



Clemency For The #FloridaFive

Petition Toolkit

Overview



This toolkit is part of the Innocence Project of Florida's efforts to petition for Executive Clemency for five of our innocent clients: Amanda Brumfield, Randy Seal, Thomas Gilbert, Leo Schofield, and Dustin Duty. Each of these individuals is faced with increased susceptibility to contracting the coronavirus due to their present imprisonment. The fact of the matter is social distancing is impossible in prisons. Many facilities throughout the United States have already witnessed the detrimental impacts of COVID-19 in a densely populated prison or jail. The

American criminal justice system holds almost 2.3 million. We know these facilities are grossly overcrowded. Additionally, people who are detained are disproportionately more likely to have chronic health conditions that make them especially vulnerable to viral infections. Maintaining the recommended 6 feet of distance between people, regular social distancing among the population, and access to resources for safety precautions is impossible in these conditions.

Rudolph Sutton, an individual represented by the Pennsylvania Innocence Project, was the first prisoner in Pennsylvania to die of COVID-19. Just days before, the Philadelphia District Attorney had agreed to review the case collaboratively with the organization through a conviction integrity review effort. Sutton was an innocent man who spent 30 years in prison for a crime he did not commit. Ultimately, those hearing his pleas for justice took action too late. His untimely passing is an example of the significant role that government officials play in making decisions that can save the lives of innocent people. A prison sentence in this pandemic amounts to a death sentence if significant and meaningful action is not taken by our officials. Though thousands must be freed to make an indent on the crisis, we hope to present the cases of the #FloridaFive to advocate for their freedom in light of the evidence of their innocence.

You can join us in the fight to free the #FloridaFive by signing our petition for Florida's Board of Executive Clemency to grant each of these innocent prisoners Executive Clemency. Sharing this petition and toolkit alongside #FloridaFive or #SetThemFree. Signing and sharing will help us advocate not only

for their freedom but also to call attention to the need for significant action to be taken to mitigate the unfolding humanitarian crisis and unsafe conditions in Florida jails and prisons amid the pandemic.

Background Information



Since 2003, IPF has assisted in the release from wrongful incarceration of 22 innocent individuals who have collectively served more than 495 years for the crimes of others. Located in Tallahassee, IPF's mission is to find and free the innocent in Florida prisons, help these individuals transition back into a changing society, and work to reform the criminal justice system.

Each of these individuals was freed after relentless legal efforts to unlock the truth, made possible, and bolstered by individuals like you. Without the financial support and outspoken advocacy of our community, our efforts to find and free the innocent would not be possible. Your voice in the choir helps give hope to the hundreds of individuals who reach out to us with their pleas of innocence each year.

We bring these five cases to the attention of the Office of Executive Clemency and Florida Commission on Offender Review at this critical time with the vision that these five individuals will be granted clemency in light of the uncontrolled COVID crisis in prisons and because of their strongly supported and evidenced cases. It is time to allow these innocent individuals to return home to a safer environment. We are asking for you to add your voice to the choir and help to advocate for the freedom of five of our innocent clients, known as the **Florida 5**:

Amanda Brumfield was convicted of a 2008 Orange County manslaughter for the death of a child in her care, where the medical and scientific evidence demonstrates that while the death of this child was tragic, a crime did not occur at all. She has served more than 8 years of a 20-year sentence for a crime she did not commit;

Dustin Duty was sentenced to 20 years for a 2013 Duval County armed robbery of a woman who was unduly persuaded to identify him as the perpetrator, and now she believes she misidentified Mr. Duty. This conviction happened even though Mr. Duty's boss provided an alibi that he was at work during the time of the robbery. Mr. Duty has served more than 6 years of a 20-year sentence wrongfully incarcerated;

Thomas Gilbert was convicted for the 1973 Dade County murder of a tourist. Despite a 1977 reinvestigation by the Miami-Dade Police Department that confirmed another individual's confession to the crime, he has remained wrongfully incarcerated for more than 46 years of a life sentence;

Leo Schofield was convicted for the 1987 Polk County murder of his wife, despite the detailed confession of another individual, himself a convicted murderer, who said that he committed the murder.

