

OHIO INNOCENCE PROJECT (OIP) APPLICATION

NAME: _____

INMATE NUMBER: _____ **DATE OF BIRTH:** _____

SOCIAL SECURITY NUMBER: _____

CURRENT CORRECTIONAL INSTITUTION AND ADDRESS:

CASE MANAGER NAME AND PHONE NUMBER: _____

COUNTY OF CONVICTION: _____

ARRESTING POLICE DEPT.: _____

DATE OF CONVICTION: _____

COURT CASE DOCKET NUMBER: _____

Please return this application to:

Ohio Innocence Project
P.O. Box 210040
Cincinnati, OH 45221

Please complete this application as fully as possible.
If you do not know the answer to a question, you may leave it blank.

NOTICE: The Ohio Innocence Project and the Ohio Public Defenders (OPD) Wrongful Conviction Unit have signed a Joint Litigation, Common Interest, and Confidentiality Agreement. This means that at times our office and the OPD Wrongful Conviction Unit may share information about cases to avoid duplication of efforts.

OIP Third-Person Contact Authorization Form

This document authorizes and directs any persons or government agencies including, but not limited to, police, prosecution, sheriff, probation, and parole officers and officials, to release to the Ohio Innocence Project and any attorney, staff member, student, or volunteer working under its purview, any and all documents and other materials in their possession pertaining to me or my case. I understand that any records released to the Ohio Innocence Project will remain the property of the Ohio Innocence Project and will not be released to me.

This document authorizes and directs attorneys who have previously represented me or from whom I have sought legal advice and their agents, to release to the Ohio Innocence Project and any attorney, staff member, student, or volunteer working under its purview, any documents pertaining to me or my case and to disclose to the Ohio Innocence Project any confidential information or privileged communications.

This document authorizes any attorney, staff member, student, or volunteer working with the Ohio Innocence Project to communicate with any persons or government agencies having information relevant to the evaluation of my case, including, but not limited to, attorneys who have previously represented me or from whom I have sought legal advice, as well as police, prosecution, sheriff, corrections, probation, and parole officers and officials. This document further authorizes the Ohio Innocence Project to examine, receive, and/or photocopy any and all documents pertaining to me or my case that are in the possession of such persons or agencies.

This document authorizes any attorney, staff member, student, or volunteer working with the Ohio Innocence Project to communicate with any persons or organizations, including, but not limited to, members of the OPD Wrongful Conviction Unit regarding the evaluation, progress, and/or status of my request for legal assistance.

In all other respects, my interactions with the Ohio Innocence Project will remain privileged and confidential.

This document serves as authorization for the Ohio Innocence Project's evaluation and investigation purposes only.

I understand that the Ohio Innocence Project does not represent me.

By signing below, I understand that if evidence comes to light that undermines my innocence claim, the OIP will no longer work on my case and will no longer represent me if representation has started. For example, if the OIP litigates to obtain DNA testing for me, and the DNA test results confirm my guilt, the OIP will discontinue representation. I recognize and acknowledge that the OIP does not represent me at this time, and that the OIP at this time will simply examine my case to determine if representation is appropriate at a later date. I understand that the OIP does not represent me as an attorney unless and until a representation agreement has been entered between myself and the OIP. I also acknowledge that if and when the OIP enters into a representation agreement with me, the OIP will stop working on my case and will no longer represent me if evidence that undermines my innocence claim is discovered.

I have read and fully understand the information above.

Signature of inmate: _____

Date: _____

1. Are you currently incarcerated? Due to limited resources, we are only able to assist inmates who are currently incarcerated.
 Yes No (STOP! We cannot assist you.)
2. Were you convicted in Ohio? Due to limited resources, we are only able to assist inmates who were convicted in Ohio (state and federal charges).
 Yes No (STOP! We cannot assist you.)
3. Are you claiming **actual innocence**? Actual innocence means that you were not involved in ANY way (e.g., self-defense is not an actual innocence claim).
 Yes No (STOP! We cannot assist you.)
4. Are you currently incarcerated on the charge(s) that you are claiming actual innocence for?
 Yes No (STOP! We cannot assist you.)
5. Please list **ALL** the crimes (and the corresponding sentences) that you are **CURRENTLY** incarcerated for. *Failure to disclose this information may result in OIP ending its review of your case.*
6. Please list **ALL** the crimes (and the corresponding sentences) that you have **EVER** been arrested and/or convicted for. *Failure to disclose this information may result in OIP ending its review of your case.*

7. Please describe (in detail) the facts of your case. What was the crime? What did the **prosecutors** say happened?

8. Please describe (in detail) the facts of your case. What do **you** think happened (e.g., was there a struggle, were any fluids discharged like semen, saliva, or blood, did the perpetrator touch several items at the crime scene)?

9. Did you go to trial or plead guilty?

Trial

Pled guilty

10. Did you appeal your conviction(s)?

Yes

No

11. Besides your direct appeal, please list all other post-conviction motions and petitions filed in both state and federal court (for example, federal habeas corpus petition, motion for new trial, etc.). **DO NOT SEND COPIES UNTIL YOU ARE ASKED FOR THEM.**

12. Do you have any litigation pending in court (criminal or civil)?

Yes (Please list all cases below)

No

13. Do you have copies of documents given to you by your trial attorney (e.g., police reports, discovery, bill of particulars, etc.)? If yes, please list below what you possess. **DO NOT SEND COPIES UNTIL YOU ARE ASKED FOR THEM.**

