

INNOCENCE INVESTIGATIONS (5470 / 10768)
SUMMER 2025 SYLLABUS

Professor Cassandra Jeu

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office hours: Mondays 1:00pm–3:00pm
and by appointment

Professor David R. Dow

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office hours: Mondays 2:30pm–4:00pm
and by appointment

Professor Jeu is always available by email or phone; emails and voice messages and will be returned as soon as possible. Students can schedule phone calls, Zoom meetings, and/or in-person meetings at a mutually amenable day/time. With respect to in-person meetings, unless students come during office hours or have scheduled a specific appointment, Professors Dow and Jeu reserve the right to be out of the office at any time.

CLASS MEETINGS / ATTENDANCE, MODE OF INSTRUCTION, AND STUDENT WORKSPACE

Innocence Investigations is a face-to-face class held on Mondays/Wednesdays from 4:00pm – 5:30pm in a room TBA. In accordance with American Bar Association standards, each class will meet for 75 minutes/week over the ten-and-a-half week semester. Pursuant to UHLC policy, students must attend at least 80% of all classes (*ie.* – students may miss 4 classes without penalty). Attendance will be kept by a weekly sign-in sheet. Nonadherence to UHLC's attendance policy will be reported to the Office of Student Affairs and may result in a lowering of a student's final grade, an incomplete in the class, or a failing grade. Any necessary make-up classes will be scheduled in accordance with UHLC policy.

The Texas Innocence Network (TIN) office is located at the John O'Quinn Law Building Clinic space on the first floor. Students may work in the Clinics space and use the phone/copier/scanner/fax machine/materials located in the Clinics space at their convenience.

COURSE INFORMATION

Innocence Investigations explores the substantive law, appellate procedure, investigative techniques, and post-conviction appellate remedies applicable in criminal cases. Lectures will cover topics such as: Texas criminal statutes, state/federal habeas law and procedure, clemency proceedings, investigative techniques, mitigation evidence, and trial strategy. In addition to attending lectures, students work on actual cases involving non-death penalty inmates. Students assess the viability of inmates' claims of actual innocence, investigate the claims by locating new, exculpatory evidence, and assist in providing post-conviction relief once innocence claims are verified.

ASSIGNED BOOKS AND/OR SUPPLEMENTAL MATERIALS

This course does not have a required casebook. Rather, class and case materials will be made available in class or online via email and/or Dropbox. Any original case documents *must* be returned by the end of the semester. Students are strictly forbidden from marking on anything found in the case file in any way (*e.g.* – writing, highlighting, etc.). Students may make copies of any original documents found in the case file and mark on the copies, as long as the copies are returned to TIN at the end of the end of the semester, along with the original case file(s).

CLASS PREREQUISITE

Completion of two semesters of law school plus completion of or current enrollment in Criminal Law.

COURSE OBJECTIVES AND LEARNING OUTCOMES

Through and as a result of this course, students will: (1) demonstrate knowledge and understanding of substantive and procedural law regulating lawyers' conduct in criminal trials and appeals; (2) analyze the fact-based investigations that led to criminal convictions and perform fact-based investigations pertaining to inmates' claims of actual innocence; (3) develop skills in legal analysis and reasoning, legal research, problem-solving, and written and oral communication related to post-conviction claims of actual innocence; (4) understand the proper professional and ethical responsibilities to clients and the legal system by all stakeholders in the criminal justice system; (5) reflect upon conceptions of professionalism and the lawyer's role in the criminal justice system and society; (6) recognize trends that will influence the future of criminal lawyers' work and the delivery of legal services; and (7) increase professional self-development.

GRADING AND ASSESSMENT

Innocence Investigations is entirely graded; there is no pass/fail option available. Grading is non-anonymous. There is not a single assessment to evaluate overall performance at the end of the semester; rather, the student work performed throughout the semester provides a summative, cumulative assessment. A student's grade may be raised or lowered by one-third of a letter grade on the basis of class participation. A downward adjustment may be in order if a student is consistently unprepared for class or disrespectful to others during class lectures/presentations.

Grades in Innocence Investigations will be based on the quality of student casework performed during the semester. The quality of a student's investigation presentations, screener memos, investigation memos, and investigation assignments combine in order to determine a student's overall grade.

This course offers formative assessment at any time during the semester upon student request to provide feedback on student performance and competence. In other words, students may ask the instructors for feedback throughout the semester on any assignment. Requested feedback will be given after the assignment has been turned in and graded. For additional information regarding UHLC's official policies with respect to grading in general, please refer to the UHLC student handbook and/or official announcements that may occur throughout the semester.

