



DISTRICT ATTORNEY
First Judicial District
500 Jefferson County Parkway
Golden, Colorado 80401
303-271-6800

Conviction Integrity Unit
Application for Conviction Review

Please complete this form in its entirety to apply for review of your conviction. Be sure to include copies of any documents that support your application. ***Do not send original documents or your only copy of any documents.*** This form and supporting documents may be emailed to ciu@jeffco.us or mailed to:

First Judicial District Attorney
Conviction Integrity Unit
500 Jefferson County Parkway
Golden, Colorado 80401

Where “applicant”, “you”, or “your” is indicated, please provide information about the person seeking to have their case reviewed by our office. If the person completing this application is not the applicant, please indicate who is completing the application.

The Conviction Integrity Unit (“CIU”) will only accept cases for review where the following apply:

1. You must have been convicted of a felony in Jefferson or Gilpin Counties; and
2. You must present a plausible claim of actual innocence.

Please note that the CIU does not review cases that merely disagree with the outcome of the case. The CIU only reviews cases where actual innocence is alleged. The generally accepted understanding of actual innocence is that available evidence exonerates the defendant from any criminal responsibility for the offense.

Due to the high volume of submissions, we will not send confirmation upon receipt of application. Instead, we will contact the applicant if we require additional information or when we have reached a final decision. We do not provide updates over the phone.

ADVISEMENT OF RIGHTS

This is an extrajudicial process, and there is no right of review or appeal of any decision by the District Attorney regarding an application to the Conviction Integrity Unit (“CIU”). It is important to note that the CIU serves at the discretion of the District Attorney as part of a government agency. The CIU does not act as an attorney for the applicant and cannot provide legal advice. The CIU requests that applicants cooperate with the investigation of their claim in order to expedite a resolution. However, the applicant is never compelled to participate and may cease cooperation at any time.

If the applicant is currently represented, the CIU cannot have direct communication with the applicant. All communication will be with the applicant’s attorney. Likewise, if the applicant is currently represented, the applicant must consult with their attorney prior to filing the application. The attorney may reach out directly to the CIU Director. The CIU may request written authorization from the attorney in the criminal case to discuss the events that led to the conviction under review. However, the CIU cannot require the applicant’s lawyer to speak with the CIU.

The CIU may request to discuss the case with the applicant. Likewise, the CIU may request that the applicant provide information relating to the case to investigate the claim. However, the applicant has the absolute right to remain silent and the right to not provide information to a government agency about a criminal matter.

Any information provided to the CIU is not confidential. In the discretion of the District Attorney, information may be provided to law enforcement and may be used against the applicant. By submitting this application, the applicant acknowledges that any information they provide in this application and review process is given voluntarily and without coercion by anyone and that the applicant is providing information knowingly, voluntarily, and intelligently.

Filing a claim with the CIU will not extend any deadlines of any proceedings, including without limitation to any appellate or post-conviction proceedings. This extrajudicial review should not be sought in lieu of the appellate process.

If you have questions regarding your rights, you must seek the advice of an attorney prior to submitting this application. The CIU cannot provide legal advice.

You must review this advisement and sign the notification on the final page for the CIU to review your application.

APPLICANT INFORMATION

Please check “yes” or “no” for each question:

Is English your primary language Yes No

If not, what language do you normally speak? _____

Is someone reading this form to you? Yes No

Is someone writing on this form for you? Yes No

Are you still serving your sentence from this conviction? Yes No

If “Yes”, are you: in prison on probation on parole

Your name:	Your DOC Number:
Your Address:	Your Date of Birth:
Case Number:	Charges on conviction(s):
Date of Conviction:	Original Sentence:
Name of Attorney who represented you at trial:	Name of Judge who sentenced you:

IMPORTANT: If you are currently represented by an attorney, CIU will only communicate with your attorney. You should consult your attorney prior to submitting your application; your attorney may want to wait to submit this application or submit the application on your behalf.¹

Are you **currently** represented by a lawyer? Yes No

If yes, who is your attorney? _____

Please provide their contact information: _____

CASE INFORMATION

Please list all the attorney(s) who have represented you:

Please check every box for every statement **that is true**. You can check as many boxes as you need.

- I did not do any parts of the crime I was convicted of
- My conviction happened in Jefferson or Gilpin County

Please check every box for every statement **that is true**. You can check as many boxes as you need. If none apply, check the box saying “None of the above statements apply to me.”

- I had no role in the crime I was convicted of.
- I did some of what I was convicted for, but not all of it.
- I did something illegal, but I was drunk or high at the time of the incident.
- I did something illegal, but I have a condition that affects my ability to act or understand right from wrong.
- I did something illegal because I was forced to do it by someone else.
- I did something illegal, but I got too much time in prison for it.
- None of the above statements apply to me.

How were you convicted?

