - 00:59:49:10

Eric Smiley

Yeah, they gave the lawyers a lawyers. Finally, there was a surgery shot up and the lawyers were there. The the police were there. Uh, and it just they would just they would listen. They was they needed to get back. I'm telling you, if you tried to sleep, you might have county jail and try to get it. But I don't know what anybody.

00:59:50:04 - 01:00:10:03

Eric Smiley

What are you up to? What are you hiding it? You're you're you're you're you're desperately trying to get this thing to where, you know, it just it just doesn't make sense. If there's nothing to hide, you're not going to act like that. Obviously, you're doing that because. Something has happened and you're trying to make sure it doesn't come out.

01:00:11:10 - 01:00:17:02

Eric Smiley

So that's just my my rationale of it.

01:00:20:12 - 01:00:31:19

Eric Smiley

So I talked about the montage and all of that. Uh, we also got to remember to that what I thought was strange was, you know, there were a lot of officers involved with this trial.

01:00:32:15 - 01:00:35:07

Dr. B

Uh, well, right.

01:00:36:04 - 01:01:02:18

Eric Smiley

Yeah, but, but the not the volume of officers that was supposedly involved was 150, 200. Somewhere in there. Uh, a lot of them didn't want to testify. A lot of, a lot of officers didn't want to testify. Didn't want to testify. I saw the, uh, my lawyer gave us a judge that she knew this issue. These people make these people available for interview and.

01:01:03:04 - 01:01:28:08

Eric Smiley

And I subpoenaed them to come to trial. She wouldn't do it. It's just like she. No, she didn't. She didn't make them, you know. So somehow officers who had credible information that could be helpful, the defense didn't even testify. George went on, didn't George wouldn't make it. Uh, you know, hey, this is just a straight up kangaroo, a sham trial, as they actually would have walked out.

01:01:28:08 - 01:01:54:16

Eric Smiley

So, you know, I mean, especially what it boils down to, uh, there's another critical piece of evidence, and I saw it too. The testimony at trial was that or even if the discovery was carried out at the hospital, got surgery. I remember when he met his cousin. Oh, her who told me that Terri died at the at the entrance of the South Precinct.

01:01:54:16 - 01:02:17:22

Eric Smiley

But there was a doctor supposedly working off of U. Medical, so it's just like the Terri died on the operating table when he was in surgery. And I've seen this new trial and I've seen him on TV shows after that. I see it has to do with the kind of the court life. And I said, oh, his name was Dr. Jim Caldwell.

01:02:19:14 - 01:02:23:03

Eric Smiley
It is not right for G.A..

01:02:23:03 - 01:02:32:21

Dr. B
He and he's the one who testified.

01:02:34:01 - 01:02:34:22

Eric Smiley
As far as.

01:02:34:22 - 01:02:35:10

Dr. B
Anyone.

01:02:35:11 - 01:02:58:16

Eric Smiley
Else. I'm surgery on Terri. But he died at the hospital or some conflicting is that when he found out he died, he's a police officer and he died as soon as he entered the he was go to the south precinct entrance. I'm inclined to believe that. I mean.

01:02:59:16 - 01:03:21:05

Dr. B
Yeah, so according to the trial stuff, but I read Perry ran into Officer Carter and apparently or they allege that Perry said it was a tall one. The driver.

01:03:21:22 - 01:03:24:22

Eric Smiley
Yeah, yeah, yeah, yeah, yeah.

01:03:25:02 - 01:03:26:18

Dr. B
But you're you're saying.

01:03:27:00 - 01:03:46:14

Eric Smiley
We're not we're talking about blame and trying to blame it on me. So that that led, you know, right there that there is one there's another scenario that they tried to put together the blame

it on me and I'm explain it to you why didn't get this I'll explain it to you why they did this and then why goes in Zimmerman said we said.

01:03:47:14 - 01:03:50:00

Dr. B

Okay they're.

01:03:53:05 - 01:04:23:02

Eric Smiley

Ready. Yeah don't yeah okay so we talked about the officer didn't want to testify and we talked about when your mother said our cousin said he passed away from the air, came up to the to the precinct. Oh, okay. I'll get to that. I'll get to that later. That will come up again on some from right now. I'm on a sequence of everything how I remember and plan out.

01:04:23:23 - 01:04:57:13

Eric Smiley

Okay. So, uh, okay. So all this happened when I told you about the doctor, foreign expert to watch the Christie mob and testify and then in the trial initially she said Quinn is the one that did it. She said human first in the first trial. Uh, so, and then there was other people that came and said they came down off ramp and seen this.

01:04:57:13 - 01:05:16:23

Eric Smiley

And I'm telling you, I'm not laughing. Nobody, nobody came down at all from what is what they're offering. But I saw, uh, this, this next female. She's really important. Lucy Johnson, have you asked? I've gotten.

01:05:16:23 - 01:05:17:11

Dr. B

Uh.

01:05:18:09 - 01:05:46:03

Eric Smiley

She's someone or whatever she is. She's from Hawaii or something like that. So I met her. That's, uh, in 1994, uh, with was another guy who I went to school I played basketball with at Olympic College named Marvin Williams. His son also played in the NBA. If I. So that can be confirmed. Like I said, everything I'm telling you can be can be compiled.

01:05:47:08 - 01:06:09:09

Eric Smiley

So at the beginning I met her. At the end we see each other in passing every you know, every now and then again. When this happened to me, she came up to the trial, I mean, up to the jail and hung out. You know, she I guess she had my best interest. And I think there was some that I may have missed about her, but I'll go back and grab that.

01:06:09:09 - 01:06:33:06

Eric Smiley

So I say, okay, you all right? I need to pass to see, you know, my pastor, but a pastor, uh, have our pastor. I was all over the place. I mean, this is so much it's.

01:06:33:07 - 01:07:01:19

Dr. B

Yeah, I understand. Just to clarify, too, for everyone, before our interview today, you had taken notes just to help refresh your recollection. So that's what you're kind of looking at. Yeah, well, and and, you know, I hear you that, you know, this is probably stirring up a lot of emotion in you as well, because it's probably, you know, not easy having to recall and relive all of those moments.

01:07:01:19 - 01:07:02:05

Dr. B

So.

01:07:02:16 - 01:07:03:13

Eric Smiley

Yeah, yeah.

01:07:03:20 - 01:07:08:00

Dr. B

You know, just take your time. We're we're good. We're all good.

01:07:09:05 - 01:07:35:07

Eric Smiley

Okay. All right. Okay. So, um, this was a female name from before. She just, uh, like I said, I met her some years ago, and so I met along with the guy I was talking about. Phi Phi Phi came to meet her. We weren't friends and we didn't hang out or anything. She just, you know, we crossed this path.

01:07:35:07 - 01:08:07:11

Eric Smiley

So, uh, this was the first trial. And so our deliberations began in March of 1996. Yeah. And one of the jurors, an elderly woman, had gotten sick. She was admitted to the hospital. So this woman named Portia Johnson, I thought was my friend. She'd been around my family and all that. And you know, it just how aware. But let me let me also say this.

01:08:08:01 - 01:08:35:21

Eric Smiley

You know, when she first came around, weird things started happening. Uh, she went and got some, uh, some belongings from our friend Shawn Warehouse. Um, and then all of a sudden,

they came on this, uh, I had her watch over my storage. My storage got broken into and have been stolen. Ended up in a female. It happened a few months, I think.

01:08:35:21 - 01:09:02:13

Eric Smiley

Regina McAllister, I find her later, too. So I mean, I can't even explain that how that happened again. So those are two scenarios, you know, oh, well, we have more important things to think about in a past in material items, but her her questionable situation surrounding her started to raise red flags. And so this was what did it right here.

01:09:03:03 - 01:09:26:10

Eric Smiley

So, uh, she the okay, I explain that point at a metro nightclub outside in suburban Seattle, which was I'm right, it was called the Galaxy. Um, she came up to the job to visit me, you know? I mean, like, I felt that she was, she was cool, but she genuinely had a concern for my welfare. Uh, she had to get herself somewhat into my family as well.

01:09:26:10 - 01:09:59:11

Eric Smiley

And we found out. We found out how wrong we were about her. Uh, so I had, like I said, I have enough trust in after a while, you know, to do certain things, man. And she loved us now. So, like I said, trusting our cost me mature items, things like that. But like I said, what we found about that, uh, so, uh, on this day of visiting was on a Thursday, this was during deliberations in 1986, my first trial by Thursday 2000 visited me at the jail.

01:10:00:09 - 01:10:25:21

Eric Smiley

You know, she usually came with my mother or my grandmother or other family members. This issue came by ourself and it was only me and her visiting. There was nothing unusual about the visit. There was no red flags that made me uneasy or anything that made me concerned. We agreed, you know, not normal conversations. Uh, that Monday the jail guards came and got me from my cell and told me that I was wanted in court.

01:10:25:22 - 01:10:48:00

Eric Smiley

I know from the tone sound like they were. It was an emergency. And so they were kind of rushing me like, you know, come on, man, let's go. I asked them, was this the verdict? This really not. They said we were just told to come get you. And so escorted. Escorted me to the changing room. Yeah. Quentin changed your interview, and it took us across the border to the courthouse.

01:10:48:00 - 01:11:10:13

Eric Smiley

So there's a big part of rap that goes from the jail to the courthouse and given up on the top of the courthouse, only the top floor. And so you have holding cells and everything up there. And, you know, the guards have their stations and everything up there. And that's where the you know, everything the guards change out their guns and this and that and then they walk you back and all that stuff.

01:11:10:13 - 01:11:33:19

Eric Smiley

So so when I came off, we came off the elevator, right? And you had to walk towards the court room. My lawyer quickly ran up to me and she was like, We got a problem okay, so what do you mean we got a problem? So I'll tell you when we get in the courtroom. So the guards escorted the taskforce to the courtroom.

01:11:34:12 - 01:11:51:09

Eric Smiley

And I noticed that, you know, as I went down the hallway, I see my mom cry. You know, she's in a little bit of hysteria, like, you know, like like I can't believe this. And then I turned to look down and was a hallway. And I see myself and I'm being comfortable on her sister. I'm like, well, the hell is going on.

01:11:52:04 - 01:12:13:12

Eric Smiley

So seeing all this, I was confused. I didn't know what was going on. The guy just wanted to control all my strength. And then I was able to sit out on my lawyer like just sat beside me. It's not tell me what was going on, but she had to stop because, you know, just so I came in and then everyone had to start talking and stand up for her, you know, so so we sat down and have a listen.

01:12:13:19 - 01:12:38:18

Eric Smiley

The judge started talking about the inappropriate contact with a juror. Now, I'm really confused now, like what the hell is going on for all crooked prosecutor Scott? What? All these. He's another one that's connected. To what? This involved. We got to speak. This is co-counsel with an elderly. Do they help Matthew with? I think he passed away by now.

01:12:40:10 - 01:13:03:04

Eric Smiley

So try to talking and talking. And I began to switch my eyes like, is this guy saying what I think he said? Sure enough, he still was accusing me of sending this so-called girlfriend who she coughed up to the hospital to have contact with his jaw in an attempt to cause a mistrial. Because I was trying to find the proper target because I.

01:13:03:04 - 01:13:28:01

Eric Smiley

I might be I might be found guilty. Yes, he did that. I couldn't believe it. I said, you know, he did that. I couldn't believe it. I saw this news online that he accused me of being behind it. So we'll talk with an emotional for just to a mistrial got Shelly denied the motion but my mindset went into overdrive as to what is going on.

01:13:28:02 - 01:13:46:08

Eric Smiley

I mean I was speechless like come on man, I'm being accused of of trying to sabotage a party. Are you serious? So for after hearing this, you know, after the after the hearing got dialysis quarterback to my cell and I, you know, I said to myself, I'm trying to hide.

01:13:46:08 - 01:13:46:16

Dr. B

For so.

01:13:47:13 - 01:13:57:03

Eric Smiley

I started you know super how I what was going on because I knew I had done anything wrong. I knew, you know, I didn't go to see how to do that. You know, I'm here.

01:13:57:17 - 01:13:59:03

Dr. B

So I'm like, well, hell.

01:13:59:19 - 01:14:31:12

Eric Smiley

So she says she was sure. So my first thought was, why did she go up to this hospital and didn't tell me or anybody that she was going? And she even asked, was it okay to go? I'm thinking about it. She didn't say not a word. I'm like what was she thinking? And my explanation was her mother, she got this a destination she gave her mother raised her to be compassionate and loving.

01:14:31:12 - 01:14:48:00

Eric Smiley

And she wanted to she wanted to go up there and see if the it was all right. But I thought there was nothing wrong with, you know, having a having a compassionate and loving spirit and heart. I said I thought, well, this is this this is stupid situation. You could have passed me a not guilty party. What are you doing?

01:14:48:16 - 01:15:10:00

Eric Smiley

I said, for whatever reason, she seemed to believe what she did was more important than making sure that that what she did or the impact she could had on my case. She thought what

she did was more than what she put out on my case, the potential outcome of my case. This was another red flag. How I'm thinking, like after the verdict, right?

01:15:10:09 - 01:15:34:23

Eric Smiley

I was like something off. I had a mistrial out of control. In that case, Quentin was found guilty of second degree murder. And I told forces that she could no longer visit me or be around my case. I bought her. I said, Oh, you can't not come around my case no more, my mom, she was done with her.

01:15:35:06 - 01:15:57:21

Eric Smiley

She wanted nothing else to do with her, you know. But I still talk to on the phone. But that was it. Nothing that raised red flags with me. Just one day I had a conversation with the jail guard, one by the moniker New York. Now he tells me that he sees a receiver in the jail a couple of times, a shipment processing it.

01:15:58:13 - 01:16:17:18

Eric Smiley

I'm like, Are you sure? I see. Because she would have told me about that. Now, this was in some time in his had to be in 95, probably maybe early 96 whenever she saw. He just she never told me about it that that's the thing that he's in on me. And I asked him, I said, you know what happened with your show?

01:16:17:18 - 01:16:36:07

Eric Smiley

He said, he said, look, man, you know, I know what she looks like. She comes off his list of all the time that I to tell me what he saw. He said she she was she was coming in receiving at the bottom of the jail like that. She never mentioned anything about this coming coming in the jail, never said anything.

01:16:36:07 - 01:17:08:18

Eric Smiley

I was like, that was odd, you know what I mean? I was really on. No, I was off. So I guess I should have been around my family, my mother, you know, we were on a depression. She had a you know, that she was she had our best interests. You know, she grew to have a sense we have we have a sense of closeness where we were all she has told, you know, shared people, personal things with me.

01:17:08:18 - 01:17:12:17

Eric Smiley

So why wouldn't she tell me that she was in the county jail? Why did she come? She was caught.

01:17:12:19 - 01:17:14:12

Dr. B

You have 60 seconds remaining.

01:17:14:17 - 01:17:33:06

Eric Smiley

This didn't happen. What happened? A couple of times. You know what, I'm saying so, you know, you wouldn't make that, you know, be like, look, I came to jail, man. You know, I got out of there. She never said nothing to me. So I'm processing all this thing and like there's some fish. You would just check that, you know, maybe there's some issue with this chair, you know?

01:17:33:06 - 01:17:42:23

Eric Smiley

I mean, and I. I'll get into that in a minute. What I what I put together about determining who she was, you know, I mean, unless you had met him, you.

01:17:42:23 - 01:17:43:23

Dr. B

Have 30 seconds.

01:17:43:23 - 01:17:56:20

Eric Smiley

Remaining of what happened was Derrick wanted to see the juror. So give me give me give me something for my friend to use for give me a few minutes. Call you right back, okay? Okay, good. Okay, I'll call you back.

01:17:57:16 - 01:22:50:23

Dr. B

All right. I I've that. Don't worry. I got it. I'm adding it as we speak. So you keep.

01:22:50:23 - 01:22:51:06

Eric Smiley

On top of.

01:22:51:07 - 01:22:53:21

Dr. B

The phone.

01:22:53:21 - 01:23:00:06

Eric Smiley

Well, I'm trying to give you what you want, you know, so.

01:23:00:06 - 01:23:03:14

Dr. B

No, no, no. Don't worry about giving me what I want.

01:23:04:09 - 01:23:04:21

Eric Smiley
Okay?

01:23:05:06 - 01:23:11:20

Dr. B
You know, this is you.

01:23:11:20 - 01:23:13:20

Eric Smiley
You you you recording it? Yeah.

01:23:14:14 - 01:23:15:02

Dr. B
Mm.

01:23:16:17 - 01:23:17:01

Eric Smiley
Sure.

01:23:18:01 - 01:23:21:13

Dr. B
Yeah. Okay, I'm recording it.

01:23:22:15 - 01:23:55:11

Eric Smiley
All right, so, uh, let's see what I got here. Uh, so, like, I tell you, I, uh, I concluded the thumbs up with this one, and so I said, you know, I started getting at this bar that this woman may be working with the police against the police and prosecutors against me. You know, just too many strange things is happening surrounding her, you know, maybe.

01:23:55:11 - 01:24:29:10

Eric Smiley
My, my, my, uh, my personal and my. My clothes and jewelry coming out of my storage being broken into and ended up in the hands of, you know, this is be my name Regina McAllister Omar talk about later, you know, so I call I remember one day I called her house in order to call in about 20 times and no one answered the phone.

01:24:29:10 - 01:24:50:05

Eric Smiley

Mama, call back again. And the phone lying about ten times. So I decided to call back one more time. And our daughter answered the call, as I said, Uh, have you been at the house since a year? I said, I just like.

01:24:50:09 - 01:24:50:17

Dr. B
20.

01:24:50:17 - 01:24:51:04

Eric Smiley
Five.

01:24:51:10 - 01:24:52:02

Dr. B
35?

