



**Please fill out the Humane Investigation Project (HIP) application to determine if we can assist you. Please be advised that HIP does not take on the following types of cases at this time: the inmate has no newly discovered evidence of innocence, has discharged their sentence or are on parole, has an attorney, has filed multiple writs, or has no victim recantation in a sexual assault case. Please complete and return the enclosed questionnaire and the notarized consent for release of information to: Carmen Roe & Patrick McCann, Attorneys at Law, Humane Investigation Project, 5300 N. Braeswood #4-278, Houston, Texas 77096 Please write "LEGAL MAIL" on the envelope, and do not send any original documents as we will not be able to return them.**

**HIP CONSENT FOR RELEASE OF INFORMATION**

By signing below, I, \_\_\_\_\_, (Date of Birth: \_\_\_\_\_)

Social Security Number: \_\_\_\_\_) authorize the **HUMANE INVESTIGATION PROJECT** (hereinafter "HIP"), its staff, or representatives to (1) investigate my case, (2) communicate with any and all entities that may have information that HIP deems necessary in evaluating my case, (3) receive from any and all entities any and all of the following items that I am authorizing release of by signing this form: records, files, reports and information of any kind related to me or to any criminal case involving me. For the purposes of this form, the term "entities" includes, but is not limited to, persons, governmental agencies, my current and former attorneys, prosecutors, witnesses, prison and jail employees, board of pardons and paroles employees, probation and parole officers, the Texas Department of Criminal Justice Correctional Institutions Division, Custodian of Medical Records, Unit Classification, any state or federal penal institution, juvenile facilities, mental health or medical facilities, rehabilitation clinics or centers, court or probation departments (including juvenile), the Federal Bureau of Investigation or any other federal, state, or local law enforcement agency, my present and past employers, public or private schools. For the purposes of this form, the term "information" includes, but is not limited to: police reports, witness statements, post-conviction pleadings, correctional records, pre-sentencing reports and other documents in prison social services and legal files, legal papers, court documents, laboratory analysis, probation reports, attorney's files and records, military records, prison reports and records, all medical and psychiatric or mental health records, notes, nursing sheets, hospitalization records, physician notes or prescriptions, substance abuse records, employment records. Such records should be released to HIP immediately upon request. I specifically waive the attorney-client privilege existing between myself and my former attorneys, paralegals, legal assistants, investigators and other representatives who worked on my behalf and grant them permission to speak to HIP's attorneys, staff and representatives investigating my case. I understand that there may be statutes, rules and regulations that protect my confidentiality of some of the records, files, reports and information covered by this release; it is my specific intent to waive the protection of all such statutes, rules and regulations so that confidential information can be shared with HIP. I further authorize HIP to disseminate information, other than confidential information, to other persons or entities as may be necessary to fully investigate my case or to assist me with receiving services from such persons. I understand that by conducting an initial investigation, HIP is not agreeing to represent me. I further understand that at any point HIP, at its sole discretion, may determine that further investigation is not warranted, and is under no obligation to continue to investigate my case. A photocopy of this document shall have the same effect as the original. By my signature below, I represent that this waiver is voluntary and given without any reservation. This authorization is effective until revoked by the undersigned in writing.

Sworn to and subscribed before me

\_\_\_\_\_  
Name:

on this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Notary Public

**1)APPLICANT CHECKLIST – Check the box for each question where the answer is “YES” for your current conviction.**

<input type="checkbox"/> Are you currently incarcerated?
<input type="checkbox"/> Are you factually innocent of the crime you were convicted of?
<input type="checkbox"/> Were you present at the crime scene or in any way involved in the crime?
<input type="checkbox"/> Do you have new, clear, factual, and convincing evidence that (1) proves your innocence, (2) was not available at the time of your trial, and (3) has not been considered by any court?
<input type="checkbox"/> Was it committed in Texas? If not, where?
<input type="checkbox"/> Was it for an offense that occurred while you were incarcerated, on parole, or on probation?
<input type="checkbox"/> Is it a felony?
<input type="checkbox"/> What kind of conviction was it? (circle) State Federal
<input type="checkbox"/> Is it a death penalty conviction?
<input type="checkbox"/> Did your conviction involve a jailhouse snitch?
<input type="checkbox"/> Are you claiming self-defense?
<input type="checkbox"/> Were you convicted under the law of parties?
<input type="checkbox"/> Did you plead guilty, no contest, or nolo contendere?
<input type="checkbox"/> Have you exhausted all your legal remedies?
<input type="checkbox"/> Do you currently have a state or federal writ pending? If yes, explain:
<input type="checkbox"/> Are you currently represented by an attorney? If YES, who? Provide name, address, and phone.
<input type="checkbox"/> Are you working with another innocent project? If yes, who?
<input type="checkbox"/> Have you ever been released to probation/parole on this conviction?
<input type="checkbox"/> Have you had a parole review? If so, what happened?

