



Recommended Odyssey Case Management Processes for *St. v. Blake* Order And Resulting Displays in JABS and JIS

NOTE: The Administrative Office of the Courts (AOC) does not provide legal advice and the information provided is not intended to be legal advice. These processes were developed and tested in response to requests for case management processing assistance to effect the decisions of signed orders related to the State v. Blake decision. The AOC does not have information about specific order provisions and offers these recommendations for processing alternatives that may be included in Blake orders.

Washington Administrative Office of the Courts
Court Business Office
SC-CMS Program

Updated: 6/08/2021

Table of Contents (TOC)

1. <u>All convictions in the Judgment and Sentence were affected by Blake</u>	2
<u>Recommended Process for 1.1 above.</u>	2
<u>Legacy/SCOMIS Charge Screen before Blake Order</u>	2
<u>Odyssey Disposition and Charges tabs prior to Blake order</u>	3
<u>“Set aside” or “vacate” the judgment and sentence per the Blake Order when all charges are affected</u>	4
<u>Dismissing charge(s) per the Blake order</u>	5
<u>Result</u>	6
2. <u>Some, but not all convictions in the Judgment and Sentence were affected by Blake</u>	
<u>Recommended Process for 2.1 above.</u>	7
<u>Legacy case display prior to Blake Order</u>	7
<u>Odyssey Charge and Disposition tabs prior to Blake Order</u>	8
<u>Blake Order that dismisses charge(s) that are currently included in a sentence with a non-dismissed charge(s)</u>	9
<u>Result</u>	15
<i>Recommended Processes in Odyssey for</i>	
<u>Pre-Adjudicated Charge Dismissal for Cases that include only possession-related charges (If there is no filing of a new Amended Information)</u>	16
<u>Pre-Adjudication with additional non-PCS charges (If a Blake decision is made prior to adjudication, and an Order dismissing charge(s) is received and no Amended Information is filed)</u>	16
<u>Other: Resolution and Statistical Completion</u>	17
<u>WSP’s Processing of State v. Blake Orders</u>	17

Recommended Odyssey Case Management Processes for *St. v. Blake* Order And Resulting Displays in JABS and JIS

1. All convictions in the Judgment and Sentence were affected by *Blake*.

1.1. Vacation and Dismissal. *[check one]*

- 1.1(a). The defendant pleaded as charged or was convicted at trial as charged; there were no charges pleaded down or left uncharged in exchange for the plea. (Or alternatively, the State declines to refile any charges.) The judgment and sentence is hereby set aside, vacated in full, and all charges therein dismissed with prejudice.
- 1.1(b). The defendant pleaded guilty, and charges were amended down or left uncharged in exchange for the defendant's plea. On the defendant's motion or with the defendant's express consent, the judgment and sentence is hereby set aside, vacated in full, and all charges therein dismissed. This dismissal is with prejudice as to the refiling of simple possession charges, but without prejudice to the refiling of other charges amended down or left uncharged as a result of the plea.
- 1.1(c). The defendant was convicted at trial of only some charges or of lesser included offense(s). On the defendant's motion or with the defendant's express consent, the judgment and sentence is hereby set aside, vacated in full, and all charges therein dismissed. This dismissal is with prejudice as to the refiling of simple possession charges and any other charges of which the defendant was impliedly acquitted, but without prejudice to the refiling of charges on which the jury hung.

[TOC](#)

Recommended Process for 1.1 above.

Legacy/SCOMIS Charge Screen before *Blake* Order

```

JSM055  DISPLAY CHARGE          SUPERIOR  06-04-21  10:01  1 OF  1
CASE#:  21-1-00310-0          DEF01  DEFENDANT, TEST
NOTE1:
NOTE2:
DEF.RESOLUTION CODE:         DATE:
      JUDGE:
RS CNT RCW/CODE              CHARGE DESCRIPTION              DV INFO/VIOL  RESULT
-----
G      1 69.50.4013          ORIGINAL INFORMATION              ---DATE---  --DATE--
G      2 69.50.4013          CONT SUB-POSSESS NO PRESCRIPT    N 12 28 2020 01 18 21
    
```

Odyssey Disposition and Charges tabs prior to *Blake* order.

