

Oregon Innocence Project Screening Questionnaire

Please return to: OIP at University of Oregon School of Law
Attention screener • P.O. Box 3629 • Eugene, OR 97403

NAME _____ TODAY'S DATE _____

PRISON INMATE (DOC) #: _____ DATE OF BIRTH. _____

ADDRESS: _____

SUPERIOR COURT CASE # _____ APPELLATE CASE # _____

PRISON COUNSELOR, NAME AND NUMBER _____

DATE OF OFFENSE: _____ CONVICTION DATE: _____

EXPECTED RELEASE DATE: _____

INSTRUCTIONS: Please answer, as fully as you can, all of the questions that apply to your case. The more information we have, the better we can assess your case.

I. Briefly Describe the Prosecution's Theory of Your Case at Trial (what the prosecutor said happened):

Briefly Describe the Defense's Theory of Your Case at Trial (what your defense attorney said happened and why you are innocent of the crime):

II. Briefly Describe Why Your Case Should Be Taken By The Oregon Innocence Project. Explain Why You Are Innocent And Why You Believe You Were Wrongly Convicted.

Would You Be Willing To Submit To A DNA Test Knowing That The Test Could Prove Your Guilt OR Innocence? Yes _____ No _____

Is There Any Physical Evidence Still Available? Yes _____ No _____
If Yes,
What is It?

Where Is It?

Who Has It?

Was It Used At Trial? Yes _____ No _____ If No, Why Not?

III. Attorney and Court Information

1. Date Of Incident:
2. Date Of Arrest:
3. Investigating Detective (*Name, Address*):
4. Charges:
5. Name(s) Of Alleged Victim(s):
6. Date and Place Of Conviction (*Town, County, State*):
7. What Were You Convicted Of?
8. What is Your Sentence?
9. Pre-Trial Attorney (*Name, Address, Telephone*):
10. Pre-Trial Prosecuting Attorney (*Name, Address, Telephone*):
11. Trial Attorney (*Name, Address, Telephone*):
12. Trial Prosecuting Attorney (*Name, Address, Telephone*):

13. Judge (*Name*):

APPEAL (if you did NOT appeal, please go to Section IV, CASE MATERIALS)

14. What Court Heard Your First Appeal? _____

15. On Appeal Was Conviction:

Affirmed _____ Reversed _____

Date Decided: _____

Date of Mandate: _____

Cite to Published Opinion _____

16. Was a Petition for Review with Oregon Supreme Court Filed?

Yes ___ No ___

Granted? Yes ___ No ___

Date Granted or Denied _____

17. Did the Oregon Supreme Court Hear Your Case? Yes ___ No ___

If yes, was conviction Affirmed _____ Reversed _____

Date Decided: _____

Cite to Published Opinion _____

18. Was a Personal Restraint Petition (PRP), Habeas Corpus Petition, or other collateral attack filed? Yes _____ No _____

Date Filed:

Who Filed the Petition? You _____ An Attorney _____ Other _____

If an attorney filed your petition, please provide us the *attorney's name, address, and telephone number*:

What issues were raised in your PRP or Habeas Corpus Petition?

Has the Court Responded to your PRP or Habeas Corpus Petition?

Yes___ No___

If Yes, Date Decided: _____

If Yes, What was the Court's Response? _____

IV. Case Materials

(Check those documents you can make available to us. Please do not send anything until we specifically request it)

22. Hearing Transcript(s) _____

23. Trial Transcript(s) _____

24. Police Report(s) _____
(Please describe):

25. Laboratory Report(s) _____
(Please describe):

26. Appellate Briefs:
Appellant's Opening Brief (defense) _____
Respondent's Brief (prosecution) _____
Appellant's Reply Brief _____
Court of Appeal Opinion _____
Petition for Review _____

27. Other Post-Conviction Documents: _____
(Please describe):

V. About You and Your Case

28. What Is Your First Language?

I would be better able to answer this question if it were in the _____ language and I ask that you send me a questionnaire in that language.

29. What Is The Highest Grade Level You Completed In School? _____

30. Please Give A Brief Description Of Your Work History.

31. Does New Evidence Exist In Your Case That Would Lead To Proving Your Innocence? Describe. (Note: evidence introduced at trial is **not** new evidence).

32. Why Do You Think The Victim(s), If Any, Made Complaints Against You?

33. Can You Prove You Were NOT At The Scene Of The Crime When The Crime Was Committed? Yes _____ No _____
If yes, how?

Can Anyone Else Verify This?

Do you have some OTHER way to prove this alibi? No _____ Yes _____
If yes, how?

34. Did The Police Or Investigating Detective Ever Interview You?

Yes _____ No _____

A. How long were you interviewed? _____

B. Did you ask to speak with a lawyer during the interview? _____

35. When Was The First Time You Spoke With Your Lawyer After You Were Arrested?

36. Did You Give A Statement/Confession? Yes _____ No _____

If Yes, To Whom Did You Give The Statement?

A. Was your lawyer with you when you signed the statement? Yes _____ No _____

B. Was it a written statement? Yes _____ No _____

If yes, did you sign it? Yes _____ No _____

C. Why did you give a statement?

37. Did You Plead Guilty? Yes _____ No _____

IF YOU WENT TO TRIAL, please answer the following questions: (if you did NOT go to trial please go to question #45)

38. Did You Testify? Yes _____ No _____

If no, why didn't you testify?

