

## **How to Submit an SB 819 Application**

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The purpose of this packet is to explain SB 819 relief and how to complete an application.

**SB 819** is an Oregon law that allows a person with a non-expungable felony conviction to be re-sentenced or have their conviction vacated. For this to happen, the person submits an SB 819 application to the district attorney’s office for the county where the person was convicted and sentenced. The district attorney then reviews the application and will either reject the application or join the application. If the district attorney joins the application, the person and the district attorney will jointly petition the court to ask that the court find that the sentence or conviction no longer advances the interests of justice.

The court can grant a wide range of relief, including vacating and dismissing the conviction or reducing the conviction to an expungable offense.

### **Is a conviction eligible for SB 819 relief?**

<b>Requirements</b>	<b>Yes/No</b>
1. It is an Oregon state conviction.	
2. It is a felony or, at the time of sentencing, was a felony.	
3. It is not for aggravated murder.	
4. It is not eligible for expungement.	
5. It meets any additional requirements set forth by the district attorney’s office for the county of conviction and sentencing.	

If all requirements are met, a person may be eligible for SB 819 relief.

## **How to Complete an SB 819 Application**

**Step 1:** Find the SB 819 application and/or policy for the county of conviction.

- a) Applications and/or policies are typically located on the district attorney's website. Most counties have an SB 819 application and/or policy. This includes, but is not limited to Multnomah, Washington, Clackamas, Lane, Columbia, and Deschutes counties.
- b) If the application is not available online, the district attorney's office may be able to provide additional information by phone including whether the county accepts SB 819 applications.

**Step 2:** Fill out the SB 819 application for the county of conviction and sentencing.

**Step 3:** Gather supporting documents to demonstrate rehabilitation. Documents may include:

- a) Letters of support from community members such as friends, family members, employers, colleagues, religious leaders, mentors, sponsors, doctors, or therapists. The people who write a letter of support should be aware of convictions. See Page 4 for letter of support guidelines.
- b) Academic diplomas and transcripts
- c) Professional or vocational certifications or licenses
- d) Any awards received after the conviction
- e) Probation or post-prison supervision records
- f) Disciplinary and programming records from prison
- g) Treatment records (e.g., substance use treatment, anger management, parenting class)

**Step 4:** Once as many documents as possible have been gathered and the application has been filled out, the materials can be submitted to the district attorney's office. Call the district attorney's office to see how they want the materials submitted (e.g., email, postal mail). Make a copy of the application materials.

Once the SB 819 application and supporting documents have been submitted, the district attorney's office will review the materials. This may take several months to a year or more for the district attorney's office to review. The district attorney's office will then either reject or join in the SB 819 application.

If the district attorney's office rejects an SB 819 application, the person can apply again in a few years.

If the district attorney's office joins the SB 819 application, the person and the district attorney will jointly petition the court to ask that the court find that the sentence or conviction no longer advances the interests of justice. If the court agrees, it will grant relief. The court can grant a wide range of relief, including vacating and dismissing the conviction or reducing the conviction to an expungable offense.

### **Other Resources**

- SB 819 Petitions, Oregon Justice Resource Center, <https://ojrc.info/819>

## Letter of Support Template and Guidelines

\*\*This document can be modified according to individual circumstances\*\*

Dear XXXX,

*I am submitting an SB 819 application to get relief from a criminal conviction on my record. I am gathering letters of support for my application, and your letter of support will be incredibly helpful.*

In the body of the letter, consider including the following questions:

- How long have I known this person?
- What is our relationship?? (e.g., family member, friend, coworker, fellow volunteer, mentor/mentee, classmate)  
For past or present employers or colleagues, what positive attributes did I bring into the workplace?
- How have I dealt with the challenges in my life?
- What positive steps have they seen me take to change things? This can include:
  - o Education
  - o Employment
  - o Volunteer work
  - o Substance abuse treatment (if relevant)
  - o Stable housing
- What do they think are some of my best traits? (e.g., reliable, punctual, hardworking, devoted parent, active community member, supportive friend/mentor)
- Do they support my SB 819 application?

This is not an exhaustive list. There may be other things that someone asking for a letter of support may want to include that are not on this list.

*Please sign and date your letter, and include your contact information if you're comfortable with that. Then send it to me at [email address] or [mailing address].*

*Thank you for your support! You can reach me at (xxx) xxx-xxxx or [xxx@xxx.xxx](mailto:xxx@xxx.xxx).*

Sincerely,

\_\_\_\_\_ (signature)

[Name]