

## **GUIDELINES FOR COMPLETING QUESTIONNAIRE**

1. Before completing the questionnaire please note:

You **must not** be currently represented by counsel and the crime and conviction must have occurred in Michigan.

2. An inmate requesting the assistance of the Michigan Innocence Clinic must FULLY and LEGIBLY complete the following questionnaire. Please be sure to fill the questionnaire out in ink and sign the authorization on page 19. Return the completed questionnaire to the address on the questionnaire.
3. Please keep us informed of any address changes.
4. Please **DO NOT** send any transcripts, pleadings, or the like along with your questionnaire. If we need additional documentation to investigate your matter we will contact you at that time. Any additional documents sent in with a questionnaire will be returned to you.
5. Please note that you **will not** receive a confirmation from us that your questionnaire was received in our office. Your next communication from us will be a letter informing you of our decision. Please understand that due to the overwhelming number of requests for assistance, there is a wait of a **two years or more** before a questionnaire is reviewed.

**THE MICHIGAN INNOCENCE CLINIC**

**CASE SCREENING QUESTIONNAIRE**

**Return to:** The Michigan Innocence Clinic  
University of Michigan Law School  
625 South State Street  
Ann Arbor, MI 48109-1215

**INSTRUCTIONS:** Please answer, as fully as you can, **all** questions that apply to your case. Your case cannot be considered for possible use in the clinic until **this questionnaire is completed, signed, and returned to the above address. DO NOT send us any documents of any kind when you return this questionnaire.** We may ask you to send us documents later, but do not send them to us now.

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

MDOC #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**I. THE BASIC FACTS ABOUT YOU AND YOUR CONVICTION**

1. List all of the charges you were convicted of for which you are now in prison.

\_\_\_\_\_

\_\_\_\_\_

2. Are you **totally innocent of ALL** of these charges? Yes \_\_\_\_\_ No \_\_\_\_\_

**If no**, which of the charges are you totally innocent of? \_\_\_\_\_

\_\_\_\_\_

3. Were you involved **at all in any** of the crimes for which you are now in prison?

Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, please briefly tell us how you were involved \_\_\_\_\_

---

---

4. Were you present at the scene of the crime before, during, or after the crime?

Yes \_\_\_\_\_ No \_\_\_\_\_. If **YES**, please briefly explain \_\_\_\_\_

---

5. How were you convicted of the crimes for which you are now in prison?

Jury Trial \_\_\_ Bench Trial \_\_\_\_\_ Guilty or Nolo Plea \_\_\_\_\_

Did you have more than one trial? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, list the result of each trial (Examples: hung jury, mistrial, conviction reversed on appeal, conviction affirmed on appeal) \_\_\_\_\_

---

6. What is the length of the sentence you are now serving? \_\_\_\_\_

When is or was your first outdate? \_\_\_\_\_

What is your maximum discharge date? \_\_\_\_\_

7. What is your first language? \_\_\_\_\_

8. What is the highest grade you completed in school? \_\_\_\_\_

9. Were you employed at the time of your arrest? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, who was your employer (include address and phone number)?



---

---

**III. NEW EVIDENCE**

1. Are you aware of any **new evidence** that exists in your case that would lead to proof of your **innocence**? [“New evidence” can include, among other things, newly-discovered physical evidence, a newly-discovered witness, a key witness who has recanted his or her trial testimony, evidence in existence at the time of your trial that can now be subjected to new scientific testing, and evidence or a witness that should have been found and presented by your trial attorney but was not presented at trial.]

Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, describe the new evidence below as clearly as you can and tell us why this evidence could help you prove that you are innocent:

---

---

---

---

---

---

---

---

---

---

---

---

2. If there is new evidence in your case, has any of this new evidence already been presented to any judge? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, tell us which judge was presented with the evidence, when and how the evidence was presented to that judge (Examples: testimony at a hearing, affidavit, letter) and what the judge said or wrote about the new evidence, if anything.