Charges Tab:

☆ SUMMARY DETAIL PARTIES **CHARGES** EVENTS SERVICE HEARINGS CONDITIONS NOTES DISPOSITION TIME STDS ▶

21-1-00310-21

STATE OF WASHINGTON vs TEST DEFENDANT
Type ADL Criminal Adult

Charges Amend Transfer +

DEFENDANT, TEST

1.	Controlled Substance Possess No Prescription 12/28/2020 (FC) 69.50.4013 (69.50.4013)	Count #	1
★	Case Filing 01/04/2021 Disposition 01/18/2021 Guilty		
2.	Controlled Substance Possess No Prescription 12/28/2020 (FC) 69.50.4013 (69.50.4013)	Count #	2
★	Case Filing 01/04/2021 Disposition 01/18/2021 Guilty		

[TOC](#)

Disposition Tab:

☆ SUMMARY DETAIL PARTIES CHARGES EVENTS SERVICE HEARINGS CONDITIONS NOTES **DISPOSITION** TIME STDS ▶

21-1-00310-21

STATE OF WASHINGTON vs TEST DEFENDANT Inactive Case Close
Type ADL Criminal Adult

Statistical Closure + Case Status +

01/18/2021	Judgment/Order/Decree Filed	01/18/2021	Completed/Re-Completed
------------	-----------------------------	------------	------------------------

Charge Disposition All Plea:N/A Disposition Sentence

1. Controlled Substance Possess No Prescription 12/28/2020 (FC) 69.50.4013 (69.50.4013)			
Count #	1		
Disposition	01/18/2021	Guilty	
2. Controlled Substance Possess No Prescription 12/28/2020 (FC) 69.50.4013 (69.50.4013)			
Count #	2		
Disposition	01/18/2021	Guilty	
Sentence	01/18/2021	Felony Judgment and Sentence Confinement Type: Prison Effective Date: 01/18/2021 Term: 11 Months, 29 Days	
Restitution and Other Fees			
Current Sentence Status:			
Status: Active			
Status Date: 01/18/2021			
Signed Date: 01/18/2021			
Effective Date: 01/18/2021			
Fees and Fines: \$500.00			

Recommended Processes in Odyssey

To “set aside” or “vacate” the judgment and sentence per the *Blake Order* when all charges are affected:

1. From the Sentence tab, select the “sentence” hyperlink to open the Modify Sentence screen.
2. In the “restitution and other fees” component Select the (+) to add a status of set aside or vacated. (A comment can also be added in the comment box in this component to add detail of why the judgment is set aside or vacated (per *Blake* decision dated XX/XX/XX)).
3. Save.

The screenshot displays the Odyssey case management interface for case 21-1-00310-21. The main window is titled 'Modify Sentence' and shows details for a 'Felony Judgment and Sentence' entered on 01/18/2021. A modal dialog box titled 'Add Status' is open, allowing the user to add a new status. In this dialog, the 'Status' dropdown is set to 'Set Aside', the 'Date' is 04/06/2021, and the 'Comment' field contains 'Per Blake Decision'. The 'Continue' button is being clicked. In the background, the 'Status' table shows a single entry for 01/18/2021 with an 'Active' status, and a red circle with a plus sign is visible next to it. The 'Disposition' tab is selected, and the 'Sentence' link is circled in red.

[TOC](#)

Dismissing charge(s) per the *Blake* order:

Update the disposition.

1. On the disposition tab, select the disposition hyperlink to open the “modify disposition” dialog box.
2. Select the appropriate disposition.
(We suggest the “dismissed with existing sentence information.” This will allow the judgment information to remain on the case.)

The screenshot shows a web interface for a case titled "21-1-00310-21 STATE OF WASHINGTON vs TEST DEFENDANT". The "DISPOSITION" tab is active. A "Modify Disposition" dialog box is open, showing a table of charges with two entries: "1. Controlled Substance Possess No Prescription" and "2. Controlled Substance Possess No Prescription". Both charges have their disposition set to "Dismissed with Existing Sentence Information". The dialog box also includes a date field (04/06/2021), a comment field ("Does not affect aging clock"), and "Save" and "Exit" buttons.

