

Benefits of Vacating a Conviction



Your vacated record can't be used to determine a sentence in any future convictions.

Depending on the conviction, you are released from all penalties and restrictions that came with the conviction.



In any circumstance, you can state that you were not convicted of that crime that was vacated!

This includes...



Housing Applications



Employment Applications



Learn more inside this brochure!



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<https://linktr.ee/Instituteforblackjustice>



<https://civilsurvival.org/>



<https://linktr.ee/civilsurvival>



<https://livingwithconviction.org>

PROJECT GIDEON



Vacate a Drug Possession Conviction Under *State v. Blake*

What is State v. Blake?

State v. Blake ("Blake") refers to the 2021 Washington Supreme Court's ruling that found the statute criminalizing possession of a controlled substance (RCW 69.50.413) was unconstitutional and void.

The Impact

The ruling in *State v. Blake* means that convictions under this statute (and certain related statutes) are **void** and **are eligible to be vacated**.

After your conviction is vacated under *State v. Blake*...

- You are released from all penalties resulting from the conviction.
- The conviction will be treated as if it never occurred.
- All fines or fees associated with your conviction will be vacated (If you have paid these fines or fees, **they should be refunded**).

Am I Eligible?



Only convictions based on or related to possession are eligible to be vacated under *Blake*. This means that convictions for marijuana possession, attempt, or soliciting possession may be vacated.

Vacate Criminal History

Washington State law allows for certain misdemeanor and felony convictions to be vacated if certain conditions are met.

Which convictions are **ineligible** for vacature?

- Class A felony convictions.
- D.U.I. convictions.
- Convictions with special requirements (example: domestic violence convictions).

Eligible Convictions for Vacature

You can vacate a **felony conviction** if...

1. All sentencing conditions have been completed.
 2. LFOs have been paid or waived.
 3. You have no pending criminal charges.
 4. The required time period (see below) has passed since your release from confinement/community custody *and* you haven't been convicted of a crime during that period:
- Class B Felonies: 10 years
 - Class C Felonies: 5 years

You can vacate a **misdemeanor conviction** if...

1. You have no pending criminal charges.
2. It has been 3 years since you completed all sentencing conditions for the case, including payment or waiver of Legal Financial Obligations (LFOs).

Do you have a conviction but not for drug possession? You may still be eligible to vacate your conviction!

Legal Financial Obligations (LFOs)

Legal Financial Obligations (LFOs) are the costs, fees, fines, and victim restitution, plus interest, that courts order when imposing a sentence upon conviction. When courts refer unpaid LFOs to private collection agencies, collection agencies are authorized by law to add and collect additional interest.

Depending on your eligibility, you could receive LFO relief!

Want to see if you're eligible to have your conviction vacated or get financial relief?

Request a meeting with a paralegal to determine your eligibility!

Scan Here!



Or visit: <https://shorturl.at/cYWOc>

The information in this brochure does not constitute as legal advice. Please contact your attorney if you have questions about a specific case or charge.