01:24:53:07 - 01:25:15:14

Eric Smiley

Yeah. No. I said, Well, why are you picking up the phone? She said, Because the detectives keep calling in from my mom. I should call if your mom or what she said. I don't know, she said. But they keep calling you, huh? Oh, she never told me about that. She never mentioned it to me. I'm time even after that, she never mentioned it to me.

01:25:16:18 - 01:25:19:07

Eric Smiley
So I just said, you know.

01:25:19:07 - 01:25:26:17

Dr. B

Well, so her daughter told you basically that they stopped answering the phone because the police.

01:25:26:21 - 01:25:47:17

Eric Smiley

Started the phone because they kept calling. They're trying to get in contact with her mom. And so she didn't want to she didn't want to talk to, you know what I mean? So that's how she says that's how she explained it to me, you know, so now after after just putting all this, you know, all this sequence of events happening and I just started to put two and two together.

01:25:48:02 - 01:26:09:04

Eric Smiley

I said, you know what? I believe that this female's working with the police and prosecutors. I believe that they, when they sent are up there because our jury, our deliberations took about a

month. And so the prosecutors were scared that it was going to be a not guilty verdict because they really been out there. They really didn't have evidence against us in the first place.

01:26:10:03 - 01:26:21:21

Eric Smiley

So they thought it was going to be a not guilty, but actually central to the hospital to have contact with this juror in an attempt to cause a mistrial. That's what I believe.

01:26:23:21 - 01:26:31:22

Dr. B

Went to trial. Well, you did get a mistrial in the first one.

01:26:31:23 - 01:26:37:13

Eric Smiley

Oh, I a mistrial. But what I'm saying what they tried to do right now.

01:26:37:13 - 01:26:38:19

Dr. B

I got to go.

01:26:39:04 - 01:27:08:17

Eric Smiley

Yeah. My, my, my mistrial happened in the normal course of that. They were trying to cause a mistrial, you know? So out of misconduct, out of a horrible, you know, good behavior, you know, a lot of corrupt practices. You know what I mean? So so, you know, after the mistrial, the trial, you know, the prosecutors that summer, we tried to make, you know, I mean, tried it.

01:27:08:19 - 01:27:33:10

Eric Smiley

They try to make it on the same charges, you know. And prior to trial and lawyers came to me, my lawyer, Floyd Gustafson, came to me and said, well, the prosecutors want to know if you would take a plea bargain? I told her, no. She came to me again, not the same day, but maybe it was sometime later yesterday.

01:27:33:16 - 01:28:02:18

Eric Smiley

Okay. Well, you know, the prosecutors want to know if you take a plea, but I told her, no, I'm not taking on Playboy. So came to me again. I got mad. I said, Why do you keep coming to me asking me on a plea bargain? And she says, Well, it's my duty as your lawyer to tell you what the prosecutor offered, and then you know what you're up against, which I was up against the death penalty, you know what I'm saying?

01:28:03:04 - 01:28:23:01

Eric Smiley

That's what I was up against. So I thought I said, you do this. I was so firm in my stance. I said, You tell them they got to give them a plea bargain. You either take me to trial, you let me go. That's my that's that's what I'm offering you guys because, you know, what.

01:28:23:01 - 01:28:24:00

Dr. B

Were they offering?

01:28:25:10 - 01:28:26:05

Eric Smiley

Second degree murder.

01:28:27:19 - 01:28:28:02

Dr. B

And.

01:28:31:04 - 01:28:49:07

Eric Smiley

Second remanded. But they probably would have pleaded guilty. You know, I would have allowed them to impose a 50 year national stance on me and all kind of crazy stuff. I'm not doing that. I'm not taking a plea bargain from now after eight. Don't just humiliate me, man. And it all just comes to mind as you want to plead with me.

01:28:49:15 - 01:29:18:21

Eric Smiley

Oh, I'm not doing that. So, you know, that's how I told them I said so. I was talking to my grandmother one day and we go, okay, here we go. Now this is this is this is powerful. You make sure you definitely got this recorded. You don't report. No, no, it's recording. So I said I was talking to my grandmother one day after my first trial.

01:29:19:10 - 01:29:47:21

Eric Smiley

My grandma. Sure, sure. Some information with me. What's A substantial age when I was in jail and reinforces investor guilt. Investigator Bill Zimmerman statement he made to me when he hear my attorney on August 15 visiting the county jail at the beginning of my case had my grandmother passed away, my uncle, who told her passed away. I saw my grandmother, my grandfather who told him about dementia right now.

01:29:47:21 - 01:30:18:01

Eric Smiley

So he's not gonna remember nothing. And then and then the. And then the person in court here is dead now. I mean, he passed away, so my grandmother tells me that the Seattle Police Department sergeant with regard I told you that passed away. His name was Parnell. He was

friends with my mom, my grandpa. And so I met him at on Memorial Day, like five or five days or whatever before this happened.

01:30:18:01 - 01:31:00:00

Eric Smiley

So all day was out Monday night. This happened to me, that party I met this guy one time, shook his hand every everything. But it didn't out to me. You know that. What? You know what he said? A play out of significance. Of significance in my life. So my grandma tells me that the police sergeant tells my grandpa tell law, which tells it because he told my grandmother, who tells me that my ex-girlfriend Regina McCallister, agreed to greet after police set me up.

01:31:00:00 - 01:31:23:01

Eric Smiley

So now referred to in 1996? No. In 1997, Regina came to try to visit me, but at the county jail, I told the officers to tell her to get out. And it was my they said, you don't want you, you got to leave. And so she looked at me like, you don't want me here. I just looked at I told you, you have to help her to get out.

01:31:23:09 - 01:31:51:20

Eric Smiley

I don't want to do it. You know. And, and she tried it. Oh, I got I can't forget this part. I mean, I forget this point. So back in 1995, when the time she was discovered, captain, all through our lawyers made a big spectacle to the media what was what was going on. And so everybody in Seattle, all north, thought we were going to get out.

01:31:53:06 - 01:32:01:02

Eric Smiley

And so the lawyers have said, oh, sorry about the.

01:32:02:01 - 01:32:02:12

Dr. B

Lawyers.

01:32:02:15 - 01:32:28:08

Eric Smiley

If ever want to advocate for the lawyer said they were going for a dismissal of charges. And so that was the apology from the local media everywhere and what had what they enjoyed, what they did. My daughter's on the TV talking about and everything. And so and that's when we talk about Commissioner Moore at the time and at the time she did, because her daughter so Regina came up.

01:32:29:18 - 01:32:43:03

Eric Smiley

I tried to visit me. I talked to her for a minute, but I'm looking at her like I just found this out that. You're trying to set me up. But I never said nothing for I talked to her for a minute and I told I said, Well, make this your last time. If you come up to see me.

01:32:43:03 - 01:33:16:17

Eric Smiley

She looked at me like, Why I don't want to do it, you know, more on what can I do with you? So our reason for coming to see me at that time was she knew what she tried to do. What she was trying to do was either two things did in my good gracious, so nothing would happen to her or she was trying to get in my request again to basically put me in a position to where what was going to happen to me would be completed.

01:33:16:17 - 01:33:42:01

Eric Smiley

You understand what I'm saying? So what my grandmother said, she often agreed to set me up. So when Regina came up and I tried to put her out, our friend came up and said, Why you put her out? Oh, she was telling. I told her that girl so good. But she tried to set me up with the police.

01:33:42:22 - 01:33:59:11

Eric Smiley

I said, this girl's crazy man. That's all. She gave me a number, a car. And I said, Well, I asked her, I said, Why you keep coming up here? Why do you keep coming on my case? She say, You can't make me come around case out of that. I said, Well, I don't know why you always tried to set me up.

01:33:59:22 - 01:34:18:05

Eric Smiley

She said, No, I did. I said, Yes, you did. She said, No, I did. I said, Yes, you did. I said, You think I'm being tough enough on about about you try to help the police do to me. She said, yes. She said, okay, what are you going to do to me? I'm saying, okay, I'll see you. She said, What are you going to do to me?

01:34:18:13 - 01:34:27:13

Eric Smiley

Like, Yeah, okay, I did that. Like, what do you want to do for me? I just, you know, I just I said, I'll see you around. I called the ball, never spoke to her again.

01:34:28:11 - 01:34:30:16

Dr. B

He said, this is Regina McAlister.

01:34:31:23 - 01:34:32:08

Eric Smiley

Yes.

01:34:32:22 - 01:34:33:15

Dr. B

And who was.

01:34:37:03 - 01:34:39:16

Eric Smiley

Jeremy McAllister now? Oh, they got.

01:34:39:16 - 01:34:53:19

Dr. B

Him after that. Right after that. So you hold on 1/2. Who was the girl that you were in the car?
Marie McAllister.

01:34:53:19 - 01:34:56:03

Eric Smiley

Marie McAllister. That was Jeremy back.

01:34:56:23 - 01:35:01:06

Dr. B

Okay. So they're are they now or why?

01:35:01:16 - 01:35:18:01

Eric Smiley

They're not. They're related to marriage. Regina was married to Marie's brother. Okay? I forgot his name and. And that's how Regina McAllister got the. And McAllister like Marie, Jimmy.

01:35:18:01 - 01:35:18:11

Dr. B

Okay.

01:35:19:03 - 01:35:43:18

Eric Smiley

So, yeah. So, so then I said, now, you know, we didn't follow what was supposed to happen, but that took place. If you said it was supposed to take place, you know, what was the end result? Was I going to jail? Was I going to be murdered? I mean, that's and then you kind of think back to what they what they do with girls intimacy.

01:35:44:02 - 01:35:58:01

Eric Smiley

Is that because they didn't want to get you, because they couldn't get you on the group, wanted to keep you on, they're going to get you on this. What is it that they want to get me on the website?

01:35:58:01 - 01:36:01:04

Dr. B
So, uh.

01:36:01:18 - 01:36:23:00

Eric Smiley
So there is evidence and I know in fact because she came out of the home office and she agreed, you know, basically, you know, I agreed to help set you up. So that's that's definitely hard. You know, she admitted that all along. And if someone doesn't if you said that out of your mouth.

01:36:23:00 - 01:36:25:22

Dr. B
Why.

01:36:25:22 - 01:36:30:10

Eric Smiley
Uh, why why did she say that?

01:36:30:10 - 01:36:41:01

Dr. B
OBAMA Well, no. Like, why, why? Why did they want to set you up? I mean, they had Quentin already. Why did they want you to?

01:36:42:11 - 01:37:04:21

Eric Smiley
Well, you know, that's the setup was supposed to happen before this took place, so. Okay, so but because this happened, then they said, okay, then manslaughter, George Zimmerman, because they didn't get you on what they wanted, which one they're going to get you on this. That's verbatim what he said.

01:37:06:02 - 01:37:10:08

Dr. B
Okay. Gotcha. Right.

01:37:10:18 - 01:37:41:21

Eric Smiley
So, so, uh, I talked about how come I could have gotten killed trying to talk to me. So here we go. So they're during my second trial, the during voir dire, which is basically trying to decide the jury selection. The jurors come to be a part of jury. I noticed a young black woman sitting in the second row directly in front of me.

01:37:42:17 - 01:38:08:15

Eric Smiley

Uh, prosecutors, right. Police officer side. The left side of me. The lawyers was on both sides of me. So I'm on one side of the courtroom. The prosecutors like over on another side. So Uh, I know the prosecutors will pay close attention to see if I could make any connection with anybody, cause it was going to you there, challenge it to kick them off.

01:38:09:19 - 01:38:29:04

Eric Smiley

And so I made a connection with this young black woman because she smiled at me and I smiled at her at half. Okay, this is a not guilty party right here. I mean, I look at it. I'm I do my best to stay away from looking at her quite dismayed. But, you know, I believe the prosecutors caught that.

01:38:29:04 - 01:38:53:21

Eric Smiley

And what I was trying to of the jurors, uh, she came in, she came up to the and the trial and the prosecutor challenged and kicked her off. So I remember rid it. It is I mean, I can't explain in words how disheartened I was because this was a not guilty party. And I like to walk out the door with a mistrial or not get anybody, whichever, whichever one.

01:38:54:02 - 01:39:25:17

Eric Smiley

I wasn't gonna be found guilty that put her on either her on my jury. So here we go. Roshni. A week later, after returning from court, I noticed a letter on the floor myself. You know, this type of. This type of size of letter I don't usually see I never I never received an, uh, the kind of it was kind of like, you know, a good sized letter or card or whatever it was, of course, got a lot of things and I picked that the have to look at it at the name and address, which I wasn't familiar with.

01:39:27:00 - 01:39:52:02

Eric Smiley

And I began reading. I was like, Oh wow. I was like, Whoa, you said she was young. She took it. She did a photograph of the young black woman, was distressed off my jury by prosecutors. She said her name was, you know, told me the name and it was Meredith Stone. Her last name was Dawson. Now, because she got married, remarried.

01:39:52:06 - 01:39:55:13

Eric Smiley

She's not married to me anymore. But.

01:39:55:13 - 01:39:56:09

Dr. B

Oh, you were married.

01:39:56:09 - 01:40:09:18

Eric Smiley

I explain that to you. I'll get to that. So I jumped ahead. So she was a 40 she talked about how she was dismissed off the jury as saw. She said she wanted me to call Nikki.

01:40:11:12 - 01:40:11:22

Dr. B

Nikki.

01:40:13:10 - 01:40:31:17

Eric Smiley

Nikki. Nikki. You know, KKR. And so it just over a letter was basically saying that, you know, she can't imagine what I'm through. I wanted me to know that everybody wasn't against me, that if I believe a slut or not, a lot of back and forth. I thanked her for a kind gesture.

01:40:31:17 - 01:40:33:15

Dr. B

And you have 60 seconds remaining.

01:40:34:04 - 01:40:50:01

Eric Smiley

And sending me a card. You know, I told her it is it's unfortunate that we had to meet under circumstances like this when I even when I'm relieved hopefully in the near future we go out to lunch or dinner or something like that. I told her to take care of herself. Hopefully I'll see her again in the future.

01:40:51:00 - 01:41:01:16

Eric Smiley

She wrote back and told me that even I didn't ask her to write me, that she took it upon herself to continue our correspondence. From that time on, we corresponded.

01:41:01:22 - 01:41:03:15

Dr. B

We have 30 seconds remaining.

01:41:04:03 - 01:41:07:15

Eric Smiley

Okay, so I'll call you. I'll call you right back and continue to continue this.

01:41:08:05 - 01:41:14:17

Dr. B

Well, hold on. Give me a couple of minutes. I can call this phone number and recharge the phone, apparently.

01:41:14:22 - 01:41:16:08

Eric Smiley

Okay. Hold on. 5 minutes or so.

01:41:16:20 - 01:41:17:17

Dr. B

Yes, yes.

01:41:19:07 - 01:41:22:06

Eric Smiley

You should be able to do it. You should be able to do it from your phone or something like that.

01:41:24:00 - 01:41:54:21

Dr. B

Well, I know, but that's what I was trying to do. But it's not letting me. Oh, come on. So I'm just going to call them. Okay? Not mess with this anymore. I did it.

01:41:56:03 - 01:41:57:02

Eric Smiley

It did a good job.

01:41:57:18 - 01:42:01:04

Dr. B

We should be good for the rest of the day.

01:42:02:03 - 01:42:09:08

Eric Smiley

Okay? Okay. All right. Well, you know, alone. And I'm only halfway through it, you know? I don't know.

01:42:11:00 - 01:42:12:15

Dr. B

Well, you keep going.

01:42:14:12 - 01:42:19:08

Eric Smiley

Halfway through operational pickup. Well, after that, you get to record in large quantities. Well.

01:42:20:00 - 01:42:23:01

Dr. B

Let's do it all over.

01:42:23:01 - 01:43:00:16

Eric Smiley

Okay, so on and so, you know, once again, a jury deliberations began in early March 1987. This time, there was nobody trying tamper with the jury. I believe the prosecutor, the police did the first trial and using that girl to cause a mistrial. Again, jury deliberations took about a month with the verdict coming on Thursday, April 8th, 1997, as it did on April 8th in 1996.

01:43:00:16 - 01:43:25:10

Eric Smiley

For both the parties in this trial came on my birthday. The guard came and got me, you know, how to go and audition. You know, my lawyer already told me that I would be exposed to the death penalty. So you can imagine what I was feeling, what was hanging on to my hair, you know, to go down and get changed out of my automobile clothes and into my suit.

01:43:26:07 - 01:43:48:07

Eric Smiley

I then was escorted across the bridge. It was like I told you, like a part of the course, some kind of deal to the to the top of the courthouse. You know, as we go down the way for about 15 minutes or so. And we took them down to the courtroom and and went through all to see a police officer and all got in in the hallway and looked at me all crazy.

01:43:48:19 - 01:44:24:05

Eric Smiley

That's how I was in the first trial, too. I mean, when we came off the off the elevator and into the hallway of the courthouse, I thought that was about it had to be about two armed police officers. I mean, it was unreal. I mean, it was a sea of these people. I mean, I seen I seen Bellevue, I seen Tukwila, I seen Renton, I see Kirkland, I've seen Edmonds, I've seen SeaTac, I've seen detectives.

01:44:25:18 - 01:44:47:23

Eric Smiley

I just it was it was it was unreal. And so it wasn't that many as it was at the first trial. I mean, it seemed like I, you know, oh, my God, Seattle police. I mean, one, like I said, was out of many, but it was enough. So they took me to the courtroom and it's almost like a terrorist family was in back of me.

01:44:48:11 - 01:45:27:20

Eric Smiley

My family was in back of him. And so, you know, they came in and and I told my friends, I sat down and then the jury came in. The judge came in, told the bailiff, the grand jury and jury came out. And so the the jury, Jose Vargas, the former foreman, giving the judge and I start reading, said I was guilty of first degree murder, you know, and so I tried out pointed out the judge talked about sudden a, you know, judge or my lawyer at the time, I said the same thing for next month on May 9th, 1987.

