



29TH JUDICIAL DISTRICT OF KANSAS

Application for Conviction Review

The Conviction Integrity Unit (CIU) of the Wyandotte County District Attorney's Office investigates claims of actual innocence and wrongful convictions (see definition below) due to manifest injustice. After an investigation is completed, the CIU submits their findings to the Wyandotte County District Attorney.

Actual innocence means that you did not, in fact, commit the crime. It also means that you were not involved in any way (e.g., self-defense is not an actual innocence claim).

Wrongful conviction does not necessarily mean actual innocence. It means that although you had some involvement in the crime, the evidence used against you at trial was tainted in some way (e.g. the primary evidence against you was a confession that was obtained after using physical force). It can also mean that there was a constitutional violation of your right to a fair trial and therefore you may be entitled to a new trial. It also includes cases where the conviction was based on "science" that has been later disproven and/or discredited (e.g. firearms, bite mark analysis, arson, ballistics, blood spatter, etc.).

Requirements: In order to have a case reviewed, this application **MUST** be submitted or your inquiry will be returned to you. To qualify for a conviction review, each case must meet **every** listed criteria below:

- a. The case must have resulted in a conviction.
- b. The conviction must be a felony. Misdemeanor convictions and infractions will not be reviewed.
- c. The conviction must have occurred in Wyandotte County, Kansas. The CIU does not review felony convictions obtained in any other State, in any federal proceeding, or in any Kansas County other than Wyandotte County.
- d. The person seeking relief must currently be a living person presenting his or her claim.
- e. Applicant must currently be in custody.
- f. The applicant agrees to cooperate fully with the CIU, which includes disclosing all relevant information during the review process.
- g. K.S.A 60-1507 has been reviewed, understood, and is applicable for the situation.

Starting the review process: The applicant or the applicant's authorized representative must complete this form in its entirety. This form must be delivered or mailed to:

Wyandotte County District Attorney's Office
Conviction Integrity Unit
710 North 7th Street
Suite 10
Kansas City, KS 66101

If you have supporting documentation, do not send that documentation until you receive a letter from our office indicating that your case was selected for review. We will request the documents from you at that time. If there is pertinent documentation, please state such in your application.

ADVICE OF RIGHTS

This form can be completed by a convicted defendant, by an attorney representing a convicted defendant, or by any person authorized by a convicted defendant to act on his or her behalf. Regardless of who prepares the form, fully completing the form requires the convicted defendant to provide information about a criminal case.

Further, if the CIU engages in a review of the conviction it is likely that the CIU may request additional information from the convicted defendant. It also is possible that the CIU will request information from others identified as having relevant information, including any attorney who participated in the proceedings that led to the underlying conviction.

This form is not intended to convey legal advice. Nevertheless, any person who completes and submits this form should recognize that he or she has the right not to provide information to an agency of government about a criminal matter. By submitting this form you acknowledge that any information you provide in this form is given voluntarily and that no promise or inducement has been conveyed to you. You are providing information of your own free will.

Similarly, you acknowledge that in certain situations, the CIU may request that you authorize the attorney who represented you in the criminal case to discuss with the CIU the events that led to the conviction. The CIU will not contact your lawyer unless you give permission for such contact and the CIU cannot require that your lawyer speak about your case without your permission. The request for authorization is enclosed.

The CIU may consider your case even if you decline to provide all the information requested, or if you decline to authorize an interview of your attorney. The CIU reserves the right, however, to consider such refusals when reaching its decisions and recommendations.