

Man convicted as teen in murder to go free

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WILMINGTON — Lawrence Johnson, who had been serving two life terms plus 105 years for his role in a the slaying of a gun store owner during a robbery in June 1995, broke down in court today after hearing he would soon be set free.

Johnson, who was 16 at the time of the crime, was not the trigger man and according to testimony was only the lookout for two other men. And from the bench, Superior Court Judge Charles H. Toliver IV said he was never happy with the sentence he had to impose on Johnson nearly 20 years ago for his more minor role in the crime.

In handing down a new sentence of 20 years, which with good-time credit means Johnson completed his prison time last year, Toliver said Johnson has now been more appropriately held responsible for his actions in 1995.

Johnson, on the advice of his father, had refused to accept responsibility for his role or a plea deal that prosecutors had offered in 1996 that would have gotten Johnson out of jail in ten years, according to attorneys. Instead, Johnson insisted on going to trial where he was convicted of two counts of first-degree murder and a number of weapons charges.

Today, Johnson admitted responsibility and pleaded guilty to second-degree murder, robbery, burglary and conspiracy charges.

The family of Thomas Smith, the man who died during that robbery at the Black Sheep gun store, was in the courtroom today and approved of the re-sentencing of Johnson, believing he was far less culpable than the other two men convicted in the crime.

Smith's widow, Nancy Cropper, said she had been bothered by Johnson's sentence ever since it was handed down.

Paula Smith, the daughter of Thomas Smith, said a sentence of two life terms was not appropriate to Johnson's role in the crime.

Johnson's re-sentencing came about because of a decision by the U.S. Supreme Court last year barring states from imposing life sentences on juvenile offenders without possibility of parole.

According to Deputy Attorney General Steve Wood, Johnson is the first of 16 juvenile offenders serving life sentences in Delaware who will have to be re-sentenced following that ruling. The other 15 will likely not be re-sentenced until after the Delaware General Assembly passes a law that details how those cases should be handled both now and in the future if a juvenile is facing a possible life sentence.

The state is not simply able to re-sentence juveniles to life with the possibility of parole right now because the state has abolished parole, Wood said.

Johnson's co-defendants, Hector Barrow, 41, and Jermaine Barnett, 40, are both serving life terms for Smith's murder and neither were juveniles at the time of the crime so neither is up for re-sentencing like Johnson.

Johnson, now 34, has been in custody so long that this morning he could not recall the street address of where he was living in Brooklyn, N.Y., before he was arrested.

After Judge Toliver sentenced Johnson on the lesser charge of second-degree murder to essentially time served, he asked Johnson if he had anything he wanted to say.

Johnson, who had been standing and speaking in a clear, unwavering voice, suddenly collapsed into his chair and put his head in his hands, unable to speak.

After a few minutes, Johnson regained his composure enough to thank his attorney, Dave White, prosecutors, the judge and the family of Thomas Smith.

“It’s been a long time,” he said.

Toliver ended the proceeding by telling Johnson that at age 34, he still had a lot of living to do. “I just want you to look forward and so something positive in light of your change of fate,” he said.

Toliver structured Johnson’s sentence so he would not be released immediately but instead would transition through lower levels of incarceration and be transferred to New York State before being set free.

White estimated that his client would be out of incarceration and on the streets under a low level of supervised probation within six months.

“This is why I went to law school,” said White afterward, “To do good stuff like this.”