01:45:28:13 - 01:45:51:11

Eric Smiley

And so I was taken when I was put back on, I was taken to the judge's chambers down a stairway and into another floor, and then taken to the county jail. So I'm not certain that that was done because it was probably a sea of police officers on fire. They weren't beat. When I came out like there, there was enough vulnerable there, probably more of them out there at that time.

01:45:52:04 - 01:46:39:16

Eric Smiley

That's what they said. Look, we were taken this way. And so, you know, even that is a traumatic experience, man. I'm sitting here, I'm going through all it is a muscle so crazy, you know, man. So when they are, you know. Yeah, well, uh, so, so that's how that happened with the verdict and all that. And then and then how the verdict was read.

01:46:40:09 - 01:47:04:04

Eric Smiley

I sat down, you know, in a state of shock like this can't be real, man. I'm really remarkable in prison for years for something I didn't do. I want you to think about it like this. You know? You know, we didn't know what to do. What man? I mean, I have prison guards. Tell me I had jail guards.

01:47:04:04 - 01:47:23:12

Eric Smiley

Tell me there's somebody roll up on him and I didn't know who he was. They came out. God, he said, I'm not sure I'm cool, you know, there's nobody nobody's doing worse now. And so that's that's the problem. That's that's the problem right there. And they know he was in a regular car. He was in plainclothes. You know, his timesheet was hijacked.

01:47:23:12 - 01:47:47:16

Eric Smiley

They put him on duty. When he's off duty, not only do that, they put him on duty, which quoted we're supposed charges, but the fact that the wife was allowed to receive death benefit. I wanted \$50,000 or whatever it was, you know, for for putting put him on duty. So it was fraud. It was it was illegality. I mean, you know what I mean?

01:47:47:16 - 01:48:23:02

Eric Smiley

It was just it was crazy, man, you know I'm caught up in all this madness where all because like I like the prosecutor said they didn't get from what they wanted to get from which I believe in my heart. And I've always believed that that I was supposed to be set up. And that's what I believe. And so and so, you know, cause all a part it I don't know where they're at the way they, they, they tried trying to punish me and and trying to say that I knew this guy and trying to say if the car when they shot him, it made me believe that he was a part of it.

01:48:24:08 - 01:48:31:00

Eric Smiley

He was somewhere tied in that that's what made me believe that. You know what I mean?

01:48:31:00 - 01:48:41:19

Dr. B

Well, I mean, he did have a friend that wasn't very, you know, law abiding or whatever. So anyone rolling with her.

01:48:44:03 - 01:48:45:05

Eric Smiley

Who would come up.

01:48:46:09 - 01:48:47:17

Dr. B

I'm talking about Courtney Love.

01:48:49:02 - 01:48:54:02

Eric Smiley

All you know, you know, you know. I mean.

01:48:54:02 - 01:48:55:04

Dr. B

I'm always talking about.

01:48:56:07 - 01:48:56:23

Eric Smiley

This, you.

01:48:57:12 - 01:48:57:17

Dr. B

Know.

01:48:58:07 - 01:48:58:19

Eric Smiley

Like I said.

01:48:59:11 - 01:49:01:04

Dr. B

Yeah. So tell me anything.

01:49:01:09 - 01:49:06:07

Eric Smiley

Anything I've never heard about far. Oh, you know, I'm not done yet. I'm only halfway through this.

01:49:06:08 - 01:49:19:18

Dr. B

Oh, my gosh. I was going to I was going to ask you to tell me about the you know, what they wanted you on first time around. Well.

01:49:20:19 - 01:49:40:08

Eric Smiley

Okay. So like I said, I've been in other industries, man. I've been hanging around. I've been dealing with people, man. And, you know, I'm not saying I'm a squeaky clean. I'm not saying, you know, all that. But, you know, if I if I, you know, I had I sold I sold drugs, I'm not gonna undermine it.

01:49:40:18 - 01:49:47:04

Dr. B

Well, I think that might be probably what's linking it to this madness. Yeah, to be quite honest. Yeah.

01:49:47:17 - 01:50:08:01

Eric Smiley

Yeah. So, yeah, well, but the thing is, is that, you know, you get to murder me because I know, cause otherwise you get taken to jail for drugs. I thought that the statute or the penal code says, you know, you get it, you get it. It's not murder. You don't get murder. You know what I'm saying?

01:50:10:06 - 01:50:16:22

Eric Smiley

So that's that's that's that's my approach, you know? So. Yeah.

01:50:17:12 - 01:50:20:19

Dr. B

So you didn't you didn't recognize or. No, Terry.

01:50:21:15 - 01:50:38:14

Eric Smiley

I know him all that up. I never seen him before in my life. I've tried I tried to say, man, but there there are so many people constantly trying to say that I know who he is. So I'm trying to figure out where has this dude been around me. And I still have not to this day figured out where.

01:50:39:10 - 01:50:40:11

Eric Smiley

Oh, I don't know.

01:50:41:15 - 01:50:45:22

Dr. B

Do you mind if I ask you a little bit about the drug world?

01:50:47:12 - 01:50:48:06

Eric Smiley

No, I don't mind.

01:50:49:10 - 01:50:53:06

Dr. B

Yeah, I know. Like, it's probably what I call it.

01:50:53:06 - 01:50:54:15

Eric Smiley

I mean, we're here now. I mean.

01:50:55:14 - 01:51:06:17

Dr. B

You might as well, so. Okay, so I'm interested in obviously, like, the heroin movement in Seattle. Um.

01:51:07:03 - 01:51:11:16

Eric Smiley

Okay, what's that I can tell you about? Because I wasn't involved in heroin.

01:51:11:16 - 01:51:26:05

Dr. B

Right? But Courtney Love said that Terry told her that he was working on big crack bust somewhere in Oregon.

01:51:26:05 - 01:51:28:13

Eric Smiley

And I don't know that about Anderson. No, I read that in the book.

01:51:29:16 - 01:51:44:01

Dr. B

Okay. Yeah. So so you wouldn't know, like where the heroin would be coming from, who would be pushing it or any of that stuff?

01:51:44:01 - 01:51:45:19

Eric Smiley

No, I don't know nothing about time.

01:51:46:17 - 01:51:47:03

Dr. B
Well.

01:51:47:10 - 01:52:04:17

Eric Smiley
Okay, Lonzo, just mediocre stuff. From the time I was 19, this time, I didn't have any connections with any drug lords or anything like this. I mean, you know.

01:52:05:02 - 01:52:06:18

Dr. B
With anyone else in the paper.

01:52:08:21 - 01:52:10:03

Eric Smiley
Who I question or whatnot.

01:52:11:19 - 01:52:20:12

Dr. B
What about anyone else who was in the car with you? What about this mccallister person at home? Jeremy McCallister.

01:52:21:14 - 01:52:51:13

Eric Smiley
Yeah. No, I don't know. Only anything I know about Jeremy. That is Mary McAllister's nephew, that the police used him to turn against me and go against what he initially said. You know what I mean? That Quentin is the one who did it and turned them against me to see I'm the one who did it. And I saw the I was able to link me to the situation through what his testimony was and the trial.

01:52:53:09 - 01:53:08:05

Eric Smiley
And then I wanted to see in the trial the lawyers want to talk to him what they told him, take the fifth so he wouldn't even speak about what had happened. So they couldn't pry into what he why he switched his testimony, why he initially said what he said. You know, that was.

01:53:08:05 - 01:53:16:18

Dr. B
Going to be my question because because he had gotten immunity. Right. So that was kind of yeah.

01:53:17:13 - 01:53:19:23

Eric Smiley
To me. He's got immunity. You know.

01:53:20:14 - 01:53:20:19

Dr. B
How.

01:53:21:11 - 01:54:00:22

Eric Smiley

It took. We had the truth on our side and they told they we had the truth on our side and they turned it that they they threatened these these guys with jail and they, they left the truth and went to the side of a lie. And met him and our. Oh, so okay. As far as, like I said, you know, this, this trial on drug war on I don't know nothing about that really.

01:54:00:22 - 01:54:14:09

Eric Smiley

So I don't I don't know anything about them. But like I said, my whole situation was was killers and pissed, you know, I mean, compared whatever they were looking for. I don't know what they were looking for, you know. I'm sorry. So.

01:54:15:00 - 01:54:17:14

Dr. B
Mm mm.

01:54:17:14 - 01:54:20:21

Eric Smiley

So anyway, continue, right.

01:54:21:14 - 01:54:25:14

Dr. B

Yeah, go ahead. Thanks for clarifying.

01:54:25:14 - 01:54:26:17

Eric Smiley

Ha. Huh.

01:54:27:20 - 01:54:29:10

Dr. B

As a thanks for clarifying that.

01:54:30:11 - 01:54:58:20

Eric Smiley

Yeah, I so like I said, you know, I'm sitting here tripping and I can hear, you know, you know, I'm sitting there in a chair thinking like, I've got a prison management thing with my family members in the background, hon. And you know, you know, I just think the jury for the service

and and briefed the media about what brings them all talk to the media and all that stuff then it goes right to them.

01:54:58:20 - 01:55:22:13

Eric Smiley

Back into the jury. On Ranger from May presenting on May nine, 1997, I told them I was trying, and I guess when I was taken to the judge's chambers and and to another floor of the courthouse and back to back to my cell, you know, I said almost like if I could just see I saw one bear shaking my head.

01:55:22:13 - 01:55:29:17

Eric Smiley

The president, a state of shock.

01:55:29:17 - 01:55:32:16

Dr. B

I can imagine.

01:55:32:16 - 01:55:45:08

Eric Smiley

Yeah, yeah. I don't know that I'm on the.

01:55:45:08 - 01:55:47:23

Dr. B

Phone.

01:55:47:23 - 01:55:50:17

Eric Smiley

But hello.

01:55:51:14 - 01:55:56:06

Dr. B

Yeah. So. Okay.

01:55:59:05 - 01:56:06:01

Eric Smiley

So you. Yeah, I just, uh. I'm trying to finish this call with humor.

01:56:06:17 - 01:56:20:07

Dr. B

Um, we can. We can always come back to do a part two, if you want. Like, if this was taking up too much time and the people are fighting.

01:56:20:07 - 01:56:43:13

Eric Smiley

No, no, no, no, no, no, no, no. I'm obviously. I'm. I, I got to see if I can. I've got to go. I'm not going. Uh, so let me finish. Let's, let's, let's try to get as much. Okay, so I'm. I'm almost through with it. Uh so. Got a few more pages to go. Uh, time off outside my bed.

01:56:43:13 - 01:57:03:16

Eric Smiley

I mean, I, my body mind, I'm. I suppress my thoughts and emotions. I would mentally collapse, like, really? You know, Sam, this has been my mode of survival, the duration of my legal imprisonment, you know, being able to just try to mentally, uh, you know, just try to stay stable, man. Like.

01:57:03:22 - 01:57:09:17

Dr. B

What'd you do to try to try to stay stable?

01:57:10:03 - 01:57:10:12

Eric Smiley

Uh.

01:57:11:03 - 01:57:18:03

Dr. B

What is. What did you do in those initial days? What did you do? How did you process all of this? How did you.

01:57:18:21 - 01:57:40:00

Eric Smiley

Try to you know, you just try not to think it. You just try not to think about it. You just try not to think about it. You know, just try not to think about it at all. And just I just from and us as the matter where you you've been able to survive and trying to think about it, you know, to find a way you could do it.

01:57:40:00 - 01:58:01:08

Eric Smiley

Just don't think about it, you know. And so, you know, uh, I think the one highlight or one, uh, you know, shining light that, you know, helped me was, you know, had this, this relationship. I started relationship with my sister one here, the jurors, you know, and so.

01:58:01:08 - 01:58:01:14

Dr. B

Uh.

01:58:02:11 - 01:58:33:07

Eric Smiley

You know, after, after my verdict, she came off, she came up for sentencing. She came off for sentencing? Yes. She started visiting me and and I had, you know, I had a couple of other female friends. There's a limit to eventually I cut them off and I just started, you know, allowing her to come together and and, uh, one day we there visiting and I was talking and I told her that I'm going to prison now, you know?

01:58:33:07 - 01:59:00:15

Eric Smiley

So I know you were probably here hoping that I get acquitted, but it didn't happen that way. So, uh, you know, we had, you know, I was hoping we get to know each other outside of this, but, you know, I'm about to go to prison now, so she was like, she's obviously a fan, but since it didn't happen that way, she's, you know, she got a, you know, I thought it was her in the role, but she made the comment, you know, well, you know, you have to get married before anything.

01:59:00:20 - 01:59:24:10

Eric Smiley

I look at her like, well, you know, you have to get married before anything. Oh, like, oh, sure. So what are you saying? She says, you know, what do you think I'm saying after all of this? I'm like you. You, you. You're asking me to marry you. She said, Well, she was like, Well, oh, wow. I thought about it.

01:59:24:10 - 01:59:41:10

Eric Smiley

I had to think about that. I said, I think to myself, This one is beautiful. Why would want to marry a man who's getting ready to go to prison for a long time? You know, I'm not going to be able to meet her needs. You know, she's not going to be mine. I'm thinking to myself that this could be ahead.

01:59:41:16 - 02:00:06:12

Eric Smiley

You know, she's so beautiful. This could be a few years headache, man. And I ain't I ain't trying to do it, you know? I mean, here's this, man, you know, man, I'm already stressed out. Or stress is like hovering over me, waiting, waiting to collapse my brain and my fear. The whole range of so weak before, you know, finally I just said, you know, hey, what?

02:00:06:16 - 02:00:27:19

Eric Smiley

You know, okay, well, whatever, man. I was very reluctant, but I want the headaches and the stress, you know, of dealing with this this abnormal relationship. You know, I am I you know, I was like and I gave you one, got the password, which I believe was a woman. And my mom, grandma, my lawyer, I guess some of their her two cousins were there.

02:00:28:07 - 02:00:49:10

Eric Smiley

And, you know, we tied the knot, you know, uh, she didn't tell her mother and her brother for fear of backlash, you know, which her mom eventually found out and all hell broke loose when you talk about professionally, nonetheless. So she was she was, you know, getting married to glass and glass partition. She was separated from me, you know, that's.

02:00:49:10 - 02:00:53:14

Dr. B

So you were still in Brownie. You have 60 seconds remaining.

02:00:53:16 - 02:01:05:21

Eric Smiley

Oh, I was glad I was able you know, you're able to it was to be able to kiss the bride holder, walk her down the aisle and and all of that didn't happen, you know? I mean, I was tortured. Yeah. Yeah.

02:01:06:11 - 02:01:08:18

Dr. B

I was special unit or whatever.

02:01:09:19 - 02:01:21:15

Eric Smiley

Yeah. You know, I mean, you know, it was it was. It was torture, huh? You know, so all the hey, you know, I there was more attention calling on the phone, you know, and talk her.

02:01:21:16 - 02:01:23:10

Dr. B

You have 30 seconds remaining.

02:01:23:14 - 02:02:06:20

Eric Smiley

You know and I was it, you know so so let me me go ahead call you right back now. It's okay, Mom. I'm on my phone right now, so I'll call you right back. So.

02:02:06:20 - 02:03:16:13

Dr. B

All right. Perfect timing, everyone, because we're getting a phone call right now. Oh, crap. It just hung up. Okay, can everyone hear me? So we're going to take a little break. We have about another hour of the interview to go through. But I am getting calls in right now from Mr. Smiley. So we're just going to take a brief break and answer some of your questions.

02:03:16:13 - 02:03:56:21

Dr. B

So far. So I just wanted to give him an opportunity as well to kind of interact live with you guys as well, so that it's not just, you know, what I've said. So I'm going to prepare some of these questions. And yeah, I think Jen Lou also said she would join, so that would be great. Oh, crap. I don't think.

02:03:56:21 - 02:04:36:04

Dr. B

How am I going to make him here? Jen, Lou Inter isn't the. Yes, Ms.. Honey, we do. We still have an hour with. Sorry, if you can hear me clicking dramatically.

02:04:36:04 - 02:04:38:01

Dr. B

Hmm.

02:04:38:01 - 02:04:41:12

Dr. B

Good question, Genevieve. I will ask that.

02:04:52:01 - 02:04:54:04

Dr. B

To do, do and.

02:05:00:10 - 02:05:44:05

Dr. B

Should I continue? Yeah. I'm just going to continue playing. Oh, well, gogra images are never visible, but. All right, enough of the shenanigans. I'm just going to start playing this call, and then if he comes, he comes, and then I'll posit. Oh, I hear general.

02:05:45:11 - 02:05:48:06

Dr. B

Inmate at the Royal Correctional Complex.

02:05:48:06 - 02:05:48:16

Dr. B

Hi, John.

02:05:48:17 - 02:06:01:14

Dr. B

It's be recorded and monitored. If you wish to block any future calls of this, dial seven. Now, to hear the cost of this call, press eight. Now, to accept this call, press. Hi. Thank you.

02:06:02:05 - 02:06:02:15

Eric Smiley

Hello.

02:06:03:05 - 02:06:03:14

Dr. B

Hi.

02:06:04:14 - 02:06:31:02

Eric Smiley

Okay. Yeah. Great. Okay. So, uh, on Friday and midnight, which, you know, Friday, May nine, 1970. I wasn't. And of course, I was on my mind for hummus. How much time? On defense to approximately 1 p.m.. The guys came and got me. Took me to take me to court. I didn't dress up in a suit. I wasn't my own security outfit, you know.

02:06:31:03 - 02:06:55:23

Eric Smiley

I mean, they just took me straight to court and my jumpsuit, my jail adoption. Uh, this is. Think about this one. This is another thing that kind of freaked me out. I said when I came off the elevator into the hallway of the courthouse, I noticed one of the jurors was almost through standing with her back to me.