[TOC](#)

The updated charge result will now display in Legacy.

```

JSM055  DISPLAY CHARGE          SUPERIOR  06-04-21  10:27  1 OF 1
CASE#:  21-1-00310-0          DEF01    DEFENDANT, TEST
NOTE1:
NOTE2:
DEF. RESOLUTION CODE:        DATE:
JUDGE:
RS CNT RCW/CODE              CHARGE DESCRIPTION              DV INFO/VIOL  RESULT
-----
D 1 69.50.4013              ORIGINAL INFORMATION              01 04 2021
D 2 69.50.4013              CONT SUB-POSSESS NO PRESCRIPT    N 12 28 2020 04 06 21
D 2 69.50.4013              CONT SUB-POSSESS NO PRESCRIPT    N 12 28 2020 04 06 21
    
```

Result:

- (a) The prior judgment and sentencing information, including fines and fees remains viewable on the case.
- (b) The charges (previously adjudicated with “G(uilty)” now display as “D(ismitted)” and the Charge Result/Disposition date is updated to the date the change was made pursuant to the order. Dismissed displays on the JIS Defendant Case History (DCH) and on the JABS Individual Case History (ICH).
- (c) WSP Action and Result – If the order/disposition states “dismissed” – WSP will remove the “guilty” status and replace with “dismissed” and annotate “State v. Blake” in comments. (Note: The court order must be forwarded to WSP.)

Defendant Case History (DCH) Information

(Same information will display in JABS for the Individual Case History (ICH))

```
DN2001MI Defendant Case History (DCH) SUP DPRO M B 1 of 1
Case: 211003100 s1 csh: Pty: DEF 1 StId:
Name: DEFENDANT, TEST NmCd: IN 930 42627
CONFIDENTIAL--NOT FOR RELEASE More>
True Name: DEFENDANT, TEST IN 930 42627 1 Case
AKA's:
Print: N
Violation
S N Case LEA Ty Crt Date Short Title DV Jg CD W F O
-----
- 21-1-00310-0 s1 s21 12/28/20 CONT SUB-POSSESS NO PRESCRIPT N D CM
12/28/20 CONT SUB-POSSESS NO PRESCRIPT N D
```

[TOC](#)

2. Some, but not all convictions in the Judgment and Sentence were affected by Blake.

2.1. Vacation and Dismissal. *[check one of the first three options]*

2.1(a).As to the affected count(s), the defendant pleaded as charged or was convicted at trial as charged; there were no charges pleaded down or left uncharged as a result of the plea. (Or alternatively, the State declines to refile any potential charges.) The conviction and sentence on the charge(s) in Count(s) _____ is/are hereby set aside, vacated, and the charges is/are dismissed with prejudice.

2.1(b).As to the affected count(s), the defendant pleaded guilty, and charges were amended down or left uncharged as a result of the defendant’s plea. On the defendant’s motion or with the defendant’s express consent, the conviction and sentence on the charge(s) in Count(s) _____ is/are hereby set aside, vacated, and the charges is/are dismissed. This dismissal is with prejudice as to the refileing of simple possession charges, but without prejudice to the refileing of other charges amended down or left uncharged as a result of the plea.

2.1(c).As to the affected count(s), the defendant was convicted at trial of only some charges or of lesser included offense(s). On the defendant’s motion or with the defendant’s express consent, the conviction and sentence on the charge(s) in Count(s) _____ is/are hereby set aside, vacated, and the charge(s) is/are dismissed. This dismissal is with prejudice as to the refileing of simple possession charges and any other charges of which the defendant was acquitted or impliedly acquitted, but without prejudice to the refileing of charges on which the jury hung.

2.1(d). Any conviction not vacated above remains. See Sections 2.5 and 2.6 below for relief from judgment or resentencing, if any.

[TOC](#)

Recommended Process for 2.1 above.

