



## Justice Integrity Unit, SB 819 Application

### APPLICATION DESCRIPTION

Please provide the required information and complete this application in its entirety to apply for review of your conviction(s). Be sure to include copies of any documents that support your application/claims. Do not send original documents or your only copy of any documents.

This form and supporting documents may be mailed to:

Multnomah County District Attorney  
Attn: Justice Integrity Unit  
1200 SW First Ave  
Portland, OR 97204

You may also email the forms and supporting documents to:

justiceintegrityunit@MCDA.US

This document, and any information that you provide to the Multnomah County District Attorney's Office, is subject to release under the Oregon Public Records law, found at ORS Chapter 192

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

### THIS APPLICATION CONTAINS THE FOLLOWING

- Important notifications
- Applicant information
- Case information
- General SB 819 questionnaire
- Information about specific application type

### WHO MAY FILL OUT THIS APPLICATION

An SB 819 Application must be filled out by the convicted person who is seeking to have their conviction(s) reviewed by the Multnomah County District Attorney Justice Integrity Unit ("JIU"), or the application may be filled out by the convicted person's designee.

A convicted person's designee is any person that the applicant has expressly given permission to in order to fill out this application. A designee may be the convicted person's lawyer, a legal clinic or legal organization writing on the convicted person's behalf, or any other individual that has been given express permission by the convicted person.

The convicted person who is applying for review by the JIU must fill out the following sections regarding designees (if applicable), important notifications, and authorizations. All other sections may be completed either by a convicted person's designee. The term "applicant" is used throughout the application to refer to either a designee or a convicted person.



1.1 Which of the following options best describes the person filling out this form?

*Mark only one circle.*

I am filling out this application for myself as the convicted person. *Proceed to question 3.1*

A designee is helping me fill out this application. *Proceed to question 2.1*

2.1 Name of the convicted person

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2.2 Name of the designee assisting in the completion of this application

*Please provide their name and contact information. If you are being assisted by an attorney, law student, or other legal professional, please write their bar or CLS number (if applicable).*

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2.3 I, as the convicted person named above, who would like my case reviewed by the JIU, and I am providing express consent for the person named in this application as my designee, to assist me in filling out this application.”

*Mark only one circle.*

Yes, I provide consent.

No, I do not provide consent.



**IMPORTANT NOTIFICATIONS**

3.1 Please initial each statement below to show understanding and acceptance of the following terms. Don't initial any statement you don't understand or that you don't agree with  
*Mark only one circle*

	I have read and understand this statement	I do not understand and/or agree with this statement
This document, and any information that you provide to the Multnomah County District Attorney's Office, is subject to release under the Oregon Public Records law, found at ORS Chapter 192.	<input type="radio"/>	<input type="radio"/>
Requesting review by submitting this application to the JIU will not toll the time you have to pursue post-conviction remedies, such as filing an appeal or post-conviction motion. You need to pursue those remedies separately. Additionally, acknowledgement of receipt of my Application by the JIU does not mean the JIU will agree to jointly petition, and I understand that the JIU may ultimately determine that my cases not appropriate for anoint petition for reconsideration.	<input type="radio"/>	<input type="radio"/>
The Justice Integrity Unit is a program of the Multnomah County District Attorney's Office. They are not defense lawyers. They do not provide legal advice.	<input type="radio"/>	<input type="radio"/>
I understand I am providing information to a prosecutor's office and that any statements here are provided voluntarily.	<input type="radio"/>	<input type="radio"/>
I understand my statements on this application might have to be disclosed based on mandatory reporting requirements and Brady obligations that apply to the Multnomah County District Attorney's Office.	<input type="radio"/>	<input type="radio"/>
I understand that there could be negative consequences for me if have lied in this.	<input type="radio"/>	<input type="radio"/>
No-one has promised me anything to fill out this application.	<input type="radio"/>	<input type="radio"/>
I understand the Justice Integrity Unit reviews cases based on its own standards and my case may or may not be reviewed or investigated.	<input type="radio"/>	<input type="radio"/>
I understand the JIU is under no legal obligation to review my case and may not be able to review my case or resolve my claims.	<input type="radio"/>	<input type="radio"/>
I understand the Justice Integrity Unit may contact the people or witnesses I have listed in this application to talk with them about my conviction.	<input type="radio"/>	<input type="radio"/>



**IMPORTANT NOTIFICATIONS**

3.2 Select the statement that best represents your status at the time of submitting this application  
*Mark only one circle*

- I am not currently represented by an attorney.
- I am currently represented by an attorney but wish to submit this application on my own after consulting with my lawyer.
- My attorney is acting as my designee in helping me submit this application.