- A jury or judge found me guilty OR I entered a guilty plea

Please provide dates for the following

When did the crime occur (date)? _____

When were you arrested? _____

When were you sentenced? _____

¹ The District Attorney’s Office cannot provide legal advice. Please consult with an attorney if you need assistance or have any questions regarding anything contained in this application.

Prior post-conviction appeals

Do you have any active appeals or post-conviction motion? Yes No

If yes, please provide the case number: _____

If yes, what court is it in:

- Trial Court Colo. Court of Appeal Colo. Supreme Court
- Federal District Court 10th Circuit Court of Appeals US Supreme Court

Have you filed any post-conviction motions before in this case? Yes No

If Yes, provide case information: _____

Prior DNA Testing

Was DNA evidence used at your trial? Yes No

If yes, was it by: Prosecution Defense

Have you filed a motion for DNA testing under Colorado law? Yes No

Was the motion granted? Yes No

Was testing done? Yes No

Contact with Innocence Organizations

Have you contacted an Innocence Organization about your case? Yes No

If yes, are they currently investigating? Yes No

Have you contacted any other innocence organization/project about your case?

Yes No

If yes, which organization(s) and when?

New Evidence or Evidence that Shows I am Innocent

Please check every box for every statement **that is true**. You can check as many boxes as you need. If none apply, check the box saying “None of the above statements apply to me.”

- A witness/informant who testified against me has recanted or changed their testimony.
- I was not at the crime scene and have an alibi.
- There is new evidence that proves my innocence that wasn’t available when I went to trial or entered my plea.

Briefly explain what evidence wasn't available at time of trial: _____

- There is new evidence that shows my trial was unfair that wasn't available when I went to trial or entered my plea.

Briefly explain what evidence: _____

- There was scientific testimony at my trial that was wrong or has been discredited.

Briefly explain what testimony: _____

- There is DNA in my case that was never tested.
 The officer who arrested me or presented testimony against me was arrested or has a sustained finding of dishonesty or bias.

Name of officer and badge number: _____

- None of the above statements apply to me.

Questions about Scientific Evidence

Please check every box for every statement **that is true**. You can check as many boxes as you need. If none apply, check the box saying "None of the above statements apply to me."

- The DA said I hurt or killed a baby by shaking the baby.
 The DA said I intentionally started a fire.
 The DA used bite mark evidence (teeth marks) against me.
 The DA used hair comparison evidence against me.
 None of the above statements apply to me.

Information about Evidence in your Case

Please check every box for every statement **that is true**. You can check as many boxes as you need. If none apply, check the box saying "None of the above statements apply to me."

- I testified at my trial.
 Police said I confessed to them, but I did not.
 Police said I confessed to them, but my statement was coerced.

- An eyewitness or victim didn't know me but identified me as the committing the crime, and got it wrong.
 - If you were identified, which of the following fit how you were identified:
 - An eyewitness or victim identified me from a show-up or confrontation.
 - An eyewitness or victim identified me from a photo array or photo lineup.
 - An eyewitness or victim identified me from a live lineup.
 - An eyewitness or victim identified me for the first time in court.
- The witness or informant who testified against me lied.
- The witness or informant who testified against me had a deal with the State I just learned about.

Please explain the deal and how you learned of it: _____

- Police said they found my fingerprint at the crime scene.
- Police said they found my hair at the crime scene.
- Police said they found my blood at the crime scene.
- Police said they found other of my body fluids (semen, spit, sweat) at the crime scene.
- Police said the victim's DNA was on me.
- Police said I had the victim's property or other belongings.
- None of the above statements apply to me.