Legacy case display prior to Blake Order

```

JSM055  DISPLAY CHARGE          SUPERIOR  06-04-21  10:42  1 OF 1
CASE#:  21-1-00311-8          DEF01    TEST, TEST
NOTE1:
NOTE2:
DEF.RESOLUTION CODE:          JUDGE:
RS CNT  RCW/CODE              CHARGE DESCRIPTION              DV INFO/VIOL  RESULT
-----
1 9A.36.011                   ASSAULT 1ST DEGREE              N 12 29 2020
2 69.50.4013                  CONT SUB-POSSESS NO PRESCRIPT  N 12 29 2020
-----
FIRST AMENDED INFORMATION
G 1 9A.36.021(1)              ASSAULT-2                       N 12 29 2020 01 21 21
G 2 69.50.4013                  CONT SUB-POSSESS NO PRESCRIPT  N 12 29 2020 01 21 21
    
```

Odyssey Charges and Disposition tabs prior to *Blake* Order.

Charges tab:

☆ SUMMARY DETAIL PARTIES **CHARGES** EVENTS SERVICE HEARINGS CONDITIONS NOTES DISPOSITION TIME STDS ▶

21-1-00311-21

STATE OF WASHINGTON vs TEST TEST
Type: ADL Criminal Adult

Charges Amend Transfer +

TEST, TEST

1.	Assault 2nd Degree 12/29/2020 (FB) 9A.36.021(1) (9A.36.021(1))	Count #	1
	<i>Filed As: Assault 1st Degree</i> 01/04/2021 (FA) 9A.36.011 (9A.36.011)		
	★ Case Filing 01/07/2021		
	★ Disposition 01/21/2021	Guilty	
2.	Controlled Substance Possess No Prescription 12/29/2020 (FC) 69.50.4013 (69.50.4013)	Count #	2
	★ Case Filing 01/07/2021		
	★ Disposition 01/21/2021	Guilty	

Disposition tab.

Disposition contains more than one count on sentence.

[TOC](#)

☆ SUMMARY DETAIL PARTIES CHARGES EVENTS SERVICE HEARINGS CONDITIONS NOTES **DISPOSITION** TIME STDS ▶

21-1-00311-21

STATE OF WASHINGTON vs TEST TEST Inactive Case Close

Statistical Closure Case Status

01/21/2021 Judgment/Order/Decree Filed 01/21/2021 Completed/Re-Completed

Charge Disposition All Plea:N/A Disposition Sentence

1.	Assault 2nd Degree 12/29/2020 (FB) 9A.36.021(1) (9A.36.021(1))	Count #	1
	Disposition 01/21/2021	Guilty	
2.	Controlled Substance Possess No Prescription 12/29/2020 (FC) 69.50.4013 (69.50.4013)	Count #	2
	Disposition 01/21/2021	Guilty	
<hr/>			
	Sentence 01/21/2021	Felony Judgment and Sentence Confinement Type: Prison Effective Date: 01/21/2021 Term: 1 Year, 1 Day	
<hr/>			
Restitution and Other Fees			
Restitution In Favor Of: \$1,550.00			
Debtor:			
Current Sentence Status: Status: Active Status Date: 01/21/2021 Signed Date: 01/21/2021 Effective Date: 01/21/2021 Fees and Fines: \$2,000.00			

Recommended Processes in Odyssey

For a Blake Order that dismisses charge(s) that are currently included in a sentence with a non-dismissed charge(s), dismiss the charge(s) associated to the sentence:

1. Select the Sentence hyperlink.
2. Select the sentence. The “modify sentence” dialog box is displayed.
3. Deselect the appropriate count number (in this example it is count two).
4. Select “Save”.

The screenshot displays the Odyssey case management interface for case 21-1-00311-21, titled "STATE OF WASHINGTON vs TEST TEST". The "DISPOSITION" tab is active. A "Modify Sentence" dialog box is open, showing details for a sentence. The "Charges" section lists two charges: "1. Assault 2nd Degree" and "2. Controlled Substance Possess No Prescription". The checkbox for charge 2 is circled in red, indicating it should be deselected. The "Save" button is visible at the bottom of the dialog box.

[TOC](#)

From the Disposition tab, select the Disposition hyperlink.

Click into the Disposition.

The “Modify Disposition” dialog box will display.

1. Select the appropriate charge that is being affected and remove it.
2. The date should remain the same on the charge that is not being affected by the order.
3. Save.

