

Get in Touch

Living with Conviction

Contact us If you have any questions about the *Blake* decision and its impacts on your criminal history.



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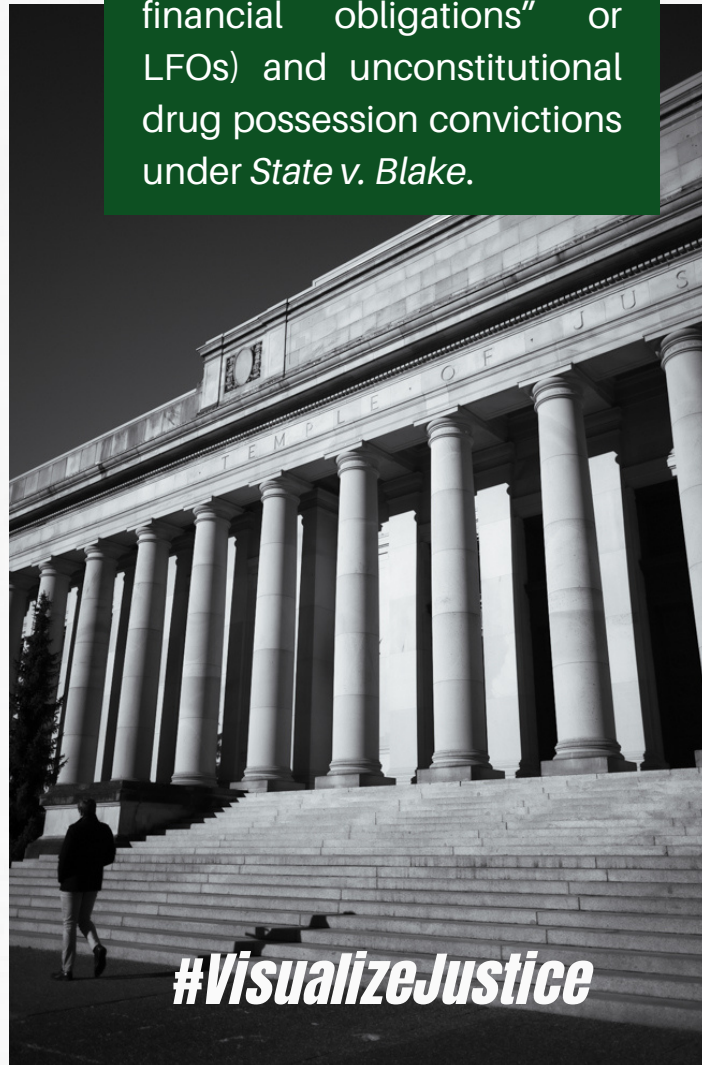


Website

www.livingwithconviction.org

If you were not born in the US, please contact an immigration attorney, or we will refer you to a free immigration attorney.

Living with Conviction is a Washington State nonprofit organization of formerly incarcerated individuals, with support from attorneys, helping people understand and exercise their post-conviction rights, including rights to relief from both court-imposed debt (legal financial obligations" or LFOs) and unconstitutional drug possession convictions under *State v. Blake*.



#VisualizeJustice



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State v. Blake

State v. Blake is a 2021 Washington State Supreme Court case saying that simple drug possession convictions are unconstitutional and void. That means that if you were convicted of drug possession (or have counts of drug possession) in Washington State between May 25, 1971, and February 25, 2021, you have a right to get those convictions cleared (also known as "vacated") and completely removed from your criminal record.

In addition to getting your unconstitutional drug possession case vacated, you also may be entitled to the following refunds.

Legal Financial Obligations (LFOs)

When the court vacates your drug possession conviction under *State v. Blake*, the court also will order you a refund of LFOs you paid on that case. If you did not make any payments towards your LFOs on that case, you will not receive a refund.

To find out if you are entitled to a refund, contact the clerk's office of the court issuing the vacate order or check with the **Blake Refund Bureau** at the Administrative Office of the Courts. You can scan the QR code to take you to the Bureau's website by scanning here or call 360.704.1913.

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(LFO refund continued)

if you owe past-due child support of at least \$100 and your LFO refund is more than \$50, the Division of Child Support (DCS) will garnish your refund.

If you are experiencing a hardship, call (DCS) to discuss your options: 1-800-442-KIDS (5437).

DOC Costs of Supervision

Once a case is vacated under *State v. Blake*, you may be eligible for a refund from the Department of Corrections (DOC) for any costs of supervision (COS) you paid on that case. DOC is automatically mailing these refunds, starting with cases vacated in 2021 to the present.

To receive your COS refund, update your mailing address by emailing: **DOCBlakeCOS@doc1.wa.gov**.

Scan here to learn more about your COS refund:



Third-Party Expenses

Finally, you may be entitled to a refund of the other money you paid related to your drug possession conviction. Courts call these other costs "third-party expenses." Once your case has been vacated, you can also ask the court via a "motion" for a refund of other expenses, such as home monitoring devices, drug treatment costs, etc.

IMPORTANT: You must have proof of payment, such as receipts, to receive a third-party expense refund. Otherwise, the court will not order a refund.

Living with Conviction's Peer-to-Peer *Blake* Empowerment Hub is here to answer your questions and help you navigate this process!

