

Stephanie Bouis

From: Gerda Stein
Sent: Sunday, February 01, 2015 9:59 AM
To: Gerda At Home
Subject: FAYETTEVILLE: For Henry McCollum and Leon Brown, freedom has a cost | Local/State | NewsObserver.com

Categories: Misc cases

http://www.newsobserver.com/2015/01/31/4520192_for-mccollum-and-brown-freedom.html?rh=1

For Henry McCollum and Leon Brown, freedom has a cost

By Joseph Neff

jneff@newsobserver.com January 31, 2015 Updated 3 hours ago



Henry McCollum and his half brother, Leon Brown, are happy to be out of prison, but the adjustment to life on the outside has been hard. COREY LOWENSTEIN — clowenst@newsobserver.com | [Buy Photo](#)



•



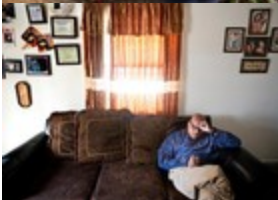
•



•



•



•



•



•



•



•



•

FAYETTEVILLE — Henry McCollum spent three decades in prison, an innocent man on death row, praying every day for his freedom.

But now, four months after he and his half brother were exonerated of a horrible rape and murder, McCollum is struggling in the free world.

He can't drive. His family has no car and no income. He'd like to work as a janitor, but he feels he needs a pardon to clear his name before he can get a job.

"I can't do nothing to help my family," McCollum said. "They're not able to pay their bills."

McCollum and his half brother, Leon Brown, were locked up their entire adult lives. Their IQ tests show scores in the 50s or 60s. They struggle with basic reading and writing, and they have lived more than half their lives in a world being ordered around by others.

For the first few weeks, McCollum said he would be sitting in his bedroom, and his stepmother would holler and ask where he was.

"I'd say, 'I'm in my cell,' " McCollum said.

At meal time, he found himself asking for his tray, just like in Central Prison. He's uncomfortable in crowds, a residue from prison, where inmates develop sensitive antennae about their surroundings, who is friend and who is foe.

He misses his friends on death row, men with whom he shared everything for decades.

"I left a lot of love back there," McCollum said.

Brown spent most of his prison years in general population, away from the camaraderie and relative calm of death row. His sister, Geraldine Brown, said he has only recently talked of the trauma he experienced there, a mentally challenged man convicted in the rape and murder of an 11-year-old girl.

Brown is quiet and withdrawn. When he is not at church, he is usually watching television or sleeping. He moves stiffly, like someone years older. Prison doctors prescribed Thorazine, an antipsychotic, and lithium, an antidepressant. Brown stopped taking the drugs when he left

prison because of their side effects, but his sister said he may take them again, given the difficulties he's facing.

"It is so sad," she said. "We are all praying for the strength of God."

Waiting for a pardon

McCollum, 50, was the longest-serving resident on death row. In his 31 years there, 42 inmates were executed, many of them his close friends. Brown, 47, also spent 31 years in prison.

The brothers were the poster children of young men gone wild. In 1984, a Robeson County jury convicted them of gang-raping an 11-year-old girl, Sabrina Buie, and killing her by stuffing her panties down her throat with a stick.

They were awarded new trials in the early 1990s; McCollum was again sentenced to death, and Brown received a life sentence. Further appeals were fruitless.

In 2010, a fellow inmate helped Brown apply to the N.C. Innocence Inquiry Commission, the nation's only independent commission with the power to declare innocence.

After years of investigation, commission staffers delivered a bombshell in July: The DNA on a cigarette butt at the crime scene matched Roscoe Artis, a sexual predator with a long history of attacking women, including a similar rape and strangulation of a young Red Springs woman one month after the arrest of Brown and McCollum.

With the support of Robeson County District Attorney Johnson Britt, a Superior Court judge threw out their convictions and the charges, and declared them innocent.

When McCollum left death row and Brown left Maury Correctional Institution, prison officials gave each of them \$45 in cash.

That \$90 is the only help they've received from the state of North Carolina.

"They dropped them out here like they were bums," said Geraldine Brown, their sister. "Like they were trash at a landfill."

