

**In the Matter of:**

**CAMERON PAUL CROCKETT V. COMMONWEALTH OF VIRGINIA**

*Virginia Beach Circuit Court Case No. CR09000999-01*

*Supreme Court of Virginia Record No. 141354*

COMMONWEALTH OF VIRGINIA

FROM THE CITY OF VIRGINIA BEACH

BEFORE THE CIRCUIT COURT OF THE CITY OF VIRGINIA BEACH

DEPOSED IN THE COUNTY OF TAZEWELL

**AFFIDAVIT OF MOVANT CAMERON PAUL CROCKETT**

1. I, Cameron Paul Crockett, state that the motion for preservation accompanying this affidavit is made in good faith and is filed only with the most legitimate intention of seeking the long-term storage of previously untested biological evidence arising from my wrongful conviction.

2. After conducting a significant volume of research on the subject of retrieving productive DNA profiles from degraded biological evidence samples, particularly samples that have been exposed to the elements, I have objectively concluded there is a strong likelihood that salvageable biological evidence samples may yet exist on the evidence sought to be preserved. This research has originated from the following sources: Virginia Department of Forensic Science manuals, Virginia Beach Police Department manuals, Virginia Department of Criminal Justice manuals, and independent scholarly and scientific articles on the subject.

3. I believe that a preservation period of seven (7) years is appropriate for the accident vehicle. Because there are roughly six (6) years remaining on the entirety of my sentence, any motion for post-conviction testing or other examination of the vehicle and its contents upon a petition for a writ of habeas corpus or upon a remand for a new trial will be likely to occur within this seven-year period.

4. I believe that a preservation period of ten (10) years is appropriate for the driver's side airbag and driver's side seatbelt assembly. I ask for a longer period of

preservation on these items because, being of much lesser dimensions than the accident vehicle, they will be much more easily stored. Further, I have objectively concluded that the probability of the existence of salvageable exculpatory biological evidence samples is considerably greater with respect to the airbag and the seatbelt than with the accident vehicle itself. It is therefore necessary to preserve these items for a longer period of time.

5. Neither the seven-year period of preservation for the accident vehicle, nor the ten-year period of preservation for the airbag and seatbelt, are unduly burdensome or expensive, as the Virginia legislature clearly envisioned that the courts would routinely order evidence to be preserved for period of fifteen (15) years or more.

6. On February 13<sup>th</sup>, 2015, I wrote to prosecutor Tabitha Berea Anderson regarding the driver's side airbag. I also directed similar inquiries to the police and other agencies. Sergeant H.J. Beasley, the Custodian of Records for Internal Affairs, responded to these inquiries on February 25<sup>th</sup>, 2015 and clearly represented that Ms. Anderson had requested that all evidence arising from this case be preserved "until further notice". For this reason, I can objectively conclude that the Commonwealth will not object in substance to the instant preservation request.

7. To the best of my recollection, the accident vehicle was not covered during the defense team's first visit to the vehicle (expert Stephen Chewing's inspection) in either April or May of 2009; however, during all subsequent visits to the vehicle, impound lot attendants had to remove one or more blue tarps from the vehicle before we were able to view it.

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SIGNATURE OF AFFIANT

**VIRGINIA:**  
**IN THE COUNTY OF TAZEWELL**

Subscribed and sworn to before me on  
this \_\_\_\_\_ day of \_\_\_\_\_,

[NOTARY SEAL]

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

My commission expires: \_\_\_\_\_