3.3 If you agree to the following statements, please fill out the optional authorization sections that follow this page of the application.

*The following statements are OPTIONAL; you do not have to accept them for the JIU to begin reviewing your case. Mark only one oval per row.*

	I agree with this statement	I do not agree with this statement
I want to give my attorneys and former attorneys permission to share information from their files with the JIU.	<input type="radio"/>	<input type="radio"/>
I want to give any innocence organization that I have contacted permission to share information from their files with the JIU. This includes and is not limited to the Oregon Innocence Project, the Lewis & Clark School of Law Criminal Justice Reform Clinic, the National Innocence Project, the Oregon Justice Resource Center.	<input type="radio"/>	<input type="radio"/>
I want to give the JIU permission to share information from their review of my case with any local innocence project or any other innocence organization or law clinic related to innocence work.	<input type="radio"/>	<input type="radio"/>



### APPLICANT INFORMATION

4.1 Are you currently serving your sentence from this conviction?

*Mark only one circle*

- Yes, I am in prison.
- Yes, I am on probation.
- Yes, I am on parole.
- No, I am not currently serving my sentence from this conviction.
- I do not know.

4.2 Your name

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4.3 Your SID Number

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4.4 Your race/ethnicity

- African American / Black
- Asian American / Pacific Islander
- Caucasian / White
- Latino/a
- Native American
- Other
- Prefer to not answer

4.5 Your native language

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4.6 Your current mailing address

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4.7 Your date of birth

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**CASE INFORMATION | General**

4.8 Court case number(s) on convicted case(s)  
\_\_\_\_\_

4.9 County in which you were convicted  
\_\_\_\_\_

4.10 Charge(s) on conviction(s)  
\_\_\_\_\_

4.11 Date(s) of conviction(s)  
\_\_\_\_\_

4.12 Incident date(s) of crime(s)  
\_\_\_\_\_

4.13 Did your case end in a plea or trial?  
*Mark only one circle*

- My case ended in a plea.
- My case ended in a trial.
- I do not know.

4.14 Name of Judge who sentenced you  
\_\_\_\_\_

4.15 Your home address when the crime was committed  
*If you do not remember the exact address, please provide cross streets or neighborhood and city*

\_\_\_\_\_

4.16 Your age when the crime was committed  
\_\_\_\_\_



**CASE INFORMATION | DETAILED**

5.1 List all the Attorney(s) who have represented you in the conviction related to your application

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5.2 Select Yes for each statement that is true

*Mark only one circle per row.*

	Yes	No	I don't know
My conviction(s) was/were from a plea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My conviction(s) was/were from a bench trial	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My conviction(s) was/were from a jury trial	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My conviction(s) was from a jury trial and the verdict(s) was/were not unanimous (10-2, 11-1).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**PRIOR APPEALS AND LEGAL PROCEEDINGS**

5.3 Do you have any active appeals or post-conviction motions?

*Mark only one circle*

- Yes
- No

5.4 If you have any active appeals or post-conviction motions, provide the case number

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5.5 If you have any active appeals or post-conviction motions, what court is it in?

*Mark only one circle*

- Trial Court
- OR Court of Appeals
- OR Supreme Court
- Federal District Court
- 9th Circuit Court of Appeals
- US Supreme Court
- I don't know
- Not applicable



5.6 Have you filed any post-conviction motions before in this case?

*Mark only one circle*

Yes

No

5.7 If you have filed any post-conviction motions before in this case provide case information.

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#### **PRIOR DNA TESTING**

5.8 Was DNA evidence used in your case?

*Mark only one circle*

Yes

No

5.9 Was DNA evidence used in a trial on your case, was it by:

*Mark only one circle*

State

Defense

I don't know

I did not have a trial

DNA evidence was not used at my trial

5.10 Have you filed a motion for DNA testing under OR law?

*Mark only one circle*

Yes

No

5.11 If you have filed a motion for DNA testing under OR law, was the motion granted?

*Mark only one circle*

Yes

No

I don't know

Not applicable





5.12 If you have filed a motion for DNA testing under OR law, was testing done?

*Mark only one circle*

- Yes
- No
- I don't know
- Not applicable

### CONTACT WITH INNOCENCE ORGANIZATIONS

5.13 Have you contacted any local Innocence Organizations or law clinics about your case?

*Mark only one circle*

- Yes
- No
- I don't know

5.14 If you have contacted any local Innocence Organizations or law clinics about your case, which organization and when?

