



Name _____ Prison # _____ Release Date _____ / LIFE

NOTE: The University of Sydney Not Guilty Project reviews cases for the sole purpose of investigating claims of actual innocence. We do not act as legal counsel to any person whose case is being investigated.

Information About Your Case and the Crime

In order to make a decision about whether we will be able to assist you, it is important that we know as much as possible about your case and the crime that resulted in your conviction. Please complete this questionnaire (and any additional forms included) and return them to us as quickly as possible. Answer every question as fully as possible; you may use additional sheets of paper if you need more space. Where necessary, use D/K for Don't Know or N/A for Not Applicable to your case. Please send us as many as possible of the documents requested on the last page of this questionnaire.

GENERAL INFORMATION

Full Name: _____

Any Aliases: _____

Date of Birth (DD/MM/YYYY): _____

What is your first language? _____

Ethnicity: _____

Highest grade/qualification completed in school/tertiary institution: _____



THE CRIME

In the space provided below, please describe the crime(s) that you were alleged to have committed. Whether or not you were in any way involved, you would, by now, know a great deal about the case. So please give us a description of what happened, when it happened, where it happened and all persons involved. Use additional sheets if necessary.

1. Please state the crime(s) for which you are claiming innocence & the date and time of day it (allegedly) occurred. Please include the victim's name and age at the time the crime(s) occurred.

2. Where did the crime take place? (City, address, or location.) Describe the scene as best you can. Note any unusual weather conditions.



3. List all persons who may have been involved. (Include full names, ages, and addresses, as well as his or her role. Include co-defendants, all others who were involved in the crime and alternative suspects.)

4. Describe what the prosecution or the police claim happened during the crime for which you were convicted. (*Please be as detailed as you can in your response; if you are stating you were not present at the crime, then describe what others say happened during the crime.*)



A series of horizontal lines for writing, consisting of 25 evenly spaced lines that span the width of the page.



LAWYER AND COURT INFORMATION

Arrest and Trial

1. Date and place of your arrest:

2. County of arrest:

3. Investigating police department and detective(s) (Name, Department, Address):

4. Were you convicted: (please check one)

At Trial

By Plea Agreement

5. If by plea agreement was it: (please check one)

Guilty Plea

Not Guilty

6. Please list the Court and Court Case Numbers: _____



7. Name of trial judge: _____

8. Who was your barrister and solicitor? (Name, Address, Telephone)

If you had different barristers and or solicitors at different points in the proceedings (including appeal), please list both.

a. Was your barrister: (please check one)

hired by you legal aid appointed by the court

b. When was the first time you spoke to your barrister?

9. Public Prosecutor: (Name, Address, Telephone)



10. List the name(s) of any co-defendant(s) in your case and tell us whether their charges were dropped, they were acquitted, they were convicted, or they pled guilty:

(please check one box for each co-defendant)

Co-Defendant #1:

Name: _____

Charges Dropped Acquitted at Trial Convicted at Trial Pleaded Guilty

Co-Defendant #2:

Name: _____

Charges Dropped Acquitted at Trial Convicted at Trial Pleaded Guilty

Co-Defendant #3:

Name: _____

Charges Dropped Acquitted at Trial Convicted at Trial Pleaded Guilty

Co-Defendant #4:

Name: _____

Charges Dropped Acquitted at Trial Convicted at Trial Pleaded Guilty

Co-Defendant #5:

Name: _____

Charges Dropped Acquitted at Trial Convicted at Trial Pleaded Guilty



Appeals

11. Has there been an appeal? Yes No

12. If Yes:

Date appeal filed: _____ Date appeal decided: _____
OR Not Yet Decided _____

What issues were raised in your direct appeal?

If No:

Were you advised of your right to an appeal? _____

Did you refuse your right to an appeal at the time of your conviction? _____

13. Since your trial or appeal, have you or anyone on your behalf filed any other post-conviction applications? Yes No

If yes, please indicate in what court (including federal or state) the application was filed, if there was a hearing, the decision and the date decided.

If yes, what issues were raised in your post-conviction applications?



14. Who was your Appellate barrister? (Name, Address, Telephone)

a. Was your appellate barrister: (please check one)

hired by you

Legal aid

appointed by the court

15. Appellate Lawyer for the State: (Name, Address, Telephone)



ABOUT YOUR CASE

16. List each of the crimes of which you were convicted and for each, the sentence imposed. Please describe the defense raised at trial for each crime:
(For example, that you were wrongfully identified as the assailant by an eyewitness.)

Crime:

Sentence:

Time Remaining:

Defence:

Crime:

Sentence:

Time Remaining:

Defence:



a. How much total consecutive time was imposed? _____

b. How much total consecutive time remains? _____

17. Did the police or investigating detective ever interview you?

Yes No

If Yes,

a. How many times were you interviewed? _____

b. Where and how long were the interviews?

c. Did you ask to speak with a lawyer during the interview? Yes No

d. Did you sign papers during the police interview? Yes No

If Yes, what did you sign?

e. Did you sign papers after the interview? Yes No

If Yes, what did you sign?



23. Identify all persons who have specific knowledge that supports your claim of innocence. Indicate what each knows. If the person was not called to testify at trial, indicate why.

Person's Name:

What does s/he know:

Did the person testify at trial?

If not, please explain why



Person's Name:

What does s/he know:

Did the person testify at trial?

If not, please explain why

Person's Name:

What does s/he know:

Did the person testify at trial?

If not, please explain why

ψ
not guilty



PHYSICAL EVIDENCE

24. Were any fingerprints discovered during the investigation of your case?

Yes No

If Yes, please explain.