That individual's confession is corroborated by the presence of his fingerprints in the victim's abandoned vehicle. Mr. Schofield has served more than 33 years of a life sentence wrongfully incarcerated;

Randy Seal was convicted of a 2004 Putnam County murder of his girlfriend when she died in a fire that state investigators said was intentionally set. There is no evidence that the fire was intentionally set, and in fact, the State's experts now agree with that assessment. He has served more than 16 years of a life sentence for a fire that was not intentionally set.

These five wrongfully incarcerated individuals deserve justice. To help us make their freedom a reality, visit www.floridainnocence.org/clemency and click the button that says, "Sign Petition"



Email Template #SetThemFree

To reach Florida's Office of Executive Clemency:

Email the Florida Commission on Offender Review at ClemencyWeb@fcor.state.fl.us

TEMPLATE EMAIL:

Dear Board of Executive Clemency Member,

My name is [NAME], writing to you from [CITY]. I am writing to urge you to release five innocent people from Florida's prison facilities. Amanda Brumfield, Randy Seal, Thomas Gilbert, Leo Schofield, and Dustin Duty have all applied for relief from the Office of Executive Clemency. Each of these individuals is faced with increased susceptibility to contracting the coronavirus due to their current incarceration. As of early August, [it was reported](#), "the secretary of the Florida Department of Corrections and his deputy tested positive for COVID-19 after visiting a prison overrun by the virus and, as of Friday, inmates or staff had tested positive at 57 prisons. More than 10,000 inmates and almost 2,000 staff have tested positive." The system is overwhelmed and facing unprecedented demands to address the coronavirus pandemic in prisons before the crisis escalates. Social distancing and other recommended safety precautions are impossible to implement in prison environments, endangering the individual prisoners, but also the staff, families, and communities where these people reside.

A successful appeal to grant clemency to the Florida Five could mean the difference between life and death. I support the clemency applications submitted by the Innocence Project of Florida on behalf of these innocent individuals because each has served a significant portion of a sentence for a crime there is strong evidence they did not commit. Every moment these five innocent people spend incarcerated is another second they spend unjustly separated from their families, loved ones, and their entire community and facing danger remaining in the infectious prison environment. We must act now if we want to prevent more deaths of prisoners from the uncontrolled outbreak of the virus. In the case of the Florida Five, there exists significant evidence supporting their innocence and I ask you to consider granting clemency for Amanda Brumfield, Randy Seal, Thomas Gilbert, Leo Schofield, and Dustin Duty.

Thank you for your time and patience in the consideration of this request.

Sincerely,

[YOUR NAME HERE]

[CITY, STATE]



#SetThemFree Twitter Posts

Twitter graphics [here](#).

Option 1: The pandemic has brought the legal system to a halt + our clients Amanda Brumfield, Randy Seal, Thomas Gilbert, Leo Schofield, + Dustin Duty need your help. The #FloridaFive are innocent + imprisoned, at high risk of contracting the virus. Sign + share to petition for their clemency!
tinyurl.com/floridafive

Option 2: We are urging Florida's Board of Executive Clemency to grant clemency to 5 of our innocent clients. Amanda Brumfield, Randy Seal, Thomas Gilbert, Leo Schofield, and Dustin Duty are innocent. Each day behind bars in the pandemic puts their lives at risk. Sign IPF's petition to support the #FloridaFive + #SetThemFree! **tinyurl.com/floridafive**

Option 3: The largest coronavirus outbreaks are in prisons. The #FloridaFive are wrongfully incarcerated as we speak. Can you help us advocate for their freedom? Sign IPF's commutation petition to support #SetThemFree! **tinyurl.com/floridafive**