RECORDING OF CLASSES

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

WEBCAMS

In the unlikely event that a remote option is permitted at any point during the semester, access to a webcam is required for students participating remotely in this course. Webcams must be turned on at all times to ensure that the student is participating in the class and, more important, that nobody else can listen to the case meetings, in order to protect confidentiality.

USE OF COMPUTERS AND ELECTRONICS

Out of respect for other students and the class environment, during class sessions, computers/tablets are to be used only for note-taking purposes and for reference during a student's own investigation presentation. This prohibits computer/tablet use for internet surfing, chat rooms, e-mails, or other uses that are not related to class. Students are likewise prohibited from using their electronic devices to prepare for their own investigation presentations during other students' investigation presentations. We reserve the right to treat violations of this policy as either a lack of preparation, a constructive lack of attendance, or, in appropriate circumstances, as a class disruption. As a matter of courtesy, please ensure that all electronics (*e.g.* – watches, cel phones, etc.) are in a silent mode during class.

ARTIFICIAL INTELLIGENCE (AI) TEXT AND WORK PRODUCT POLICY

General: Generative artificial intelligence is a form of machine learning that creates new and original output based on the data it has been trained on or has access to, employing algorithms to generate content in response to prompts. Examples of the technology include what are known as generative “large language models” (LLMs). Two well-known LLM implementations are ChatGPT and Claude. LLM output can include text, images, music, code, and more. This syllabus policy covers the textual output of generative LLMs (AI-Generated Text)—which can include computer code or programs and human-language content. Because AI-Generated Text can often mimic human intelligence, it could potentially be used as a substitute for a student's own work product. Such use is potentially problematic to the extent that it becomes a substitute for internalized student understanding of the material or creates a dependency on AI-Generated Text, which may be strictly prohibited in settings that include the bar examination.

Prohibition: Your continuing enrollment in this course constitutes your pledge not to generate or to use any AI-Generated Text—whether from yourself or others—in relation to any assessment in this course. The term “assessment” means any graded or ungraded work product for this course that is submitted to the instructor, presented in a class session, or used in an oral or written graded assessment for this course.

AI may be used for general research queries, with the express provision that entering any case-specific information (including but not limited to: names, dates, places) is expressly prohibited. Failure to comply may result in a breach of attorney-client privilege and does result in an Honor Code violation. A violation of this policy will result in severe penalties, such as failing the class and/or reporting the student violation to the Texas State Bar. If a student has any question or reservation about whether a specific search will violate this policy, please email Professor Jeu with the proposed search language prior to entering it into an AI program.

HONOR CODE

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

SYLLABUS CHANGES

Please note that the instructors may need to make modifications to the course syllabus. Notice of such changes will be announced as quickly as possible through email.

PREFERRED NAMES / PRONOUNS / PREFIXES STATEMENT

Preferred names, pronouns, and prefixes are respected in our classroom. Please feel free to reach out to Professors Dow and/or Jeu at any time if you want to make us aware of your preferred name/pronouns/prefix; or if you have concerns about how we or your classmates address you. Any lapses made by your instructors should be attributed to failings of memory and/or honest mistake, as your preferred name/pronouns/prefix are respected in this class.

CLASS REQUIREMENTS

A total of 200 hours (including casework, meetings, etc.) must be spent on work performed for Innocence Investigations. As part of the required 200 hours, students must attend classes, complete case assignments/work, submit a timesheet in Excel format, and return all case files/materials. “Billing” takes place in .25/hour increments.

At any point in the semester, if a student foresees having difficulty reaching 200 hours, the student must contact Professor Jeu immediately. She will work with the student and UHLC Student Services on reaching a mutually amenable situation that adheres to university requirements. Failure to complete 200 hours will result in an incomplete or failing grade. In addition to attending class and performing casework, students must adhere to the end-of-semester procedures found in this syllabus. ***Students’ timesheets, case files, and all assignments are due by 12:00 pm on Monday, August 18, 2025.***

CONFIDENTIALITY AND ATTORNEY/CLIENT PRIVILEGE

As a reminder, Innocence Investigations students work on actual cases in a clinical setting. Students must remember that although confidentiality applies to their work, TIN instructors generally are not the defendants’ attorney-of-record. All communications and work-product made during the intake, screening, and investigation process is akin to initial meetings/notes/work-product between a *potential* attorney and a *potential* client, performed *prior to* the parties entering into an official attorney/client relationship. Unless/until TIN locates/verifies evidence of actual innocence and agrees in writing to represent a defendant for the sole purpose of litigating an innocence claim, TIN and its agents do *not* have an attorney/client relationship with a defendant. This means that under *no circumstances* should students ever refer to inmates whose cases they are working on as “clients.” Nor should students ever say that TIN “represents” an inmate. These words (and any derivatives thereof) contain an implication that an attorney/client relationship exists, which is not the case.