**2)PERSONAL INFORMATION (use additional pages if needed)**

a)Full Name (first, middle, last):
b)Inmate Number:                      Date of Birth:                      Social Security Number:
c)Current unit/mailing address:
d)If English is <u>not</u> your native language, was an interpreter or other language assistance provided for you during: police questioning? Yes No N/A    attorney meetings? Yes No N/A    court proceedings? Yes No N/A
e)What was the highest grade you completed in school? _____ Please list the schools you have attended:  Did you have any problems in school and/or receive special education services? (explain)
f)Have you had any major medical problems in your life? If yes, what were they, who treated you, and where?
g)Have you ever been diagnosed with a mental problem? If yes, what was the diagnosis, who made it, and when?
h)Please circle your race: African American - Hispanic - Asian - Native American - Pacific Islander - White

**3)CURRENT CONVICTION INFORMATION (use additional pages if needed)**

a)Original Charge(s) Filed:	b)Charge(s) Convicted of:	c)Address of Crime (City, County):
d)Trial Cause Number:	e)Offense Police Report Number:	f)Offense Date:
g)Arrest Date:	h)Conviction Date:	i)Convicted by (circle one): PLEA    BENCH TRIAL    JURY TRIAL
j)Sentence Length:	k)Parole Eligibility Date:	l)Sentence Discharge Date:

**4.OVERVIEW OF THE CRIME (use additional pages if needed)**

a)Describe in detail what the police or prosecutor said you did to commit the crime you were convicted of, but are claiming innocence for. If you were charged as an accomplice, or as a party-to-the-crime, describe what role they say you played in the offense.

b)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 if and why this information was not presented at trial.

**5.LAW ENFORCEMENT INVESTIGATION (use additional pages if needed)**

a)List the law enforcement agency that investigated the crime, and the names of the investigating officers if you know them:

b)How did you become a suspect in the investigation?

c)To your knowledge, were there any other suspects the police investigated? If so, whom? (give contact info)

d)To your knowledge, why did the investigation into that suspects(s) stop?

e)Did you take a polygraph test? Yes No If yes, what was the result? If no, why did you refuse?

f)When was the first time you spoke with your trial lawyer? What did you talk about and how long was the meeting?

g)If police or an investigating detective(s) interviewed you, how many times were you interviewed, and for how long?

h)Did you ask to speak to a lawyer during the interview(s)? Yes No  
If so, did the interview stop when you requested your lawyer? Yes No  
Explain if needed:

i)Did you sign any papers before, during, or after the interview? Yes No if so, what did you sign?

j)Did you give a confession or make statements to investigating officers? Yes No  
Was it a written statement? Yes No Was it recorded on audio tape? Yes No Was it recorded on video? Yes No  
If it was written, did you sign it? Yes No Did you waive Miranda rights? Yes No  
Was your lawyer with you when you signed the statement? Yes No  
Was the statement admitted at trial? Yes No  
If yes, please give a detailed description of what you told officers: *(if different from your answer to question #1b)*

Why did you give the statement?

k) Please list the name(s) of the victim(s) in this case.

Name	Did you know them? How?	Were you with them before, during, after the crime? If yes, what were you doing?	Why did they make a complaint against you?	What did they say at trial?

l) Please list the name(s) of all co-defendants or other suspects investigated for this crime:

Name	Sentence (if any)	Trial (Separate/same) or plea?	How did you know them?	Did they testify against you? What did they say? Did they receive anything from the state for testifying?	Where are they now? (give contact info)

m) Please list anyone who identified you or made statements against you in this case.

Name	How are they related to the case?	What did they say? Did they know you?	How did they identify you? (line-up, photo spread, show up, at crime scene, in court)	Did they testify?

