

THE INNOCENCE PROJECT OF TEXAS QUESTIONNAIRE

Waiver

The Innocence Project of Texas is preparing to commence a preliminary review into your case. However, before we can begin, we must make sure that you understand that our willingness to conduct a review does not establish an attorney-client relationship between you and Jeff Blackburn, Nicholas Vilbas, Jennifer Mirll, or any student, staff member, or attorney conducting an investigation. Accordingly, Jeff Blackburn, Nicholas Vilbas, Jennifer Mirll, or any student, staff member, or attorney conducting an investigation in your case is not agreeing to serve as your attorney at this time.

By signing this waiver you agree to allow The Innocence Project of Texas to contact any and all attorneys connected with your case. Furthermore, you are agreeing to allow these attorneys to release all information regarding your case to The Innocence Project of Texas. Also, you are agreeing to give The Innocence Project of Texas the right to use your name in its database, which may include publication on a network database accessible to other innocence programs across the state.

If you are willing to permit us to conduct an investigation based on the terms of the preceding paragraphs, then please sign and date a copy of this letter and return it to us.

Signature: _____ DOB: _____

Printed Name: _____ TDCJ#: _____

Date: _____

Instructions: Please answer the following questions on your own paper.

Answer the following questions to the best of your ability. If you do not know the answer to a question but know someone who does know the answer, please give the name and address and/or phone number of the person who you think knows the answer in the space provided. If a question is not applicable to your case write "N/A" in the space provided. Upon completion, please mail your questionnaire back to the following address as soon as possible:

The Innocence Project of Texas
1511 Texas Avenue
Lubbock, Texas 79401

**** IF APPLICABLE, PLEASE PROVIDE A COPY OF YOUR APPELLATE BRIEF OR
OPINION WHEN SUBMITTING THIS QUESTIONNAIRE ****

1. Please provide your current mailing address including TDCJ number.
2. Offense and date of offense
3. Date of arrest
4. Name and address of investigating detective
5. Charges
6. Name(s) and age(s) of victims
7. Were you offered a plea? What was it? Why did you turn it down, or did you accept it?
8. Date and place of conviction (city, county, and state)
9. What were you convicted of?
10. How much time have you served?
11. What is your sentence?

12. When are you eligible for parole?
13. Who was/were your trial attorney(s) (please provide name, address, and telephone)
14. Who was/were the prosecuting District Attorney(s) (please provide name, address, and telephone)
15. Who was the presiding judge?
16. Who decided your guilt and punishment? (Judge or jury)
17. Who filed your direct appeal? Please provide the cause number and date filed, if known.
18. Have there been any habeas proceedings, either state or federal, on your behalf?
19. If so, when and by whom? (pro se or attorney)
20. Please list all grounds for relief that have previously been raised in any habeas writs.
21. Please list those documents you can make available to us. *Please do not send anything until we specifically request it, though.* (hearing transcript(s), trial transcript(s), police report(s), laboratory report(s), appellate brief(s), habeas brief(s))
22. What is your primary language?
23. What is the highest level of education you have completed?
24. Please list the school(s) you attended.
25. Are you actually innocent of the crime you were convicted for?
26. Describe what the police or prosecutor say you did to commit the crime for which you were convicted but are claiming innocence. If you were charged as an accomplice, or as a party to the crime, describe what role they say you played in the offense.
27. Describe your version of events. Include a detailed description of what you were doing that day, what happened, and any other information you feel is important, including why you think important information was not presented on your behalf.
28. Briefly describe any **NEW** evidence, if any that exists in your case that would lead to proof of innocence.

By "new" evidence, we mean evidence that has not been presented to a court in an appeal or habeas proceeding. IF YOU LEAVE THIS QUESTION BLANK, THE INNOCENCE PROJECT OF TEXAS CANNOT INVESTIGATE YOUR CLAIM.

29. Why do you think you were identified as a suspect in this case?
30. To your knowledge, were there any other suspects the police investigated? If so, whom?
31. To your knowledge, why did the investigation into that person stop?
32. Do you have an alibi that proves you could not have committed the crime, and if so, what is your alibi?
33. Do you have some way to prove your alibi, and if so, how?
34. When was the first time you spoke with your trial lawyer?
35. Did the police or investigating detective(s) ever interview you, and if so, how many times were you interviewed?
36. How long were the interviews?
37. Did you ask to speak to a lawyer during the interview(s), and if so, did the interview stop when you requested your lawyer?
38. Did you sign any papers during the interview, and if so, what did you sign?
39. Did you give a statement or confession, and if so, to whom did you give the statement or confession?
40. Was it a written statement, and if so, did you sign it?
41. Why did you give a statement?
42. Was the statement admitted at trial?
43. Did you testify at your trial? Why or why not?
44. Did any co-defendants testify at your trial, and if so, please provide their name(s)?
45. Do you know if the co-defendant(s) were offered anything in exchange for their testimony, and if so, what were they offered?

46. Did any surviving family member or friend give a victim impact statement, and if so, who?
47. Did any of your family members or friends testify on your behalf, and if so, who?
48. Did any expert(s) testify for either the defense or prosecution? (for example, a doctor, handwriting expert, scientist, etc.)
49. If so, please provide the name, address, telephone and side (defense or prosecution) for which the expert testified.
50. Who else testified at your trial? Please provide the name(s), address(es), phone number(s), and side(s) for whom these people testified.
51. Did an eyewitness identify you, and if so, when and where? (for example, during the scene of the crime, photo line up, in court, other)
52. Did anyone else identify or implicate you, and if so, who, where, and when?
53. If someone identified you, did that person testify?
54. Did you want to plead guilty or go to trial, and why?
55. Was any physical and/or biological evidence recovered during the investigation of your case?
56. If physical, non-biological evidence (e.g. fingerprints, weapons, fibers, tire tracks, etc.) was recovered, what was it?
57. Was that evidence used at trial?

IF BIOLOGICAL EVIDENCE (DNA) WAS RECOVERED, PLEASE ANSWER THE FOLLOWING QUESTIONS; OTHERWISE, YOU HAVE COMPLETED THIS QUESTIONNAIRE:

58. Were any bodily fluids or hair samples obtained from the victim, and if so, what samples were obtained? (for example, vaginal swabs, anal swabs, blood, hair, fingernail scrapings, saliva, etc.)
59. Were any bodily fluids or hair samples obtained from you, and if so, what samples were obtained?
60. Who took the samples from you and where was it done?
61. Was any biological evidence found at the crime scene, and if so, what was found?
62. Were bodily fluids or hair(s) found on you, your clothing, in your car, home, etc., and if so, what was found and where?
63. Was any biological evidence found on the victim or at the crime scene, and if so, what was found and where? (for example, blood or semen stains, hair, etc.)
64. Was any testing done on the bodily fluids or hair samples, and if so, what kind of testing was performed?
65. Who arranged to have the testing done, prosecution or defense?
66. Which lab performed the tests?
67. If applicable, who arranged to have the second test done, prosecution or defense?
68. Which lab performed the second test?
69. Was testing done on all of the physical/biological evidence recovered during the investigation of your case?
70. Were the results of the test(s) used at trial, and if no, why not?
71. Were the results of the test(s) used on appeal, and if no, why not?
72. Please list what item(s) of evidence you think can be subjected to a DNA test and state how that test will show you are innocent.
73. Is there any physical evidence that is still available other than bodily fluids or hair, and if so, what is it, where is it, and who has it?

END OF QUESTIONNAIRE