39. Did Any Alleged Victim(s) Testify? Yes _____ No _____

40. Did An Expert(s) Testify For The Defense Or
the Prosecution? (Doctors, Scientists...) Yes _____ No _____

A. What Kind Of Expert(s) Testified For The Defense? (*Include Names,
Addresses, & Telephone Numbers*)

B. What Kind Of Expert(s) Testified For The Prosecution? (*Include
Names, Addresses, Telephone Numbers*)

41. Who Else Testified At Your Trial?
Defense (*Name(s), Address, Telephone*):

Prosecution (*Name(s), Address, Telephone*):

42. Did Any Alleged Victim(s) Identify You? Yes _____ No _____
If yes, when and where? (*Example: At the scene of the crime, line up, in
court, other*)

43. Did Anyone Else Identify You? Yes _____ No _____

If yes, who, when and where?

44. If Someone Other Than The Alleged Victim
Identified You, Did That Person Testify? Yes _____ No _____
(*Name, Address, Telephone*):

45. What is the Race of the Victim(s) _____
Initial Description of the Perpetrator _____
You _____

IF YOU PLED GUILTY, please answer the following questions: (If you did not plead guilty, go to question #57)

46. Did Your Attorney Talk To You About The Plea Agreement? Yes _____ No _____
If yes, what did your attorney say to you?
47. If English is Not Your First Language, Did An Interpreter Explain The Plea Agreement To You? Yes _____ No _____
48. Did You Understand The Plea Agreement Yes _____ No _____
A. Did you understand the charges? Yes _____ No _____
B. What did the plea mean to you?
49. Was The Plea In Writing? Yes _____ No _____
50. If The Plea Was In Writing, Did You Sign It? Yes _____ No _____
If yes, was your attorney present? Yes _____ No _____
51. Did You Understand What You Were Signing? Yes _____ No _____
If not, what did you think you signed?
52. When Did You Go To Court And Plead Guilty?
53. Did The Judge Ask You If You Understood The Plea Agreement? Yes _____ No _____
54. Was Your Attorney With You In Court When You Pled Guilty? Yes _____ No _____
If not, did you ask for your attorney? Yes _____ No _____
55. Did You Want To Plead Guilty Or Did You Want To Go To Trial?

56. Why Did You Plead Guilty?

57. Did You Know That You Could Attempt to
Withdraw Your Plea? Yes _____ No _____

If yes, did you try to withdraw your plea? Yes _____ No _____

IF PHYSICAL AND/OR BIOLOGICAL EVIDENCE WAS RECOVERED, please answer questions 58-76 as completely as you can: (If physical and/or biological evidence was NOT found, go to question 77)

58. Was Any Physical And/Or Biological Evidence
Recovered During The Investigation Of Your Case? Yes _____ No _____

59. Were Any Bodily Fluids, Hair Samples or Fibers Obtained From the Victim?
(For example: vaginal or anal swabs, blood, or saliva) Yes _____ No _____
If yes, what samples were obtained?

60. Were Any Bodily Fluids, Hair Samples or Fibers Obtained
From You? Yes _____ No _____
If yes, what samples were obtained?

61. Were Bodily Fluids, Hair or Fibers Found At The
Crime Scene? Yes _____ No _____
If yes, what was found?

62. Were Bodily Fluids or Hair Found On Your Clothing? Yes _____ No _____
If yes, what was found?

63. Were Any Bodily Fluids Found On The Victim's Clothing?
(For example: blood or semen stains) Yes _____ No _____
If yes, what was found?

64. Was Any Testing Done On The Bodily Fluids,
Hair or Fiber Samples? Yes _____ No _____

65. What Kind Of Testing Was Done?

66. Who Had The Testing Done? Prosecution _____ Defense _____

67. Who Actually Did The Test? (*Name, Address, Phone Number*)

What Were The Results Of The Test?

68. Was A Second Test Done? Yes _____ No _____

69. What Type Of Testing Was Done?

70. Who Arranged The Second Test? Prosecution _____ Defense _____

71. Who Actually Did The Test? (*Name, Address, Phone Number*)

What Were The Results Of The Test?

72. Was Testing Done On All Of The Physical/Biological Evidence
Recovered During Your Case's Investigation? Yes _____ No _____

Was Anything NOT Tested?

73. Were The Results Of The Tests Used At Trial? Yes _____ No _____
If not, why not?

74. Were The Results Of The Tests Used After Trial? Yes _____ No _____
If not, why not?

75. List ANY Item(s) Of Evidence That you Think Can Be Subjected To A DNA Test (And how that test will show that you are innocent):

76. Would You Be Willing To Submit To A DNA Test Knowing That The Test Could Confirm Your Guilt Or Innocence? Yes _____ No _____

77. Would You Be Willing To Submit To A Lie Detector Test To Assist In Proving Your Innocence? Yes _____ No _____

78. Please Give Names, Addresses And Phone Numbers Of Family And Friends Who Have Information Regarding Your Case:

79. Is There ANY Other Information You Think Would Be Helpful For Us To Know About your Case?