

Richard C. Dieter  
EXECUTIVE DIRECTOR

1320 18th St NW, 5th Fl  
Washington, DC 20036  
phone: (202) 293-6970  
fax: (202) 822-4787  
email: [dpic@deathpenaltyinfo.org](mailto:dpic@deathpenaltyinfo.org)  
[www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org)

## DEATH PENALTY INFORMATION CENTER

---

BOARD OF DIRECTORS   Anthony Amsterdam   David Bradford   David Bruck   Phoebe Elsworth  
Steven Hawkins   George Kendall   John R. MacArthur   Michael Millman   Diann Rust-Tierney

FOR IMMEDIATE RELEASE  
Monday, September 15, 2003

CONTACT: BRENDA BOWSER  
(202) 293-6970, [bbowser@deathpenaltyinfo.org](mailto:bbowser@deathpenaltyinfo.org)

### ***DOUBTS ABOUND IN UPCOMING TENNESSEE EXECUTION***

#### ***Jurors, Victim's Daughter, Forensic Evidence Indicate Scheduled Execution is a Mistake***

WASHINGTON, DC -- More than two decades after Philip Workman was sent to death row, five jurors from his original trial have signed affidavits stating they would not have voted for a first-degree murder conviction or supported a death sentence in light of evidence that his trial was tainted by false eyewitness testimony and inadequate counsel. Their plea for clemency has been echoed by a former Shelby County District Attorney and the victim's daughter, who joined Workman's daughter in 2000 to plea for clemency in the case. Workman is scheduled for execution on September 24th.

"This case is an example of how defendants with inadequate counsel are sent to death row because their attorneys fail to fully explore the validity of state's case," said Richard Dieter, Executive Director of the Death Penalty Information Center. "Tennessee stands poised to execute Philip Workman despite serious doubts about the evidence presented at trial."

Workman is on death row for the murder of police officer Ronald Oliver during a robbery of a Memphis restaurant in 1981. At his trial, the state's sole eyewitness, Harold Davis, testified that he was standing 10 feet away from the murder and saw Workman fire the fatal shot. No one, including police officers who were first to arrive at the restaurant, stated they saw Davis at the scene. Despite this fact, Workman's defense attorneys did not interview Davis, and they failed to conduct forensic or ballistics analysis to refute his testimony.

Since the trial, Davis has admitted lying under oath. In addition, another witness has stepped forward to say that at least one of the officers on the scene had fired his gun. At Workman's trial, officers who had responded to the scene testified that they had not fired their weapons. They acknowledged that they did not see Workman shoot Oliver. The new eyewitness report that officers fired their weapons was corroborated by the first police report filed after the incident. In addition, medical experts determined that the bullet from Workman's gun almost certainly did not kill Oliver, raising the possibility that Oliver was accidentally killed by a shot fired by one of his colleagues.

Similar questions of inaccurate eyewitness testimony, faulty forensic evidence, and inadequate counsel have recently stirred debate across the country. The issues were addressed by the Illinois Commission on Capital Punishment and are among the problems cited by the American Bar Association in its call for a nationwide moratorium on executions. Earlier this year, Ohio Governor Bob Taft commuted Jerome Campbell's death sentence shortly before his execution because the state's parole board expressed doubts about the reliability of forensic evidence and witness testimony presented at Campbell's trial.

In the wake of these growing national concerns about fairness and the calls for clemency in this case, Governor Phil Bredesen continues to consider Workman's clemency petition. If relief is not granted, Workman would be the second person executed in Tennessee since it reinstated capital punishment in 1974.

For additional information about this case, please contact Workman's attorney, Kelley Henry (615/736-5047), Rev. Joseph Ingle (615/321-4114), or Randy Tatel of the Tennessee Coalition to Abolish State Killing (615/329-0048).

###