25. Were any bodily fluids or hair samples (*e.g., vaginal swabs, anal swabs, blood, or saliva*) obtained from the victim?

Yes No

If Yes, what samples were obtained?

26. Were any bodily fluids or hair samples obtained from you?

Yes No

If Yes, what samples were obtained?

27. Were bodily fluids or hair found at the crime scene? Yes No

If Yes, what was found?



28. Were any bodily fluids found on the victim's clothing? Yes No

If Yes, what was found?

29. Was any testing done on the bodily fluids or hair samples? Yes No

If Yes,

a. What type of testing was done?

b. Who arranged for the testing? Prosecution Defense

Other _____

c. Who conducted the test? Please provide the name, address and telephone number if you have it.



d. Was a second test done?

Yes

No

If Yes,

i. What type of testing was done?

ii. Who arranged for the testing?

Prosecution

Defense

Other _____

iii. Who conducted the test? *Please provide the name, address and telephone number if you have it.*

30. Was testing done on all of the physical/biological evidence recovered during

the investigation of your case?

Yes

No

If No, what was not tested?

31. What test results were used at your trial?



What did those test results show?

32. Were any of the test results not used at trial? Yes No

If Yes, what did those test results show?

33. List any item or items of evidence you believe should have been submitted to DNA or other testing and indicate how you believe that test will show that you are innocent:

Why was this item not tested or not used at trial?



34. Are you willing to have your DNA run against the national DNA database?

Yes

No

If No, why not?



WITNESS/TESTIMONY INFORMATION

35. Did you testify at trial? Yes No
If "No," why not?

36. Did the victim(s) identify you? Yes No

If yes, Lineup Photo Array

Other (please specify) _____

37. Why do you think the victim made a complaint against you?

38. Did the victim(s) testify at trial? Yes No

If Yes, please indicate who testified.

Please provide the person's address, if you have it.



39. List any other witnesses who identified you.

Please provide the name, address, and telephone number if you have them. Please indicate the form of identification -- whether they identified you in a lineup, photo array, or otherwise. Also indicate whether the witness testified and whether they testified for the prosecution or the defense.

Name:

Address and telephone:

Form: (lineup, photo array/lineup, other)

Did the witness testify?

Yes

No

If "Yes," for whom?

Name:

Address and telephone:

Form: (lineup, photo array/lineup, other)

Did the witness testify?

Yes

No

If "Yes," for whom?



Name:

Address and telephone:

Form: (lineup, photo array/lineup, other)

Did the witness testify?

Yes

No

If "Yes," for whom?

Name:

Address and telephone:

Form: (lineup, photo array/lineup, other)

Did the witness testify?

Yes

No

If "Yes," for whom?

Name:

Address and telephone:

Form: (lineup, photo array/lineup, other)



Did the witness testify?

Yes

No

If "Yes," for whom?

Name:

Address and telephone:

Form: (lineup, photo array/lineup, other)

Did the witness testify?

Yes

No

If "Yes," for whom?

40. List any experts who testified at your trial and the nature of their testimony.

(For example, doctor, handwriting expert, scientist.)

Expert's Name:

Address and telephone:

Nature of testimony

For whom did they testify?

Prosecution

Defence

Expert's Name:

Address and telephone:

Nature of testimony



For whom did they testify?

Prosecution

Defence

Expert's Name:

Address and telephone:

Nature of testimony

For whom did they testify?

Prosecution

Defence

Expert's Name:

Address and telephone:

Nature of testimony

For whom did they testify?

Prosecution

Defence

41. List any other persons who testified at your trial and the nature of their testimony.

Other Witness' Name:

Address and telephone:

Nature of testimony

For whom did they testify?

Prosecution

Defence



Other Witness' Name:

Address and telephone:

Nature of testimony

For whom did they testify? Prosecution Defence

Other Witness' Name:

Address and telephone:

Nature of testimony

For whom did they testify? Prosecution Defence

Other Witness' Name:

Address and telephone:

Nature of testimony

For whom did they testify? Prosecution Defence

Other Witness' Name:

Address and telephone:

Nature of testimony



For whom did they testify?

Prosecution

Defence

Other Witness' Name:

Address and telephone:

Nature of testimony

For whom did they testify?

Prosecution

Defence



CASE MATERIALS

Please indicate with a check mark below what documents and legal materials you have in your possession or you could get from a family member or friend. If you do not have a document, but know who does, please indicate their name and relationship to you in the space provided.

Legal Documents: **You Have:** **Family or Friend Has (Who)**

Direct Appeal

Defense brief _____ _____

State response _____ _____

Appeals Court Decision _____ _____

Post-conviction appeal (MAR)

Defense brief _____ _____

State brief _____ _____

Superior Court decision _____ _____

Federal Habeas petition:

Defense _____ _____

State response _____ _____

Decision _____ _____

Police Reports:

 Incident Report _____ _____

 Evidence Report _____ _____

 Investigation Report _____ _____

 Witness Interviews _____ _____

 Laboratory Reports _____ _____

 Other _____ _____

Defense Investigative Reports (Specify)

_____ _____ _____

_____ _____ _____

Newspaper Clippings re crime/trial: _____

Transcripts:

Pre-Trial Hearing _____ _____

Trial _____ _____

Please list any other legal papers or documents that you have or could get:



Have you previously contacted Prisoner Legal Services about your case?

Yes No

If yes, did you send PLS documents or case materials? Yes No

Are you currently represented by a barrister? Yes No

If yes, please provide us with your barrister's name and contact information:
