

# Innocence Project of Florida, Inc.

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**PRESS RELEASE**

## **Innocence Project of Florida Plans to Test Tompkins Evidence** *Tompkins could be First Ever Executed Man to be Proven Innocent*

Today the Innocence Project of Florida (IPF) reiterated its intent to test the remaining DNA evidence in the case of Wayne Tompkins. Mr. Tompkins was executed on Wednesday, February 11th, in Raiford, Florida after being found guilty of murdering Lisa DeCarr in 1983. IPF believes that further testing in the case could reveal that the body did not belong to the alleged victim, meaning Mr. Tompkins had been convicted of a murder that did not take place.

“We have a remarkable case with Mr. Tompkins,” said Seth Miller, Executive Director of the Innocence Project of Florida. “The State supported this match between the body and the victim with a partial dental record, which was pretty unconvincing. But on top of that, several people have signed affidavits saying that they’ve seen her alive since the murder. If that’s the case, then Florida just killed an innocent man.”

If it were found that Mr. Tompkins was innocent of the 1983 murder, it would be the first case in American history of an executed man being scientifically proven innocent posthumously. In 2000, Frank Lee Smith was exonerated by DNA testing 11 months after he died of cancer on Florida’s Death Row.

IPF sent a letter to Florida Governor Charlie Crist on Tuesday, February 10th, urging him to stay Tompkins’ execution. On the next day IPF filed a motion asking a judge to notify the appropriate authorities of their statutory obligation to preserve the evidence in Mr. Tompkins’ case for 60 days after his execution. The Thirteenth Circuit Court granted that motion the same day.

“These agencies need to know we’re serious about going forward with testing, and we want to make sure they are preserving all of the evidence pursuant to Florida law,” said Miller. “If the State Attorney is convinced that Mr. Tompkins was guilty, they should support testing to put the doubts to rest. We’ll pay for it, they just need to give us access to the evidence.”

“We look forward to working with the State Attorney’s Office to get the DNA testing,” added Miller. “We’re going to make sure we discover the truth in this case.”

*The Innocence Project of Florida is a 501(c)(3) organization dedicated to finding and freeing innocent people in Florida prisons. IPF consulted on the DNA issues in the case of Wayne Tompkins.*

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