---

---

---

- 
- 
3. Have you taken a polygraph (lie detector) test about your involvement in the crime for which you are in prison? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, when did you take the test, who administered it, and did the examiner say that you passed or failed the test (include all polygraph tests you have taken about this crime; we understand that polygraphs test results are often not accurate)?

---

---

---

If you did take a polygraph test, do you have a written report of the results of the test?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If you did take and failed a polygraph test, why do you think you failed?

---

---

4. Would you be willing to take a polygraph (lie detector) test at our request?  
Yes \_\_\_\_\_ No \_\_\_\_\_

**IV. THE CRIME, YOUR ARREST, AND THE POLICE INVESTIGATION**

1. When did the crime occur (date and time of day)? \_\_\_\_\_
2. Where did the crime occur (location/address, **city**)? \_\_\_\_\_  
\_\_\_\_\_
3. When were you arrested (date and time of day)? \_\_\_\_\_
4. Where were you arrested (location/address, city)? \_\_\_\_\_  
\_\_\_\_\_

5. What were the names of the victims, if there were any? \_\_\_\_\_  
\_\_\_\_\_

6. Who was the officer in charge of the case? Name: \_\_\_\_\_  
Police Department: \_\_\_\_\_

7. Did the police have any witnesses identify you or other possible suspects in a lineup or showup? Yes \_\_\_\_\_ No \_\_\_\_\_  
  
If **YES**, tell us when and where the lineup or showup occurred, who the witnesses were, and whether each witness picked you or anyone else out of the lineup or showup. Please also tell us anything else you believe we should know about the lineup or showup.  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Did the police have any witnesses identify you or other possible suspects from photographs before you were convicted? Yes \_\_\_\_\_ No \_\_\_\_\_  
  
If **YES**, tell us when and where the photos were shown, who the witnesses were, and whether each witness picked you or anyone else out of the photographs. Please tell us anything else you believe we should know about the photographs.  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Did you make any statements to the police before or after you were arrested? Yes \_\_\_\_\_ No \_\_\_\_\_  
  
If **YES**, answer each of the questions below. If **NO**, skip ahead to Section V.  
  
(a) How many times were you interviewed by the police where you made a statement? \_\_\_\_\_  
  
(b) When did you make each statement? (Example: the day before the arrest, during the arrest, two weeks after the arrest, etc.) \_\_\_\_\_  
  
\_\_\_\_\_

---

(c) Were any of your statements recorded on tape or video? Yes \_\_\_\_ No \_\_\_\_  
Which ones were recorded? \_\_\_\_\_

(d) Were any of your statements written down? Yes \_\_\_\_ No \_\_\_\_  
Which ones were written down? \_\_\_\_\_

Who wrote them down? \_\_\_\_\_

Did you sign any written statements? Yes \_\_\_\_ No \_\_\_\_

Which ones did you sign? \_\_\_\_\_

(e) For each statement you made to the police, briefly tell us what you said:

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

(f) Were any of your statements not true? Yes \_\_\_\_\_ No \_\_\_\_\_  
If YES, which ones were not true, what was not true in those statements, and  
why did you tell the police something that was not true?

---

---

---

---

---

---

**V. YOUR CASE IN THE TRIAL COURT**



1. Where were you convicted? County: \_\_\_\_\_

Who was the judge? \_\_\_\_\_

2. Were other people charged in connection with this crime? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, list their names and briefly tell us what happened to them (Examples: convicted in the same trial with you, convicted in a separate trial, convicted of lesser charges, acquitted, died before trial, pled guilty, pled guilty and testified against you, etc.)

Name \_\_\_\_\_ Result \_\_\_\_\_

Name \_\_\_\_\_ Result \_\_\_\_\_

Name \_\_\_\_\_ Result \_\_\_\_\_

Name \_\_\_\_\_ Result \_\_\_\_\_

If you have current addresses and/or phone numbers for the people who were charged with you, write them here \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

3. What was the date you were convicted? \_\_\_\_\_

4. Who were your trial attorneys in the trial court (include all attorneys who represented you in the trial court)? \_\_\_\_\_

\_\_\_\_\_

5. Who was the lead prosecutor in the trial court? \_\_\_\_\_

6. What motions, if any, did your trial attorneys file for you in the trial court, and how did the trial judge rule on each motion?