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5.15 If you have contacted any local Innocence Organizations or law clinics about your case, are they currently investigating?

*Mark only one circle*

- Yes
- No
- I don't know
- Not applicable

### PREVIOUS CLEMENCY PETITIONS

5.16 Have you applied for clemency, commutation, pardon, or reprieve before?

*Mark only one circle*

- Yes
- No
- I don't know

5.17 If you have applied for executive clemency before, what date did you submit your application?

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5.18 Did you receive an answer on your petition(s) from the Governor's office?

*Mark only one circle*

- Yes
- No
- I don't know
- Not applicable

5.19 If you received an answer on your petition(s) from the Governor's office, what date(s) did you receive an answer(s)?

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**PREVIOUS EXPUNGEMENT APPLICATIONS**

5.20 Have you applied to have the conviction from this application set aside or expunged?

*Mark only one circle*

- Yes
- No
- I don't know

5.21 If you have applied for set aside or expungement, what date(s) did you submit your application(s)?

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5.22 Did you have the help of any legal clinic or organization in applying for set aside or expungement? If so, which one?

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5.23 What was the outcome of your application for set aside or expungement?

\_\_\_\_\_



### SB 819 QUESTIONNAIRE

6.1 Check true for every statement that is true. You can check as many boxes as you need.

	True	Not True
My conviction(s) happened in Multnomah County, Oregon.	<input type="radio"/>	<input type="radio"/>
The conviction(s) I am applying for review of is/are not aggravated murder.	<input type="radio"/>	<input type="radio"/>
The conviction(s) I am applying for review of was/were sentenced as felony convictions.	<input type="radio"/>	<input type="radio"/>

6.2 Check true for every statement that is true. You can check as many boxes as you need.

	True	Not True
A witness/informant who testified against me has recanted or changed their testimony.	<input type="radio"/>	<input type="radio"/>
I was not at the crime scene and have an alibi.	<input type="radio"/>	<input type="radio"/>
Police said I confessed to them, but I did not.	<input type="radio"/>	<input type="radio"/>
Police said I confessed to them, but my statement was coerced.	<input type="radio"/>	<input type="radio"/>
An eyewitness or victim didn't know me but identified me as the committing the crime, and got it wrong.	<input type="radio"/>	<input type="radio"/>
There is new evidence that proves my innocence that wasn't available when I went to trial or entered my plea.	<input type="radio"/>	<input type="radio"/>
There is new evidence that shows my trial was unfair that wasn't available when I went to trial or entered my plea.	<input type="radio"/>	<input type="radio"/>
There was scientific testimony at my trial that was wrong or has been discredited.	<input type="radio"/>	<input type="radio"/>
There is DNA in my case that was never tested.	<input type="radio"/>	<input type="radio"/>
The officer who arrested me or presented testimony against me was arrested or has a sustained finding of dishonesty or bias, or there was news coverage of bad conduct on the part of the officer.	<input type="radio"/>	<input type="radio"/>
The State used hair comparison evidence against me.	<input type="radio"/>	<input type="radio"/>
Forensic evidence used in my case should not have been relied upon.	<input type="radio"/>	<input type="radio"/>
I don't know the answer to some or all of these questions	<input type="radio"/>	<input type="radio"/>



6.3 Check true for every statement that is true. You can check as many boxes as you need.

	True	Not True
An eyewitness or victim identified me from a show-up or confrontation.	<input type="radio"/>	<input type="radio"/>
An eyewitness or victim identified me from a photo array or photo lineup.	<input type="radio"/>	<input type="radio"/>
An eyewitness or victim identified me from a live lineup.	<input type="radio"/>	<input type="radio"/>
An eyewitness or victim identified me for the first time in court.	<input type="radio"/>	<input type="radio"/>

6.4 Use the space below to provide explanations about any new evidence that proves your innocence that wasn't available when you went to trial or entered your plea.

*Answer only if you selected "true" to the statement "There is new evidence that proves my innocence that wasn't available when I went to trial or entered my plea."*

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6.5 Use the space below to provide explanations about any new evidence that shows your trial was unfair that wasn't available when you went to trial or entered your plea.