**6. PHYSICAL DESCRIPTION OF YOU AT THE TIME OF THE CRIME (use additional pages if needed)**

Height: _____ ft. _____ in      Weight: _____ lbs      Skin Color _____      Age: _____
Hair Length (circle): Long - Medium - Short - Bald - Other: _____
Hair Style (circle): Straight - Curly - Wavy - Afro - Jheri Curl - Pony Tail - Military Cut – Braids – Fade – Other: _____
Facial Hair (circle): Beard - Stubble - Clean Shaven - Goatee - Mustache - Other: _____
Type of Shirt (circle): Long Sleeve – Short Sleeve – Other: _____ Color: _____ Design: _____
Type of Legwear (circle): Pants - Shorts - Capris - Dress - Tights - Other: _____ Color: _____ Design: _____
Type of footwear (circle): Sneakers - Dress - Boot - Sandal - None - Other: _____ Color: _____ Design: _____
Please Describe Any Other Clothing:
Please Describe Any Jewelry/Accessories:
Please describe any visible tattoos and their location:

**7. OTHER INFORMATION ABOUT YOU DURING THE TIME OF THE OFFENSE (use additional pages if needed)**

a) What kind of vehicle(s) did you have (make, model, color, license)?
b) Were you married or in a relationship? Yes No      If Yes, please give the name and contact info for that person.
c) Where were you living (address) and with whom?
d) Were you employed/in school at the time? Yes No      If yes, where?      If no, how did you make money (include criminal activity)?
e) What people (family, friends, acquaintances, co-workers) did you spend the most time with? (give contact info)

**8. REAL PERPETRATOR INFO (use additional pages if needed)**

a) Do you know who committed the crime you are convicted of? Yes No      If yes, write their name(s) and contact info.
b) How do you know this person(s) is the real perpetrator, and why did they do it?
c) What evidence can prove this person(s) committed this crime, and do you have this evidence?

**9.EVIDENCE COLLECTED DURING LAW ENFORCEMENT INVESTIGATION (use additional pages if needed)**

List below any of the following, or any other types of evidence, found during the course of the investigation:

*Prints (finger, palm, etc.), Weapons, Ballistics (bullets, shell casings, etc.), Fibers, Tire Tracks, Shoe prints, Rape kit, Documents, Hairs, Blood, Semen, Fingernail Scrapings, Wounds (cuts, bruises, fractures, bite marks, etc.), DNA, Clothes*

Type of Evidence	What was it, and where, or on who, was it found or collected?	What did the evidence show?	If tested, who did it and where? (include expert/lab name, address/phone)	Who has it now, or was it destroyed?	Who used it at trial? (defense, state, both)
<i>(ex) weapon</i>	<i>knife found in chest of victim</i>	<i>killer was taller than victim because knife entered at downward angle</i>	<i>John Doe -crime scene tech, Phelps County Crime Lab,, 123 West St., Phelps, TX 77009 (512) 555-1212</i>	<i>Destroyed in 1997</i>	<i>State</i>
a)					
b)					
c)					
d)					
e)					
f)					
g)					
h)					

**10. TRIAL PROCEEDINGS (use additional pages if needed)**

<p>a) Were you offered a plea bargain? Yes No What was it? Did you attorney advise you to take the plea? Yes No Did you take the plea agreement? Yes No Why or why not?</p> <p>If Yes, what did your attorney say to you to make you decide to take the plea?</p> <p>Circle your final plea: NOT GUILTY GUILTY NOLO CONTENDERE Did you try to withdraw the plea? Yes No If yes, what happened?</p>
<p>b) Name, address and phone number of your trial lawyer: Circle one: RETAINED APPOINTED PRO BONO</p>
<p>c) Name, address, and phone number of any investigator(s) who worked for the defense:</p>
<p>d) Name(s) of the prosecuting District Attorney(s) on your case:</p>
<p>e) Name of the judge presiding in your case, and the court they preside over:</p>
<p>f) Did you testify? Yes No If no, why not?</p> <p>Was your decision to testify, or not, based on the advice of your attorney? YES NO</p>
<p>g) List people who testified for the STATE, how they relate to case (victim, witness, expert, police, accomplice, informant, jailhouse snitch), and briefly describe what they said? (include any contact information you have for them)</p>
<p>h) List people who testified for the DEFENSE (witnesses, experts, investigators), how they relate to the case, and briefly describe what they said? (include any contact information you have for them)</p>
<p>i) What was your defense strategy? (e.g. self-defense, alibi, insanity, consent, mistaken identity, etc.)</p>
<p>j) Describe the make-up of your jury (race, gender, age), and anything else we should know about them?</p>