21-1-00311-21

STATE OF WASHINGTON vs TEST TEST
Type ADL Criminal Adult

Inactive Case Close

Statistical Closure 01/21/2021 Judgment/Order/Decree Filed Case Status 01/21/2021 Completed/Re-Completed

Charge Disposition

1. **Assault 2nd Degree**
12/29/2020 (FB) 9A.36.02
Count # 1
Disposition 01
Sentence 01

2. **Controlled Substance**
12/29/2020 (FC) 69.50.40
Count # 2
Disposition 01

Modify Disposition

Date 01/21/2021
Judge
Does not affect aging clock
Comment

Charges

1. **Assault 2nd Degree**
12/29/2020 (FB) 9A.36.021(1) (9A.36.021(1))
Count # 1
Disposition Guilty

2. **Controlled Substance Possess No Prescription**
12/29/2020 (FC) 69.50.4013 (69.50.4013)
Count # 2
Disposition Guilty

Remove the Guilty disposition on the affected charge. We will add a new disposition with the appropriate date in the next step for the affected charge.

Save Exit

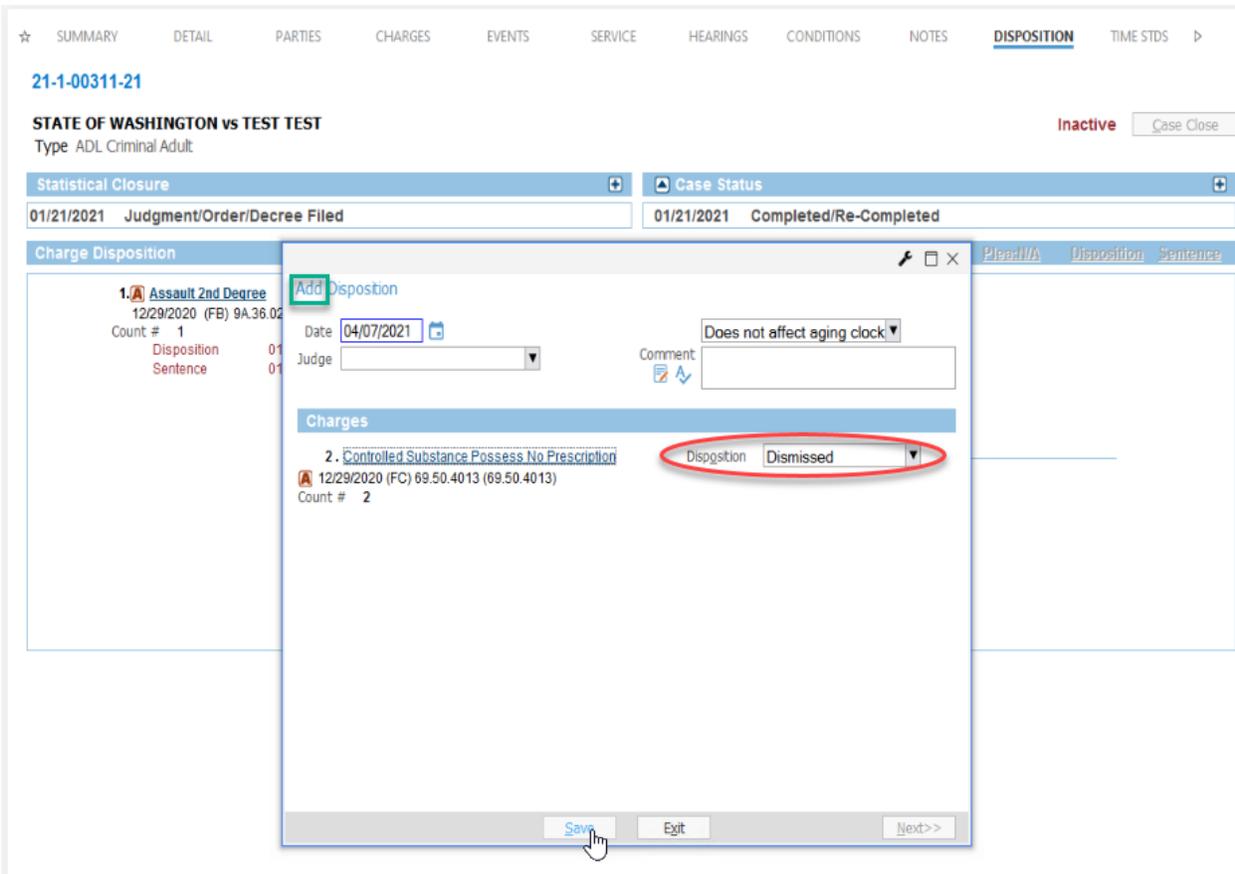
Plead/A Disposition Sentence

[TOC](#)

From the disposition hyperlink, the “View Disposition History” dialog box will display.

