



**UNCOMMON LAW**  
JUSTICE DONE DIFFERENTLY

(510) 271-0310 | [www.uncommonlaw.org](http://www.uncommonlaw.org) | 318 Harrison St., Suite 103, Oakland

2022 Annual Report



**Former client Lonnie Morris helps  
UnCommon Law welcome client  
Tommy "Shakur" Ross home after  
more than 30 years in prison.**

In recent years, public support has grown for reforms to the criminal legal system that address some of the harms of our nation's wars on drugs and crime. Discretionary parole is not yet part of this discourse, but it should be: in California today, 1 in 3 incarcerated people is serving a life sentence. Most are Black and brown, and all are reliant on a parole board for their release. Unfortunately, as in other areas of the criminal legal system, significant racial and other disparities are evident in parole outcomes. For example, Black parole applicants are far less likely to be granted parole than applicants of other races, and those who cannot afford a private attorney are half as likely to be granted parole compared to those who can. People receiving mental health treatment are less likely to be granted parole than their counterparts, as may be those with with transgender or gender non-confirming identities, or different cognitive abilities.

**True justice must include a reckoning with our systemic failures to provide safe and equitable pathways for people who have committed serious or violent crimes to change their lives and come home to their families.**

Our work is based on the idea that most people are capable of causing harm under the wrong circumstances and capable of healing under the right ones. We cannot truly address the problem of mass incarceration until we have dissolved the imaginary cultural distinction between an "us" and a "them" that has allowed America's justice system to systematically dehumanize and disappear millions — primarily Black, Brown, and low wealth people — into forever sentences.

To those of you who have been with us since the beginning: thank you. To those just joining our fight: welcome. It's going to take all of us.

**Keith Wattley**  
**Founder & Executive Director**



# Ripple Effects

We are establishing a cultural environment in which significant parole reform is not just possible but demanded by injecting our work into popular discourse about criminal justice reform, establishing parole as the racial justice issue that it is, and leveraging data that demonstrates biased outcomes to generate public outrage and pressure for meaningful change.

**"Data analyzed by UnCommon Law show that...those with low-level mental health challenges were approved for release in only 11.4% of [parole] cases, roughly half the rate of those the system considers neurotypical.**

**Only about 11% of full-time wheelchair users were approved each year."**

Coverage in The Guardian

In late 2022, UnCommon Law and our partner organizations formally announced the formation of a new coalition, **The California Alliance for Parole Reform**, marking a new step in our efforts to advocate for fair and accessible pathways home from prison through parole reform. Our coalition members recognize a shared vision: that the parole decision-making process should be fair, transparent, and accountable to the public. Our advocacy is guided by the belief that everyone is capable of change and healing, and that all people are worthy of freedom and dignity.

Other founding members of our coalition are the Ella Baker Center for Human Rights, Initiate Justice, Californians for Safety and Justice, California Coalition for Women Prisoners, and the ACLU of Northern California.



**"People are not the same as they were when they were teenagers. It's not just their age that's changed; they've changed who they are, how they relate to the world. They've gained an understanding into who they can be."**

Keith Wattley on PBS' "Brief But Spectacular"

The vast majority of parole applicants in California are unable to afford private counsel and rely on attorneys appointed by the parole board. Those who receive this board appointed counsel are only half as likely to be granted parole as those who can afford to pay for private representation.

UnCommon Law is actively litigating this attorney appointment process. We believe this process is fundamentally flawed and should be replaced by one that does not depend on the effectiveness of private attorneys.

The nonpartisan **Legislative Analyst's Office** just issued a report cautioning that inequitable access to effective legal and hearing preparation services disadvantages parole candidates who cannot obtain private attorneys. The report further recognized UnCommon Law's Home After Harm program as a potential remedy to this problem, recommending that the Legislature study the program and consider whether it could be scaled up to serve all California prisons.

**"Candidates who already may be at a disadvantage for various reasons could be at a further disadvantage if they are not able to have the assistance of an attorney."**

Legislative Analyst's Office, State of California



# UnCommon Lawyering

There are 35,000 people serving life sentences who need support and pathways home from prison now; many of these individuals are aging and suffering chronic medical conditions or severe illnesses. Our team continues to leverage zealous legal representation, strategic litigation, and other forms of advocacy to bring as many people home as we can - because we know that each day someone is home with their family makes a difference.

---

**"I feel safe, cared for,  
like I matter...I [don't  
feel] like all I am is a  
criminal."**

UnCommon Law client

In 2022, UnCommon Law continued and expanded upon our litigation efforts against the California Board of Parole Hearings in **In re. Poole**. This landmark case alleges that thousands of the mostly Black and brown parole applicants in California are being denied their right to adequate legal counsel due to conflicts of interest, poor pay and inadequate training and supervision for parole board-appointed attorneys. In re Poole is currently in the First District Court of Appeal and has already sparked new investigations into the parole board from actors in Sacramento, including the Legislative Analyst's Office.

Our team saw other victories all the way up to the California Supreme Court, demonstrating bold legal strategy and proving our team's commitment to fighting for our clients' freedom at every level of the legal system. We also resumed legal workshops in prisons across the state, another key component of our efforts to expand the reach and impact of our top-notch legal team beyond our existing caseload.

# Building Power

Incarcerated people have extensive practical knowledge of prison and parole systems but often lack the necessary resources to successfully navigate - and improve - these systems. By their very nature, life sentences seek to shut the door on the possibility that a person can change when given opportunities and resources. People who have received these sentences are provided few, if any, opportunities for healing and transformation.

Through our Home After Harm Program, resources, and training, UnCommon Law is developing and supporting a field of system-impacted advocates and building community power in partnership with people with lived experiences of incarceration.