02:06:57:05 - 02:07:40:21

Eric Smiley

Now, this is a juror that the I remember that the judge called out, uh, uh, individually and she, uh, she said, uh, the judge after because she'd be fair and impartial, she sat up there with a straight face innocently with this with this angelic tone and angelic look and said and she could be fair and impartial. So as I came off the elevator and into the hallway, juror turned around and gave me the slot.

02:07:41:03 - 02:08:12:20

Eric Smiley

This time, juror This is this was just like I said, it's the same juror that the jurors question and ask us should be fair and impartial. This woman sat up in front of law to the judge, but after seeing that look, she gave me all I knew. All she wanted to do was get on my jury so she could vote me not guilty and sway anybody else who didn't think I was, who didn't think.

02:08:12:20 - 02:08:17:13

Dr. B

I was or nine or not guilty.

02:08:17:13 - 02:08:44:09

Eric Smiley

No, I'm saying, look, she gave me you could tell she was gonna she was gonna hold me guilty. She gave an innocent look. The judge individually questioned her and asked her if she could be fair. And of course, she said she could. Well, when I came off the elevator gave me that dirty

look that let me know that that was a lie, that she'd look at her, look what's really actually how she felt.

02:08:44:09 - 02:08:47:23

Dr. B

Yeah. So her body language was telling.

02:08:48:00 - 02:08:50:20

Eric Smiley

My language, her facial expressions, how she did.

02:08:50:23 - 02:08:52:10

Dr. B

It made her mind up.

02:08:53:06 - 02:09:04:22

Eric Smiley

Yeah, she said that was really what she felt heightened that angelic and angelic tone and angelic look. She was just like, I can't be grown impartial. She was lying.

02:09:07:00 - 02:09:11:17

Eric Smiley

So then when I came into the courtroom, I noticed about four more jurors in there.

02:09:12:02 - 02:09:13:00

Dr. B

I think to myself, What.

02:09:13:00 - 02:09:41:12

Eric Smiley

Are you doing here? I said, they already did their civic duty. What is one of the comments you're coming out of? See me get legally left. So are they serious? I'm like, Man, this is unreal, man. And I'll throw. I just saw her, you know? You know, my ex-wife Nikki was there. You know, my life at the time with my mom and grandma, my other family members.

02:09:41:12 - 02:10:01:01

Eric Smiley

I'm on the telephone with the speaker. One of the sisters got up and just berated me to not to talk, talking like, yeah, where's all your home is now? And, you know, I mean, yeah, you're standing by yourself now. And, you know, I'm saying this and this and that. All my while the judge, I mean, my lawyer was like, George, don't let us continue to talk like this.

02:10:01:14 - 02:10:23:04

Eric Smiley

I just I just saw I stopped I saw my friend after I let her talk and a quarter down to nose, a reporter wrote that I actually let her talk. MAN And nightmare. What else can you do to me, man? You know, one another sister got up and was very respectful and she talked to me. She said, I don't know what happened on that offer.

02:10:23:23 - 02:10:45:13

Eric Smiley

Well, she said, What are you in prison? I hope that you made wise. You should talk and just call up again when you came here, I was blown away. She said that and the jury wife also got the opportunity to talk to me. And she didn't berate me, but she didn't really say anything good. She embraced me. No, no, I don't know exactly what she said, but I remember I never forget the past sister.

02:10:45:13 - 02:11:11:20

Eric Smiley

She she. But she let me have it, you know. So but the mom never got up. The, the dad never got up and, or any other probably just the only the three sisters, his wife and two other sisters. But, uh, another thing you need to be mindful of during the first trial, the mother to this is hard know that.

02:11:12:11 - 02:11:30:15

Eric Smiley

Oh, I mean, I say this to my grandmother also said that the mother, Terri's mother would talk to my grandmother. My grandmother told me just before she was before she passed away, she said, that woman will come over talk. And I said, Mohammed, talk. She talks. And she would come over, talk to me more than I thought she should.

02:11:31:02 - 02:12:16:23

Eric Smiley

She said if she thought she were guilty, she never would have been talking to me. My grandmother as a woman, was born in 1929, speaking wisdom like that, you know what I mean? Yeah. So my grandma said that that's the first indication that I wasn't guilty. Another indication is when they read my verdict first in the first trial, they said mistrial on the first degree, aggravated murder, a mistrial on attempted part of like 3 to 3 to 3 to 8 on the aggravated murder charge, 4 to 8 on the attempted murder charge, and 48 on the on the on the second felony murder charge.

02:12:17:17 - 02:12:36:04

Eric Smiley

She didn't say that. The mom did not say anything when they announced Quinn's verdict not guilty. You know, she went crazy. She went crazy. And I quote I mean, to the point the jurors looked at her like, what the heck.

02:12:36:20 - 02:12:37:10

Dr. B
She.

02:12:37:10 - 02:12:39:22

Eric Smiley
Was, was I mean, hollered and screaming, like.

02:12:40:15 - 02:12:42:22

Dr. B
But no.

02:12:43:10 - 02:12:54:14

Eric Smiley
But when they read my body, she didn't say anything. She didn't say anything. And I thought that was telling. I thought that was telling.

02:12:54:14 - 02:12:54:23

Dr. B
Yeah.

02:12:55:00 - 02:12:55:09

Eric Smiley
You know.

02:12:56:13 - 02:13:09:20

Dr. B
So, you know, so basically from from everything what you were thinking is that even Terry's mom had some questions about how.

02:13:10:04 - 02:13:23:19

Eric Smiley
Yeah, she knew I was innocent. They knew I wanted if they knew I was innocent, I know it. And you can tell by the bias. But, you know, my grandmother, like my grandmother said, momma thought you were guilty. She never would have been talking to me. She would come up to my grandmother and say, Hey, how you doing?

02:13:24:10 - 02:13:40:20

Eric Smiley
She was momma. Grandma said she wanted to quit and family said nothing like that to them. And sure, I didn't know. So. Oh, you statements that you've seen coming from Austin.

02:13:42:06 - 02:13:45:08

Dr. B
No, I'm just observing it all. Going through it, yeah.

02:13:46:04 - 02:13:46:11

Eric Smiley

Yeah.

02:13:46:13 - 02:13:47:04

Dr. B

So that's a.

02:13:47:04 - 02:13:49:18

Eric Smiley

Lot. Well, yeah, it is. It is.

02:13:51:11 - 02:13:54:00

Dr. B

And this is all turn 30.

02:13:55:08 - 02:14:30:05

Eric Smiley

Huh? Yeah. Yeah. You five? Yeah. Before Pantaleo. Oh, I was 29, 28, 28, 27. I turned 28 on 1990, 1997, 1980 7.99. So, uh, so I prepared a statement for sentencing when I went sending I lost a lot of in my state and I told the judge I was innocent and didn't tell anybody. And the prosecutors are. That's part of the legend.

02:14:30:15 - 02:14:55:07

Eric Smiley

I'll go also got up and had all the time to speak. Yeah, a lot of choice words. The judge, the prosecutor and police and the prosecutors got up to speak. They were asking the judge to give 52 years in prison. They were asking for asking more time me than the guy who actually saw it. I'm saying I'm wondering, why is this an indication something that was arcilla ended up sentencing me to 33 years in prison.

02:14:55:22 - 02:15:19:09

Eric Smiley

I've been in jail for three years of solitary confinement. It's time to move on. I told my lawyer after she was put on transport order and had me and then had to go to prison and so, uh. Yeah, now doubt for the next week, you know, I was trying to sit on a prison bus and train and transport to Washington Correctional Center.

02:15:19:16 - 02:15:42:03

Eric Smiley

Sheldon Washington. And as soon as I got there the shenanigan started, my ex wife had visited me. She was standing up because she was standing. I'm trying to get comfortable, you know,

the hard seats or hard was hard on a bus. And so she was trying to stand up to get, you know, to get get a little more comfortable and like, you know, stand up, like for, like, rebuttal bit.

02:15:42:18 - 02:16:22:13

Eric Smiley

So one of the officers was one of the prison guards came and looked in. I seen his reflection in the mirror and the glass window and he left. About 2 minutes later, the sergeant came and told my wife, You have to leave. She said a reason what she said, inappropriate behavior. She said, Nicole, be reminded that he just told you not to go and made a leave so that the guard lied and said that she stood up on the counter or showing her breasts to me and I wasn't even sure I wasn't immature at all.

02:16:22:13 - 02:16:56:01

Eric Smiley

I mean, so that was the first honest shenanigans. And it started when I got to prison. And then and then for now, I had to wait to see what what the sanction was going to be. You know, to me, it just seems like that happened. It seemed like the prosecutor, the police, his fingerprints was all over it. And I think you might have been prosecuted because he talked about her and in a in a in a hearing one day, talked about how she was a lawyer.

02:16:56:01 - 02:17:17:12

Eric Smiley

You know, she graduated from law school. So, yeah, so we talked about that and so on. And, you know, like I stayed away from the station about this prison thing.

02:17:17:12 - 02:17:19:23

Dr. B

Okay, I'm muted. There we go. Can you hear me?

02:17:21:13 - 02:17:22:22

Speaker 4

Yes, ma'am. McCann.

02:17:23:08 - 02:18:04:03

Dr. B

Hi. Hi. Just real quick summarize what's going on right now. Basically, Mr. Smiley married a potential juror who was in the jury pool, but then later was obviously not a you know, she was dismissed and then she wrote him a letter. And in the letters, you know, whatever. That's how their romance sparked. And now after he's sentenced and she came to visit him, and by this point, she had she was a lawyer.

02:18:04:03 - 02:18:39:08

Dr. B

She graduated law school and everything. And now they're trying to mess with their visits. I see. So so that's where we're at kind of right now. That's a quick catch up. So, yeah, let's keep listening. He's not calling back yet, so I'm going to assume that maybe he's thinking that we're still in the middle of a call, so let's carry on.

02:18:39:15 - 02:18:42:03

Dr. B

Oh, how are you hanging in there?

02:18:43:02 - 02:18:44:00

Speaker 4

Me? Yeah.

02:18:44:10 - 02:18:45:13

Dr. B

Oh, okay.

02:18:46:19 - 02:19:01:04

Speaker 4

Well, I mean, I have some questions, but I kind of need to process it a little bit more because it's a lot. It is him. Is he appealing his sentence now or is he just like over it? You.

02:19:01:19 - 02:19:31:13

Dr. B

No, he's in the middle of something else. Okay. The hearing that he had recently, which we're going to get to that part, because there was a hearing that took place last month, April 19th, and we actually attended that. Okay. Via Zoom. So he was. Yeah. So he'll talk about that some more. But it's it's it's pretty fascinating stuff.

02:19:32:09 - 02:19:36:07

Speaker 4

Is he going call back tonight? Are we just listening to the calls he's already done.

02:19:37:02 - 02:19:39:20

Dr. B

He's he he's going to call back tonight. Okay.

02:19:40:00 - 02:19:56:11

Speaker 4

I want to I listen my brain, not my processing speed is laid like yesterday was a long day for you. Yeah. So, yeah, I had a lot. I was, you know, it's a.

02:19:56:18 - 02:19:58:03

Dr. B

It's a long day for me.

02:19:58:03 - 02:19:59:12

Speaker 4

Girl. I know, I know.

02:19:59:12 - 02:20:04:12

Dr. B

This is like the second time I'm listening. Oof.

02:20:05:00 - 02:20:13:13

Speaker 4

You know? So my processing speed and I keep forgetting where he is, which would be 3 hours behind us somewhere like 630 he's at well.

02:20:13:13 - 02:20:18:08

Dr. B

Oh is it 3 hours for me. Oh I was like, okay, yeah, yeah.

02:20:18:08 - 02:20:19:03

Speaker 4

For me it's you.

02:20:19:03 - 02:20:22:12

Dr. B

Get that higher order stuff and that's not going to.

02:20:22:18 - 02:20:32:04

Speaker 4

Well, that's not going to work. And it doesn't I it's a fluke that that even occurred due to my processing speed being late error.

02:20:32:04 - 02:20:33:07

Dr. B

Error. Yeah.

02:20:34:03 - 02:20:37:19

Speaker 4

Buffering, buffering, buffering.

02:20:37:19 - 02:20:54:10

Dr. B

So. All right, let's keep my God, more. Two days later. All right, here we go. Carrying on.

02:20:54:10 - 02:21:21:18

Eric Smiley

Until then, I was transferred to the Washington State Penitentiary. While in Washington. Initially, no. I was scheduled to go to Collin Bay Correctional Center Forks, Washington. For whatever reason, my mother institution switched on July 31st, 27. I was transferred to WSP, which is Washington State Penitentiary, which is Walla Walla over between Idaho and Oregon. Uh, you know, that prison was like alcohol location ancient at prison.

02:21:21:18 - 02:21:42:16

Eric Smiley

I've been there for just like 1850, you know, was someone like Alcatraz, you know, it was just a dirty old prison. And, uh, first thing I. When I got there is I tried to help out. I was one of my there just. I want to talk to my counselor. She already had a tattoo with me, you know? I mean, so I told my ex-wife, well, or she what was going on?

02:21:43:05 - 02:22:07:19

Eric Smiley

She wanted, my wife wanted to come see me. And I told her, I said, Well, you got an older man. They still got us a suspension. She was willing to talk while I was anywhere, you know, to try and try to chance to see if she could get in. But, you know, I mean, like I say, I couldn't tell her no because when when a woman wants what they want and what would they want you I mean, so I was like, okay, well, you can try.

02:22:08:05 - 02:22:27:20

Eric Smiley

I said, I hate that you got to come all this way, but you can try. I'll be mad if they deny you. I mean, so she did call. And, uh, so a lot of the comment in a later that she did somebody around, but I found out the scenario. What happened? Oh, she, she, uh, she told us she was suspended.

02:22:28:09 - 02:22:48:18

Eric Smiley

Our suspension was on paper, but it wasn't in the computer, she said. The sergeant who was the sergeant at the prison were cited, was confused by this, like, wait a minute, how is the suspension on paper? Handling a paper? And so you want to let her in, but you know, an awful lot. And so she ended up leaving right before more of like Seattle.

02:22:49:07 - 02:23:08:12

Eric Smiley

And so I found all this by talking to an opponent night. So I finally was able to get some understanding about what was going on all through my visits. Uh, as I dealt with the counselor, first of all, there was no oppression written and would allege inappropriate behavior that occurred and.

02:23:09:12 - 02:23:10:10

Dr. B
Oh.

02:23:10:10 - 02:23:30:03

Eric Smiley

And I believe that there would be this was done like this to put, you know, the piece of paper in the booth. It was not on the on the computer. This just like this is a suspended I believe this was done. So there would be no evidence that we could challenge the lie or the illegal suspicion able to pose on our visiting.

02:23:30:03 - 02:23:56:15

Eric Smiley

You know, this this especially from sergeant saying nothing in the computer that that was you know that's the statute a counselor at the time was kind of similar. She was instrumental in trying to get off this kind of this counsel commonly. So she proposed that we're going to go have a 30 day trial and a narcotics contact with the booth.

02:23:57:15 - 02:24:20:09

Eric Smiley

This was the same situation that occurred at a shown at the receiving shelter. This is how all this happened was she wanted to put us back in there to try it again. No, no, no, no, no, no. Not doing that. No, not doing that. I'm not going for that. You know, these are the people they were keeping my life from me that my girlfriend, my wife.

02:24:20:09 - 02:24:23:04

Dr. B

I mean, that was the name of the gang.

02:24:24:03 - 02:24:44:01

Eric Smiley

Yeah, you know me. So I thought they were doing something, but all it was, was a setup. Well, this has to be canceled permanently. I'll call my wife, you know, call my wife not to come within that period. So they us like a 30 day from October to November. So no comment that I'm happy to kind of see what happened.

02:24:44:18 - 02:25:04:06

Eric Smiley

Well, she came in and in the 30 days that was imposed for trial on and order to reinstate the prison, we never should have lost. That is surprisingly the letter, and not that I have not told her court authorities that letter. And I could tell they were monitoring us very closely, looking for any little thing to suspend our business permanently.

02:25:04:16 - 02:25:27:17

Eric Smiley

It would look to the point where when I say try to monitor every little thing, had two T-shirts on at the prison at one time, and they'd notice that I had two t shirts on. And they told me after after it was over with, a conviction was over. And we know out. And so the sergeant made sure when he got that, he says he says, you got it.

02:25:27:17 - 02:25:56:22

Eric Smiley

Well, I think they said it prior to my visit, says you got two T-shirts on you can't wear to a T-shirt minimum. We'll let you have it this time. But you can't. Oh, y you notice that I'm like but they noticed it mean I was paying attention. So in early 1998, my attorney in August contacted me a formula of r b got tiny Susan L You contacted her to provide information on an informant car murder.

02:25:56:22 - 02:26:41:20

Eric Smiley

That's all we know about him. Which is? Which is which? I didn't know his real name, which certainly wouldn't make the posture to provide his real name like he told me. That said he had testified in another trial. He was paid \$500 in my trial for for his testimony in my trial and other trials. So the and the attorney, Susan Elliott, was involved in that trial, set the information to my attorney and then my attorney learned the information and wrote me and told me that essentially she was going to motion for a new trial, especially about putting the transport order, transport order to have me come back to the car, back to the jail.

02:26:42:22 - 02:27:05:20

Eric Smiley

So that date that happened in September 1988, you know, and my lawyer was confident that I didn't even know it and even quit. I was transported to the county jail so you could go off on their behalf. But his attorney, Howard Phillips. Yeah. So Quentin would not testify for me. He didn't want he didn't want him to be involved.