Motion and Judge's Ruling \_\_\_\_\_

\_\_\_\_\_

Motion and Judge's Ruling \_\_\_\_\_

\_\_\_\_\_

Motion and Judge's Ruling \_\_\_\_\_

\_\_\_\_\_

Motion and Judge's Ruling \_\_\_\_\_

\_\_\_\_\_

## VI. GUILTY OR NOLO CONTENDERE ("NO CONTEST") PLEA CASES

Answer these questions **only if you pleaded guilty or nolo contendere ("no contest") to the charges for which you are now in prison. If you went to trial, skip ahead to Section VII.**

1. Type of plea: Guilty \_\_\_\_\_ Nolo Contendere ("no contest") \_\_\_\_\_

2. Did your attorney talk to you about a plea bargain? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, what did your attorney tell you about the plea bargain? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Why did you decide to plead guilty or nolo contendere ("no contest")? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Have you ever tried to withdraw your plea? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, **when** did you try to withdraw it (Examples: before sentencing, during the appeal, after the appeals)? \_\_\_\_\_

If **YES**, **what reason** did you (or your lawyer) give for trying to withdraw your plea? \_\_\_\_\_

If **YES**, what reason did the court give for not letting you withdraw your plea?

\_\_\_\_\_

**VII. TRIAL CASES**

Answer these questions **only if you were convicted after a jury trial or a bench trial for the charges for which you are now in prison. If you were convicted by plea, skip ahead to Section VIII.**

1. Type of trial: Jury Trial \_\_\_\_\_ Bench Trial \_\_\_\_\_

If you had a **bench trial**, why did you decide to let the judge decide your case?

---

---

2. Did you testify at your trial? Yes \_\_\_\_\_ No \_\_\_\_\_

If **NO**, why didn't you testify? \_\_\_\_\_

---

---

3. Did any victims testify at your trial? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, list their names and tell us any information you have that could help us locate them now

---

---

---

4. Did any eyewitnesses to the crime other than the victims testify for the prosecution at your trial? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, list their names and tell us any information you have that could help us locate them now.

---

---

---

5. Did any eyewitnesses to the crime testify for you at your trial? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, list their names and tell us any information you have that could help us locate them now.

---

---

---

6. Did any expert witnesses testify for the prosecution? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, list their names, explain what kind of expert testimony they gave (Examples: fingerprint, ballistics, DNA, psychiatric, etc.), and tell us any information you have that could help us locate them now.

---

---

---

7. Did any expert witnesses testify for you? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, list their names, explain what kind of expert testimony they gave (Examples: fingerprint, ballistics, DNA, psychiatric, etc.), and tell us any information you have that could help us locate them now.

---

---

---

8. Did anyone else charged with the same crimes you were charged with testify against you? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, list their names and tell us any information you have that could help us locate them now.

---

---

---

If **YES**, which of the witnesses listed above, if any, admitted during the trial that they were getting a deal for testifying against you? \_\_\_\_\_

\_\_\_\_\_

9. Did anyone else charged with the crimes you were charged with testify for you?  
Yes \_\_\_\_ No \_\_\_\_\_

If **YES**, list their names and tell us any information you have that could help us locate them now. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. Did anyone who was facing other criminal charges testify against you?  
Yes \_\_\_\_ No \_\_\_\_\_

If **YES**, list their names and tell us any information you have that could help us locate them now. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If **YES**, which of the witnesses listed above, if any, admitted during the trial that they were getting a deal for testifying against you? \_\_\_\_\_

\_\_\_\_\_

11. What do you believe was the most important evidence and testimony the prosecution introduced that caused the jury or judge to find you guilty?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