Yes

No

14. Do you currently have a lawyer? If so, please provide his or her name, address, and telephone number.

Yes

No

15. What was the name of the victim(s)?

16. How did you know the victim(s)?

17. How did you become a suspect in the case?

18. Describe your arrest: where were you, when did it happen, and how did it happen?

19. Who were the investigating detectives on your case?

20. Did the police or investigating detective interview you BEFORE you were arrested?
 Yes No

21. Did the police or investigating detective interview you AFTER you were arrested?
 Yes No

22. How many times were you interviewed, and for how long?

23. Was any part of the interview(s) recorded or videotaped? If yes, do you have a copy of the interview?
 Yes No

24. Did you give a written statement?
 Yes No

25. If you gave a statement in any form, please explain why you decided to give a statement, and briefly describe what you told the police.
26. Did you take a lie detector test? If so, when, why, and what was the result?
 Yes No
27. Was any victim or witness asked to identify you prior to trial with a line-up or photos? If so, please describe who identified you and how.
 Yes No
28. Do you know of anyone who was asked to identify you but could not? If so, who, when, and where?
 Yes No
29. Did any eyewitnesses testify, either for you or against you? [An eyewitness is someone who claims he or she actually saw the crime being committed.] If so, please list their names and any information you have about how to contact them.
 Yes No
30. Who was your trial attorney? Was he or she appointed to represent you, or did you hire him or her?
31. Who was the prosecuting attorney?
32. Who was the trial judge?

33. Did you have any co-defendants? Please list all of your co-defendants and any information you have about how to contact them, including their prison number (if known). Did they plead guilty or go to trial? Did any of your co-defendant(s) testify against you?

Yes

No

34. Did you testify on your own behalf? If not, why not?

Yes

No

35. Did any of the victims testify? If so, which one(s)?

Yes

No

36. Did any experts testify for either side? If so, who and what did they say?

Yes

No

37. Did any police informants or snitches testify against you at your trial? If so, who testified and what did they say?

Yes

No

38. Did anyone testify that you confessed to, or admitted being involved in, the crime?

Yes (Please describe below) No

39. Did anybody testify against you in exchange for a promise of leniency in his or her own case?

Yes (Please describe below) No

40. Did anyone who testified against you, including the alleged victim, have a reason to lie?

Yes (Please describe below) No

41. Who else testified for the **prosecution** at your trial?

42. Who testified for the **defense** at your trial?

47. Was any physical and/or biological evidence recovered during the investigation of your case? [Examples of this type of evidence are blood, hair, clothing, weapons, etc.] If so, please describe it.

Yes

No

47a. If applicable, was a rape kit obtained from the alleged victim?

Yes

No

47b. Did you ever see or hear about a report of the test results? If so, what did it say? If you have the DNA report, please send *a copy* along with this application.

Yes (Please describe below) No

47c. Were the results used at trial?

Yes (Please describe below) No

47d. Do you know what lab or individual conducted the test?

Yes (Please name below) No

47e. Do you know whether any physical evidence is still available for testing?

Yes (Please describe below) No

48. Is there new evidence in your case—or could there be new evidence in your case—which would demonstrate your actual innocence? Before you answer this question, below, please read the following discussion of “new evidence” very carefully.

“New evidence,” means evidence that was not used by either side—the defense or the prosecution—at the time you were convicted. Some examples of new evidence include:

- 1) A DNA test that a lab contacted by the Ohio Innocence Project could perform on the crime scene evidence which would conclusively prove that you did not commit the crime.
- 2) A DNA test which a lab could perform which would point to someone else having committed the crime.
- 3) A DNA test on the crime scene evidence which could be put in the national DNA database of convicted felons and which might match to a convicted felon showing that that person actually committed the crime.
- 4) A key state witness against you at the time you were convicted who has now recanted his or her testimony. By “recanted,” we mean that the witness is now saying that he or she lied against you before, or was mistaken before, and that they now are saying something different that shows you are innocent.
- 5) A newly discovered witness who has recently come forward, and who did not testify before, who can now testify that you are innocent. This can be someone who saw the crime and says it was someone else who they saw do it, or someone who provides you with a solid alibi because they were with you somewhere else when the crime occurred.
- 6) Other new science other than DNA, such gunshot residue analysis or new arson science, which could be performed on the crime scene evidence and which would show that you are innocent. (Note: lead bullet analysis and arson science have greatly advanced in recent years. Many old methods that might have been used to convict you are now considered inaccurate. If you were convicted as a result of arson science or gunshot residue analysis, new studies showing those methods were flawed could constitute new evidence).
- 7) Evidence that your lawyer did not present that could have proven you innocent.

****Note:** The above list is not a complete list of the different types of new evidence, but is a list that helps explain the concept of “new evidence” by giving several examples.

Having read the description of “new evidence,” please answer question 48 describing the new evidence in your case:

49. Do you know who committed the crime(s) of which you were convicted? If yes, please name them below and provide that person’s whereabouts (if known).

Yes

No

50. How do you know that this person is the true perpetrator?

51. What is your first language?
52. What is the highest grade you completed in school?
53. Is there any reason that corresponding in writing will be difficult for you?
 Yes (Please describe below) No
54. Have you ever received mental health treatment?
 Yes (Please describe below) No
55. Would you be willing to sign a release to allow us to review your medical records?
 Yes No (Please describe why not)
56. Were you employed at the time of your arrest? If so, please provide the name, address, and telephone number of your employer:
 Yes No
57. Please provide the names, addresses, and phone numbers of family and friends who might have information regarding your case. *By writing these names, you are giving us permission to talk to them about your case.*

58. Please tell us anything else you would like us to know that could help us prove your innocence. Use additional sheets of paper if necessary.

Signature of inmate: _____

Date: _____