02:27:06:04 - 02:27:36:00

Eric Smiley

My situation at all in his reasoning was, he's got a trial court of appeals issue pending. And that I mean, it doesn't matter. You have to show he didn't he didn't say, yes, I didn't do it. Maybe maybe he did. And I don't know, I can't remember. But he did have to give evidence point towards how, you know, so really, I don't think he wanted to testify.

02:27:36:00 - 02:27:59:21

Eric Smiley

I think it was an opportunity to get close to his family. And I think I guess that was there basically and was just want to come back from visit his family tried to hearing my lawyer argue that Crimestoppers that they all said he was paid by Crimestoppers and of course testimony and so my lawyer was like cross obviously the police all around organization paid a witness money to testify.

02:28:00:08 - 02:28:13:10

Eric Smiley

Yes. In his was Crimestoppers is not a police organization but a constituent organization. Therefore there was no violation or crime committed and ended up denying a motion. And and I would leave in.

02:28:13:21 - 02:28:22:00

Dr. B

What you said. You said Crimestoppers stoppers paying witnesses to testify in your trial that what you just said.

02:28:22:00 - 02:28:40:03

Eric Smiley

An informant. An informant. Yeah, they do. He admitted he does own mouth. They're saying nothing. A lawyer discovered in a document he it out of his own mouth. And another case that he was justified in setting up of Smiley's case. And I got paid in other cases. Fine.

02:28:40:03 - 02:28:41:09

Dr. B

Wow. Oh, okay.

02:28:42:17 - 02:28:46:15

Eric Smiley

And they denied the motion saying that's the reasoning. And that's no different from.

02:28:46:18 - 02:28:48:11

Dr. B

You have 60 seconds remaining.

02:28:48:15 - 02:29:01:23

Eric Smiley

There's not there's no reason why I not either denied in this hearing. You know what I what I just want to okay. You got you got you got to let me call you back. I'm going to call you right back. Okay Okay? All right.

02:29:02:23 - 02:29:22:17

Dr. B

Bye.

02:29:22:17 - 02:30:13:20

Dr. B

Okay. Just going to take a quick break. I want to wait a minute. I want to show you guys. Can you hear me okay? Hello. Okay. I would like to show you guys a screenshot of the response that

I got from the King County Prosecutor's Office when I requested the trial exhibits for Smiley's trial. And basically the response I received was, according to our case management system.

02:30:13:20 - 02:30:52:10

Dr. B

We have 39 boxes of material for this case. I. The discovery is quite voluminous. Feel free to call me directly if you would like to discuss your requests. So as you can imagine, that's definitely something that, you know, we're looking at here. But so Mr. Smiley isn't calling back yet. So I'm assuming he's going to try to time this in a way, whatever.

02:30:52:20 - 02:31:07:19

Dr. B

I'm not going to assume anything extra. I'm just going to play the last call and or the last two calls. Then if he calls in the meantime, we'll be back. If not, and we'll be back.

02:31:09:03 - 02:31:09:16

Dr. B

After.

02:31:10:15 - 02:31:11:05

Dr. B

Sound good?

02:31:11:13 - 02:31:30:12

Speaker 4

Sounds like a plan. Thank you. I could hear you, but I was outside. Sighs on my phone. Not the not the laptop, which is what has streaming out. Sorry, I didn't mean to leave you hanging there like I was looking at her. I figured it was you. I figured you were talking to me. And then you're all. Oh, okay.

02:31:30:12 - 02:31:31:04

Speaker 4

Well, whatever.

02:31:31:11 - 02:31:46:02

Dr. B

Well, no, because you know what? I was paying attention to my bubble, and my bubble was like, not so I was like, do I trust the bubble or do I just keep talking?

02:31:46:02 - 02:31:49:22

Speaker 4

Were you looking at your bubble on streaming art or were you looking at your bubble in YouTube?

02:31:50:15 - 02:31:52:00

Dr. B

I don't have YouTube open.

02:31:52:08 - 02:31:56:17

Speaker 4

Oh, okay. With that stream. Yeah. Yeah. Usually you can trust the bubble and streaming art.

02:31:57:15 - 02:32:03:09

Dr. B

Right? But I wasn't seeing it. So I was like, Wait a minute, let me not yell. Maybe Jenna's not even there.

02:32:05:23 - 02:32:08:12

Dr. B

Because I like Halo Infinite.

02:32:09:06 - 02:32:12:16

Dr. B

The book was about to come out in full force.

02:32:12:21 - 02:32:15:14

Speaker 4

I'm glad that debug. Didn't we need to book today?

02:32:15:22 - 02:32:16:19

Dr. B

Not today.

02:32:16:19 - 02:32:22:22

Speaker 4

Certainly not today. SAT not today. All right. So you're going to play the next phone call.

02:32:23:10 - 02:32:24:13

Dr. B

Yes.

02:32:24:13 - 02:32:27:15

Speaker 4

Okeydokey.

02:32:27:15 - 02:32:28:09

Dr. B

And go.

02:32:30:19 - 02:32:31:18

Dr. B

If you wish to block.

02:32:31:18 - 02:32:32:16

Speaker 4

Anything for me.

02:32:33:01 - 02:32:33:22

Dr. B

I do use.

02:32:33:22 - 02:32:34:23

Dr. B

The black beads.

02:32:36:06 - 02:32:43:07

Dr. B

Thank you for helping me. I don't know. It's just you just dropped off.

02:32:43:07 - 02:32:43:18

Eric Smiley

Oh.

02:32:44:17 - 02:32:45:04

Dr. B

That was another.

02:32:45:13 - 02:32:46:02

Eric Smiley

One of our live.

02:32:46:02 - 02:32:53:16

Dr. B

Offerings. Well, you said. Are you recording this, Nicki?

02:32:54:15 - 02:33:20:05

Dr. B

Oh, yes. Okay, before I keep going. So there was so we had a phone call where he was, and that was just before that, where the call had just cut off with no warning and there was like a long gap of silence. So now we're getting back and it's like what happened? We're trying to figure out why the call dropped we.

02:33:21:04 - 02:33:24:10

Dr. B

Started working at Seattle Fire Department and then it just so.

02:33:24:10 - 02:33:27:13

Dr. B

Basically Nikki, his wife, started working at Seattle.

02:33:27:13 - 02:33:28:13

Eric Smiley

Oh, okay.

02:33:29:03 - 02:33:33:01

Dr. B

Yeah. So that's where you left off.

02:33:34:12 - 02:33:39:16

Eric Smiley

Okay, well, Nick, what made you started working with my department? That's where I left off.

02:33:39:16 - 02:33:43:01

Dr. B

Fired about? Yup. That's where we left them.

02:33:43:01 - 02:33:46:12

Eric Smiley

Oh, okay. You're able to read?

02:33:46:12 - 02:33:48:11

Dr. B

I thought I'd read it.

02:33:49:12 - 02:33:52:09

Eric Smiley

Yeah. I mean, how can you just tell me where I left off?

02:33:52:23 - 02:33:55:15

Dr. B

Yes, I.

02:33:55:15 - 02:34:01:01

Eric Smiley

So anyway, I have to go back to that. She started working at the fire department in spring of 1999, right.

02:34:01:16 - 02:34:02:00

Dr. B

Mm.

02:34:02:23 - 02:34:07:18

Eric Smiley

Okay. And Mama told you she went on a talk with your mom and Walker after.

02:34:08:20 - 02:34:10:06

Dr. B

Mm.

02:34:10:06 - 02:34:43:16

Eric Smiley

Okay then she said that she would and you know, she told me earlier shocked me on the phone. She's on, I think the day before she said, oh she said I'll, I'll find out what our tape was and I wanted to resist it. So she would ask. So she asked and and got up and supervising supervisor said and I and I'll quote, I remember that call coming in.

02:34:43:16 - 02:35:17:06

Eric Smiley

But the police came across the tape the next day. So yeah, yeah. News came about. The tape the next day never turned it in, never turned it down. You know, I've always I've always imagined what had been said on a tape. Like I said, my grandmother, you know, she watched news and always remember that the news reports reported I shot the one who shot me, you know, on fire.

02:35:18:16 - 02:35:47:16

Eric Smiley

And so I've always imagined what could have been said on it, you know, and I'm just this is just my imagination, right? You know, because of the situation I'm supposed to happen to me, the setup or whatever was supposed to happen, I was pushed out. I imagine Perry may have said, you know, Eric Smiley is on this ripped off or off ramp covering the individuals.

02:35:48:00 - 02:35:57:09

Eric Smiley

I just got shot. And the the nominal operator dispatch said, if somebody shoots you, she said, no, I shot the one who shot me. She I'm fine.

02:35:57:22 - 02:35:58:09

Dr. B

Okay.

02:35:59:12 - 02:36:21:09

Eric Smiley

So I can't imagine that maybe that's how it played out. I don't know. You know, I'm just surmising at that point. But, you know, it's not far fetched to think that, like she said, she said, yeah, but the police came across the tape the next day. Like I said, they never tried about my grandmother repeatedly over.

02:36:22:06 - 02:36:39:01

Dr. B

And hold on. So so so you're saying that this 911 supervisor who works at the or did at least in 1999 worked at the Seattle 911, what did you call it, command center.

02:36:39:20 - 02:36:42:07

Eric Smiley

You have a913. I don't know what command center.

02:36:43:04 - 02:36:47:10

Dr. B

And and she said that there is a tape example.

02:36:47:23 - 02:36:57:02

Eric Smiley

I remember this and I quote I quote, this is a column. I remember this never forgot it. I remember that call coming in, but the police came and got the tape. The next day.

02:36:58:14 - 02:37:01:06

Dr. B

So the call from Perry coming in?

02:37:02:00 - 02:37:05:05

Eric Smiley

Yeah, exactly.

02:37:05:05 - 02:37:09:00

Dr. B

Because Mary calls 911.

02:37:09:00 - 02:37:29:02

Eric Smiley

Yeah. Yeah. From his car from I mean that's what that that's what the firefighters here. Well okay there's a nine and one quarter came in. I mean you know it's the fact of the matter is is that like I told you I always imagined what was said on that tape and I'm just like I said, I'm just surmising.

02:37:29:16 - 02:38:03:17

Eric Smiley

We know for a fact, I believe with all my with all my heart that he said on a tape, I shot the one shot me. So, you know, if we go by what Wendy said and her cousin said that he died as soon as he the he came up the bottom, the parking lot, the interest in his body parts of do lie you know so and his Dr. Gentle aloe lived it all made prosecutors lie you know I mean all in all that's pretty evidence.

02:38:04:06 - 02:38:07:11

Eric Smiley

You know, if you had to go out there for it, you couldn't even charge me, man. You had to let me go.

02:38:08:06 - 02:38:08:16

Dr. B

Well, you.

02:38:10:02 - 02:38:15:08

Eric Smiley

Know, now so.

02:38:15:08 - 02:38:55:09

Dr. B

Okay, okay, now, you know, I reached out to I did a FOIA request asking for that 911 tape and any other documents. And basically I was told that they don't have anything that they can digitize these days, that the only they don't have any tape saved, that the only thing that they would have is a call log and for the call log that they would need like the caller's name.

02:38:56:03 - 02:39:20:14

Dr. B

So I didn't you know, I didn't ask them, you know, I didn't write back because obviously I didn't want to ruffle any feathers, but I do intend to. And then I've also sent them file requests for the Seattle Nylon Command Center. I do need a name for the supervisor.

02:39:21:21 - 02:39:29:09

Eric Smiley

Oh, you got those? You probably got to publish calls out because I don't know who that person was. You got to find out at that time who was working on.

02:39:30:12 - 02:39:41:02

Dr. B

Right. So that's that's going to take so well, we'll get to working on that next now that it's all out there.

02:39:42:04 - 02:39:46:22

Eric Smiley

Yeah okay so you want to finish and I got a few more.

02:39:46:22 - 02:39:48:13

Dr. B

Let's go for it.

02:39:49:20 - 02:40:22:13

Eric Smiley

Okay. So let me see how we talked about Kirsch and I shot the one. Shot me. I'll go back to what the investigator DMX Radio Zimmerman said. I says, I guess I didn't get what they wanted to trying to get you honest also remember what this decision of a police department sergeant who was friends with my grandfather about what, you know, Virginia McAllister was going to help him out and do to me.

02:40:23:10 - 02:40:59:21

Eric Smiley

She also admitted that out of my own mouth. So we all know about that. Okay. So in 2000, my wife as well, I contacted Dateline and tried to shed light on my mom on my question. More suspicious on a lot of questions. Suspicious things. I was going home with my case. She not only got into Dateline, but I lost contact the 60 minute, 20 to 48 hours a day.

02:40:59:21 - 02:41:43:21

Eric Smiley

Lie was the only one that agreed to do the special on my case. My wife spoke to the story writer. My ex-wife broke the story writer from Dateline. They also talked with Elijah about certain aspects of my case. She then directed them to the time I tried to go across and a lot of letting. Oh, she directed them to my lawyer, Augusten, and then my lawyer wrote me a letter which I still have today, talking about his willingness to come into this case and bring some light, some of the suspicious stuff that was going on.

02:41:43:21 - 02:42:05:10

Eric Smiley

I will have that. I still had a letter. Like I said, I read it for the first time in years. Looks like about two weeks ago, I my attorney was happy that Stalder was going to be well, too happy they were coming in. And she sent a this story later with the story of I to reach out to other attorneys in the area.

02:42:05:16 - 02:42:28:13

Eric Smiley

I speak with them. My case. Here's where things get shifty. I can't tell you in words how she said oh oh hi. My hopes my mom our were up I can't tell you I'm ultra friendly about them a later I

was waiting for she had a message from the story writer stating that they wouldn't be able to do the special on my case, she said.

02:42:29:11 - 02:42:53:10

Eric Smiley

She says You try calling them back these messages on multiple occasions to find out why they renege on doing this process, she said. Story writer or anyone else from Dateline on that matter called her back to give an explanation for him. I guess to make sure I believe and, you know, I'm I'm just guessing, you know, that the prosecutors and police got Ukraine where they lost interest, just like they didn't want to watch TV here.

02:42:54:03 - 02:43:32:18

Eric Smiley

They made their court podcast, which are obviously powerful investigative contracts to force an international agency to leave a situation on. Dateline didn't back out on their own initiative. Somebody or someone some people forced him to back out. Never heard from Dateline again. So the question becomes likely. A linebacker who forced them to back out, who was who was afraid of Jalen uncovering something that they kept away from my case because it could uncover something, something else that they didn't.

02:43:32:18 - 02:43:46:02

Dr. B

Well, I mean, let's just start with what was already in testimony. I'm sure that they would have had a field day with just the time she's been altered. I mean, that.

02:43:46:02 - 02:44:12:15

Eric Smiley

Alone is just what. Yeah, I just remember, you know, when you start investigating a situation, sometimes it leads to all the problems for other areas. You know, for her, not only are you going to investigate the time she got to investigate the person, period, what was he doing? You know, who was involved with, you know what fair what was what was what was his employment record like, you know what I'm saying?

02:44:12:15 - 02:44:16:19

Eric Smiley

All kind of stuff, you know.

02:44:16:19 - 02:44:51:18

Dr. B

Maybe it was around that time. It was around that time too. It was like 1999 or 2000 when Don Cameron was basically forced into retirement because they were going to fire him because. He tampered with evidence on a murder scene. So it's not like, you know, what you're saying is far fetched or just the ramblings of yet another prisoner who just saying he's not guilty, like, no, this is legitimate.

02:44:51:18 - 02:45:08:11

Dr. B

Like these people are dirty and we see like, you know, there's some of the documents were never meant to be released. You know, they were they thought that there would be able to, you know, keep them under wraps forever.

02:45:09:14 - 02:45:11:06

Eric Smiley

Yeah.

02:45:11:06 - 02:45:18:13

Dr. B

But yeah. So so it's all on display and it's yeah, it's crazy.

02:45:18:14 - 02:45:55:22

Eric Smiley

So I'm almost done to it. Okay. So in August of 2001, I was transferred to the closed custody part of Washington State Penitentiary to the immediate part of the facility. I've got to tell you of that is Pete. At the time I was strange. I was struggling with the Depression, and I'm telling you, I was going through it and it was really hard for me to mentally engage, I mean, on a social level and in spite of a polarizing social, psychological trauma that I'm experiencing in prison when I know they know that they shouldn't have, I should be.

02:45:56:08 - 02:46:15:01

Eric Smiley

I remember returning from returning from recreation, heading back to my unit when a guy named the following member body came out of his unit tell me that he checked out a book on the law library and it was talking about my case. I kind of squint in my eyes. I'm like, David, this is special look like we talking about.

02:46:15:08 - 02:46:37:14

Eric Smiley

He then told me to come out at the next recreation move and he'll give it to me. Show me two pages where he's talking about, my case. So about 630 later that evening, I came out. I came out to meet him and to get the book looked at, the cover, the book. He had a white light on face on my side was it doesn't look like the book that we talking about me or my case.

02:46:37:21 - 02:46:55:07

Eric Smiley

I then read the title was It Will Kill Kurt Cobain. I was like, okay, what does that have to do with me? He encouraged me to read the pages my boyfriend wants to be part of that are talking about me and my case. I have hardly cook the book and went back to my cell and read the pages.

02:46:55:15 - 02:47:15:01

Eric Smiley

He told me to put the book down because what I read wasn't something that caught my interest. It basically talked about the all the time sheet and what happened. Offramp on early morning hours really you mentioned nothing. So you know, I said I was going through a trial. I just it was just mentally hard for me to get engagement.

02:47:15:12 - 02:47:30:09

Eric Smiley

I was really going through it. Like I said at the time, my life, I tried to cost the phone. Decipher wasn't what I was in better shape to do it that at that moment I kind of put the book aside and then let it sit for a minute. You can tell me.

