

# Innocence Project of Florida, Inc.

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**For Immediate Release**

February 11, 2009

**PRESS RELEASE**

## **Innocence Project of Florida Moves to Preserve Evidence in Tompkins' Case** *Says DNA Testing Could Reveal that Man Scheduled for Execution is Innocent of Murder*

Today the Innocence Project of Florida (IPF) is filing a motion to preserve evidence in the case of Wayne Tompkins, who is scheduled to be executed at 6 PM EST by lethal injection. Tompkins was convicted of murdering Lisa DeCarr in 1983, though doubts persist as to the true identity of the victim. IPF believes a new round of DNA testing should be conducted in order to banish all doubt, and today's action represents the first step toward acquiring that testing.

"If the victim in this case wasn't Lisa DeCarr after all, that means Wayne Tompkins was convicted of a murder that never took place. It's pretty bizarre that the Governor is about to execute a person when these kinds of questions remain," said Seth Miller, Executive Director of the Innocence Project of Florida. Several individuals have signed affidavits claiming to have seen DeCarr alive since the alleged murder.

"The Governor should remember two other cases, Frank Lee Smith and Ricky McGuinn," said Miller. Frank Lee Smith died on death row in Florida before DNA testing proved he was innocent. In Ricky McGuinn's case, his Texas execution was stayed, then DNA testing proved his guilt, and his execution was reset. In both cases, DNA testing proved vital to the establishment of culpability.

IPF is moving a court to notify the appropriate institutions that they have a statutory obligation to preserve all evidence pertaining to Tompkins' case for 60 days, even if he should be executed. IPF wants a robe, a sash, and samples of the victim's bones to be preserved, with confidence that a new round of DNA testing, using methods that have not been used in this case, will likely yield the identity of the victim.

Miller added, "There are serious doubts left in this case, and we fully intend to get to the bottom of what really happened. Tompkins shouldn't be executed when such important questions as the identity of the victim remain. Some day soon, we will make sure the truth comes out."

*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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