Regardless, any communications and work-product made during the intake, screening, and investigation process is covered by confidentiality. *Potential* clients have an expectation of and right to confidentiality during initial meetings with a *potential* attorney. Consequently, students are absolutely forbidden from: talking about cases with anyone who is not associated with the case or who is currently taking the class; posting anything about their work/the cases on social media; allowing people outside the class to view case materials; etc. To ensure confidentiality, students must take whatever action is necessary to ensure that no other individuals are able to overhear discussions regarding individuals’ innocence claims or work performed on any cases (*e.g.* – making case-related phone calls in private, so that nobody can overhear the discussion). *If there are any questions regarding confidentiality and/or Attorney/Client Privilege, please contact Professor Jeu immediately.*

CLASS PRESENTATIONS AND ASSIGNMENTS

Under NO CIRCUMSTANCES should a student ever write, highlight, or otherwise mark on any physical case files, transcripts, and/or other materials. Students may make copies (to write/highlight/mark on) in the first floor Law Building Clinic space. However, students turn in all copies at the end of the semester with the original case file. ***Failure to comply with this rule will result in severe grade penalties.***

Unless otherwise instructed:

- Screener memos and files are due by 4pm the week after they are assigned, regardless of whether a student is absent on the due date;
- Investigation presentation memos that are assigned to be emailed to Professor Jeu are due by 4pm the week after they are assigned, regardless of whether a student is absent on the due date;
- In-class investigation presentations are to be given in class the week after they are assigned. If a student is absent on the day they are to give an in-class investigation presentation, they will give the investigation presentation in the next class they attend;
- Specific assignments regarding open investigation files are due by 4pm two weeks after they are assigned, regardless of whether a student is absent on the due date;
- Investigation memos and files regarding terminated investigation case files may be turned in any time after a case has been assigned for termination. The final deadline for all investigation memos and files to be turned in is 12:00pm on Monday, August 18, 2025; and
- Investigation memos and files regarding open investigation case files may be turned in any time after 5:48pm on Monday, April 24, 2025 (*i.e.* – any time after the last class of the semester). The final deadline for all investigation memos and files to be turned in is 12:00pm on Monday, August 18, 2025.

If you are assigned to draft a letter or e-mail, you should draft the correspondence and then e-mail it to Professor Jeu at ccjeu@central.uh.edu. Do not send the drafted correspondence yourself. Professor Jeu will review, edit, and mail out the correspondence, then place an initialed copy of the final correspondence in the case file. Your e-mail provides documentation that you turned in the assignment on time.

If you are assigned to scan/copy/fax any case materials, you may use the scanner/copier/fax machine in the TIN office. If you are assigned to make a phone call, you may do so from the TIN office. You may instead use your home phone/cel phone to make calls. However, unless you are calling courts, law enforcement agencies, or attorneys, we strongly suggest that block your phone number when using your personal phone. You must thoroughly document any calls you make in your investigation memo for that specific case (*i.e.* – Who you called, when you called, what number you called, what was said during the call, etc.).

Professor Jeu will answer any case-related question made, up to twenty-four hours before an assignment is due (*i.e.* – 4pm on Sunday for an assignment due at 4pm on Monday.) She will neither answer questions asked within the twenty-four hours that a student's assignment (*i.e.* - memos/presentations/etc.) is due; nor look at/comment on memo drafts prior to students turning them in. As previously stated in this syllabus, Professor Jeu will provide feedback regarding student work upon request. However, feedback will be provided only after the assignment has been turned in and graded.

To complete Innocence Investigations, students must do the following:

- E-mail Professor Jeu your timesheet in Microsoft Excel format.
- Complete all assignments with respect to screeners and investigations.
- Write and turn in an investigation memo for each assigned investigation.
- Turn in all physical case files (if any) to Professor Jeu. Files may be returned in person to Professor Jeu at Law Building office 121L, located in the first floor Clinic Space. If you leave your files with the Clinics receptionist located in the first floor Clinics lobby, let the receptionist know that the files should be given to Professor Jeu.

If you have any questions regarding this section, please e-mail Professor Jeu ASAP to resolve any issues. **All class assignments and all case files are due by 12:00 pm on August 18, 2025.**

TITLE IX / SEXUAL MISCONDUCT

Per the UHS Sexual Misconduct Policy, your instructor is a “responsible employee” for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

REASONABLE ACADEMIC ADJUSTMENTS / AUXILIARY AIDS

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call (713) 743-5149 during clinic hours, Monday through Friday 8 a.m. – 4:30 p.m. to schedule an appointment.

