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THE HUMANE INVESTIGATION PROJECT (HIP)

The Texas Southern University's Urban Research and Resource Center has collaborated with the Thurgood Marshall School of Law, The Barbara Jordan Mickey Leland School of Public Affairs and the Anthony Graves Foundation to address problems within the criminal justice system. Under the title "**The Humane Investigation Project**", The program is designed to engage academics, students and community stakeholders in ensuring fair opportunities for justice for our most vulnerable populations.

Overview

We face a number of crises in Texas criminal justice today. **Texas Southern University (TSU)**, the city's only Historically Black College and University (HBCU), was designated by the Texas Legislature as a special purpose institution for the identifying and solving of urban problems. The **Urban Research and Resource Center (URRC)** at TSU was established to meet the goal of the university's special purpose. One of its five areas of urban focus, is criminal justice reform.

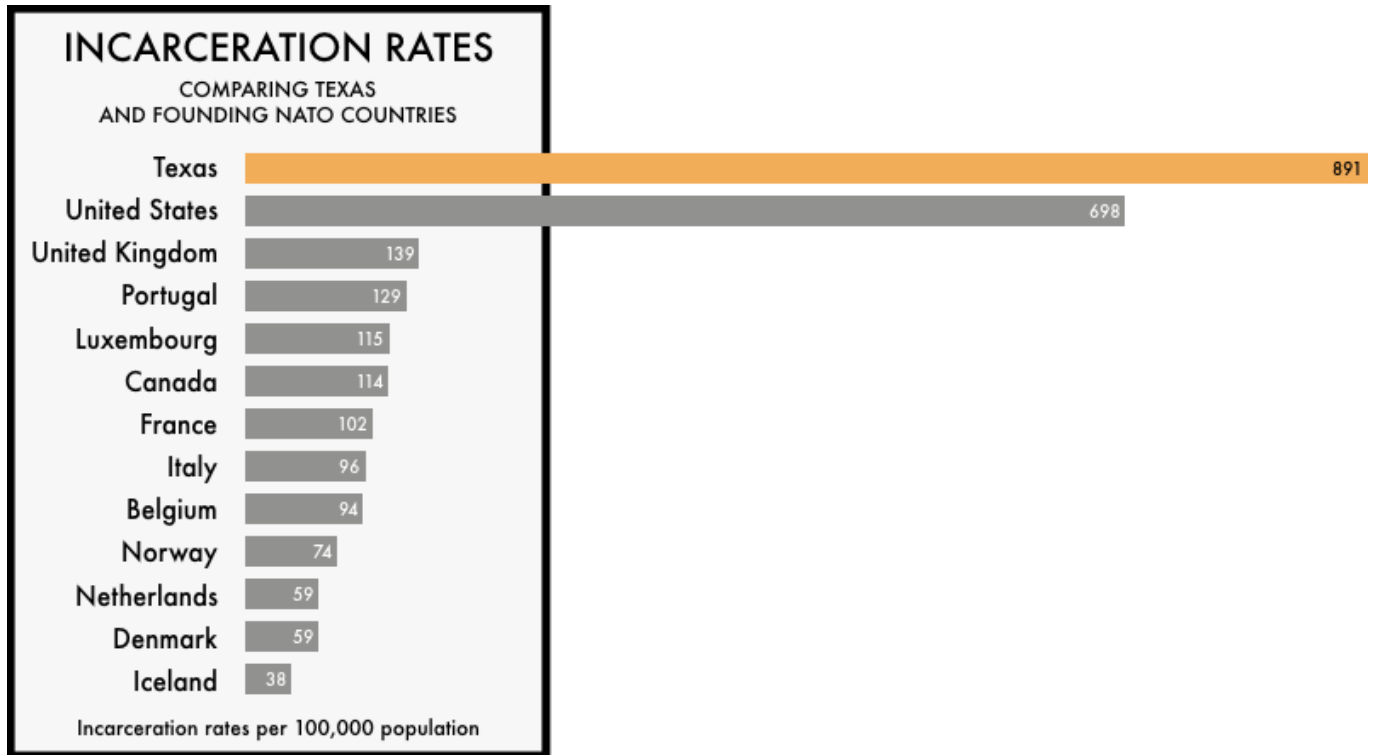
The Anthony Graves Foundation (AGF) was founded to confront the high number of incarcerated people who do not belong in prison. They do not belong in prison in some cases because they are innocent and other cases because of an ineffective process that illegally forced confessions, withheld exculpatory evidence, ruthless prosecutions motivated by case statistics, ineffective legal counsel, or unusually harsh sentences. Failures in the justice system disproportionately affect people of color.

