

# North Carolina Innocence Inquiry Commission Claim Review Process

## Innocence Claim Initiated

A claim may be initiated by Claimant, Court, State or Local Agency, or a Claimant's Attorney.



## Claim Processing

The Claimant gives written consent for review and completes a detailed questionnaire.



## Initial Review

The questionnaire and public documents are reviewed.



## Further Review

Legal documents (e.g. transcripts) are reviewed.



## Investigation

Field investigation is conducted.  
Files may be obtained.  
DNA Testing may be conducted.



## Formal Inquiry

Claimant has right to counsel and waives all protections and safeguards.  
Crime victims (or next of kin) are notified.



## Commission Hearing

Case is presented by Commission Staff to eight-member Commission panel.  
Standard of proof is "Sufficient Evidence of Factual Innocence to Merit Judicial Review".



## Three-Judge Panel Hearing

Claimant must prove innocence by "Clear and Convincing Evidence".  
Commission staff may be called to testify.  
Judges must be unanimous in order to exonerate.



or

