



UnCOMMON LAW
JUSTICE DONE DIFFERENTLY

2021 Annual Report

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After being incarcerated at age 25, UnCommon Law client Lonnie spent more than four decades in prison, during most of which he believed he would never be released. After 22 parole hearings, three hearings before the entire Board, a review by the Governor, and an order from a judge favoring his release, our community finally welcomed Lonnie home in 2021.

I started UnCommon Law because I wanted to give people who had been in prison for decades, and who had been working hard to transform their lives and heal from past traumas, a better opportunity to come home.

In my earlier work in prisons, I frequently met people who were serving life sentences – overwhelmingly, people who looked like me – and had immense capacity not only for personal growth, but to positively impact their families and communities inside and outside of prison. I believed that the current system offered little in the way of justice for these folks, and I didn't see anyone doing anything about it. They seemed to be mostly misunderstood or forgotten, even within the community of lawyers and advocates for people in prison.

In 2021, UnCommon Law celebrated our fifteenth anniversary. As I reflect on our journey so far, it's difficult to put my feelings into words. All I can say is that, today, I feel a much stronger sense of community doing this work. We have certainly grown from what was once a small, passionate team of lawyers, stretched too thin, fighting tooth and nail for individual clients and knowing thousands still went without adequate legal representation. Today, while our staff has expanded to 26, our real community is made up of hundreds. Each of you has helped us grow into an increasingly powerful advocacy organization focused on transforming life sentencing and discretionary parole. You have fought alongside us as we hold the Board of Parole Hearings to account in its role perpetuating an arbitrary system marked by racism and classism. You have volunteered your time, donated your resources, poured your hearts and souls into important conversations, and have helped us tackle difficult questions. Above all, you have stood with our clients and have championed their stories of growth and transformation.

Our community continues to face extraordinary challenges. As I write this, COVID cases have once more risen sharply across the state - overwhelmingly so in our prisons, where life sentenced people still ineligible for expedited releases are disproportionately at risk. We have weathered the loss of our ability to gather in person and the devastating loss of hundreds of lives inside prisons cut short by COVID.

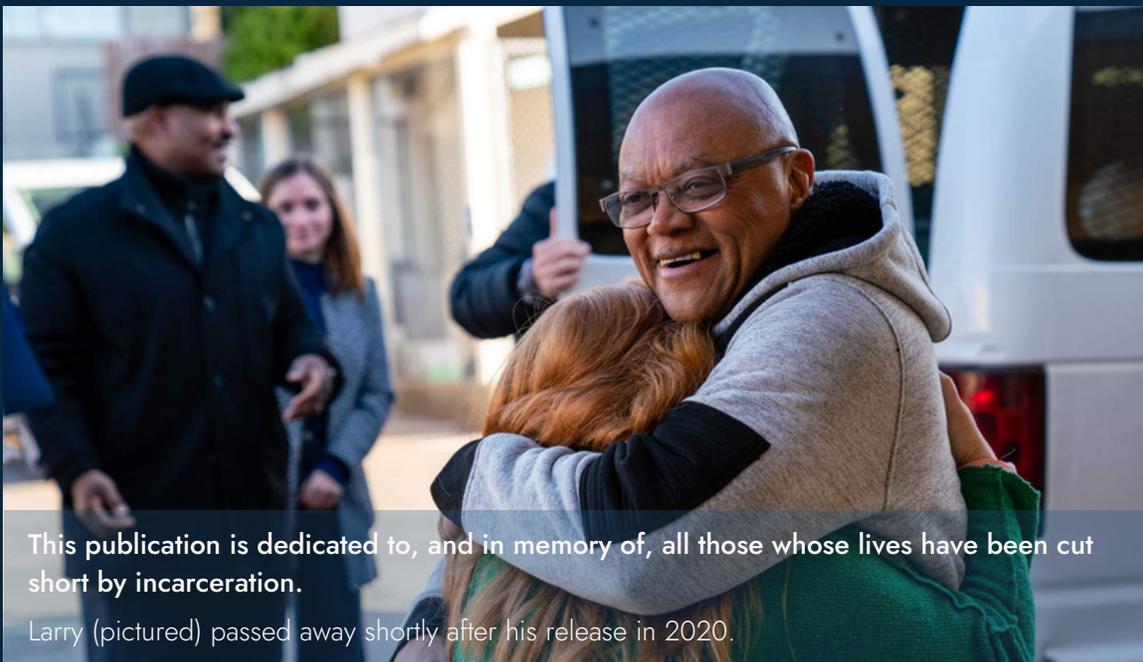
Still, we have successes to celebrate. In 2021, our team overcame what often seemed like insurmountable odds to welcome 21 clients home from prison, some of whom had little chance of ever gaining their freedom. Despite a significantly reduced ability to meet with our clients in person, our legal team maintained a parole hearing success rate more than three times the State average for both direct clients and those who received written consultations from our staff and volunteers.