02:47:30:21 - 02:47:31:04

Dr. B

Mm.

02:47:32:05 - 02:47:49:12

Eric Smiley

Okay. One day I was sitting on my back and the book was sitting on a table, and I was just looking at it. And I think austerity I mean. I felt this voice spoke. I felt this voice. I heard a low voice. I felt it. It said, You better read the book. You better read the book. You better read the book.

02:47:50:04 - 02:48:22:12

Eric Smiley

So I was like, I picked it up and I started reading and I started reading. It was talking about Kurt Cobain's life. I really didn't know nothing about this guy or never heard anything about him except when I when I was on the street with all of the news that he committed suicide. But other than that I didn't know anything about Kurt Cobain, his music almost put the book down because I was I was reading about something that wasn't to my situation, but something encouraged me to keep reading.

02:48:23:11 - 02:48:42:18

Eric Smiley

And I said, okay. I said, I'm glad I did because the book started mentioning that a lot of that was involved in my trial. Wah wah to do it to now, because I believe he testified one time. I believe he interviewed me at the homicide office up there.

02:48:42:19 - 02:48:43:08

Dr. B

He did.

02:48:43:09 - 02:48:55:21

Eric Smiley

So. Yeah, he did. I believe he did. He said in an interview where you interview me now, pause a couple of questions or whatever. But that's what I remember him.

02:48:55:21 - 02:49:04:02

Dr. B

The only reason is because it doesn't. And the court documents that I read that he did interview with with Ramirez wanting to.

02:49:05:00 - 02:49:33:04

Eric Smiley

Operate the narrative. Okay, but I say Martinez Ramirez has to do with being a detective. Ramirez is the one that tricked me into signing right away my rights. Him what? I found out it was Martinez Ramirez. Right. Okay, so. So, like I said, there's like a criminal leader busted over that case, and there were other names that were mentioned that I kind of remember the one blow to my face, but that stuck out.

02:49:33:04 - 02:50:02:10

Eric Smiley

Kind of stuck out because I believe he may have interviewed me or was part of the interview, but I wasn't. But what I am positive by is that he testified in my case. Remember that for those comments I continued to read about it, started getting into some very interesting statements and scenario that was talking about questionable things of Seattle Police Department was doing or didn't do surrounding Kurt Cobain's death.

02:50:02:21 - 02:50:32:18

Eric Smiley

That's what this is. This this is what made me realize the connection between my case, the Kurt Cobain case and Antonio Terry. My trial was a lot of suspicious stuff going on. These officers didn't want to testify having been tampered with or hidden. They're making rulings that are against the law, setting up the secret surgery for Quentin during the trial, I noticed all this.

02:50:34:12 - 02:50:58:01

Eric Smiley

And the only thing that I could. Yeah, I try not to suggest, but the only thing I could conclude was that these people were something. I didn't know what it was, but I read the book Kurt Cobain, and it seemed like darkness left my mind and a light permeated it, which me say, this is what they're hiding. As I had I concluded reading the book, I was even more congratulatory.

02:50:59:12 - 02:51:25:07

Eric Smiley

I've been involved. And what happened? The protocol being that's just me. I've then I'll read the book, Love and Death. The follow on. Well, who killed Kurt Cobain? I became more convinced

that there was some connection between Jerry and what happened with Kurt Cobain. I became more than that. You know, me and I share in December 2007, Cronulla's attorneys, whoever they were, came to visit me.

02:51:25:12 - 02:51:46:01

Eric Smiley

You could not take this out because Quentin had got a second degree murder conviction overturned by the state Supreme Court that the statute was unconstitutional. So the state had to retry Quentin on different charges. Then the second bout of second degree murder. Initially I didn't want to testify probing. Why should I help him? What did what he didn't want help me out of the trouble thinking.

02:51:46:01 - 02:52:04:18

Eric Smiley

I said to myself, Well, maybe I'll testify. Maybe I can open up some something for me. That's not why I agreed to testify for Hogan at the time. His lawyer's opinion, whatever, whoever they were.

02:52:04:18 - 02:52:06:11

Dr. B

It have 60 seconds remaining.

02:52:06:13 - 02:52:20:09

Eric Smiley

They came to me when I was being housed at McNeil Island Correctional Center. It still took a monster fight outside of Tacoma. So let me give you a call back and I'll continue this. I'll call you right back.

02:52:20:23 - 02:53:25:17

Dr. B

All right. So I just heard from Smiley and he sent this email. So if we don't, we're probably not going to hear from him tonight. I hope they didn't go into lockdown because of this, but he will be back whenever I hear from him. So with this final call, I will let Mr. Smiley finish his story and yeah, so goodnight from me and I will talk to you soon.

02:53:25:17 - 02:53:39:19

Dr. B

We'll have to go through all of this. This is a lot of information.

02:53:39:19 - 02:53:40:05

Eric Smiley

Tomorrow.

02:53:41:07 - 02:53:59:00

Dr. B

An incident in Royal Correctional Complex. This call will be recorded and monitored, if you wish. BLOCK Any future calls of this nature, dial seven now to hear the cost of this. Thank you. Bye.

02:53:59:09 - 02:54:17:19

Eric Smiley

So when his lawyers came to see me or whoever they were, I don't know who they were. They said it was lawyers. I don't know. You could have been a part of her past. These offers officer could have been representing the police department. I don't know. So they asked me, do I remember what happened? I said, I should ask Lulu.

02:54:17:19 - 02:54:37:01

Eric Smiley

Do they? She would write the same thing I have been saying from the beginning. I know something was up. One of the so-called attorneys ask me this question. They said, What about the protocol benefits? What about the Kurt Cobain situation? I responded by saying, Oh, you heard about that too? He responding, Yeah, I heard a little bit about it.

02:54:37:13 - 02:54:54:06

Eric Smiley

He said, What do you know. I thought to myself, I don't I don't really know. I don't only know what the books are saying. I said I said he said, Well, what are books saying? I said, I told him I saw the boss was saying that Seattle Police Department was involved. What happened? You asked me. You believe it?

02:54:54:14 - 02:55:11:10

Eric Smiley

I told him it doesn't matter what I believe. It's What the book should say. There was no more comment. He didn't bring it up to me no more. I was in all here. I thought that was striking, you know. I mean, he asked me that whoever was asked me that out of the blue, you know, what did.

02:55:13:02 - 02:55:15:16

Dr. B

I mean? Did you did you did you end up testifying?

02:55:16:12 - 02:55:32:09

Eric Smiley

No, no, I'm not to get to that part. So the lawyers made it seem like Quentin was gone under those laws. Maybe from my point, it was sort of having a trial that I was going to be called to testify. But then all of a sudden, you know, the question was being tried again on the aggravated murder charge.

02:55:32:18 - 02:56:00:17

Eric Smiley

I was like, wait a minute, how is he being charged with aggravated murder? Her on he years. He was acquitted of all charges. That's what made the mother get up to start screaming. So how is he being tried on charges again? Oh, yeah, exactly. That's why his mother screamed in the courtroom when Judge Keller announced the acquittal on the murder charge and it took the murder charge and then announcing a conviction on the second degree murder charge.

02:56:01:11 - 02:56:23:14

Eric Smiley

I'm not. I'm not. I'm not I'm like I'm not surprised that that the law was violated in the most egregious way by charged him, again, charged. He was acquitted. Unbelievable. It's just like mad. Now, many people are unbelievable that just this stuff is unbelievable. They can do anything they want to do now. That's a fair amount. We don't have no accountability now.

02:56:24:07 - 02:56:51:06

Eric Smiley

That's why I said it, man. No I've been up in here all these years and I've never had any problems. So if something happens after this was the last of the original, no accident. And I'm saying the Department of Corrections was involved because I know that they believe that they will help out the prosecutors if they or the police, if they come in to do something responsible.

02:56:51:14 - 02:56:56:02

Eric Smiley

And there's in the prosecutor's office of law, I'll just know that for a fact. You know me.

02:56:57:06 - 02:56:59:01

Dr. B

I'm so.

02:56:59:09 - 02:57:02:16

Eric Smiley

You either.

02:57:02:16 - 02:57:10:08

Dr. B

You did. You did you did you did you try to reach out to Tom Grant and the authors of that idea?

02:57:10:08 - 02:57:27:20

Eric Smiley

That's right. I forgot to tell you. I did. My mother my mother talked about in all three my mom talked to him on the phone. Oh, yeah, I talked to him on the phone. I did. I sent a letter to him and told him where to call. He called my ass. I get my ass. I call my and my aunt referred to my mother.

02:57:28:09 - 02:57:51:08

Eric Smiley

But my mother, you know, she was talking about the case I think he wanted to hear something different. But I tried to contact him again and he would he would contact me back. So I told him I needed to talk to him personally, you know. So yeah, you have a town with every time, you know maybe the response my mom at all time I'm all talk time so.

02:57:51:21 - 02:58:12:16

Eric Smiley

Yeah so you know what I mean. No, I don't like to say no. You know, I composed over 100 letters man sent to lawyers, politicians, ministers, media all over the country. You know, I, I may have received one or two responses saying, sorry, I can't we can't help you. Oh, I wish you were in your pursuit of justice or something like that.

02:58:13:10 - 02:58:25:18

Eric Smiley

So because I knew I knew politicians in the state weren't going to give me the time of day. So one of the letters I said I sent to Sheila Jackson Lee and he said, Texas explained to I explained.

02:58:26:15 - 02:58:27:04

Dr. B

Uh.

02:58:28:08 - 02:58:50:16

Eric Smiley

In the letter, the crookedness and corruption that permeated my father. Along with the large involvement of the police department in Philadelphia, Protocol Bank Sheila Jackson Lee sent my information to Congressman Adam Smith of Washington State in Washington, DC. I received a letter from the Adam Smith's office, but it wasn't him. It was his secretary or somebody that responded.

02:58:51:03 - 02:59:16:15

Eric Smiley

I was told to contact the governor's office and request that they look into it to my client once again passing a book on it. So I didn't even bother to respond or contact the governor's office. What? You know. So in 2010, I had a friend. Uh, my sister, her name was Mr. Wright was an FBI agent. She visited me here at the facility.

02:59:16:15 - 02:59:40:19

Eric Smiley

My friends and my Washington. She shot out with me visiting to talk with me about the situation. And I outlined several issues that would give them cause that would give them jurisdiction to rescue situation. She told me to compose the information, a letter and sent it to

her sister and will give it to her. Approximately a month later, my father put the information to a colleague superior.

02:59:42:00 - 03:00:14:18

Eric Smiley

I guess his name was speaking to get this as his approval to launch an investigation. He told her to leave it alone. What I was told she was adamant and trying to open an investigation into my client's isolated. I guess Mr. Dean was adamant to. I was told that he gave her a look at giving her warning not to touch it, that she left it alone and then found out that this Tuesday they may have been friends with her, telling her to have some type of friendship with or whatever association, whatever.

03:00:15:06 - 03:00:39:15

Eric Smiley

And that's the case. If that's the case. And I wonder if these are common for all enforcement coming from law enforcement, what where is the where's any hope in that? You know, I'm trying approximately 2015, I'm issued a letter from the University of Washington's Innocence Project on the letter. In the letter is stated that she was going through the lady.

03:00:40:02 - 03:01:03:09

Eric Smiley

I was going through the files to see my information. It had to have been sent to her from a of project process. This woman, I don't know her name, told me that she look into my situation. She said that she could contact Chelsea's department and request certain files and information that would help her in the process. She said she needed me to sign a form like a waiver authorizing her to look into my situation.

03:01:04:05 - 03:01:26:01

Eric Smiley

The authorization form was with the letter I started sending back to me. A month later I received a letter from her, which I'm paraphrasing the words that she said in the letter. You were more, There's nothing we can do to help you. Therefore, there is no need for you to contact us anymore. I was somewhat we were. I'm thinking, how can you draw conclusion?

03:01:26:12 - 03:01:47:18

Eric Smiley

You haven't even talked to me. After careful thinking of all the supplies, I wasn't surprised that this happened. Think about it. She was willing to help me. The initial. But after contact the Federal Police Department, her whole tone changed. Somebody told her to leave it alone. Like they did. Like they like it. Just like the FBI agent, the was told to do so.

03:01:47:18 - 03:01:48:06

Dr. B

Well.

03:01:51:04 - 03:02:26:06

Eric Smiley

I have this letter from that from our lady in my personal documents and I had a family member's house. I'm not having this house. If I would be confront in April 2021, I learned that I had an invalid judgment sentence. That means that there is something in your sentence. In my sentence, sentencing document that is considered legal or against the law, therefore should not be here, in my judgment, since the prosecutor used a drug charge and I was acquitted as part of my criminal history and the judge imposed a sentence only based on that acquitted on that acquitted offense, anybody understands the law.

03:02:26:06 - 03:02:46:11

Eric Smiley

They they know that that's double jeopardy. And it's a violation of due process, because when you use an offense as criminal history, you got to prove that this really a prior conviction, which they didn't do and they couldn't do because it was a court. You cannot take offense that a person was acquitted of and use it again. Use it again against.

03:02:47:04 - 03:02:52:15

Dr. B

It's absolutely the defendant to calculate the sentence.

03:02:53:04 - 03:02:54:06

Eric Smiley

To calculate the sentence.

03:02:55:07 - 03:03:04:01

Dr. B

So you're saying so you're saying that a charge that you were acquitted of was used to calculate your sentence?

03:03:04:19 - 03:03:07:19

Eric Smiley

Yeah, exactly. And now.

03:03:07:19 - 03:03:08:02

Dr. B

Yeah.

03:03:08:13 - 03:03:10:15

Eric Smiley

So I'm certainly not on a legal sense.

03:03:12:06 - 03:03:30:15

Dr. B

So it's okay. So obviously the murder charge would have been the most the heaviest in terms of the sentence structure. So how much would you have gotten off shaved off of the sentence?

03:03:31:14 - 03:03:52:09

Eric Smiley

Okay. Well, let's let's go through what the murder charge really has nothing to do. It's just what I'm in here for. What I saw prior to conviction is what the use of future sense, not the murder charge, is part of it. Because you get the murder charge, you get an automatic. It has its own time, but the prior convictions is what take your sense of higher.

03:03:53:09 - 03:04:01:01

Eric Smiley

So the charge itself has its own state arranged time. Okay to the bitches is what? Take your sins up higher.

03:04:01:19 - 03:04:05:16

Dr. B

Yeah. Yeah, I understand. I understand. All right.

03:04:05:23 - 03:04:26:01

Eric Smiley

Okay. So I started to show the pain and trying to find counsel, assist me in getting the judgments of the record. I came across this attorney. No, no. Well, I told that what. What was going on and how much of myself I was facing about you agreed to represent me. You can't ask the prosecutor who I don't know.

03:04:26:07 - 03:04:26:22

Eric Smiley

I don't know.

03:04:27:10 - 03:04:27:23

Dr. B

Who.

03:04:28:23 - 03:04:45:04

Eric Smiley

It was that he contacted at the time, if you are. He had set up a settlement here, which was which was supposed to take place. But he had the you know, him and I disagreed on the approach. What a reason. He thought that I could only get 14 months back once my judgment is correct. And I told him that's not true.

03:04:45:04 - 03:05:11:10

Eric Smiley

That's not true. But he opened the door to all the legal avenues that could be beneficial to me as well. For example, the legal sense that I'm currently that I'm currently under, which my mandate that the Court of Appeals issued in my case. And because there is no mandate the case of Blakely versus Washington, which deals with the imposition of exceptional sense, which takes away the power of the judgment, posed an exceptional sense and puts it into the hands of the jury.

03:05:11:17 - 03:05:33:15

Eric Smiley

So what would have happened is that would have been my successful sense by eliminating it and then removing me off the community placement, because there wouldn't be no one to give me a community placement because this would be my IRP. But that did happen for whatever reason. He wanted to do his way and not the way that my family paid him to do it.

03:05:33:15 - 03:05:51:11

Eric Smiley

So after he's being paid to do a job, he wants to do it his way. You can say yes. He says you can do it this way. I can get your money back. I feel to man that feels like the prosecutors Scotland who may have his hands in that one too. I told him if he's not going to do it the way I'm asking it to be done, then give him my family the money back.

03:05:51:20 - 03:06:15:07

Eric Smiley

You should the money back to my. So I continue to hunt for an attorney to represent me on this couple issue. I'm telling you that our ego trips narcissistic get our time are just totally unprofessional. I ended up getting in contact with my own internal exhaustion, so I told her what was going on with me. She said she did not she didn't understand how she how she didn't she didn't catch it.

03:06:16:08 - 03:06:35:02

Eric Smiley

But due to health problems, she wasn't she hasn't been practicing in many years. So I believe the last time I heard from her was 20 years ago. She said that she needed to do she couldn't do anything for me, but referred me to a friend of hers that they could possibly help me. She referred to me, one of her friends, our friend.

03:06:35:02 - 03:06:49:09

Eric Smiley

I was telling.

03:06:49:09 - 03:06:57:02

Dr. B

All right, I'm getting a call. Let me know if you can hear.

03:06:57:13 - 03:07:05:22

Dr. B

If he goes to block any picture calls of this nature, dial that now to hear the calls of this call, I say now it's 20.

03:07:06:19 - 03:07:07:10

Eric Smiley

Five times.

03:07:08:00 - 03:07:12:12

Dr. B

Higher if you're alive.

03:07:12:12 - 03:07:14:19

Eric Smiley

You're fine. I'm alive and everybody.

03:07:15:15 - 03:07:50:15

Dr. B

Yeah, well, you're alive and you're also alive. So who? We just got through our last phone call, and we're just at the end of it. We have maybe 5 minutes left, so I got a list of questions already from from people. But I think this has been a lot of information. So I think we should put a pin on our Q and A for maybe another time.