The impact on Texas – both its families and its finances – is huge. We hope to lessen that impact by getting people out of Texas prisons who should not be there. The case of our namesake, Anthony Graves, is one such case that demonstrates the importance of a broader review of cases.

The HIP seeks funding so that we can investigate wrongful imprisonment cases of all types with the goal of qualifying them, developing summary reports that can be used by attorneys to start the appeals process, and referring the cases out to our network of active and qualified firms and attorneys.

The Need

By nearly any measure the need is enormous. Texas has the largest prison population of any state at nearly 250,000 people, representing almost 10 percent of the Texas population (28,604,330). The state justice system disproportionately targets people of color. About 67% of the people incarcerated in Texas state prisons are Black (33.1%) or Latino (33.6%).



There is a history of a poorly managed judicial process that lands people of color in Texas prisons, and they lack the access and resources needed to appeal convictions.

Organizations designed to help free wrongfully imprisoned Texans lack the resources to address the current need. That has resulted in a nearly exclusive focus on higher profile cases that have the potential for DNA evidence conviction reversals. That pool of cases is only a small percentage of the overall cases in the Texas systems.

HIP is different. We are a collaboration of university departments, schools, institutes and centers that will consider, vet and investigate wrongful convictions of any type including those that resulted from forced confessions, prosecutorial mis-management, ineffective legal counsel or suppressed evidence.

We will be staffed by law and criminal justice students who will be supervised by university professors and advised by highly qualified private law practitioners.

HIP Today

AGF's founder, Anthony Graves was in prison for 18 years after being convicted for a crime he did not commit. His conviction was the result of prosecutorial misconduct that included the secreting of exculpatory evidence, ineffective legal counsel and other system failures. Because



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of his history, we are already known as a resource for those wrongly imprisoned. As a result, we field about 15 inquiries per month on average for people seeking assistance to prove their innocence or wrongful conviction or that of a loved one.

What have we observed?

- Approximately 20% (or 3 per month) come from inmates who clearly do not belong in prison for any of a number of reasons;
- Approximately 33% (or 5 per month) come from inmates whose cases warrant further review to determine if it is a reasonable case of wrongful imprisonment; and
- The remaining 7 or do not present a reasonable case for reversing the imprisonment.

We get those 15 inquiries with little outreach on our part and believe that the potential is for that number to grow significantly. And, today, we lack the resources to do what we need to investigate the 3 clear cases or the 5 that need initial vetting. We are only able to refer the most extreme cases out to counsel. That means that most of the very legitimate cases go untouched and unheard.

Use of Funds & Budget

We seek the funding to give these cases the attention they deserve. That means investigating the obvious wrongful convictions to do the legwork pro bono attorneys need or vetting candidates before an investigation occurs. It also means building up our stable of legal resources so that good cases get heard.

To do that, we want to build a small team led by an Executive Director and staffed by a Field Investigator and a Paralegal. We also need funding for some light overhead costs. All of the costs are outlined in the budget below.

We need these three positions to build effectively and fill our immediate need to develop consistency around the work we do to stabilize the HIP program and serve more convicts.

Executive Director – Recruitment and management, fundraising, financial oversight, setting policy, and human resources.

Paralegal – Track schedules, coordinate interns with investigators and cases, files legal documents and pleadings, track phone calls and data entry with interns on case management.

Investigator – Run all field investigations and coordinate with partner law firms. Ten years in experience in private, police, military or public defender investigations.



Annual Budget

Item	One Time	Mthly	Annual Total	Notes
Equipment	12,800		12,800	Laptops, printer, desks furnished by Thurgood Marshall School of Law (TMSL)
Internet, phones, software		600	7,200	
Supplies		400	4,800	
Incidentals (Year 1)		800	9,600	Moving, other expenses
Rent		1,500	18,000	TMSL
Salaries (incl. benefits)				
-Executive Director		8,333	100,000	
-Field Investigator		6,250	75,000	
-Paralegal		5,167	62,000	
TOTAL			289,400	

HIP Capacity & Process

This team’s primary charge would be to quickly investigate strong cases and vet weaker, but still qualified, ones. Our process will be to quickly identify those cases that are obvious candidates for appeal and those cases that need further investigation to understand the reasonableness of the claim. Cases that are clearly not candidates will be rejected.

