

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF:

RESOLUTION NO. 21-358

APPROVING OF A REIMBURSEMENT AGREEMENT
WITH THE ADMINISTRATIVE OFFICE OF THE
COURTS FOR EXTRAORDINARY COSTS IN
RESPONDING TO STATE V. BLAKE ON THE
STATE'S BEHALF

WHEREAS, the Supreme Court of Washington, in *State v. Blake*, held that fifty years' worth of convictions for simple possession of a controlled substance were unconstitutional and void; and

WHEREAS, defendants convicted of such offenses have a right to vacate their convictions, be resentenced if appropriate, and receive a refund of legal financial obligations paid, if they were ordered solely as a result of the void conviction; and

WHEREAS, Lewis County, on behalf of the State of Washington, has an obligation to facilitate such court proceedings and to refund these paid legal financial obligations; and

WHEREAS, the State of Washington has recognized that these county activities on its behalf are extraordinary, beyond the normal administration of justice for which counties would normally pay; and

WHEREAS, the State of Washington has appropriated tens of millions of dollars to reimburse the counties for this extraordinary work on its behalf, which has been allocated to the counties in proportion to their *Blake*-affected cases from within the last ten years; and

WHEREAS, the State of Washington's appropriation will not cover the full costs of such county activities on behalf of the State, but it is a welcome step to begin affording the affected defendants the relief to which they are entitled under the law; and

WHEREAS, the Board of County Commissioners has reviewed the Reimbursement Agreement with the Administrative Office of the Courts and finds it to be in the public interest.

NOW THEREFORE BE IT RESOLVED that the Reimbursement Agreement is approved. County Clerk Scott Tinney, who will administer his office's work in processing refunds in *Blake*-affected cases, is authorized to sign on behalf of Lewis County and to act as program manager for this agreement.

DONE IN OPEN SESSION this 5th day of October, 2021.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Eric Eisenberg
By: Eric Eisenberg,
Chief Civil Deputy Prosecuting Attorney

Vacant, Chair

ATTEST:



Lindsey R. Pollock, DVM
Lindsey R. Pollock, DVM, Vice Chair

Rieva Lester
Rieva Lester,
Clerk of the Lewis County Board of
County Commissioners

Sean D. Swope
Sean D. Swope, Commissioner