03:07:50:15 - 03:07:56:06

Dr. B

What do you think or would you prefer to do it tonight?

03:07:56:06 - 03:08:01:14

Eric Smiley

I mean, if these calls are and they're kind of from Russia. No.

03:08:02:06 - 03:08:10:19

Dr. B

So I got your email. I'm glad that you're okay.

03:08:10:19 - 03:08:21:18

Eric Smiley

Yeah. I don't know what happened there. They're just the embezzlement scam going on now. So.

03:08:21:18 - 03:08:23:08

Dr. B

Yeah, so more than that.

03:08:23:08 - 03:08:23:21

Eric Smiley

I'm out of it.

03:08:24:05 - 03:09:02:23

Dr. B

Okay. Yeah. So. Okay, well, I'm reading Chad. Sorry. See, this is what I was thinking about. So, yeah, we're listening to the last part of it and one of the questions that I'll just tell you upfront is our long time listener, Ali, 79, asked if, you know, she said, this is such a mom question, but I have to ask, do you get contact with family do you get visits and calls and letters and all of that?

03:09:02:23 - 03:09:06:03

Eric Smiley

I mean, yeah, I do. So I do.

03:09:06:11 - 03:09:10:11

Dr. B

So you have a support system?

03:09:10:11 - 03:09:21:01

Eric Smiley

Yeah. Yeah, I do. But you know, I can I can speak from a real standpoint.

03:09:21:13 - 03:09:22:07

Dr. B

Go for it.

03:09:23:10 - 03:09:55:07

Eric Smiley

Okay. Well, I appreciate the your inquiry and through you know, you know, my support system and all of that, that's fine. I appreciate it. But you know what I want my house is to have my name clearer. That's the most important thing in my life right now. Yeah, I it I guess, you know.

03:09:55:07 - 03:09:55:17

Dr. B

Mm hmm.

03:09:55:23 - 03:09:57:17

Eric Smiley

That's a very important to me.

03:09:58:08 - 03:10:08:07

Dr. B

Absolutely. Yeah. So that's why we're here, right? Yeah, we heard.

03:10:09:01 - 03:10:14:23

Eric Smiley

Is there any other things that you want to ask me that I can compare your audience or whatever it might be?

03:10:14:23 - 03:10:22:20

Dr. B

Yeah. Another question. Another question was what? What was the reason Quentin was shot?

03:10:24:02 - 03:10:26:19

Eric Smiley

Something. Something. What was the reason Quentin was charged?

03:10:27:02 - 03:10:28:15

Dr. B

Shot. Shot.

03:10:29:10 - 03:11:16:19

Eric Smiley

You know, the reason he was shooting. It was no reason why he was shot for no reason. He wasn't shot because of fucking deer or any endangerment to. An Aboriginal dead individual. It was mad or or irritated, upset or whatever you want to call it. He was emotional and his feelings about I didn't like the way I just in gotten aware of his car and so you know it came out with a firearm in his hand and started cussing then all of a sudden out of nowhere and start started a fire and it.

03:11:16:19 - 03:11:20:21

Dr. B

Right. And Quentin is dead now.

03:11:20:21 - 03:11:26:12

Eric Smiley

Correct far that's the narrative.

03:11:29:03 - 03:11:30:00

Dr. B

So.

03:11:35:02 - 03:11:45:01

Dr. B

I mean, based on everything that that you told so far, we can only assume.

03:11:48:18 - 03:11:54:21

Eric Smiley

That's wrong. You know.

03:11:54:21 - 03:12:10:03

Dr. B

Another question was this was towards the beginning of your story while you were talking still about the night of was Quentin always carrying a gun around?

03:12:10:03 - 03:12:33:19

Eric Smiley

Oh, that I don't know. No. But that night I didn't know he had one, so I wasn't aware of the shot and. And I said before, you know, we were running around, it was an hour and it was an hour time and it wasn't going to get him any trouble or anything like that. I was on an island.

03:12:33:19 - 03:12:40:23

Eric Smiley

He had that. And you you're one of the families. Oh.

03:12:41:20 - 03:12:49:09

Dr. B

Yeah. So question it. One of the questions is, how did Quentin die?

03:12:49:09 - 03:13:07:05

Eric Smiley

How did you die? Yeah, well, you know, when when he was in here in and revealed himself like a shooter, you know, he didn't rehabilitate himself as far as his his mind and his heart.

03:13:07:10 - 03:13:08:06

Dr. B

Well, he was a kid.

03:13:10:05 - 03:13:16:23

Eric Smiley

Or he was a kid. But then as a time when he was, you know, he had to make a decision to become a grown man. And he did do that.

03:13:17:09 - 03:13:22:21

Dr. B

Well, you know, I mean, you know, that's not as you know, that's it happened.

03:13:23:16 - 03:13:54:01

Eric Smiley

But then, you know, you're away from everything, away from influences, you know, just sometimes, you know, you got to you got to have that introspection, whereas you do an examination of yourself and, you know, just like Terry Sister told me, you know, I hope you make you see a time when when you and why you're in prison. And I did that, you know, so only thing I guess, for him is that he he didn't do what he tried to do.

03:13:54:01 - 03:14:06:04

Eric Smiley

He stayed with the same mindset that basically probably got him up in here. And then he went back out there with that same mindset. And so he engaged in the same probably activities that he did when he was out.

03:14:07:07 - 03:14:15:08

Dr. B

Yeah, he did. Because there's news articles about his future arrests and so on.

03:14:15:23 - 03:14:35:10

Eric Smiley

Yeah, yeah. He got arrested when he got out, you know I mean he was Yeah. With somebody in a car and, and I seen it on the news and it was on the news when they brought him in the court. You know. Mm. How fortunate it really is.

03:14:35:10 - 03:14:48:13

Dr. B

Yeah. Well we have, we have someone here in chat from Croatia and they're saying, tell him he has support from Croatia.

03:14:48:13 - 03:14:49:04

Dr. B

So I.

03:14:49:04 - 03:15:02:07

Eric Smiley

Appreciate that. So far from that I got support from, you know, around the world. Never expected that person to hear that it, you know. Yeah.

03:15:02:19 - 03:15:11:08

Dr. B

And then another viewer says wow Courtney Love is the Clinton for music so many bodies.

03:15:14:12 - 03:15:40:00

Eric Smiley

Yeah she is she's a hot mess as we saw Karl Carla Yeah. I don't know nothing about her. I've never met her cover stories about her. I know people that been in prison have been around

her, but I've never been around her. And they told me stories of them coming to Capitol Hill with and crossing paths with her and, you know, drug houses and stuff.

03:15:40:00 - 03:15:44:05

Eric Smiley

So, you know, like I said, I never met her. I'm glad I haven't. So.

03:15:45:20 - 03:16:18:16

Dr. B

Yeah, also our very own Schmidt, our who's the manager of the ward here, she's she's from Canada, so she's adding Canada to the list of of the world. And Genevieve has a question. She says, why? Why do you think Terry didn't identify himself, had Quentin seen Terry before?

03:16:18:16 - 03:16:23:19

Eric Smiley

No, I don't. I don't I don't think so. I really can't see that. I don't.

03:16:23:19 - 03:16:24:08

Dr. B

Know.

03:16:24:21 - 03:16:53:14

Eric Smiley

For one, as I said before, you know, if you know, we wish that at least I do, I you know, I've had to pay the price because of, you know, what happened. That had really nothing to do with me, you know what? I mean, I got caught up in two other deals. Individual are, you know partial or some or you know you know they're misunderstanding and I don't I radiant know.

03:16:54:08 - 03:16:54:09

Dr. B

And.

03:16:54:10 - 03:16:54:22

Eric Smiley

Also.

03:16:58:15 - 03:17:07:16

Dr. B

Yeah and do you think why do you think Terry didn't identify himself.

03:17:11:07 - 03:17:24:18

Eric Smiley

Or obviously if if he if he got out and shot. I'm for no reason. Obviously you don't you're not going to say who you are if you have bad intentions, as I can look at it, you know.

03:17:25:03 - 03:17:31:09

Dr. B

Yeah, well, generally, you're welcome to come up. Please, girl. Sorry. Go ahead.

03:17:33:04 - 03:17:59:11

Eric Smiley

Yeah. So that's part of my thought process. If you're coming out with genuine motives, if you don't want or if you're trying to say, okay, man, oh, man, give me some help, or you know, that that stuff has got to escalate that, you know, but if you have, you know, bad intentions for, you know, person, you know, you not got say, you know what?

03:17:59:13 - 03:18:06:08

Eric Smiley

Say, Hey, I'm a police officer and then go ahead and shoot somebody, you know, man. Mm hmm. No, but I'm a guy.

03:18:07:11 - 03:18:21:23

Dr. B

Yeah. I mean, they're also messages of prayers, of strength and protection for you, from people in Chad.

03:18:21:23 - 03:18:54:16

Eric Smiley

Yeah, I made it. I don't know. I don't know. You know, as I said before, I'm a you know, I'm a bit of hearing it. It's 20 years. And, you know, I've always wished that this never happened. Oh, and I got so tempted to reduce, you know, mess, you know, me are, you know, like I say, you know, for somehow for something that I don't know, you know, it was all an accident of.

03:18:54:16 - 03:19:08:18

Eric Smiley

And I already said, you know, we all Susan Boyle shot the police. And while I'm not in a prosecutor's office of all talk, I've what's my stance on it?

03:19:08:18 - 03:19:26:04

Dr. B

Yeah, well, we hope that whoever needs to hear your story hears it tonight, and that you get some justice. Really? Because this is really messed up.

03:19:26:04 - 03:19:49:11

Eric Smiley

As messed up. You know what? A man like I say, you know the situation. The door's open to a female name, Regina McAllister. And so and she it out of her mouth that, you know, she call,

you know, help set me up, you know. I mean so, you know, just like I said, man, I wish that never happened.

03:19:49:11 - 03:20:03:19

Eric Smiley

I have a gloating over what happened to Terry. I've never, you know, you know, wanted a pat on the back, you know? I mean, all I wanted to do that night was go home. All I was trying to do, man. And, you know.

03:20:04:14 - 03:20:05:01

Dr. B

I mean.

03:20:05:04 - 03:20:07:06

Dr. B

Education.

03:20:07:06 - 03:20:19:17

Dr. B

Like you guys left the scene. If you were trying to leave, you didn't have to come back. That's kind of like what I'm thinking. Like, why would you come back? 211, exactly.

03:20:19:23 - 03:20:39:21

Eric Smiley

We were just on purpose. We attacked this door and we know. Just do what will come while I'm gone. But yeah, I mean, you know, I mean, I at least I mean, if I knew if there was a letter saying and letting go and I go in hiding or something, you know my grandfather because nobody knew who he was.

03:20:40:08 - 03:21:00:22

Eric Smiley

He never shared who he was, you know what I mean? Never offered his help. And I just a just another thing I'm also put in there the girl from she doesn't so I was at home when I was on the street. I've watched the news before and the news and I was see the news. I never saw the traffic cameras on the freeways and things like that.

03:21:01:14 - 03:21:19:12

Eric Smiley

A handful. She got out to the off ramp and look around to, see if there was a video camera, some type of camera portion on a post. And she said that there was there was a video camera. Basically, all of us flipped over after she told me that. So that's one thing she did. And I believe she told the truth about it.

03:21:20:05 - 03:21:43:08

Dr. B

That's the one that I checked up on. And It wouldn't it wouldn't have been possible is the answer that I got. But then again, who knows with these people before we keep going I have my other half my my Eminem to the Dr..

03:21:45:13 - 03:21:49:16

Speaker 4

I know I am the Dr. Dre you're the Eminem. I'm older than you remember.

03:21:50:07 - 03:22:10:14

Dr. B

I don't know. Can you hear her, Eric? I'm okay. Perfect. So we're doing this thing. Look at us. They're communicating with. I'm in Chicago. We got our Jen Lou, she's in Florida. And Mr. Smiley right now is in the state of Washington.

03:22:10:23 - 03:22:11:19

Speaker 4

Wow.

03:22:13:04 - 03:22:19:00

Dr. B

So then we got people all over the world. So, Jen, do you have any questions for Mr. Smiley?

03:22:19:17 - 03:22:35:06

Speaker 4

I, I do so because I haven't listened to the rest because you called in and we hadn't gotten to this point yet. But where is your case now? Are you appealing your case still, or are you just like over it?

03:22:36:22 - 03:23:09:14

Eric Smiley

Okay. My thanks for that question. I appreciate it. My direct appeal is gone. So what is going on now? With me, as far as my case is concerned, is that I haven't been called officially about a judgment. So that's where something that's got the court news to come from. Your friends in certain documents where they used to profess that I was acquitted of years ago and used it to compute my sentence, which there is case law says that's a no no.

03:23:10:08 - 03:23:14:23

Eric Smiley

You know, I was acquitted of it that there's no way you can use it again in any type of worsening dimension.

03:23:15:08 - 03:23:16:14

Speaker 4

No, it shouldn't have. You're right.

03:23:18:15 - 03:23:43:08

Eric Smiley

Recently. Recently I just had a hearing, so I filed a seven point motion which was in which is following this case. The Court back on February 10th. And I just and it was going back and forth, you know, court dates and, you know, shenanigans with the prosecution, with the court clerk.

03:23:44:02 - 03:24:03:04

Dr. B

I'm going to pull that file up. Oh, go ahead. Go ahead. I'm just saying, I'm going to pull the file up because we have a because we attended. So it's not going to have any audio. But keep talking. You can keep talking. But I'm just telling the people sorry.

03:24:04:09 - 03:24:05:10

Eric Smiley

Hold conference.

03:24:05:11 - 03:24:06:16

Dr. B

Because she never showed off.

03:24:06:17 - 03:24:07:20

Speaker 4

Yes, I can hear you.

03:24:08:12 - 03:24:41:13

Eric Smiley

Okay. Okay. So I filed a point motion in the Superior Court. It was a couple of delays after the shenanigans. And so on March, not March, but May 20th, I want to be on for a virtual hearing. And the judge ruled that my judgments and stuff is invalid. Well, it is. Cannot take an offense I was acquitted of years ago is basically double jeopardy.

03:24:41:13 - 03:25:02:23

Eric Smiley

And and not only that if that if you use a prior to incorporate it into my judgment sentence, you have to prove that it is upon completion. So the prosecutor had a burden of proof as far as being processed. Go propose that this is a prior conviction which you cannot do. If I was acquitted of. Right?

03:25:03:07 - 03:25:06:21

Speaker 4

No, I mean, you went to trial in New and you're not guilty, okay.

03:25:07:19 - 03:25:17:23

Eric Smiley

Yeah. Yes. And so last year hired an attorney, which he can't go to the past and they were willing to sit at the pay for two months. I said.

03:25:19:01 - 03:25:19:06

Dr. B

Wait.

03:25:19:17 - 03:25:20:21

Speaker 4

How many months.

03:25:20:21 - 03:25:22:22

Eric Smiley

Of being attorney are.

03:25:23:19 - 03:25:27:09

Speaker 4

14, 14 months. That's it. Okay, 14 months.

03:25:27:09 - 03:25:28:03

Eric Smiley

14 months.

03:25:28:09 - 03:25:28:19

Dr. B

Wow.

03:25:29:00 - 03:25:49:04

Eric Smiley

You know, because 14 months, my opinion was that you opened the door to other little benefits that I get. Okay. So, all right. By my standards, not being final, my mandate as far as the Court of Appeals is not null. So a court of appeals mandate cannot rest upon in a legal set. So basically, it's like I'm still on direct appeal.

03:25:49:22 - 03:26:04:07

Eric Smiley

And so Dan Blakeley, I don't know if you heard of Blakeley versus Washington, which is a case that says that the Supreme Court ruled that the judge can no longer impose an exception and it has to go before a jury.

03:26:05:06 - 03:26:06:22

Dr. B

You have 16 seconds remaining.

03:26:07:08 - 03:26:25:17

Eric Smiley

Now that know that that's open then of course, it's not exceptional since it falls into automatic placement, which read me and all that and eventually out the door. Well, this past Friday on the 20th they did they said, I didn't have officially invalid judgments and I'll set that up in a court of appeals.

03:26:26:08 - 03:26:31:15

Speaker 4

Oh, wow. So the wheels of justice turn.

03:26:32:00 - 03:26:32:06

Dr. B

Out.

03:26:34:08 - 03:26:35:08

Eric Smiley

From below and you.

03:26:35:08 - 03:26:36:22

Dr. B

Have 30 seconds remaining.

03:26:37:16 - 03:26:39:06

Eric Smiley

And now I can call back if you would like.

03:26:40:05 - 03:26:43:11

Dr. B

Yeah, you can. You can give us a call back.

03:26:43:11 - 03:26:45:03

Eric Smiley

Okay. Let me call you right back.

03:26:45:08 - 03:26:45:19

Dr. B

All right.

03:26:46:18 - 03:26:47:02

Eric Smiley

All right.

03:26:49:16 - 03:27:09:22

Dr. B

All right, guys. I'm going to take one more call from from him and then we'll call it a night. And we can always ask him for follow up questions or whatever, because Yeah, we can keep in touch, basically. But this is really this is really messed up.

03:27:11:08 - 03:27:12:07

Speaker 4

Yeah, I'm I'm.

03:27:14:18 - 03:27:33:10

Dr. B

This is a global Tel link prepaid call from an inmate at Monroe Correctional Complex. This call will be recorded and monitored. If you wish to block anything for calls of this nature, dial seven now to get across to this call. Thank you.

03:27:33:10 - 03:27:34:19

Eric Smiley

Yes, I'll tell you now.

03:27:35:05 - 03:27:49:02

Dr. B

All right. That was quick. You know, I'm surprised how quick how quick things go. But yeah. Anyways, go ahead, Jen. Lou, did you have any other questions.