We also continued to expand the scope of our advocacy efforts, with a greater focus on the systemic failings of the discretionary parole process. With 60% of our team now identifying as formerly incarcerated or directly impacted by incarceration, our organization is entering 2022 with an incredible diversity of wisdom, expertise, and talent, all of which will be necessary in order to dismantle the discretionary parole system, bring more people home, and fundamentally change the nature of long term sentencing in California and beyond.

Thank you for all you have done and continue to do. Your support fuels this work, and we are forever grateful for this community.



Keith Wattley
Founder & Executive Director
UnCommon Law



This publication is dedicated to, and in memory of, all those whose lives have been cut short by incarceration.

Larry (pictured) passed away shortly after his release in 2020.

Life sentencing is a mass incarceration problem.

Today, there are too many people in prison, and too few pathways home. 76% of people in prison today are serving time for a violent and/or serious crime. In California alone, 35,000 people are serving life sentences - that amounts to roughly a third of our state's prison population. Two thirds of them are Black or Brown.

Research has shown that the overwhelming majority of incarcerated people have experienced traumatic events at some point in their lifetime, particularly as children or young people. The rate is especially high for women, particularly transgender women.

UnCommon Law is at the forefront of changing public narratives about people serving lengthy prison sentences for violent crime. For the past 15 years, our team has fought to ensure that all people incarcerated for violent crime have access to healing, justice, and effective legal representation.

Through our unique, trauma-informed model of advocacy, we provide the space currently missing in the system for healing, accountability, and safe pathways home from prison. In developing new self narratives, the people we serve are able to more effectively disrupt violence inside and outside prison, and become leaders who change negative societal narratives about those incarcerated for violent crime. Our groundbreaking approach is changing policy and outcomes, driven by the voices and experiences of system-impacted communities.

2021: Our Impact

3x the state average parole grant rate

21 clients released from life sentences

49 law students trained by our legal team

\$30M+ State savings every year our clients remain out of prison

91%

of former clients are employed*

52%

of former clients are volunteering in their communities*

95%

of former clients report high levels of mental wellbeing*

*Results of our [2020 Impact Survey](#).



Anthony celebrates his release with Managing Attorney Lilli Paratore



After being incarcerated for 36 years, Orlando hugs his family for the first time outside prison walls.

The Stories We Tell

UnCommon Law is working hard to change public narratives about people serving life sentences for violent crime. We know that the vast majority of people sentenced to life in prison for serious or violent crimes are people of color, and they are overwhelmingly survivors of violence or other harm themselves. Our team champions the radical notion that people sentenced to life in prison for violent crimes have immense capacity for transformation and for disrupting cycles of violence. Their journeys of healing inspire our work.

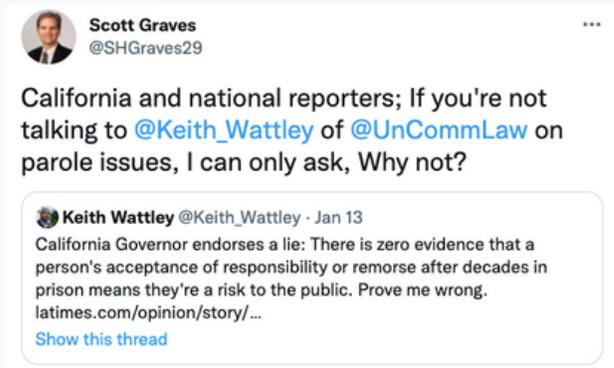
"The parole process does so much more harm, and is never, can never be, a replacement for the more helpful healing programs such as restorative justice programs."

Keith Wattley, Chasing Justice with D.A. Chesa Boudin [[Listen here](#)]



CHASING JUSTICE

This year, we were proud to see Executive Director Keith Wattley continue to expand his engagement in the broader conversation about reimagining the criminal legal system. Keith's vision and theory of change have been the driving force behind UnCommon Law's growth and evolution for the past 15 years, and Keith has continued to leverage his own lived experiences, formidable issue area expertise, and radical vision to transform the way legislators, activists, advocates and the general public think about the state of mass incarceration in California.



Join the conversation!



"We are going forward on criminal justice reform, not backward. We need to affirm that thinly veiled racist tropes will no longer drive criminal justice policy in this state."

