

BROWN, Willie A. (B/M) TROY, Larry (B/M)
DC# 022323 DC# 022401
DOB: 06/06/50 DOB: 07/24/50

Eighth Judicial Circuit, Union County, Case # 82-163
Sentencing Judge: The Honorable John J. Crews
Trial Attorneys: Bill Salmon, Esq. & Daniel Mazar, Esq.
Direct Appeal Attorneys: Philip Padovano, Patrick Doherty, Steven Bolotin, APDs

Date of Offense: 07/07/81
Date of Sentence: 07/19/83

Circumstances of Offense:

Union Correctional Institution (U.C.I.) inmate Earl Owens was stabbed to death by two black men in his cell around 5:00 p.m. on 07/07/81.

Willie Brown and Larry Troy were indicted for the murder on 10/14/82.

The State called U.C.I. inmates Frank Wise, Claude Smith and Herman Watson to testify as to the events surrounding the murder of Earl Owens. Frank Wise testified that he heard noises coming from Owens' cell at the time of the murder and saw inmates Willie Brown and Larry Troy emerge from the cell carrying a towel or shirt with something wrapped in it. Wise testified that he did not notice any blood on Brown's or Troy's clothing. Claude Smith testified that he heard a scream from Owens' blanket-draped cell at the time of the murder and saw Brown and Troy, both with blood on their clothes, leave the cell. Herman Watson testified to a conversation that he had with Troy on the afternoon of the murder, with Troy laughingly confiding in Watson that he (Troy) had "killed the cracker." Watson further testified that Brown asked Watson to get rid of Brown's clothes and shoes, which Watson did.

The State also called U.C.I. employees, Mitchell Anderson and Donald Conner to testify. Anderson, a correctional officer, testified that on the morning after the murder, while searching the prison athletic yard for evidence regarding Owens' murder, he found a bucket containing an "inmate's shirt and towel and stuff," all of which had been partially burned. The shirt had the name "W. Brown" on it. Donald Conner, the laundry manager, who is in charge of tracking inmate clothing, testified that Brown was missing a set of clothes.

The defense called U.C.I. inmates Franklin Kelly, Michael Madry and Noel White to testify as to the events surrounding the murder of Earl Owens. Franklin Kelly and Michael Madry testified that both Brown and Troy had been in the prison chow hall at the time of the murder. Noel White testified to hearing "odd sounds" coming from Owens' cell at the time of the murder and to seeing two anonymous black males--not Brown or Troy-- leave the cell with a bloody knife. White further testified that Wise and Smith were not present at the time of the murder and could not have been witnesses to the

crime. The State impeached White's testimony by demonstrating that White had previously identified Brown and Troy as the men responsible for Owens' murder.

Trial Summary:

10/14/82 Indicted on one count of First-Degree Murder
06/16/83 Jury returned a guilty verdict on the sole count of the indictment
06/22/83 Jury recommended death sentences by a vote of 9-3
07/19/83 Sentenced to death

Additional Information:

As a juvenile, Willie Brown had an extensive criminal record. As an adult and prior to the Owens murder, Brown was sentenced to seven years imprisonment, with ninety-nine days of community supervision, for a 1968 Robbery conviction, and was sentenced to twenty years imprisonment, with ninety-nine days of community supervision for a 1976 Armed Robbery conviction. Brown was serving this sentence at the time of the Owens murder.

Larry Troy, prior to the Owens murder, was sentenced to five years imprisonment for a 1968 Armed Robbery conviction and three years imprisonment for convictions stemming from Armed Robbery, Burglary, and Possession of Stolen Property charges in 1972. While serving a term of twenty-five years for a 1975 Second Degree Murder conviction and a term of fifteen years, six months for Aggravated Battery and Possession of a Weapon by State Prisoner convictions in 1977, Troy was charged with the murder of Owens.

Appeal Summary:

Florida Supreme Court – Direct Appeal

FSC# 64,802; 64,803; 69,427
515 So.2d 211

01/30/84 Appeal filed
11/12/87 FSC vacated conviction and sentence and remanded for retrial

Case Information:

On 01/30/84, Brown and Troy filed a Direct Appeal with the Florida Supreme Court, alleging that the trial court improperly failed to investigate a discovery violation by the State. On 11/12/87, the FSC agreed with Brown and Troy's allegation and vacated the convictions and sentences and remanded for a retrial.

The State dropped the charges when Frank Wise recanted his testimony.

Law Enforcement/Prosecution Statements:

A request for a statement was made to Spencer Mann, Public Information Officer for the Eighth Circuit, but no comment has been received to date.

Defense Statements:

A request for comment was made to Bill Salmon, who represented Brown at the original trial, but no comment has been received to date.

Current Status:

After the Owens murder, Brown was sentenced for the following crimes committed on 04/02/99:

- Burglary – Life imprisonment
- Armed Robbery – Life imprisonment
- Armed Robbery – Life imprisonment
- Armed Robbery – Life imprisonment
- Grand Theft Auto – 5 years imprisonment
- Leaving a Crash with Injury – 5 years imprisonment
- Leaving a Crash with Injury – 5 years imprisonment
- Resisting a Law Enforcement Officer with Violence – 5 years imprisonment
- Battery of a Law Enforcement Officer – 5 years imprisonment
- Battery of a Law Enforcement Officer – 5 years imprisonment
- Battery of a Law Enforcement Officer – 5 years imprisonment

After the Owens murder, Troy was sentenced to twelve years imprisonment, with nearly two years community supervision, for a 1991 Unlawful Sale of Cocaine On or Near School Property conviction. On 02/01/02, while on Conditional Release, Troy missed curfew, thus violating the conditions of his parole, and was taken to a Miami county jail for processing. While he was being searched, crack cocaine was discovered, and Troy was arrested for Smuggling Contraband into a Detention Facility and Possession of Cocaine. The charges were dismissed at trial, but Troy’s Conditional Release was revoked. He was released on 04/24/03.

Report Date: 05/08/02 JFL
Approved: 05/08/02 WS
Updated: 10/05/06 JFL