

Texas father acquitted abroad

Man not guilty of drug smuggling in the Caribbean

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For more than a year, Larry Davis had been sweating his future away in a Caribbean jail, uncertain of getting his day in court or what would happen if he did. He tried to keep his spirits up - praying every day for strength and a just consideration of the evidence, exercising as best he could in the confines of his cell, hoping he would not be forgotten.

Davis' prayers were answered at last Tuesday when a three-judge panel in the Dominican Republic found him not guilty of drug smuggling, just as he had insisted since the moment last March when he arrived in Santo Domingo hoping to resolve some confusion regarding his small fuel tanker that had been impounded.

The 44-year-old Davis could be home with his wife and two young sons as early as this weekend, said attorney Sean Buckley, who assisted in his defense and pushed his case with American officials. Yet nothing is certain. The judges ordered his immediate release, but government prosecutors could appeal their decision, Buckley said.

"Our expectation is what you would call cautiously optimistic," he said. "The judges were very resolute in their decision. There was no equivocation in their opinion. The judges were very explicit in their rejection of the government's case."

Baiting him in

Davis, 44, was arrested in March 2016 when the 165-foot vessel he owned was confronted in Dominican waters. The ship, the Precon Express, was escorted into port and inspected. Close to 1,000 kilos of cocaine and 2.6 kilos of heroin were found on board."

Davis claimed to have no knowledge of the illicit cargo. He and his father had owned the ship for seven years and used it to transport marine diesel fuel from one Caribbean port to another. But when his mother was diagnosed with cancer, they leased the vessel to another man in order to spend more time at home.

That man, Joseph Hynds, mysteriously disappeared after he and Davis voluntarily spoke with Dominican authorities. Davis does not speak Spanish and relied on Hynds to describe their financial arrangement. Davis had nothing to do with hiring the ship's Honduran captain and crew, his lawyer said.

Davis was arrested several days after the interview at the Santo Domingo airport as he was about to board a plane back to the United States. Buckley said Davis had waited several days in case law enforcement officials had any additional questions. When they did not contact him again, he decided to go home.

"He had booked a return flight," Buckley said. "He showed up to make that flight, and they arrested him. I think they baited him into a situation where it could be seen as an attempt to flee and consciousness of wrongdoing."

Buckley believes Hynds may have said something to authorities to cast suspicion on the boat's owner. True or not, he added, it would have made no sense for Buckley to go to the Dominican Republic if he had been involved in drug smuggling.

"The judges chastised the prosecution for failing to establish any links between Larry and the 985 kilograms of cocaine and two kilograms of heroin found on his family's vessel," Buckley said.

In a Chronicle story last March, Davis' wife, Stacy, said she spoke to him over the phone whenever she could. She provided updates to him on the boys' schoolwork, basketball games and soccer team. She said he told her little about the jail's conditions, sparing details that only make her worry.

Davis' mother died in September 2016, six months into his detention.

"Larry and his mom were extremely close," Stacy Davis said. "It was so hard for him to miss her last days."

In his absence, she tried to maintain a normal life for her boys, ages 8 and 11. Like her husband, she has relied on her faith and her church, along with support from family and friends, especially her husband's tight-knit soccer team. Barring unexpected success of a government appeal, that will soon be behind her.

Buckley said Larry Davis will not return to the fuel trading business, even though judges ordered the release of the ship as well. Unattended since his arrest, its condition is unknown.

"Why would he leave the U.S. and come down here, knowing the authorities had boarded it and were dissatisfied with something about it?" Buckley said.

Davis was confident he could prove his innocence in court. But he feared he might languish in jail for years awaiting trial, especially after an earlier trial date was postponed. Buckley said Congressman Kevin Brady's staff and officials with the State Department were helpful in persuading Dominican officials to bring the case to trial without further delay.

No links established

The trial lasted one week and judges heard from about 20 witnesses, Buckley said. Davis testified and made a good impression, he added. Crew members arrested at the same time did not fare as well. Buckley said they were found guilty of smuggling and given five-year prison terms.

Davis has been held for more than a year in a jail that lacked clean drinking water and offered only beans and rice to eat, his attorney said. Family, friends and U.S. officials had long argued that prosecutors had no evidence showing he was aware the man who leased the fuel-trading boat would use it to transport large quantities of illegal drugs.

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Mike Tolson has been a journalist for more than 30 years and has worked for five newspapers, four of them in Texas. Although most of his career has been spent as a news reporter, he also wrote for features and sports sections in earlier years, and he was the city columnist for four years at the San Antonio Light.

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As a general assignments reporter, Tolson has written articles on just about every subject imaginable over the course of his career. However, he has specialized knowledge of civil and criminal justice matters.

A Georgia native, Tolson moved to Texas in 1964 and graduated from The University of Texas in 1976 with a Bachelor of Arts in English. He has lived in Texas' three major cities as well as Austin, Abilene and Temple. He is married and has two children.



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