03:27:49:13 - 03:27:59:11

Speaker 4

That I can think of right now? So just so he's he's still in the appeals with that part of it, with the sentencing part for you.

03:27:59:11 - 03:27:59:22

Dr. B

To say.

03:28:00:04 - 03:28:02:07

Dr. B

Oh, she can hear you, she can hear.

03:28:04:03 - 03:28:07:13

Eric Smiley

This powerful figure. Ask me anything you want to.

03:28:09:08 - 03:28:34:20

Speaker 4

Let me think about it, because I'm still sort of processing all of the information. But I'm very curious about this this situation with the sentencing. So I want to look into that a little bit more just for myself, and then I'll be able to have questions. Yeah, I believe you. I just find it fast and waiting. How how.

03:28:34:23 - 03:28:35:14

Dr. B

It happens.

03:28:35:14 - 03:28:36:16

Speaker 4

How it happened.

03:28:37:19 - 03:28:39:12

Dr. B

In your case. Yeah.

03:28:39:12 - 03:28:50:08

Speaker 4

I mean, I shouldn't be surprised, really. Look at all the cases I've well the big one that I've really the main one, you know that I've spoken up about. But any time I've seen General.

03:28:50:10 - 03:29:08:22

Dr. B

Is our expert on on, well, actually the West Memphis Three case. I don't know Mr. Smiley, if you're familiar, but that was actually another case that was kind of crazy like yours, where three guys, they're actually teenagers, right, John?

03:29:09:06 - 03:29:12:11

Speaker 4

They were teenagers, yeah. 17 and 16.

03:29:12:22 - 03:29:16:23

Dr. B

Yeah. And they ended up taking the Alford plea.

03:29:17:01 - 03:29:17:16

Speaker 4

They did.

03:29:18:13 - 03:29:19:07

Dr. B

But yeah.

03:29:19:12 - 03:29:21:00

Speaker 4

After 25 years.

03:29:21:02 - 03:29:21:20

Dr. B

It's a mess.

03:29:21:21 - 03:29:39:06

Speaker 4

It's a mess. And they're still working through the courts right now trying to get I mean, they took the Alford plea, so they're out, right. But they really are looking to clear their name and the way to do that is through some new DNA testing. So that's what's going on with that right now.

03:29:39:06 - 03:29:54:15

Dr. B

So that's yeah, but if you see and that's what they were trying to do with with Mr. Smiley too is by trying to give him second degree, which is what happened in this case. They took an Alford plea. Right. They pled down something.

03:29:54:15 - 03:30:10:11

Speaker 4

And they I mean, it's they're they they took an Alford plea for their basically the original charges. Oh, just not they they took the capital murder charge away. Still still no murder, though.

03:30:11:04 - 03:30:16:13

Dr. B

So they got out on on what?

03:30:16:13 - 03:30:19:05

Speaker 4

And they took an Alford plea for first degree murder.

03:30:20:01 - 03:30:21:22

Dr. B

Thank you. There you go.

03:30:22:10 - 03:30:26:16

Speaker 4

Sorry. Almost enough says weren't firing my processing speed. Too late today.

03:30:27:02 - 03:30:30:23

Dr. B

I'm delayed to today. So. So, yeah.

03:30:30:23 - 03:30:42:04

Eric Smiley

So how are the plans based on in fact, I'm not guilty in part because of the evidence that you have against me. I'm more likely than not to be found guilty.

03:30:42:11 - 03:31:05:13

Speaker 4

That's Pretty much proven right. That's exactly what it means. Right. It's the maintaining your your your innocence. While acknowledging that the court does have evidence against you that might that could likely result in a conviction, which if you've been in prison for 25 years, you're aware that that that that is true. Right. Right. Yeah.

03:31:06:15 - 03:31:07:00

Eric Smiley

That's the.

03:31:07:02 - 03:31:12:10

Speaker 4

First state. Yeah, it was it eight if I feel like. No yeah. It was 18 years. 18 years.

03:31:12:11 - 03:31:12:19

Dr. B

Yeah.

03:31:13:07 - 03:31:14:20

Speaker 4

Sorry Genevieve is correct.

03:31:15:08 - 03:31:19:18

Dr. B

Well Mr. Mr. Smiley's on what 28 years.

03:31:20:05 - 03:31:22:18

Eric Smiley

That eight years would be ten years is five.

03:31:23:03 - 03:31:23:15

Dr. B

Wow.

03:31:24:08 - 03:31:27:20

Eric Smiley

So that's another.

03:31:27:20 - 03:31:29:13

Dr. B

That's right. June.

03:31:30:02 - 03:31:47:22

Eric Smiley

Or the weird thing about it is, is that the detectives who confronted me as they were holding me off in jail, I for my statement, what am I going to jail, man? I didn't do it. I said, we know you didn't. Well, we know you didn't give us. We just want you to go to jail for more than trial process.

03:31:47:22 - 03:32:04:03

Eric Smiley

I mean, jail for what I'm doing. And if I don't work, we'll let you all work on it. And you did. You did. You can you command for the uniform officer? We had me handcuffed, take me out and I finished recess.

03:32:04:03 - 03:32:04:13

Dr. B

Mm.

03:32:05:21 - 03:32:09:14

Dr. B

Well yeah, I mean, the lead detective in your case was Don Cameron.

03:32:11:02 - 03:32:13:14

Eric Smiley

Yeah Yeah, yeah.

03:32:13:19 - 03:32:17:08

Dr. B

And with him, they are very familiar.

03:32:18:15 - 03:32:44:02

Eric Smiley

You. They know, they know about everything. I'm sure, you know, they they know, they know, they know I was innocent. But because of what I told you about pajama pals from the cab driver, that basically confirmed what the investigator, George Zimmerman, said, because when it gets forward, we won't because they didn't depend on what they wanted to do try to get different this.

03:32:44:23 - 03:33:15:15

Eric Smiley

And so when I asked about pressure I'm not knowing what is passed on me behind the scenes. And so I asked him what shot rights apparently gave me what they wanted to know. What do you mean by that? What was he trying to give you? He didn't say anything to stop Davis. So he from what I remember, you told me your friends in the police department, so they probably share him what was happening and because somehow it flip flopped.

03:33:17:04 - 03:33:30:21

Eric Smiley

CHANNEL Okay well we did try what we wanted to try them we're not going to give you information from our side played out you know I've been the victim of our car, you know, our garbage, you know, and actually, while I'm here.

03:33:31:03 - 03:33:56:05

Dr. B

We have a our our correlation viewer. Your mass murders are that I told you about. He has a good point. He's saying this is my problem with the US justice system. All the experts and lawyers are bringing in all those proofs and stuff and then they give all the power. The jury, which is not a group of experts to decide if someone is going to prison or not.

03:33:56:05 - 03:34:00:19

Dr. B

So if the jury doesn't like you for whatever reason, can kiss your life goodbye.

03:34:02:12 - 03:34:03:17

Eric Smiley

That was definitely true.

03:34:03:23 - 03:34:07:08

Speaker 4

You can always waive your right to a jury trial and have a judge hear it though.

03:34:08:09 - 03:34:32:02

Eric Smiley

You. Yeah. So, uh huh. Which already has been very interesting ever. Uh, I had a juror call the judge call it out eventually and talk to her and asked her if she'd been fair and impartial. She showed up with a straight face, innocent look, angelic tone in her voice and said, Yes, I can be fair and impartial. Okay.

03:34:32:02 - 03:34:51:16

Eric Smiley

So at my sentencing, when I came down off the elevator from the pumpkin tail, she had a back turned towards me and aside prepared to walk the quarter by the bodyguard. She talked about a lot and told the tale of the drug dealer right there in the shot me up and down and turned her nose up, looked at her.

03:34:52:01 - 03:35:07:21

Eric Smiley

I said I said, that's what that was. That was what you had all long right there. You just lie to the judge. You get up on the jury, contact me and probably sway anybody else who may not have wanted to see. I mean.

03:35:08:06 - 03:35:25:20

Speaker 4

There must have been a reason for him to pull pull polled her or. Yeah, that's what pull her individually. Do somewhere in all of your discovery, do you have the jury questionnaire? Do you remember which juror that was?

03:35:25:20 - 03:35:49:14

Eric Smiley

Because I can't remember the circumstances surrounding why she wasn't the only one and she wasn't the only one who was questioned. That was shovel. People don't cover out. Just take you. 25 years ago. 26 years ago. That's how I remember points like her looking at me that pretty hot. I've never been out. I'll never forget that cover up.

03:35:50:01 - 03:36:19:16

Eric Smiley

But there were some jurors that judge, as you know, pulled out to talk to them to see if they could be fair and impartial. And I could have been shot based on their knowledge of jury questionnaire or something. But however it goes on, she was asked if should be fair and impartial. She said, and so she could put me on my feet her at the courthouse, which I was still hot, like, what is she doing here?

03:36:20:03 - 03:36:40:07

Eric Smiley

She's already done our civic duty. She should be on with her life, you know what I mean? You could be walking around and she just lashed out. I just thought that was unusual. And, ma'am, looking at me up here and look on her face now, let me know that she was lying to the judge. Once she looked at me, that look she gave me is what she really had in her heart on the law.

03:36:40:22 - 03:36:58:15

Dr. B

Huh? Right. Yeah, we just heard that as well. But here's another question. Or actually, it's not a question. It's a comment. Rick says, listening from England. Best wishes to you, Eric.

03:36:58:15 - 03:37:02:09

Eric Smiley

Appreciate it. Thank you.

03:37:02:09 - 03:37:34:10

Dr. B

Melanie says also in England. So, so, yeah. All right. Well, we're we're approaching like our four. So I think we should wrap it up for today and finish up the rest of the call that we still have. And then, Eric, next weekend, if you're up for it, give me a call or tomorrow. Actually, tomorrow, Sunday, you can give me a call and then we'll figure out another day to hang out.

03:37:34:21 - 03:37:46:22

Dr. B

What do you say about that? Absolutely perfect. All right. Well, thank you for calling, Jun. Thank you for asking your questions. Do you want to say your goodbyes to.

03:37:46:22 - 03:38:04:06

Speaker 4

I do. Thank you, Mr. Smiley, for being up here and, calling in and answering questions and stuff. Your story is fascinating, and now you have piqued my interest. And so now I'll going through it. So be ready to be asked like 11 billion more questions.

03:38:05:09 - 03:38:13:00

Eric Smiley

That we're about high fashion on the face of everything that I'm saying can be verified. You better believe it.

03:38:13:10 - 03:38:13:22

Speaker 4

All right.

03:38:14:01 - 03:38:25:02

Eric Smiley

I'm saying that I'm guessing or that somebody told me this, the stuff that I've seen is bizarre. These are these are half truths and they can be verified.

03:38:26:20 - 03:38:43:08

Speaker 4

All right. Well, good deal. Thank you for taking time, though. I'm very interested. And now I'm going to Natasha. I'll tell you how. I will. I will I will go over it with the fine tooth comb because I always. It's in the details. That's always in the details. That's right.

03:38:43:21 - 03:38:51:19

Dr. B

Yeah. You're about to get your case. Look, look, that. Then move.

03:38:51:19 - 03:38:53:01

Dr. B

Okay, that's.

03:38:53:14 - 03:38:54:16

Eric Smiley

Well, thank you so much.

03:38:54:17 - 03:38:55:04

Dr. B

Yeah.

03:38:57:05 - 03:39:03:03

Dr. B

Heather, whatever says thank you, Mr. Smiley and Dr. B and Jen, Lou and all.

03:39:03:15 - 03:39:06:17

Speaker 4

And Camille wants to know if there's anything that he needs.

03:39:07:18 - 03:39:12:20

Dr. B

Yeah, that he needs attention and a spotlight and yes.

03:39:12:23 - 03:39:14:21

Dr. B

Name. Well, yeah, I.

03:39:14:22 - 03:39:31:17

Eric Smiley

Need money and clear. That's what I need. Yeah, I'm here legally. I have trepidation on getting out and these people still have an established target on me yet therefore they no idea. And I need my name cleared. That's what I need.

03:39:31:17 - 03:39:32:01

Dr. B

You.

03:39:32:18 - 03:39:50:05

Dr. B

Mary. Hello. Says thank you, Eric. We got your back and a smiley face. And Kamal says, God bless Eric. Paula Rose says, God bless you. Yeah. So people people are a.

03:39:50:08 - 03:39:54:08

Speaker 4

Lot of positive feedback, which is good.

03:39:54:08 - 03:39:58:10

Eric Smiley

Yeah. You guys are my picture of life.

03:39:58:12 - 03:40:03:19

Dr. B

Yeah. You better.

03:40:03:19 - 03:40:04:06

Dr. B

Right?

03:40:04:22 - 03:40:34:06

Dr. B

Christine, Elizabeth is saying, what does it have to do with Kurt Cobain? You're going to have to go back. Listen, Christine, because there's 3 hours before this point and you can't just jump and throw around these questions. Melissa says all the best. Eric Camille says, sending virtual hugs and Genevieve says that you're in thoughts. Jana says, take care, Eric.

03:40:34:06 - 03:40:52:14

Dr. B

And yeah, so lots of support out here for you. So yeah thank you for yours. Your guys's participation and chat. Thank you for being kind, gentle, Lou. You're amazing.

03:40:52:18 - 03:40:54:22

Speaker 4

You're amazing. Thank you for having me.

03:40:54:22 - 03:41:07:00

Dr. B

Yeah. So I'm going to go ahead and add the rest of this phone call and finish playing that. And I'll. Yeah, I'll see you later.

03:41:07:06 - 03:41:20:22

Speaker 4

All right, bye. You guys say bye, Mac.

03:41:20:23 - 03:41:58:05

Eric Smiley

Marty, I meant Mercury or something like that. Just one more. So sorry. So this one was so unprofessional. She was very unprofessional and all help. Very unprofessional. And anyway, so I took the approach and I'm going, I have to do this because these attorneys are crazy. I couldn't put it together. I could put it together myself and have a hearing and wasting my time trying to get his advice on board, I said I ended up talking to an attorney named Rachel Gluckman.

03:41:58:05 - 03:42:22:14

Eric Smiley

Thank you for all the person. Well, she helped me and guide me. She was really good. I appreciate her. Yeah. Submitting my brief to the court. I have to give thanks a few people who helped me. And she's one of them. And. And I'll mention you forgive me. This opportunity to speak my truth. Well, February 10th, according to a motion, was submitted to the court.

03:42:22:14 - 03:42:48:19

Eric Smiley

He goes through court. Prosecutors and court clerk started engage in a charade of a court clerk telling me to do stuff that I didn't I wasn't required to do. The prosecutors, okay. Like they didn't get my motion that I sent to them the mailing sheet. And I said to them, never came back. Judge Maureen Mickey sent me a letter telling me that she can't proceed on my motion unless scheduling motion for a hearing date.

03:42:48:19 - 03:43:12:22

Eric Smiley

And if I schedule motion by court hearing date, give notice to the prosecutor, tell. Tell her whether I wanted to be I wanted to hire an attorney to represent me. I responded, telling her that I did put a motion in the airport hearing date. I'd already sent the prosecutor the information, put him on notice. On March and March I was appointed attorney named Laurie Court Lawn Corner Conner, SC.

03:43:12:22 - 03:43:31:15

Eric Smiley

I was nearly empty. It was impossible to get in contact a referee or communication. Communication got a little bit better of first time hearing. My first hearing was coming on April 8002. All my broken families reached out to my team the way you said.

03:43:31:15 - 03:43:35:02

Dr. B

22 I think you mean 2000 600,000?

03:43:35:02 - 03:43:36:07

Eric Smiley

22 Yeah.

03:43:36:13 - 03:43:37:03

Dr. B

That was just.

03:43:37:18 - 03:43:39:09

Eric Smiley

Not totally true. Yeah.

03:43:39:09 - 03:43:43:00

Dr. B

My grandmother and I attended that hearing.

03:43:43:08 - 03:43:47:04

Eric Smiley

Yes, you did. You did. That was the 1988. Right. And I think.

03:43:47:18 - 03:43:52:23

Dr. B

It was a record for the A's, which is another. Yeah, right. On your birthday.

03:43:53:19 - 03:44:18:08

Eric Smiley

Yes. So then it was your standard to the 19 which the one you attended. The prosecutor filed a brief on Monday, the day before the hearing. So the judge was part of the hearing May 13th. It was postponed again because of documents work out in time. This time the hand was sent for Friday, April 20th, 11 a.m. I was confident that my judgment would be corrected and I'd be not out of prison.

03:44:18:08 - 03:44:43:11

Eric Smiley

But that wasn't the case. Judge Maureen McKee ruled, in my judgment, since wasn't patient broke. Basically, there's nothing wrong with that. Transferred it up to the Court of Appeals to be considered as a personal, strong petition. The problem with this is last year they were willing to correct my judgment since what to do with the attorney norwell and obviously judge mckee would have been the same judge would have been resenting me.

03:44:43:22 - 03:44:57:00

Eric Smiley

But because of the way I argue certain things.

03:44:57:00 - 03:45:24:19

Dr. B

He literally just okay. So he literally just explained this. So I'm just going to go ahead and end it now and I will be uploading a condensed version so that it can be shared. You can clip versions

or I mean, I think YouTube has that option where you can clip sections of it because there's so much there's different components to the story.

03:45:25:14 - 03:45:57:03

Dr. B

And we're going to start making some plans about some more interviews and going through the discovery with Jen Lou. Oh, my gosh, how exciting. So anyways, this has been a long, long day. Thank everyone for being here and for listening to not just me ramble, but also to hearing out Eric and his side of the story. So I will see you soon.

03:45:57:04 - 03:45:57:18

Dr. B

Have a good night.