

SCREENING CRITERIA

Although the Innocence Project of Iowa, Inc. will initially review all claims and correspondence from prisoners, it will accept only those cases wherein there is a significant probability of proving actual innocence. Cases that the organization is most likely to accept include, but are not necessarily limited to, the following:

- a. cases wherein scientific evidence may be used to exonerate the prisoner of the crime;
- b. cases that arise out of mistaken eyewitness identification;
- c. cases that arise out of false confessions;
- d. cases that arise out of police, prosecutorial, or judicial neglect or misconduct;
- e. cases that arise out of unreliable scientific methods, tests, or procedures;
- f. cases that arise out of false witness testimony; and
- g. cases that arise out of egregious defense counsel neglect or misconduct.

If a case falls within one or more of the above categories, the organization then considers the presence or absence of a variety of factors in determining whether to accept the prisoner's case. These factors include, but are not necessarily limited to, the following.

a. The organization accepts only those cases wherein the conviction occurred in an Iowa state or federal court.

b. The organization places priority on those cases wherein scientific evidence may be used to exonerate the prisoner of the crime for which he or she is currently incarcerated. Not only must the scientific evidence be available for analysis and testing, the scientific evidence must be capable of conclusively establishing innocence. For example, scientific evidence could not be used to conclusively establish innocence in a sexual assault case that was based on the

issue of consent, but may be used to conclusively establish innocence in a sexual assault case that was based on a denial of engaging in sex.

c. The organization places priority on those cases wherein the prisoner is completely, wholly, and actually innocent of the crime for which he or she is currently incarcerated and of any other lesser-included crime for which he or she could have been incarcerated. This means that the organization is unlikely to accept a case from a prisoner who was an admitted accomplice, codefendant, or coconspirator, even if the prisoner's role as an accomplice, codefendant, or coconspirator was relatively minor. This also means that the organization is unlikely to accept a case from a prisoner who has pleaded guilty to the crime.

d. The organization places priority on those cases wherein the prisoner is not serving concurrent or consecutive sentences for other crimes that he or she is not completely, wholly, and actually innocent of. For example, the organization is unlikely to accept a case from a prisoner who is also serving time on another case, unless the prisoner is completely, wholly, and actually innocent of the other case.

e. The organization places priority on those cases wherein the prisoner is serving a substantial prison sentence. This means that the organization is unlikely to accept a case from a prisoner who will be released in the near future.

f. The organization places priority on those cases wherein convincing, credible, and corroborating evidence is available to conclusively establish actual innocence. For example, the organization is unlikely to accept a case from a prisoner unless there is independent and verifiable evidence to support the prisoner's claims.

g. The organization places priority on those cases wherein the prisoner has exhausted all avenues of relief through direct appeal. This means that the organization is unlikely to accept a case from a prisoner whose case has not yet gone through the trial and direct appeal process.

h. The organization is unable to accept cases wherein the prisoner is presently represented by another attorney.