



Wisconsin Innocence Project

UNIVERSITY OF WISCONSIN LAW SCHOOL

INFORMATION SHEET

What is the Wisconsin Innocence Project?

The Wisconsin Innocence Project (WIP) is a clinical legal education program that is part of the Frank J. Remington Center at the University of Wisconsin Law School. Founded in 1998 by Law Professors John Pray and Keith Findley, WIP seeks to exonerate the innocent, educate students and reform the criminal justice system by identifying and remedying the causes of wrongful convictions. Under the supervision of WIP program attorneys, law students work to review cases, investigate and litigate claims on innocence.

What types of cases does the Wisconsin Innocence Project accept?

WIP reviews cases where the applicant claims to be actually innocent of the crime(s) for which he or she is convicted. In order to challenge a conviction, there must be a significant chance that substantial new evidence may be found to support a claim of innocence. This newly discovered evidence (NDE) could be physical evidence that was not previously subjected to forensic examination, such as DNA testing. NDE may also include non-physical evidence, such as from an eyewitness who was previously unknown or a recantation from a victim, if such a recantation is supported by other new evidence.

What types of cases does the Wisconsin Innocence Project NOT accept?

WIP is unable to represent all applicants who apply to our project, but is only able to become involved in a select number of cases.

WIP **cannot** help if any of the following are true:

- You are currently awaiting trial or are still pursuing your direct appeal.
- You are currently represented by an attorney.
- You are not claiming actual innocence (meaning that you were not involved in the crime in any way), to the case for which you seek assistance.
- You have less than three years to serve on the incarceration portion of your sentence.
- You played a minor role in the crime.
- You feel you should have been convicted of a different crime.
- You acted in self-defense.
- You claim the defense of insanity or intoxication.
- You were convicted of sexual assault for an encounter that you say was consensual.
- There is no NDE.

Can the Wisconsin Innocence Project help me with other types of cases?

No. Due to the large number of requests that we receive and our limited resources, WIP is only able to assist in cases where the applicant is claiming actual innocence.

How do I apply to the Wisconsin Innocence Project?

You may apply to WIP by filling out an "Application for Assistance". If you would like to request a copy of an Application, you may request one by writing to the following address: Wisconsin Innocence Project, 975 Bascom Mall, Madison, WI 53706.

How can I contact the Wisconsin Innocence Project?

WIP is only able to respond to requests and questions from inmates via mail. WIP cannot answer questions from inmates via phone or e-mail. WIP may be contacted at: 975 Bascom Mall, Madison, WI 53706.

What should I expect if I apply to the Wisconsin Innocence Project?

Application for Assistance

WIP's process begins with our Application for Assistance. All persons seeking WIP's assistance must fill-out an application. Our application is eight pages long and asks many questions about your conviction. In addition, the application explains the scope of our review and asks for authorization to investigate your case. We ask that all applicants complete the application to the best of his or her ability. It is important for us to have the answers to as many of the questions as possible. Completed applications should be returned to our office at: 975 Bascom Mall, Madison, WI 53706.

Intake Review

Once your application is returned to our office, it will be reviewed by our Intake Staff. Our Intake Staff reviews each application to determine if it meets certain basic program criteria. (See explanation of cases WIP accepts and does not accept above.) After our Intake Staff makes their initial determination, we will write to you and inform you of our decision. Because of the large number of requests that we receive, it may take up to six months or more for our Intake Staff to review your request.

Wait List

If our Intake Staff determines that your case warrants further review, we will place your case on our wait list. Please know that if your case is placed on the wait list, WIP does not agree to do anything other than review your case for potential meritorious claims of actual innocence. *If you have upcoming court dates or deadlines, WIP is unable to assist you with these matters while your case is on our wait list.*

Eventually, the cases on our wait list will be assigned to law students, working under the supervision of a project attorney, for a more in-depth review. When your case is assigned to law students, they will contact you and specify what activities we agree and do not agree to perform on your behalf. Due to high demand, cases stay on our wait list for at least three years before we are able to assign them for further review.

What is the cost to me?

WIP provides its services to applicants free of charge, although some applicants may be asked to pay expenses related to investigation or testing.

Does the Wisconsin Innocence Project take cases from states outside Wisconsin?

Yes, but under very limited circumstances. We will consider taking cases from states without an Innocence Project or a wrongful conviction clinic. Those convicted in states with an Innocence Project or other wrongful conviction clinic should attempt to contact and receive a decision from the project in that state before applying to WIP. To determine if there is an Innocence Project or other wrongful conviction clinic in your state, please ask at the library of your institution or visit the members section of the Innocence Network website.

Where can I find more information?

More information may be found in the LAIP Desk Book, located in the library of most Wisconsin correctional institutions. Additional information may be found on the internet at:

<http://www.wisconsininnocenceproject.org>.