Investigations will yield usable Summary Reports that we will provide to our network of attorneys and firms to identify potential legal representation matches. They will provide carefully investigated summaries of the core legal opportunity for overturning convictions or reducing unfair sentences. They will identify missing (or deliberately hidden) evidence and witnesses who can provide material testimony.

The executive director, and Anthony Graves himself, will build the network we need to make sure people get the representation they need.

The team that we have proposed will be able to handle the following:

- An initial review of up to 25 cases per month to put them into those pools we have identified: clear case for intervention, case for further review, or rejected case;
- Research, including primary interviews of key people, for the 8 or so (of 25) that warrant further vetting; and
- Full investigation of 5 to 10 cases per month for preparation for legal counsel.

Our primary goal: Referring vetted and investigated very solid cases to legal counsel.



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A Note From Our Founder



I am excited to embark upon this very unique approach to criminal justice reform.

My name is Anthony Graves and I'm an exoneree. I was falsely accused and wrongfully convicted for a crime I didn't commit. I was sentenced to death. I spent 6,640 days of my life fighting a criminal justice system set to murder me. I reached out to numerous organizations asking for help to save my life, but because of certain criteria in which organizations use

to select cases, I ran across one hurdle after another even though I was innocent. The main selection criteria used by organizations who take these cases is DNA evidence. However, most case of actual innocence don't have DNA evidence to rely on. Those cases, like mine, usually get turned down. I would be dead today if that was the standard for all organizations.

I was exonerated in October 2010 and knew the day I was released that I would create a program that would address all wrongful convictions. The number of wrongful convictions is larger than the number of innocents who can rely on DNA evidence, and they are dreadfully underserved. There are many men and women in our nation's prison system that are wrongfully convicted but their stories will never be heard because they lack DNA evidence.

They follow a number of patterns:

- False Testimony: they have been misidentified
- Racial Bias: they have been received harshly sentenced because of the color of their skin
- Police & Prosecutor Misconduct: they have been convicted because of hidden evidence, false statements, coercion
- Flawed Bail System: they have been convicted and sentenced because they pled guilty to a crime they didn't do to avoid sitting in jail for months and years because they can't make bail
- Attorney Experience & Investigatory Resources: they have been convicted and sentence because of inadequate legal counsel

Citizens that fall in any of these categories are frequently denied assistance by the very same institutions raising funds to help them.

I started the Anthony Graves Foundation to address wrongful convictions across the board. Based on my experience I know first-hand the bigger picture concerning wrongful convictions and know that to address the whole picture can reduce mass incarceration and force legislation to address



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the real issues leading to wrongful. This is my mission, my purpose in life, and I need your help. The criteria that is most important to me is that a citizen has been wrongfully convicted.

HIP (Humane Investigation Project) is the program I see moving forward toward real criminal justice reform. It is going to make us rethink the way we view wrongful convictions, and in the process we will be reuniting families that have gone through what my family and I experienced in the criminal justice system. I have partnered up with Texas Southern University's Thurgood Marshall School of Law, its Earl Carl Institute's innocence project, its Urban Research and Resource Center, its Barbara Jordan-Mickey Leland School of Public Affairs and its independent forensics center as well as with the local DA's integrity unit office to review cases and resolve cases together. I am a firm believer all of us must work together to achieve the justice we all deserve.

Student and volunteer interns work with us to read trial transcripts on the trial and appellate level, write summaries of facts, make preliminary recommendations for determining whether the case warrants investigation, and then we seek to find attorneys/law firms to represent the cases we believe to be legitimate claims of being wrongfully convicted.

I was put in an unfortunate position in the criminal justice system. The system I grew up believing was the best criminal justice system in the world was unraveling and letting me down without missing a beat. I watched the criminal justice system fail me from top to bottom and for 18 years lived with that failure.

I watched the police investigation fail me, I watched the misconduct of the prosecution fail me, I watched as judicial impropriety failed me. These are the things that led to my wrongful conviction.

I cannot and will not sit by and let this happen to others.