McCollum and Brown have lived off the kindness of others. Lawyers at the Center for Death Penalty Litigation in Durham held a fundraiser the night they were exonerated. Others have donated money after reading about the case. The money has gone for food, rent and medicine, but the family is scraping by.

In January, the water in the house was turned off because the bill went unpaid. One defense lawyer paid rent for January.

In North Carolina, people found innocent after a conviction are eligible for \$50,000 for every year spent incarcerated, up to a maximum of \$750,000. Because they were freed by a judge, and not the Innocence Inquiry Commission, McCollum and Brown need a gubernatorial pardon of innocence to collect their compensation.

On Sept. 4, Gov. Pat McCrory said he looked forward to reviewing their joint pardon application.

It was submitted Sept. 11. The governor has taken no public action on the case since.

The governor's office on Friday and Saturday did not return calls, emails or texts inquiring about the status of McCollum and Brown's pardon request.

A funeral missed

McCollum doesn't want an extravagant life.

He would like to work as a janitor, a job he held in prison. The brothers are living in Fayetteville with their sister, who quit her job in Jersey City and moved to North Carolina to help them.

At night, McCollum said he often dreams that he is in prison. He wakes up sweating and breathing hard. When he feels a soft pillow and a real blanket, he realizes he's not on a steel bed bolted into a concrete wall. He can walk to the bathroom or go outside. He doesn't have to wait for a heavy steel door to slide open at 7 a.m. At these moments, he said, he thanks God for his freedom.

The brothers go to Riverwater Church on Sundays and Wednesday nights. On Monday evenings, they dial into the Prayer Line, a sort of conference call with the minister and church members.

McCollum would like to go to Central Prison and visit some friends on death row, though he knows it would be strange to go back.

McCollum has no desire to go to Robeson County: "There ain't nothing down there for me. I am trying to move on with my life."

He wants to visit his mother's grave in Linden, N.J. Mamie Brown died in August 2013, thinking that her sons would likely die in prison, Geraldine Brown said. She was buried in the same plot as her sister and brother-in-law, her casket literally on top of the one holding Fannie Mae O'Neal and the one holding Reggie O'Neal.

McCollum thinks of his mother every day. He pulls out his well-worn copy of the program from her funeral and talks to her. He usually cries as he tells her how his day has gone.

"I tell her how I feel. I tell her how I will never be the same without her. I tell her I want to visit her in Jersey."

McCollum wants to buy a headstone with the names, pictures, and days of birth and death for all three.

McCollum is not curious about the fate of Artis, whose DNA was identified on evidence from the crime scene.

"I'm not going to worry about it," McCollum said. "I leave him in God's hands. I don't want to think about him."

Artis is serving a life sentence for another rape and murder. Britt, the Robeson County district attorney, has asked the State Bureau of Investigation to reopen the investigation.

No help with medication

Leon Brown was 15 when he was arrested. His sister described him as a typical teenager: high-energy, hard-headed, always going somewhere on his bicycle.

Today, Brown is diabetic. Beth Silberman, whose husband was one of McCollum's lawyers, said she called prison officials to get his prescriptions for diabetes medication renewed until they could sign him up for Medicaid – the government health insurance program for, among others, the disabled and elderly who are poor – and get him a regular doctor.

Prison officials refused to write a prescription, Silberman said. Geraldine Brown took her brother to the emergency room to get the prescription filled.

Spokesman Keith Acree said prison policy forbids doctors from prescribing medicines to people not in their custody.

Brown said the case has shaped her life as well. She said she never told her co-workers or neighbors that she had brothers. She was afraid they would learn that her brothers had been convicted of raping and killing an 11-year-old girl.

“There's no telling what we would be” if the two men hadn't been imprisoned, she said. “I would be an aunt.”

McCollum said he dreams of getting married and having a little boy and girl. He has made friends at church and on Facebook. But he feels that his and his brother's lives are on hold. They applied for Medicaid in the fall and are waiting on a decision. He worries about his family's ability to pay bills.

But most of all he wants a pardon, to clear his name, allow him to work, and collect his compensation from the state that imprisoned him for much of his life.

“I just want to enjoy my years on Earth,” McCollum said. “I'm not young anymore.”

Neff: 919-829-4516