Keith Wattley, San Francisco Chronicle Op Ed [[Read here](#)]



Former clients Charlie Spence, Vaughn Miles, and Si Dang featured in our Fight for Freedom campaign

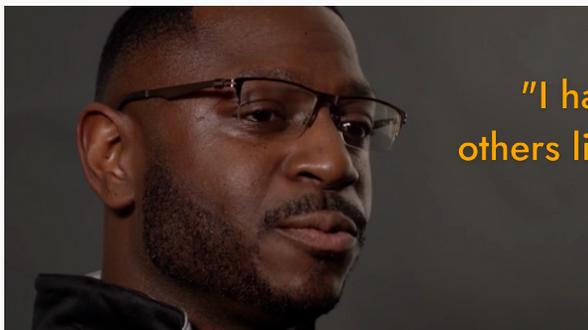
In early 2021, our team launched the Fight for Freedom campaign, which elevated some of the voices and stories of former and current clients.

We often talk about incarceration by the numbers: Today, more than 35,000 people in California - more than a third of the prison population - are serving a sentence of life with or without the possibility of parole. Two thirds are Black or Brown. More than 80% of people behind bars report experiencing significant childhood trauma.

Numbers are important, but behind these numbers are thousands of personal stories - stories of pain, loss, and hurt, but also stories of love, transformation, hope, and healing. Hundreds of our clients have returned home in recent years, and they are working, volunteering, pursuing education, and building powerful community relationships to strengthen the places they came from. Those still inside are on incredible journeys of self discovery and growth, as they work to understand their pasts and transform their futures.

You have to define yourself; you have to make your own narrative...because if you don't, someone else is going to tell you who they think you are."

Laverne "Dej" Taylor, incarcerated 23 years



"I have an obligation...to represent myself, and others like me, to show the world what's possible."

James "JC" Cavitt, incarcerated 19 years.



Nate spent over 22 years inside prison. This year, his family finally welcomed him home.

Standing up to the System

UnCommon Law is committed to bringing EVERYONE home from prison, regardless of their crime of conviction, by dismantling the discretionary parole system and championing effective, healing-centered responses to trauma, harm, and violence. We focus on discretionary parole because:

It's a failing system



Thousands are eligible, but more than 80% of scheduled hearings do not result in parole



Nearly half of all people serving the longest sentences were sentenced before the age of 25

It's racially biased



More than 60% of people serving life sentences are Black or Brown



Black people are the most likely to have parole hearings, but are the least likely to be granted

There's not enough support



The process requires people to demonstrate healing from childhood trauma, but provides few opportunities for that healing



Having a state-appointed attorney (90% of cases annually) cuts a person's parole chances in half



Supervising Attorney Maddie Flood pictured in Oakland, CA

Today, our team is leveraging a 15-year track record of success in directly representing people before the parole board in order to achieve system-level impact and change. Our impact litigation in recent years has improved the civil rights of thousands navigating the discretionary parole process, and we are continuing to leverage strategic litigation and policy advocacy to increase transparency into the discretionary parole process, root out systemic inequalities (particularly along racial and wealth lines) and better inform and educate the courts and lawmakers about how the discretionary parole process directly contributes to mass incarceration in California and across the country.

We're also mobilizing our communities to get educated and active on issues of life sentencing and discretionary parole. This year, we launched a first-ever Action Guide to provide our community members with concrete steps to help us change the narrative about people sentenced to life in prison for serious or violent crimes, and we are pushing lawmakers and other key stakeholders to take action - particularly by including this population of incarcerated people in key criminal justice reform efforts.



Policy Managers Leah Daoud and Su Kim are leading our efforts to limit the parole board's discretion and create more meaningful pathways home for people serving life sentences. Their work includes advocating for legislation to improve parole outcomes, monitoring the parole board's regulations and budgetary changes, and advancing community engagement and public education regarding the discretionary parole process.

CALIFORNIA DEPARTMENT OF CORRECTIONS CENTRAL



A survivor of childhood trauma and violence, Dej was just 24 when she was sentenced to life without parole. After her commutation in 2018, Dej partnered with Managing Attorney Lilli Paratore to prepare for her parole hearing, and with support from Lilli and others in her community, Dej finally returned home after 23 years in prison.

Home After Harm

Home After Harm is UnCommon Law's newest program. The program creates the space and opportunity for participants in prison to openly revisit their traumatic histories while developing new understanding and coping skills. Along with engaging in self exploration, participants will receive guidance on how to prepare legally and emotionally for their parole hearings. We believe this program will not only provide space for self-healing and transformation, it will reduce institutional violence by cultivating communities of people inside who are committed to personal growth and wellbeing. We also anticipate an increase in parole grant rates, and hope to offer safe pathways home for many more people than we have been able to serve in the past; our team has partnered with third party evaluators The Urban Institute and The Bridging Group to measure the program's success and to ultimately lay the groundwork for statewide expansion of similar healing and legal advocacy resources.