The A.D. Brue Religion Center offers spiritual support and a variety of programs centered on well-being.

The Center for Student Advocacy and Community (CSAC) is where you can go if you need help but don't know where to start. CSAC is a “home away from home” and serves as a resource hub to help you get the resources needed to support academic and personal success. Through CSAC's Cougar Cupboard, all students can get up to 30 lbs of FREE groceries a week. Additionally, CSAC provides 1:1 appointments to get you connected to on-and off-campus resources related to essential needs, safety, advocacy, and more. The Cougar Closet is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. CSAC also hosts a series of cultural and community-based events that fosters social connection and helps the cougar community come closer together. Visit the CSAC homepage or follow CSAC on Instagram: [@uh_CSAC](#) and [@uhcupbrd](#). YOU belong here.

WOMEN AND GENDER RESOURCE CENTER (WGRC)

The mission of the WGRC is to advance the University of Houston and promote the success of all students, faculty, and staff through educating, empowering, and supporting the UH community. The WGRC suite is open to you. Stop by the office for a study space, to take a break, grab a snack, or check out one of the WGRC programs or resources. Stop by Student Center South room B12 (Basement floor near Starbucks and down the hall from Creation Station) from 9 am to 5 pm Monday through Friday.

MENTAL HEALTH AND WELLNESS RESOURCES

The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

RESOURCES FOR ONLINE LEARNING

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website (<https://uh.edu/power-on/learning/>). Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, Blackboard, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

SECURITY ESCORTS AND COUGAR RIDE

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called "Cougar Ride" that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

CLASS DISCUSSION AND ASSIGNMENT SCHEDULE

<i>Class Date</i>	<i>Class Discussion *</i>	<i>Assignment Due</i>
June 2, 2025	<ul style="list-style-type: none"> • Class introduction • Case meeting 	• n/a
June 4, 2025	<ul style="list-style-type: none"> • ABA 303 Training • Case meeting 	• Case assignments TBA
June 9, 2025	<ul style="list-style-type: none"> • AEDPA – Part I • Case meeting 	• Case assignments TBA
June 11, 2025	<ul style="list-style-type: none"> • AEDPA – Part II • Case meeting 	• Case assignments TBA
June 16, 2025	<ul style="list-style-type: none"> • AEDPA – Part III • Case meeting 	• Case assignments TBA
June 18, 2025	<ul style="list-style-type: none"> • State Habeas – Drafting & Common Claims • Case meeting 	• Case assignments TBA
June 23, 2025	<ul style="list-style-type: none"> • Clemency • Case meeting 	• Case assignments TBA
June 25, 2025	<ul style="list-style-type: none"> • Physical Evidence – DNA • Case meeting 	• Case assignments TBA
June 30, 2025	<ul style="list-style-type: none"> • Chapter 64 Motions • Case meeting 	• Case assignments TBA
July 2, 2025	<ul style="list-style-type: none"> • Physical Evidence – Comparative Evidence • Case meeting 	• Case assignments TBA
July 7, 2025	<ul style="list-style-type: none"> • Physical Evidence – Non-Evidence • Case meeting 	• Case assignments TBA
July 9, 2025	<ul style="list-style-type: none"> • 8th Amendment – Punishment • Case Meeting 	• Case assignments TBA
July 14, 2025	<ul style="list-style-type: none"> • 8th Amendment – Death Penalty • Case Meeting 	• Case assignments TBA
July 16, 2025	<ul style="list-style-type: none"> • 4th Amendment • Case meeting 	• Case assignments TBA
July 21, 2025	<ul style="list-style-type: none"> • 5th Amendment • Case meeting 	• Case assignments TBA
July 23, 2025	<ul style="list-style-type: none"> • 6th Amendment • Case meeting 	• Case assignments TBA
July 28, 2025	<ul style="list-style-type: none"> • Criminal Procedure: Arrest to Trial • Case meeting 	• Case assignments TBA
July 30, 2025	<ul style="list-style-type: none"> • Death Penalty vs. Non-Death Penalty Trials • Case meeting 	• Case assignments TBA
August 4, 2025	<ul style="list-style-type: none"> • Appellate Advocacy • Case meeting 	• Case assignments TBA
August 6, 2025	<ul style="list-style-type: none"> • Appellate Writing • Case meeting 	• Case assignments TBA
August 11, 2025	<ul style="list-style-type: none"> • End of Semester Procedures • Case meeting 	• Case assignments TBA

August 18, 2024 **All Case Assignments and Case Files are due by 12:00pm**

* - Class lectures subject to change