INFORMATION ABOUT NEW EVIDENCE AND INNOCENCE

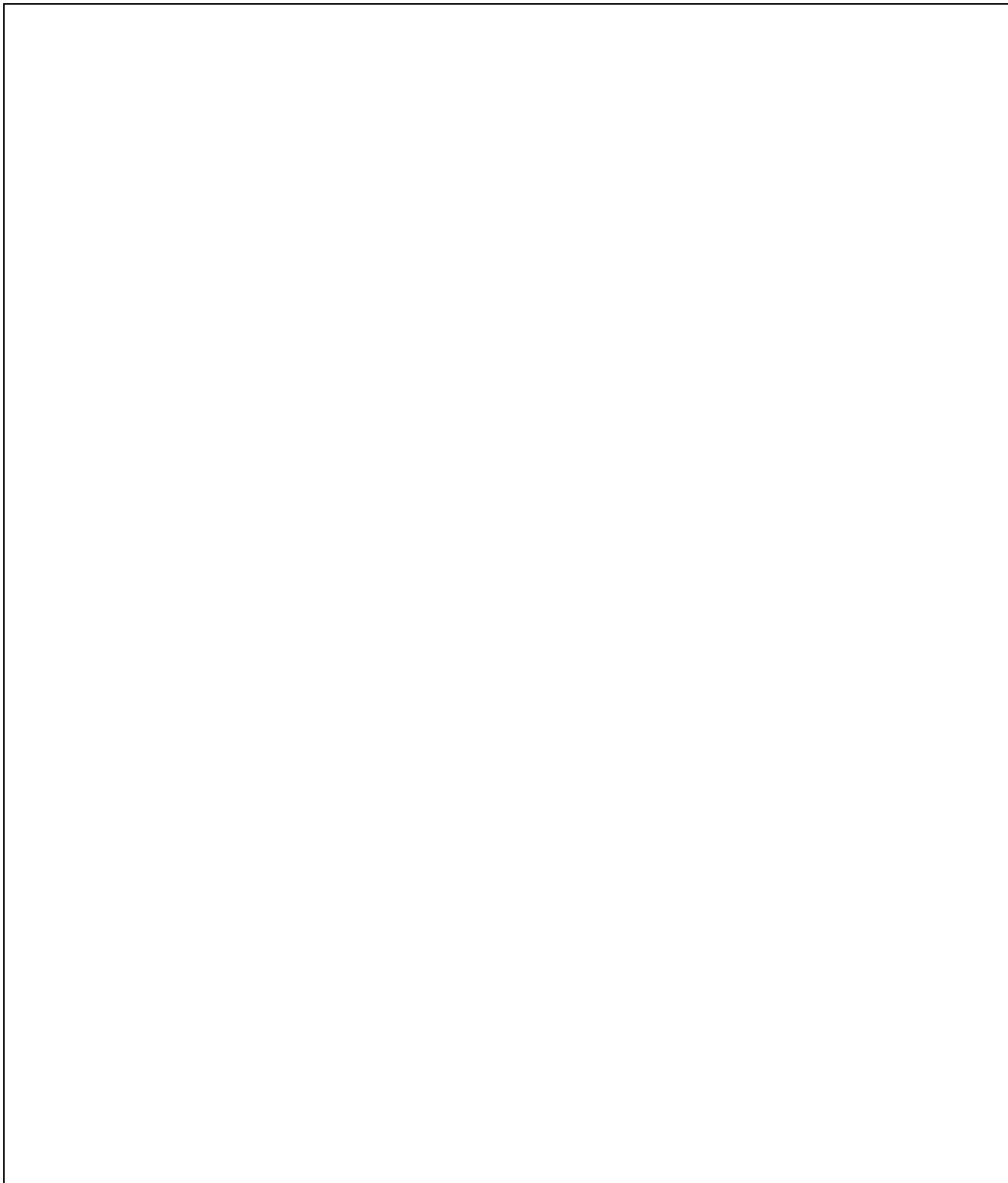
Please answer these questions in the boxes, including as much information as you know. If you need more space, use a separate piece of paper.

Please explain why you are innocent of this crime.

(For instance, if you were somewhere else when the crime happened, tell us where you were and what you were doing. If you don't think a crime really happened, please tell us why you believe that.)

Please explain what you were doing the day of the incident and how you came to be arrested.

Please list the names and phone numbers of witnesses or alibis, or any other person with relevant information, you think can provide information whom we should contact.

A large, empty rectangular box with a thin black border, intended for the user to provide names and phone numbers of witnesses or alibis.

Do you know anything new about your case that you didn't know when you went to trial or pleaded guilty?

(Has a witness changed his story, or do you think they will? Has someone else confessed to the crime? Do you know about new evidence? Please include as many details as possible.)

Do you have information about who may have committed the crime?

Is there anything else you want CIU to know about your case? If so please write it here (use additional paper if you need.)

A large, empty rectangular box with a thin black border, intended for the user to provide additional information about their case. The box occupies most of the page below the instruction text.

REQUIRED ACKNOWLEDGMENTS

Please initial beside each statement you accept and understand.

- The Conviction Integrity Unit is a program of the District Attorney’s Office. They are not defense lawyers. They do not provide legal advice.
- I understand I am providing information to a prosecutor’s office and that any statements here are provided voluntarily and without coercion by anyone.
- I understand my statements on this application can be used against me.
- I am not currently represented by an attorney or I am currently represented by an attorney but wish to submit this application after consulting with my lawyer.
- No one has promised me anything in exchange for completing this application.
- I understand the Conviction Integrity Unit reviews cases based on its own standards and my case may or may not be reviewed or investigated.
- I understand the Conviction Integrity Unit may contact any of the people or witnesses I have listed here to talk with them about my conviction.

The following statements are optional; you do not have to accept them for the CIU to begin reviewing your case:

- I give my attorneys and former attorneys permission to share information from their files with the CIU.
- I give the Korey Wise Innocence Project or any other innocence organization permission to share information from their review of my case with the CIU.

Printed Name

Signature

Date