



**NORTHWESTERN DISTRICT ATTORNEY'S OFFICE
CONVICTION INTEGRITY COMMITTEE
APPLICATION FOR REVIEW OF A CRIMINAL CONVICTION**

The Conviction Integrity Committee (CIC) of the Northwestern District Attorney's Office reviews claims of actual innocence or wrongful conviction. This form is the first step in the review process. It may be completed by someone other than the defendant in the case for which the review is sought, but it must be signed and initialed by the defendant. Please complete the form as fully as possible. If you do not know the answer, you may indicate that in the space provided. If you have documents that support your claims, please send copies of them. ***Do not send original documents or your only copy of any documents.***

Please return the completed form and supporting documents, if any, to:

**Conviction Integrity Committee
Northwestern District Attorney's Office
One Gleason Plaza
Northampton, MA 01060**

The CIC will confirm receipt of your application within thirty (30) days.

Where “applicant,” “you,” or “your” is indicated, the requested information needs to be provided about the person seeking to have their case reviewed by our office. If the person completing this application is not the applicant, please indicate that and complete the section.

The Conviction Integrity Committee (CIC) will only accept cases for review where the following apply:

1. You must have been convicted of a felony in a court located in Hampshire or Franklin County, Massachusetts.
2. You must present a plausible claim of actual innocence (for instance, you did not commit or participate in the crime charged) or have a plausible claim of wrongful conviction due to unfairness.
3. Except in extraordinary circumstances, the direct appeal has become final, and there is no other pending litigation.

Please keep in mind the following: The CIC does not review sentences. Absent extraordinary circumstances, the CIC does not review affirmative defenses, claims, or other information/evidence that was previously considered and litigated before the original finder of fact (jury or judge). The CIC does review affirmative defenses, claims, or other information/evidence that was not previously considered by the original finder of fact (jury or judge).

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

Are you **currently** represented by a lawyer?

☐ Yes ☐ No

If yes, who is your Attorney? _____

¹ The Northwestern District Attorney’s Office cannot provide legal advice. Please consult with an attorney before submitting an application if you need assistance or have any questions regarding any information contained in this 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 this form for you? ☐ Yes ☐ No

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

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

Please answer the following questions. If you do not know the answer, please indicate this in the space provided.

Your Name:	Your DOC Number:
Your Address:	Your Date of Birth:
Case Number:	Charge(s):
Date of Conviction:	Original Sentence:
Name of attorney who represented you at trial:	Name of judge who presided over your trial/plea:

CASE INFORMATION

1. Please list all the attorney(s) who have represented you on this case:

2. Please check the box for every statement **that is true**.

- ☐ I was convicted/pled guilty in a court located in Hampshire or Franklin County, Massachusetts.
- ☐ My direct appeal—the appeal following my sentence—is over.
The date your appeal was denied: _____

3. Please check the box for every statement **that is true**. If none are true, 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 of, but not all of it.
- ☐ I was present for but did not participate in the crime.
- ☐ I was drunk or high at the time of the incident.
- ☐ 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.
- ☐ None of the above statements apply to me.

4. How were you convicted?

- ☐ A jury or judge found me guilty after a trial; OR
- ☐ I entered a guilty or no contest plea

5. Please provide dates for the following, if you know:

On what date(s) did the crime occur? _____

On what date were you arrested? _____

Approximately when was your trial/guilty plea? _____

Prior Post-Conviction Appeals

6. Do you have any active appeals or post-conviction motions? ☐ Yes ☐ No

If yes, please provide the case number, court, and the status of the case:

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

If yes, please provide case number and court:

Prior DNA Testing

8. Was DNA evidence used at your trial? ☐ Yes ☐ No

If yes, was it by: ☐ Prosecution ☐ Defense

9. Have you filed a motion for post-conviction DNA testing under Massachusetts law?
☐ Yes ☐ No

If yes, was the motion granted? ☐ Yes ☐ No
If yes, was testing done? ☐ Yes ☐ No

Contact with Innocence Organizations

10. Have you contacted any local innocence organization about your case?
☐ Yes ☐ No
If yes, are they currently investigating? ☐ Yes ☐ No

11. 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 or was wrongfully convicted

12. Please check the 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:

- ☐ 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.
Briefly explain what DNA:
- ☐ An officer who arrested me or presented testimony against me was arrested or has a sustained finding of dishonesty or bias.

Name of officer, police department, and badge number:

- ☐ None of the above statements apply to me.

Questions about scientific evidence

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

Information about evidence in your case

14. Please check the 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 committing the crime and got it wrong.

If you were identified, which of the following fits 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 Commonwealth that I learned about after the trial.

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 bodily fluids (semen, saliva, 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/WRONGFUL CONVICTION

Please answer these questions, including as much information as you know. If you need more space, you may add more pages.

15. Please explain why you are innocent of this crime and/or how you were wrongfully convicted.

16. Please list the names, addresses, and phone numbers of witnesses or any other people with relevant information that you think we should contact.

17. Are you claiming you have an alibi? ☐ yes ☐ no

If yes, please explain where you were at the time the crime was committed.

18. If there are witnesses who can confirm your alibi, please list their names, addresses, and phone numbers.

19. Do you know of anything new about your case that you didn't know when you went to trial or pleaded guilty? *(For example, 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.)*

20. If you are claiming that you did not commit the crime, do you have information about who may have committed the crime?

Is there anything else you want the CIC to know about your case?

IMPORTANT – NOTIFICATIONS & ACKNOWLEDGEMENTS
REQUIRED

Please initial each of the following statements to show that you have read it and you understand it. Do not initial any statement that you do not understand or that is untrue or inaccurate.

- _____ I understand the Conviction Integrity Committee is part of the Northwestern District Attorney's Office. I also understand the lawyers on the committee are not defense lawyers. They investigate innocence claims; they do not provide legal advice to people asserting innocence claims.
- _____ I understand that requesting review of my case by your office will not toll the time I have to pursue post-conviction remedies, such as filing an appeal or post-conviction motion. I need to pursue those remedies separately.
- _____ I understand that acknowledgment of receipt of this application by the Northwestern District Attorney's Office does not mean they accept my case for investigation, and does not mean they accept my claim of innocence and/or wrongful conviction.
- _____ I understand I am providing information about my case to a prosecutor's office.
- _____ I understand my statements in this application can be used against me in court.
- _____ I acknowledge that knowingly providing false information will result in a rejection of my submission to the Conviction Integrity Committee.
- _____ I am not currently represented by an attorney, or I am currently represented by an attorney but wish to submit this application on my own after consulting with my attorney, or my attorney assisted me in filling out this application.
- _____ No one has promised me anything to fill out and submit this application.
- _____ I understand the Conviction Integrity Committee is under no legal obligation to review my case and may not be able to review my case or resolve my claim of innocence.
- _____ I understand the Conviction Integrity Committee may contact any of the people I have listed in the application to talk with them about my conviction and the facts of the case.
- _____ I submit this application voluntarily, knowing I am asking the prosecutor's office to review and investigate my claim of innocence.
- _____ The statements contained in this application are true to the best of my knowledge.

Printed Name

Signature

Date