1. Select “Add Disposition” for the charge(s) without a disposition. (The Add Disposition dialog box displays).
2. Enter the date of the new disposition.
3. Enter the appropriate disposition from the dropdown menu (Dismissed).
4. Save

The screenshot displays a web application interface for case management. At the top, there is a navigation menu with tabs: SUMMARY, DETAIL, PARTIES, CHARGES, EVENTS, SERVICE, HEARINGS, CONDITIONS, NOTES, DISPOSITION (selected), and TIME STDS. Below the navigation, the case number 21-1-00311-21 is shown, along with the case name STATE OF WASHINGTON vs TEST TEST and the type ADL Criminal Adult. The case status is Inactive, and there is a Case Close button. The main area shows a table with columns for Statistical Closure and Case Status. The table contains two rows: 01/21/2021 Judgment/Order/Decree Filed and 01/21/2021 Completed/Re-Completed. A 'Charge Disposition' table is also visible, listing charges such as Assault 2nd Degree and Controlled Substance Possess No Prescription. A 'View Disposition History' dialog box is open, showing a list of charges without a disposition and a list of dispositions entered. The 'Add Disposition' button is highlighted with a red circle. The dialog box also includes an 'Amend Disposition' button and 'Save' and 'Exit' buttons at the bottom.



Use “Modify” when editing judgment and sentence information for these *Blake* orders.
 (Using “Amend” will continue to display the adjudicated PCS charge.)

If the defendant is resentenced on remaining counts:

1. From the Disposition tab, select the Sentence hyperlink.
2. Click within the sentence. The “Modify Sentence” dialog box will display.
3. Enter the current sentence and any judgment information as usual.
4. The comment field can be used to detail information such as the resentencing for the count number. (See next page.)
5. Save.

[TOC](#)

21-1-00311-21

STATE OF WASHINGTON vs TEST TEST
Type ADL Criminal Adult

Inactive Case Close

Statistical Closure

01/21/2021 Judgment/Order/De

Charge Disposition

1. **Assault 2nd Degree**
12/29/2020 (FB) 9A.36
Count # 1
Disposition
Sentence

2. **Controlled Substan**
12/29/2020 (FC) 69.50
Count # 2
Disposition

Modify Sentence

Type **Felony Judgment and Sentence** Judge _____
Date **01/21/2021** Does not affect aging clock
 Docketable

Details (1 of 1)

Charges

1. Assault 2nd Degree on 12/29/2020

Confinement

Type **Prison** Effective Date **01/21/2021**
Agency _____ Report Date _____
Partial Confinement _____

Terms

Term _____ Years **10** Months _____ Weeks **20** Days

Life Death

Apply Minimum Term

Min Term _____ Years _____ Months _____ Weeks _____ Days

Suspended _____ Years _____ Months _____ Weeks _____ Days

Probation _____ Years _____ Months _____ Weeks _____ Days

Concurrent/Consecutive

Concurrent Consecutive

Details _____

Save Exit

In this example, the confinement length was changed. If the judgment was also changed, scroll down and update the judgment as necessary.

[TOC](#)

21-1-00311-21

STATE OF WASHINGTON vs TEST TEST
Type ADL Criminal Adult

Inactive Case Close

Statistical Closure

01/21/2021 Judgment/Order/De

Charge Disposition

1. **Assault 2nd Degree**
12/29/2020 (FB) 9A.36
Count # 1
Disposition
Sentence

2. **Controlled Substan**
12/29/2020 (FC) 69.50
Count # 2
Disposition

Modify Sentence

Type: **Felony Judgment and Sentence** Judge: []
Date: **01/21/2021** Does not affect aging clock: []
 Docketable

Details (1 of 1)
Credit Term: [] Years [] Months [] Weeks [] Days

Comment: **An Order Modifying the Judgment and Sentence was filed 04/07/2021** ← **For clarity, you may enter a comment on the Sentence confinement component**