Option 4: Amanda Brumfield was convicted in 2009 of manslaughter, but evidence shows that the tragic death in her case wasn't the result of a crime. If you want to help her regain freedom, sign our petition to free the #FloridaFive! **tinyurl.com/floridafive**

Option 5: Randy Seal was sentenced to life for murder by arson, but there is no evidence the fire was intentionally set. State experts now agree. He's been imprisoned for more than 16 yrs. To help him regain freedom, please sign our petition to free the #FloridaFive! **tinyurl.com/floridafive**

Option 6: Thomas Gilbert has been in prison for 46 years. Despite another person's confession to the murder in the case and no physical evidence tying him to the crime, he remains in prison. His age makes him more vulnerable if he contracts the virus. Sign + share our petition for the #FloridaFive!
tinyurl.com/floridafive

Option 7: Leo Schofield was convicted of murder, despite the corroborated confession of the actual perpetrator, Schofield has been imprisoned for over 33 years. He's innocent and at increased risk of contracting the virus in prison. Sign + share our petition to #SetThemFree!
tinyurl.com/floridafive

Option 8: Dustin Duty was sentenced to 20 years for armed robbery, even though his boss gave an alibi that he was working during the robbery. Duty's served over a decade and he's at risk of death from getting COVID-19. He's innocent. Sign + share our petition to #SetThemFree!
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#SetThemFree Facebook Posts

Facebook graphics [here](#).

Option 1:

In July 2020, the Innocence Project of Florida filed Applications for Clemency for five innocent clients, known as the Florida 5. While the Innocence Project of Florida represents dozens of individuals wrongfully convicted throughout Florida, the Florida 5 all have significant evidence of their factual innocence, have completed substantial litigation, and have had their efforts to find vindication in the courts slowed and frustrated by the onset of the COVID-19 pandemic. Sign share our petition to advocate for granting clemency! **tinyurl.com/floridafive**

Option 2:

We are urging Florida's Board of Executive Clemency to grant clemency to 5 of our innocent clients. Amanda Brumfield, Randy Seal, Thomas Gilbert, Leo Schofield, and Dustin Duty are innocent. Each day behind bars in the pandemic puts their lives at risk. Florida has become the epicenter of the COVID-19 epidemic, with the virus impacting not only the general population but spreading more aggressively in jails and prisons. All of the Florida 5 are faced with increased susceptibility to contracting COVID-19 due to their present carceral situation. Sign IPF's petition to support the #FloridaFive + #SetThemFree! **tinyurl.com/floridafive**

Option 3:

The largest coronavirus outbreaks in Florida are in prisons. The #FloridaFive are wrongfully incarcerated as we speak. Can you help us advocate for their freedom? Sign IPF's commutation petition to support #SetThemFree! **tinyurl.com/floridafive**

Option 4:

"The cases of the Florida 5 are different in many ways, but are the same in one significant way—evidence demonstrates that they are innocent. We urge the Board of Executive Clemency to review these cases, set them for their September hearing, and rely on the substantial evidence of innocence as a basis to rectify their wrongful convictions by granting them each a pardon." Krista Dolan, IPF Staff Attorney. Sign our petition and advocate for freeing the #FloridaFive!

<https://www.floridainnocence.org/clemency>

Option 5:

In a pandemic, justice cannot be put on hold. "The Florida 5 are now at substantial risk of contracting a deadly virus that has also ground their efforts to achieve vindication in the courts to a halt. All of the Florida 5 have served substantial time in prison and allowing them to reach the safety of home while keeping them healthy and alive to continue to seek full vindication is a just outcome. We urge the Board of Executive Clemency to at least commute the sentences of each of the Florida 5 to time-served." Seth Miller, IPF Executive Director. Sign + share our petition to free the #FloridaFive.

<https://www.floridainnocence.org/clemency>



#SetThemFree Instagram Posts

Instagram graphics [here](#).

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Unlock the Truth

INNOCENCE PROJECT OF FLORIDA