

# Florida executes rapist who strangled Tampa girl

By RON WORD  
Associated Press Writer

JACKSONVILLE, Fla. — A rapist convicted of murdering his girlfriend's teenage daughter 26 years ago was executed Wednesday after the courts refused to reconsider his claims of innocence.

Wayne Tompkins, 51, was pronounced dead at 6:32 p.m. at Florida State Prison. The execution started at 6:24 p.m. He had been condemned for the murder of 15-year-old Lisa DeCarr, who disappeared from the Tampa home she shared with Tompkins and her mother on March 24, 1983.

"I'm good," Tompkins replied when officials asked if he had any last words.

At the start of the execution, Tompkins breathed deeply and closed his eyes and then opened them again.

The victim's mother, Barbara Wallace, and three of her daughters and her son witnessed the execution, as did Tompkins' attorney Neal Dupree.

"It didn't bring her back," Wallace said of the execution.

DeCarr's sister, Michelle Hayes, said she had hated Tompkins for many years, saying "I have wanted to do it myself many, many times."

"We are glad this long journey is over now. We feel it was humane. Lisa can now rest in peace. That's what this day was about, justice for her, not anybody else," Hayes said.

Tompkins requested a sedative before the execution by lethal injection.

"Some of the family thought it was too easy," Hayes said.

Wallace and others thought DeCarr had run away, but her body was found a year later under the home's porch. She had been strangled with the belt of the pink bathrobe she had been wearing.

Tompkins, who had been arrested in early 1984 after he robbed and sexually assaulted two convenience store clerks in separate attacks, was charged with her murder. A cellmate testified that Tompkins confessed, saying he had strangled the girl after she kicked him in the groin while rebuffing his advances.

That cellmate, Kenneth Turco, now says a prosecutor told him to lie to the jury. The state Supreme Court has ruled Turco's recantation a harmless error that would not have affected the outcome of the trial.

Attorneys Martin McClain and Neal Dupree filed an appeal with the U.S. Supreme Court and an application for a stay of execution Wednesday morning, but it was denied.

The appeal raised many of the same issues already turned down by Florida courts, including whether Gov. Charlie Crist had the right to schedule the execution because he let four years pass before setting a new execution date. Tompkins also had appealed the Turco action.

Tompkins had a final visit with his mother, Gladys Staley of Brooksville, on Wednesday morning and ordered a final meal of fried chicken and banana split ice cream, said Gretl Plessinger, a spokeswoman for the Florida Department of Corrections.

Across a highway outside the prison, about 40 death penalty opponents gathered for a prayer vigil.

The Florida Supreme Court, in a one-page order, denied all of Tompkin's appeals Wednesday morning. His attorneys had asked the court to delay the execution, saying more time was needed to complete testing on DNA evidence found on and near the girl's body. The court said it would not entertain any motions for rehearing.

Also turning down Tompkins was the trial court in Tampa, which denied his motion to vacate his judgment and sentence and his motion for a stay of execution.

Crist was the third Florida governor who has sought to execute Tompkins. He did not have to sign a death warrant because the state moved to a non-expiring death warrant, so the final warrant signed by Gov. Jeb Bush was still in effect. Gov. Bob Martinez signed two in 1989 and Bush signed a third in 2001. Courts stopped each one.

The Innocence Project of Florida had filed a motion Wednesday to preserve the evidence in Tompkin's case, arguing that more DNA testing is needed to "banish all doubt." It asked that a robe, sash and samples of the victim's bones be preserved for additional DNA testing.

On Tuesday, the Innocence Project had asked the governor to delay the execution so more testing could be done.

Two other inmates have been executed since Crist took office in January 2007: Mark Dean Schwab on July 1 and Richard Henyard on Sept. 23.

Tompkins was the 67th inmate executed by Florida since it resumed the death penalty in 1979, 23 by lethal injection and 44 of them in the old electric chair.