Restitution and Other Fees

In Favor Of	Amount	Interest %
STATE OF WASHINGTON	1,550.00	

Debtor: **TEST, TEST**
 Joint and Several
Co-Defendant: []

Dates
Signing Judge: []
Signed: **01/21/2021**
Effective: **01/21/2021**

Other Fees
Fees and Fines \$: **2,000.00**
Other \$: []
Interest: [] %

Status
01/21/2021 Active

Comment: **An Order Modifying the Judgment and Sentence was filed 04/07/2021** ← **For clarity, you may enter a comment on the Judgment component**

Save Exit

☆ SUMMARY DETAIL PARTIES CHARGES EVENTS SERVICE HEARINGS CONDITIONS NOTES **DISPOSITION** TIME STDS >

21-1-00311-21

STATE OF WASHINGTON vs TEST TEST Inactive Case Close

Type: ADL Criminal Adult

Statistical Closure: 01/21/2021 Judgment/Order/Decree Filed Case Status: 01/21/2021 Completed/Re-Completed

Charge Disposition All Plea:N/A Disposition Sentence

1. Assault 2nd Degree
 12/29/2020 (FB) 9A.36.021(1) (9A.36.021(1))
 Count # 1

Disposition	01/21/2021	Guilty
Sentence	01/21/2021	Felony Judgment and Sentence Confinement Type: Prison Effective Date: 01/21/2021 Term: 10 Months, 20 Days Comment: An Order Modifying the Judgment and Sentence was filed 04/07/2021

Restitution and Other Fees
 Restitution In Favor Of:
 \$1,550.00
 Debtor:
 Current Sentence Status:
 Status: Active
 Status Date: 01/21/2021
 Signed Date: 01/21/2021
 Effective Date: 01/21/2021
 Fees and Fines: \$2,000.00
 Comment: An Order Modifying the Judgment and Sentence was filed 04/07/2021

2. Controlled Substance Possess No Prescription
 12/29/2020 (FC) 69.50.4013 (69.50.4013)
 Count # 2

Disposition	04/07/2021	Dismissed
-------------	------------	-----------

Note there are now 2 separate dispositions with different dates and updated details on the judgment and sentence for count 1

[TOC](#)

The Legacy screen will update in SCOMIS

```

JSM055  DISPLAY CHARGE          SUPERIOR  06-04-21  10:58  1 OF 1
CASE#:  21-1-00311-8          DEF01  TEST, TEST
NOTE1:
NOTE2:
DEF. RESOLUTION CODE:        DATE:
JUDGE:
RS CNT RCW/CODE              CHARGE DESCRIPTION              DV INFO/VIOL  RESULT
-----
1 9A.36.011  ORIGINAL INFORMATION              01 04 2021
2 69.50.4013 ASSAULT 1ST DEGREE                N 12 29 2020
2 69.50.4013 CONT SUB-POSSESS NO PRESCRIPT      N 12 29 2020
-----
1 9A.36.021(1) FIRST AMENDED INFORMATION          01 07 2021
2 69.50.4013 ASSAULT-2                          N 12 29 2020
1 9A.36.021(1) ASSAULT-2                          N 12 29 2020
2 69.50.4013 CONT SUB-POSSESS NO PRESCRIPT      N 12 29 2020
  
```

G 1 9A.36.021(1) ASSAULT-2 N 12 29 2020 **01 21 21**

D 2 69.50.4013 CONT SUB-POSSESS NO PRESCRIPT N 12 29 2020 **04 07 21**

Result:

- (a) The updated judgment and sentencing information, including fines and fees remains viewable on the case.
- (b) The charge (previously adjudicated with “G(uilty)”) now displays as “D(ismitted)” and the Charge Result/Disposition date is updated to the date the change was made pursuant to the order. The JIS Defendant Case History (DCH) and the JABS Individual Case History (ICH) display the charges that have been updated to D(ismitted) and continue to display G(uilty) on applicable charges.

- (c) WSP Action and Result – If the order/disposition states “dismissed” – WSP will remove the “guilty” status and replace with “dismissed” and annotate “State v. Blake” in comments. (Note: The court order must be forwarded to WSP.)