*Answer only if you selected "true" to the statement "There is new evidence that shows my trial was unfair that wasn't available when I went to trial or entered my plea."*

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6.6 Use the space below to provide explanations about any scientific testimony at your trial that was wrong or has been discredited.

*Answer only if you selected "true" to the statement "There was scientific testimony at my trial that was wrong or has been discredited."*

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6.7 Use the space below to provide the name and DPSST number of any officer that arrested you or presented testimony against you that has been arrested or has a sustained finding of dishonesty or bias.

*Answer only if you selected "true" to the statement "The officer who arrested me or presented testimony against me was arrested or has a sustained finding of dishonesty or bias, or there was news coverage of bad conduct on the part of the officer."*

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6.8 Use the space below to provide brief explanations about the forensic evidence used in your case that should not have been relied upon.

*Answer only if you selected "true" to the statement "Forensic evidence used in my case should not have been relied upon."*

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6.9 Please check every statement that applies to you

	Yes	No
I did something illegal, but I had a condition that affects my ability to act or understand right from wrong.	<input type="radio"/>	<input type="radio"/>
I did something illegal, but I was under 18 at the time of the crime.	<input type="radio"/>	<input type="radio"/>
I did something illegal, but I was under 25 at the time of the crime.	<input type="radio"/>	<input type="radio"/>
I did something illegal because I was forced to do it by someone else.	<input type="radio"/>	<input type="radio"/>
I was not the main perpetrator of the crimes I was convicted of, and was charged under an aid and abet theory for helping the main perpetrator (for example, you were the get-away driver).	<input type="radio"/>	<input type="radio"/>
I am currently over the age of 60.	<input type="radio"/>	<input type="radio"/>
I currently have a terminal or debilitating illness.	<input type="radio"/>	<input type="radio"/>
I am currently in hospice.	<input type="radio"/>	<input type="radio"/>

### APPLICATION TYPE

7.1 Please identify which claim you are seeking.

*Mark only one circle*

- Innocence claim
- Excessive sentencing claim
- Collateral consequences claim



**COLLATERAL CONSEQUENCES CLAIM**

10.1 Please check all that apply

	This applies to me	This does not apply to me
I am not currently incarcerated and have completed all terms of supervision associated with my conviction(s).	<input type="radio"/>	<input type="radio"/>
My conviction(s) is/are not registerable sex offenses and did not involve domestic violence, or if they did involve domestic violence, they were committed when I was a juvenile and did not involve an intimate partner	<input type="radio"/>	<input type="radio"/>
I believe that I have completed substantial rehabilitation.	<input type="radio"/>	<input type="radio"/>
I believe that I present as a low risk for future criminality.	<input type="radio"/>	<input type="radio"/>
I believe that my conviction causes manifest and particularized hardship for me.	<input type="radio"/>	<input type="radio"/>

10.2 Please provide an explanation of the particularized hardship(s) you are experiencing as a result of your conviction(s).

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10.3 Please briefly and accurately explain the events surrounding your offense. If your version differs from the official version of events, you must give the official version before explaining the way in which your view differs..

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10.4 Explain any challenging circumstances you dealt with leading to your conviction.  
*For example, substance use, domestic violence, mental health challenges, etc.*

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10.5 Describe your family situation and responsibilities, indicating whether you are single, married, or divorced, and whether you have dependent children or other people for whom you are financially responsible. Please also tell us about non-traditional family members or relationships.

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10.6 Describe any courses of treatment, including substance abuse, mental health, anger management or other treatment that you have engaged in since you were convicted.

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10.7 Describe any academic accomplishments or professional certifications you have obtained since being convicted. Describe how your conviction has affected your efforts.

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10.8 Describe your employment before and after your conviction(s). Give the name of past employers. Describe what kind of work you did and tell why you left.

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10.9 Tell us about your employment since being convicted.

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10.10 Describe your plans for future employment and any barriers you've faced in achieving your plans.

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10.11 Tell about your involvement with any public service or community activities. List any special accomplishments.

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10.12 Describe your criminal record since your conviction(s).

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10.13 List any debts you owe, including restitution, and how you plan to pay them. If you have paid restitution associated with your case, tell us about it.

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10.14 Character References. Do not list relatives. If possible, these individuals should be aware of your crime. Whether they know about the crime or not, they must be familiar with your present circumstances and activities. (You may email letters of recommendation from these references, or from other individuals, if you would like to, however, you are not required to do so. Emailed letters of recommendation sent to the JIU should be labeled with a subject line that contains your (the applicant's) full name and "SB 819 Application.")

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