



How To Apply for Legal Assistance

Washington Innocence Project (WashIP) provides legal assistance to people in prison who are factually innocent and can establish their innocence through newly discovered evidence, including but not limited to DNA.

Do you qualify for our assistance? All the following must be true:

- You were found guilty of a felony crime (state or federal) in Washington State;
- You were not involved in the crime (we do not take cases involving affirmative defenses such as duress, consent, self-defense, accidental death, or insanity);
- Your actual innocence can be proven with new evidence—like a recanting witness or DNA test results—that was not available to you during trial or before your plea;
- You have completed your direct appeal or can no longer file one;
- You do not have a right to a public defender or other appointed attorney; and
- You cannot afford a private attorney.

If all the above are true, and you want us to evaluate your case, follow these steps:

- 1) Fill out our Screening Questionnaire as accurately as possible.
- 2) Return the Screening Questionnaire (without this page of instructions or the glossary of terms) as LEGAL MAIL to:

Washington Innocence Project
P.O. Box 85869
Seattle, WA 98145

- 3) You may use the pre-addressed envelope if we have provided one to you.
- 4) If your case meets our eligibility requirements, we will send you a more detailed Application for Assistance to complete. If, for any reason, you have already completed our 8-page Application for Assistance and provided us with signed copies of our (1) Authorization for Case Evaluation & Preservation of Evidence and (2) Consent for Release of Information, you are not required to complete this Screening Questionnaire to be considered.

Do not send additional materials until requested. We will write to confirm when we receive and review your questionnaire.

We recognize how difficult it can be to revisit the events that led to your conviction. While we are unable to accept every case where an injustice has occurred, our team is committed to reviewing your communications carefully while maintaining a compassionate and respectful application process.

SCREENING QUESTIONNAIRE

CONFIDENTIAL LEGAL MAIL

Please fill out as much of this Screening Questionnaire as you can. If you do not know the answer to a question, leave it blank. If you are unsure what a word means, check the "Glossary of Terms" at the back.

I cannot read or write in English.
Please send a copy in my language,
which is:

I cannot read or write, please help
me.

APPLICANT INFORMATION

Legal Name: _____

Preferred Name: _____

Date of Birth: _____

Primary Language: _____

Race: _____

Gender/Pronouns: _____

D.O.C. Facility: _____

DOC Number: _____

Expected Release Date: _____

Serving time on any other conviction(s)?

Yes No

Trial attorney name(s):

Did you represent yourself (*pro se*)?

Yes No

Currently represented by any attorney?

Yes No

If yes, who? _____

CASE INFORMATION

What crime(s) were you found guilty of?

Are you innocent of all the above crimes?

Yes No

If no, which are you innocent of:

Date of crime(s): _____

Location of Crime(s): _____

Superior Court/Federal District Court

Case Number: _____

County: _____

Were you found guilty after (check all
that apply):

Jury Trial? Bench Trial?

Guilty Plea? Alford Plea?

Sentencing Date: _____

What was your sentence?

Did you file a Direct Appeal?

Yes No

Case Number(s): _____

Date Filed: _____

SUMMARY OF ACTUAL INNOCENCE

Our goal is to gain a basic understanding of your case and your story. If your case meets our eligibility requirements, we will send you a more detailed Application for Assistance.

Are you innocent based on any of these types of defenses (check any that apply):

Accidental Death

("It happened, but I did not mean for it to happen.")

Consent

("It happened, but I had permission.")

Diminished Capacity

("It happened because of my mental state at the time, but I did not really know or intend for it to happen.")

Duress

("It happened, but someone made me do it.")

Insanity

("It happened, but I did not know it was wrong because of my mental state at the time.")

Self-Defense

("It happened, but it only happened because I was protecting myself or a loved one.")

None of These Apply or I Am Unsure

Briefly, and in your own words, why do you believe you became a suspect and were wrongfully convicted? **What do you think really happened** at the time of the crime?

GLOSSARY OF TERMS

Actual (Factual) Innocence – The person did not do what they are accused of doing and had nothing to do with the crime charged. This concept is different than “legal” innocence, which suggests the person may have done what they are accused of but should not have been found guilty.

Affirmative Defense – The accused person engaged in the charged conduct but had a legally acceptable reason for doing so. Common examples of this include:

- Self-defense. “Yes, I hit the other person, but I only did it to protect myself or someone else.”
- Consent. “Yes, I had sexual contact with the other person, but they gave me permission.”
- Accidental death. “Yes, my actions contributed to another person’s death. But I did not intend for it to occur, and I was not otherwise acting negligently or unlawfully when the accident happened.

Alford Plea – A legal mechanism for pleading guilty without admitting guilt. Instead, the accused person accepts that the evidence against them is strong enough to result in a guilty verdict if the case went to trial.

Alibi – An explanation that shows it was physically impossible for the accused person to commit the crime because they were somewhere else and/or with someone else when it happened.

Conviction – A finding made by a judge that someone is guilty of a particular crime.

Direct Appeal – A legal process where a convicted person asks the Court of Appeals to review a ruling or outcome from the trial court based on a violation of law, court rule, or individual right. People who are found guilty after a trial have a right to appeal and challenge many kinds of issues. However, to access this important right, the convicted person must follow very strict court rules and meet very strict deadlines.

Newly Discovered Evidence – Evidence that was not known and could not have been located before a conviction. Examples include:

- New DNA results or recent advancements in science or technology.
- Witnesses who testified at trial but have changed their story.
- New witnesses that were not available to testify during trial.
- A confession by the actual perpetrator.
- Objects, audio, or video connected to the crime that were previously lost or unrecoverable.
- WashIP can help to identify whether certain evidence qualifies as “newly discovered.”

Plea – An accused person’s official response to a criminal charge. Common examples are:

- Guilty. The person admits that they did what they are accused of and gives up their right to trial.
- Not Guilty. The person denies the accusation and challenges the prosecutor’s charge.

Self-Defense – A type of “affirmative defense” where the accused person says they only acted in a particular way (which might otherwise be a crime) in order to avoid harm to themselves, others, or, sometimes, property.

Sentence – The official punishment given to someone by a judge after they are found guilty of breaking the law. A sentence may include a period of confinement as well as conditions or rules the person must follow.

Trial – A process open to the public where the prosecutor must prove “beyond a reasonable doubt” that the accused person committed the crime they are charged with. An accused person has the right to insist this process take place before a jury (made up of 12 citizens) who will decide if they are guilty or not. A person may also decide to waive (give up) their right to a jury trial and have a judge hear the evidence (bench trial).