Defendant Case History (DCH) Information

(Same information displays in JABS for the Individual Case History (ICH))

```

DN2001MI Defendant Case History (DCH)      LEWIS CO SUP DPRO      M B 1 of 1
Case: 211003118 s1 csh:      Pty: DEF 1 StId:
Name: TEST, TEST NmCd: IN 222 39635
CONFIDENTIAL--NOT FOR RELEASE
True Name: TEST, TEST IN 222 39635 1 Case
AKA's:
Print: N
Violation
S N Case LEA Ty Crt Date Short Title DV Jg CD W F O
-----
- 21-1-00311-8 s1 s21 12/29/20 CONT SUB-POSSESS NO PRESCRIPT N D CM
12/29/20 ASSAULT-2 N G
  
```

Recommended Processes in Odyssey

Pre-Adjudicated Charge Dismissal for Cases that include only possession-related charges:

If there is **no filing** of a new Amended Information, dismiss the charge(s) pursuant to the *Blake* order in the usual manner.

Result:

- (a) The charges display as “D(ismitted)” and the Charge Result/Disposition date is the date of the order. Dismissed displays on the JIS Defendant Case History (DCH) and on the JABS Individual Case History (ICH).
- (b) WSP records– Charge dismissed without a prior guilty plea/finding = dismissed disposition.

Recommended Processes in Odyssey

Pre-Adjudication with additional non-PCS charges:

If a *Blake* decision is made **prior** to adjudication, **and** an Order dismissing charge(s) is received **and** no Amended Information is filed.

1. Dismiss the charges as indicated in the dismissal order.
2. Docket the order.

[TOC](#)

If an Amended Information is, or will be filed.

1. Docket the order.
2. Docket the amended information.
3. Amend the charges pursuant to the amended information by using the standard amend process.
4. The count(s) that were dismissed per the Blake order should have a disposition of Charge Dropped - **not** Dismissed.

Result:

Only the current charges display with no disposition on the JIS Defendant Case History (DCH) and on the JABS Individual Case History (ICH).

Other: Resolution and Statistical Completion

A case with a prior disposition, resolution and completion that receives a subsequent *Blake* decision order can be updated to reflect a change to the existing resolution. The recommendation is to use Case Resolution Statistical Completion.

The case has already been accounted for in case resolution and completion caseload reports for the applicable date range(s). When a subsequent *Blake* order is entered, that order does not “reopen” the case to require a new adjudication of the issues, e.g., verdict or judgment set aside and new trial, which would have an impact on time in process and number of hearings held. Adding the Case Resolution Statistical Completion event identifies a change in the original resolution type, but the case would not be inaccurately counted a second time in published caseload reports.

WSP’s Processing of *State v. Blake* Orders

As a general rule, a dismissal following a conviction is considered adverse to the subject and WSP retains the “guilty” status in their database and annotates the record with an update of “dismissed”; however, the record remains viewable to the public. WSP has updated their business practice for *State v. Blake* dismissals to remove the “guilty” status and replace it with “dismissed.” However, in order to do that, WSP must have information that the dismissal is related to *State v. Blake*. If the court order/disposition does not reference *State v. Blake*, WSP will process according to their standard business practices, which is WSP will retain the “guilty” disposition status and update the record to reflect the dismissal in the comment field. The record will continue to be disseminated on a conviction RAPsheet (public background check).

WSP Will Make the Following Updates

- For adult conviction records in accordance with the court order and/or disposition.
 - If the order/disposition states “dismissed” – WSP will remove the “guilty” status and replace with “dismissed” and annotate “State v. Blake” in comments.
 - If the order/disposition states “vacate” – WSP will remove the “guilty” status and replace with “vacate” and annotate “State v. Blake” in comments.
 - For a “dismissal” subsequent to the “vacate” status, WSP will remove the “vacate” status and replace with “dismissed”.
- For juvenile conviction records:
 - If the order/disposition states “dismissed” – WSP will remove the “guilty” status and replace with “dismissed” and annotate State v. Blake in comments.
 - If the order/disposition states “sealed” – WSP will remove the “guilty” status and replace with “Sealed Juvenile Record,” add the disposition date, status, and annotate “State v. Blake” in comments.

[TOC](#)