

## What is State v. Blake?

On February 25, 2021, the Washington State Supreme Court issued an opinion in **State v. Blake**, declaring Washington's simple possession of a controlled substance statute violates the due process clause of the state and federal constitutions and is therefore void.

As a result, your conviction may be eligible to be vacated. Anyone with a drug possession conviction from the state of Washington may be eligible, even if you no longer live in the state.

Once your conviction is vacated, you may be eligible for legal financial obligation refunds, cost of supervision refunds, and third-party payment refunds related to the conviction.

500-BR013 (R. 04/30/2026)

*This information is not legal advice. Please consult with an attorney for assurance that this information is appropriate for your situation.*



**DO YOU HAVE  
ANY  
CONVICTIONS  
FOR DRUG  
POSSESSION?**



## Help Vacating Your Conviction(s)

Washington State convictions of drug possession on or before February 25, 2021, can be cleared (vacated) and removed from your criminal record. Each county has a different process for vacating drug possession convictions. To have a conviction vacated, you must petition the court in the county where the conviction occurred. The **Office of Public Defense (OPD)** can help determine your eligibility and vacate your conviction. Please complete the OPD intake form to request assistance.



Washington State  
Office of  
Public  
Defense

## Third-Party Payment Refunds

Third-party payments are costs you paid as a result of your conviction, that were not paid directly to a court clerk or administrator.

These costs include, but are not limited to:

- Electronic home monitoring fees
- Attorney fees
- Bail
- Money or property seized at the time of your arrest

Please contact OPD for details about third-party payment refunds.

## Legal Financial Obligation Refunds

A legal financial obligation (LFO) is a court-ordered fine or cost paid in connection to a conviction.

The **Administrative Office of the Courts (AOC)** is processing LFO refunds. Your completed Blake Refund Bureau application can be mailed to AOC (must include a copy of government-issued ID) or submitted online via their Blake Refund Portal.



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COURTS

## Cost of Supervision Refunds

Cost of supervision (COS) was a required fee assessed to an individual for the period of community supervision.



The **Department of Corrections (DOC)** COS Unit is proactively reviewing accounts for all individuals with a sentence vacated due to State v. Blake. No action is required by you unless you need to update your address with DOC. If you are eligible for a refund following review, the COS Unit will notify you.



## OFFICE OF PUBLIC DEFENSE

Intake Form: [forms.office.com/g/KnovhCWbiH](https://forms.office.com/g/KnovhCWbiH)

Phone: 1-800-414-6064

Email: [blake@opd.wa.gov](mailto:blake@opd.wa.gov)

Website: [opd.wa.gov/blake](https://opd.wa.gov/blake)

## ADMINISTRATIVE OFFICE OF THE COURTS

Phone: 360-704-1913

Website & Blake Refund Portal:  
[courts.wa.gov/blakerefund](https://courts.wa.gov/blakerefund)

## DEPARTMENT OF CORRECTIONS

Phone: 360-485-1838

Email: [docblakecos@doc1.wa.gov](mailto:docblakecos@doc1.wa.gov)

Website: [doc.wa.gov/blake-decision-refunds](https://doc.wa.gov/blake-decision-refunds)