12. What kind of defenses, if any, did your attorney present or argue at your trial?  
(Examples: alibi, self-defense, consent, mistaken identification, insanity,  
accident, etc.) \_\_\_\_\_

13. Did your attorney call any witnesses to support your defenses besides the  
witnesses you have listed in your answers to questions 5, 7, and 9?  
Yes \_\_\_ No \_\_\_\_\_

If **YES**, list the names of other witnesses who testified for you, briefly tell us what  
they testified about, and tell us any information you have that could help us locate  
them now \_\_\_\_\_

---

---

---

---

---

### VIII. PHYSICAL EVIDENCE

1. Were any of the following pieces of evidence gathered from the crime scene or  
from the victim? Check all that apply:

Hair \_\_\_ Semen \_\_\_ Blood \_\_\_ Fingernail Scrapings \_\_\_\_\_

Fingerprints \_\_\_ Victim's Clothing \_\_\_\_\_ Perpetrator's Clothing \_\_\_\_\_

Shoeprints \_\_\_ Footprints \_\_\_ Gun \_\_\_ Knife \_\_\_\_\_

Other Weapons \_\_\_\_\_ Broken Glass \_\_\_ Saliva \_\_\_ Skin \_\_\_\_\_

Sheets or Bed Covers \_\_\_\_\_ Cigarette Butts \_\_\_\_\_ Drinking Cups \_\_\_\_\_

Carpets/Rugs \_\_\_ Auto or Auto Interior \_\_\_\_\_ Rape Kit \_\_\_\_\_

Other: \_\_\_\_\_ Please describe other physical evidence \_\_\_\_\_

2. Was any testing done on any of this physical evidence? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, which pieces of evidence were tested, what kind of testing was done, and what were the results?

---

---

---

---

---

3. Do you know if any of this evidence is still available for testing? Yes \_\_\_ No \_\_\_

If **YES**, which evidence? \_\_\_\_\_

---

Who has each of these pieces of evidence? \_\_\_\_\_

---

---

**IX. APPEALS, 6500 MOTIONS, AND FEDERAL HABEAS**

1. After you were convicted, did you appeal to the Michigan Court of Appeals?

Yes \_\_\_ No \_\_\_

If **YES**, who was your appellate attorney? \_\_\_\_\_

What issues did he or she raise on appeal (list all of them)? \_\_\_\_\_

---

---

---

- 
2. Did your appellate or trial attorney file any motions in the trial court after you were convicted but before your appeal was decided? (Examples: Motion for Resentencing, Motion for New Trial, Motion for Evidentiary Hearing, etc.)  
Yes \_\_\_\_ No \_\_\_\_

If **YES**, what motions were filed and for each motion tell us whether the judge held a hearing and what ruling the judge made on that motion.

---

---

---

---

3. Before your appeal was decided, did your appellate attorney ask the Michigan Court of Appeals to remand your case back to the trial court for some kind of hearing? Yes \_\_\_\_ No \_\_\_\_

If **YES**, what kind of hearing did your appellate attorney request, was the remand granted, and, if the remand was granted, what was the result of the hearing in front of the trial judge?

---

---

---

---

4. If you appealed to the Michigan Court of Appeals after your conviction, did your appeal then go on to the Michigan Supreme Court? Yes \_\_\_\_ No \_\_\_\_

If **YES**, who was your attorney in the Michigan Supreme Court, if you had one?

---

5. Have you filed any Motions for Relief from Judgment (“6500 Motions”) in the trial court? Yes \_\_\_\_ No \_\_\_\_

If **YES**, when did you file the motion or motions? \_\_\_\_\_



---

If you had any attorneys for your 6500 motions, who were they?

---

List all of the issues raised in your 6500 motions and how the judge ruled on each issue:

---

---

---

---

---

---

---

---

---

---

---

If you did file a 6500 motion, was that motion appealed to the Michigan Court of Appeals?

Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, what issues were raised on appeal, and how did the Michigan Court of Appeals rule on the appeal?

---

---

If your 6500 motion was appealed to the Michigan Court of Appeals, was it also appealed to the Michigan Supreme Court?

Yes \_\_\_\_\_ No \_\_\_\_\_

Do you still have a 6500 motion pending either in the trial court or on appeal?  
If **YES**, in which court is the 6500 motion currently pending?

---

6. Have you filed a habeas corpus petitions in federal court? Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, when did you file the habeas corpus petition?

\_\_\_\_\_

Which federal judge heard your habeas petition? \_\_\_\_\_

If you had attorneys for your habeas corpus petition, who were they?

\_\_\_\_\_

List all of the issues raised in your federal habeas corpus petition and how the federal judge ruled on each issue:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If you did file a habeas corpus petition, was there an appeal to the 6th Circuit?

Yes \_\_\_\_ No \_\_\_\_

If **YES**, what issues were raised on the appeal to the 6<sup>th</sup> Circuit? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Do you still have a federal habeas corpus petition motion pending either with the federal court or on appeal?

Yes \_\_\_\_\_ No \_\_\_\_\_

If **YES**, in which court is the habeas corpus petition currently pending?

\_\_\_\_\_

7. Are you currently represented by any attorneys? Yes \_\_\_\_ No \_\_\_\_\_

If **YES**, who are your current attorney? \_\_\_\_\_

---

**X. CASE MATERIALS**

Please check the documents or materials below that you could make available to us if we requested them. **Do NOT send us any documents or materials now or at any time until and unless we request them.**

Pretrial Hearing Transcripts \_\_\_\_\_

Police Reports \_\_\_\_\_

Trial or Plea Transcripts \_\_\_\_\_

Sentencing Transcript \_\_\_\_\_

Physical Evidence, Laboratory, or Medical Reports \_\_\_\_\_

Presentence Report \_\_\_\_\_

Brief on Appeal or Application to Michigan Court of Appeals \_\_\_\_\_

Prosecutor's Brief to Michigan Court of Appeals \_\_\_\_\_

Opinion or Order of Court of Appeals \_\_\_\_\_

Motion for Relief from Judgment (6500 Motion) \_\_\_\_\_

Opinion or Order of Trial Court on 6500 Motion \_\_\_\_\_

Federal Habeas Corpus Petition \_\_\_\_\_

**If you do not have some of these documents but someone else does, please provide us with the name, address, and telephone number of the person who does have them and tell us which of the above documents this person has.**

---

---

---

## AUTHORIZATION

I authorize any attorney, law student, or staff member working with the Michigan Innocence Clinic to communicate with all of my previous attorneys, the Michigan Department of Corrections, probation and parole officers, governmental agencies, and all other persons having information he or she deems necessary in evaluating my case, and to examine and photocopy all communications, correspondence, investigation reports, probation and presentence reports, custodial files, medical evaluations, employment records, and other documents pertaining to me in the possession of such persons or agencies.

I also authorize and direct my previous attorneys to release my files and discuss my privileged communications with the Michigan Innocence Clinic and/or any attorney, law students, or staff member working for the Michigan Innocence Clinic. Further, I authorize and direct the Michigan Department of Corrections, probation and parole officers, and all other persons and governmental agencies to release to the Michigan Innocence Clinic and/or any attorney, law student, or staff member working for the Michigan Innocence Clinic, for examination and photocopying, all such communications, correspondence, court documents, investigation reports, probation and presentence reports, custodial files, medical evaluations, employment records, and other documents pertaining to me, and any case involving me, in their possession. I understand that the Michigan Innocence Clinic's attorneys, law students, and staff members will keep all privileged files and communications confidential. I understand that the faculty, staff, and students at the University of Michigan Law School Innocence Clinic will keep track of any confidential information I disclose to them. I consent to the Clinic using confidential information about my case in research or publications so long as I am not identified by name.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name