In 2021, our team finalized a comprehensive written curriculum, designed and written by formerly incarcerated team members who have navigated the parole consideration process and the transition home. Through this curriculum, team members like Israel Garcia, Charlie Spence, and Jarret Keith (as well as former clients like Miguel Quezada and James Cavitt, who consulted with our team) have produced a one-of-a-kind guide for others to follow on their own pathways home.



After spending nearly 25 years in prison, former client Israel Garcia is managing a team of formerly-incarcerated Parole Success Advocates to lead our Home After Harm programming inside prison.



Parole Success Advocate Charlie Spence leads a circle dialogue at California State Prison, LAC

The curriculum will be accompanied by a series of videos that will air on institutional televisions. These videos highlight key components of the parole process, such as understanding childhood trauma, connecting the dots between childhood experiences and choices later in life, and preparing necessary documents for the parole board. We designed the videos to not only support participants in the program, but everyone within our two pilot institutions.

In 2021, Parole Success Advocate Jarret Keith leveraged his 15 years of lived experience inside prison to lead the development of our curriculum videos, which will air regularly for all those incarcerated at our two Home After Harm locations.



Our team is also facilitating a series of workshops to support participants in understanding the legal framework surrounding the discretionary parole process and how they can improve their chances of success.



Supervising Attorney Maddie Flood is leading a team of legal advocates to support Home After Harm participants in understanding the parole process and their rights.



Nate surveys the water outside San Quentin for the first time in 22 years.

Equity Work

Our organization has now declared a goal of having system-impacted and formerly-incarcerated people (particularly those who have been before the parole board) helping to lead our legal advocacy work and strategy development. Today, more than half of our staff are formerly incarcerated or directly impacted by incarceration, and more than half identify as people of color. These team members have deep wisdom to share and skills with which to lead, which overwhelmingly improves the quality of our representation and advocacy on behalf of our clients.

One-of-a-kind partnerships:

Legal Assistant Demian Johnson was released from a life sentence with support from UnCommon Law. Today, he works with Staff Attorney Alec Weiss, leveraging lived experience and legal expertise to support a number of our clients.

"Working with Alec has been challenging and rewarding. He has a brilliant legal mind and an enormous reservoir of empathy for our clients, which is rare amongst lawyers in my experience. Also, he values and utilizes my lived experience and ability to relate to our clients. Through our working relationship, I have learned, and am learning, a great deal. I think we make a great one-two punch!"



"Reflecting back on who I used to be, and gathering from the insight of attorney Alec Weiss and Demian Johnson has helped me realize that in and of itself is probably my greatest success short of being paroled. I am very happy with this legal team. I can see the light at the end of the tunnel now."

- UnCommon Law client



"I advise clients, but Demian inspires them. He is a brilliant communicator and life-long practitioner of emotional intelligence, and translates his lived experience into something our clients can hold onto and take back to their cells. The lives that brought us to this work are vastly different, but that diversity of experience is our strength. I am inspired to be a better attorney, advocate, and person because I get to work alongside Demian every day."

Legal Assistant and former client Si Dang welcomes his friend (and UnCommon Law client) Jerome home after 13 years.



We recently began an internal project to better support members of our team (through compensation, professional development, skills training, and other social/emotional support), to ensure meaningful and equitable leadership opportunities within the organization and beyond. These strides in growing and diversifying our staff have made clear the industry-wide need for operations and processes that promote internal equity and ensure that those most adversely impacted by the carceral system are supported in participating and succeeding in this work long term, including in leadership roles.



In late 2021, Chelsea Canedy joined the UnCommon Law team as our first-ever Director of People and Culture. She will lead us in developing equitable, people-focused operations and processes. In 2022, Chelsea's focus is on creating new, equitable compensation practices, reimagining recruiting and onboarding to better serve those impacted by incarceration, implementing regular training and leadership development opportunities, and leading our practices and conversations about systems of power and equity. At a fundamental level, Chelsea works to facilitate processes, dialogue, and opportunities, for the entire organization to apply the same trauma-informed and equitable lenses we bring to our client work to our own internal processes.

Roughly half of our team members have experienced the trauma of being incarcerated or having loved ones incarcerated, and they battle systemic racism, classism, and other obstacles. We are building a unique organizational culture in which people from impacted backgrounds can and will thrive and lead.

Our Supporters

This work is made possible by the incredible support of hundreds of community members. In particular, UnCommon Law is grateful to the following individuals and organizations who went above and beyond to champion our work in 2021:

The Equal Access Fund
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Billie Mizell & Kelly Dermody
Marc Mauer
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Melissa Wardlaw & Chris Waters
Quinn Delaney & Wayne D. Jordan
Kwame Yeboah-Marfo
Briana Zweifler

How to support

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**318 Harrison Street, Suite 103
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To make a donation online, visit uncommonlaw.org/donate.

We also accept stock donations. For questions about stock giving, please email annie@uncommonlaw.org.