**11. POST CONVICTION PROCEEDINGS (use additional pages as needed)**

Year	Type (PDR, direct appeal, writ, motion)	Court (State or Federal)	Cause #	Attorney (contact info)	Issues Raised	Evidence Presented To Support Issue	Court's Ruling on Issue
<i>(ex) 1999</i>	<i>11.07 writ</i>	<i>Texas CCA</i>	<i>1234567C</i>	<i>John Doe 501 Main St. Houston, TX 77089 (713)555-1212</i>	<i>(1) newly discovered evidence of innocence (2) ineffective assistance of trial counsel</i>	<i>(1) affidavit of Bill Smith admits to crime (2) alibi witness affidavit shows atty didn't question her</i>	<i>(1) remand to district court for more info (2) denied - atty did not fail to do investigation</i>

**12. NEWLY DISCOVERED EVIDENCE- Do NOT include any evidence that was known BEFORE your conviction and/or has been presented and ruled upon at trial, on appeal, or in post-conviction proceedings (use additional pages if needed)**

Y/N	New Evidence	Explanation
	a) I have physical evidence: <input type="checkbox"/> New <input type="checkbox"/> Old, needs new testing	What is it? Has it been tested? What does it show? Who has it?
	b) I have new alibi evidence: <input type="checkbox"/> person <input type="checkbox"/> evidence	Who/what is it? If person, will they sign an affidavit? (contact info) Or what is the evidence?
	c) Someone <input type="checkbox"/> mistakenly <input type="checkbox"/> intentionally identified me as the offender.	Who? How do you know? Will they sign an affidavit? Do you have contact info for them?
	d) The victim(s) <input type="checkbox"/> lied <input type="checkbox"/> recanted.	How do you know? Will they sign an affidavit? Do you have contact info for them?
	e) A new witness <input type="checkbox"/> has been found <input type="checkbox"/> came forward.	Who is it? Will they sign an affidavit? Do you have contact info for them?
	f) The real perpetrator has been <input type="checkbox"/> identified <input type="checkbox"/> admits guilt.	How do you know? Will they sign an affidavit? Do you have contact info for them?
	g) I gave a false confession.	Why? How can you prove this? Was it coerced in any way?
	h) Junk science used to convict me (bite marks, arson, lab, etc.).	What was it? How is it junk science? Does the evidence still exist, and if so, where?
	i) Exculpatory evidence was withheld from the defense.	What evidence was withheld? By whom? How do you know this?
	j) I have new misconduct evidence against my lawyer(s), D.A.s, police, lab, M.E., etc.	Who? What is the evidence? How does this evidence prove your innocence?

k) If not listed on the previous table, please explain what new evidence exists that proves your actual innocence.

**13.CASE MATERIALS - PLEASE DO NOT SEND ANY DOCUMENTS TO US UNLESS WE HAVE ASKED FOR THEM**

Case Materials	Do you have them? (circle)	If someone else has these materials, write their name and contact info.
Pretrial transcripts	Yes No	
Trial or plea transcripts	Yes No	
Police offense reports	Yes No	
Police field notes (Handwritten notes)	Yes No	
Affidavits	Yes No	
Witness Statements	Yes No	
Direct appeal brief- State	Yes No	
Direct appeal brief – Petitioner (yours)	Yes No	
Laboratory reports	Yes No	
Any other briefs (Specify)	Yes No	
Petition for Discretionary Review (PDR)	Yes No	
Habeas Corpus writs (11.07, 11.073, etc.)	Yes No	
DNA motions	Yes No	
Other documents or legal materials of any kind. Please describe:	Yes No	

**14.ADDITIONAL INFORMATION (use additional pages if needed)**

a)Please list the names and contact info of anyone (family, friends) you give us permission to talk to about your case:

b)Please tell us anything else about your case that may help prove your innocence? In other words, is there anyone or anything that can prove your innocence now?

c)What specific assistance are you seeking from HIP?

d)If you had an investigator and all the other resources available to investigate your claim of innocence, what would you have the investigator look into?

e)What newly discovered evidence do you or someone you know have possession of (affidavits, reports, etc.)?

f)Did anyone help you fill out this questionnaire? Yes No If yes, list their name, contact info, and relationship to you.