UnCommon Law's **Home After Harm** program arms incarcerated people and their communities to be their own best advocates. Home After Harm is an innovative legal/therapeutic community model designed and led by formerly and currently incarcerated people. It represents a major culture shift in the prisons implementing it.

Home After Harm participants work together to heal from past trauma, share resources, and prepare for parole hearings; the program also explicitly trains participants to serve as mentors for others navigating the parole process.



**“My future always consisted of some involvement in crime, even my dreams. This only stopped with Home After Harm and UnCommon Law. I no longer have thoughts or dreams of crimes for the first time in my life.”**

Home After Harm participant



**"Most people can't afford counsel, so they have to file the petitions themselves. This work can empower people in challenging their parole denials, especially when those denials are arbitrary and illegal."**

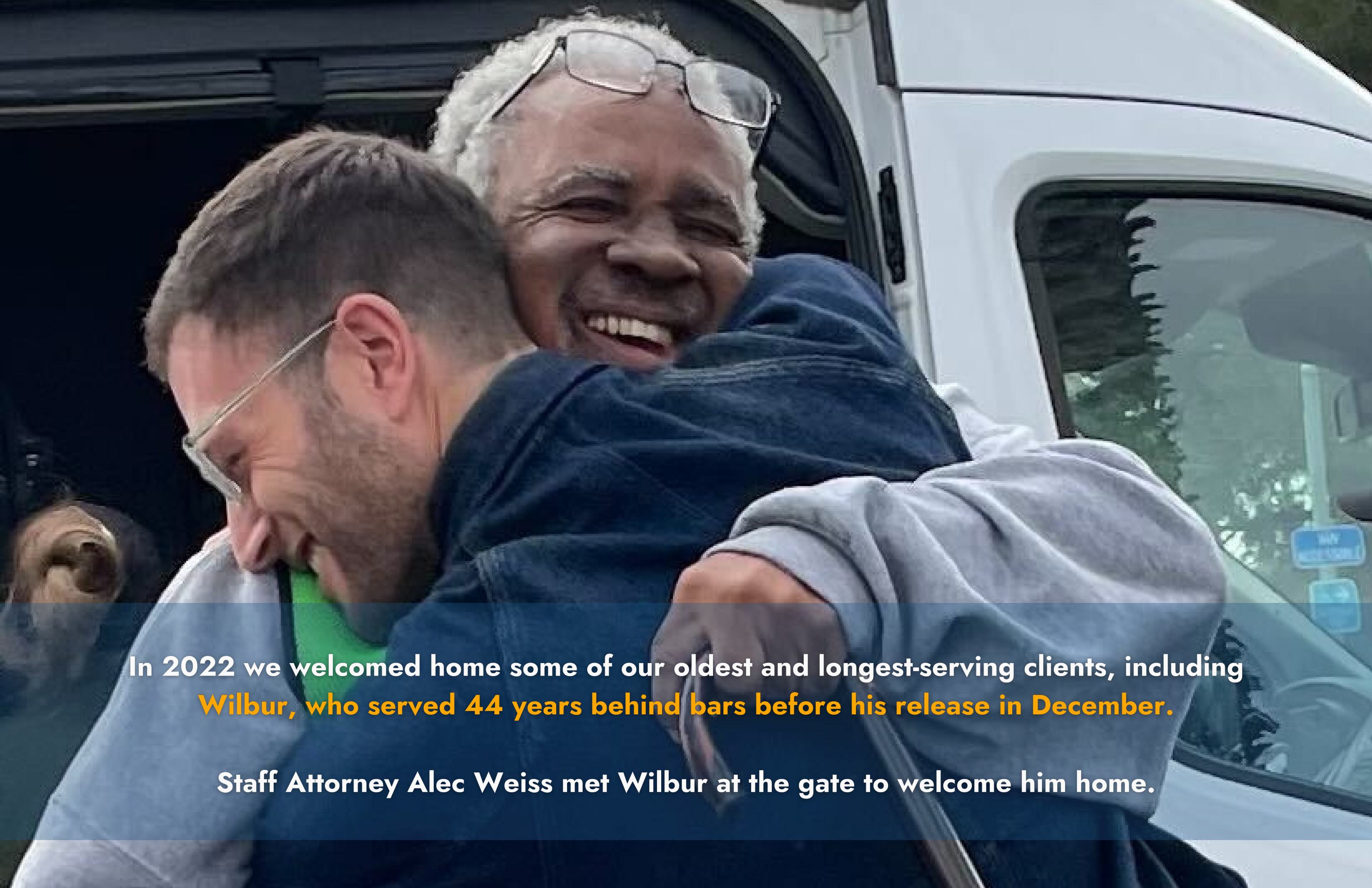
Legal Fellow Darby Aono is developing a comprehensive guide for people filing habeas corpus petitions - including template arguments and other resources - that will be made available to all people who are unfairly denied parole.



Legal Fellow Serena Witherspoon is pursuing clear standards to guide the parole board's decision making when a parole applicant claims their innocence.

As UnCommon Law's size, scope and impact have grown, we have continued redefining what constitutes an "expert" advocacy team as one that includes system-impacted and formerly-incarcerated people as leaders. Today, nearly half our staff are formerly incarcerated or directly impacted by incarceration. In 2023, we are continuing to focus on diversifying our leadership, and developing systems and processes to uplift and support staff members who have been incarcerated or have had loved ones incarcerated.





In 2022 we welcomed home some of our oldest and longest-serving clients, including **Wilbur, who served 44 years behind bars before his release in December.**

**Staff Attorney Alec Weiss met Wilbur at the gate to welcome him home.**

# Our Impact

In 2022 our team provided resources and support at every prison in California.



**6,400+**

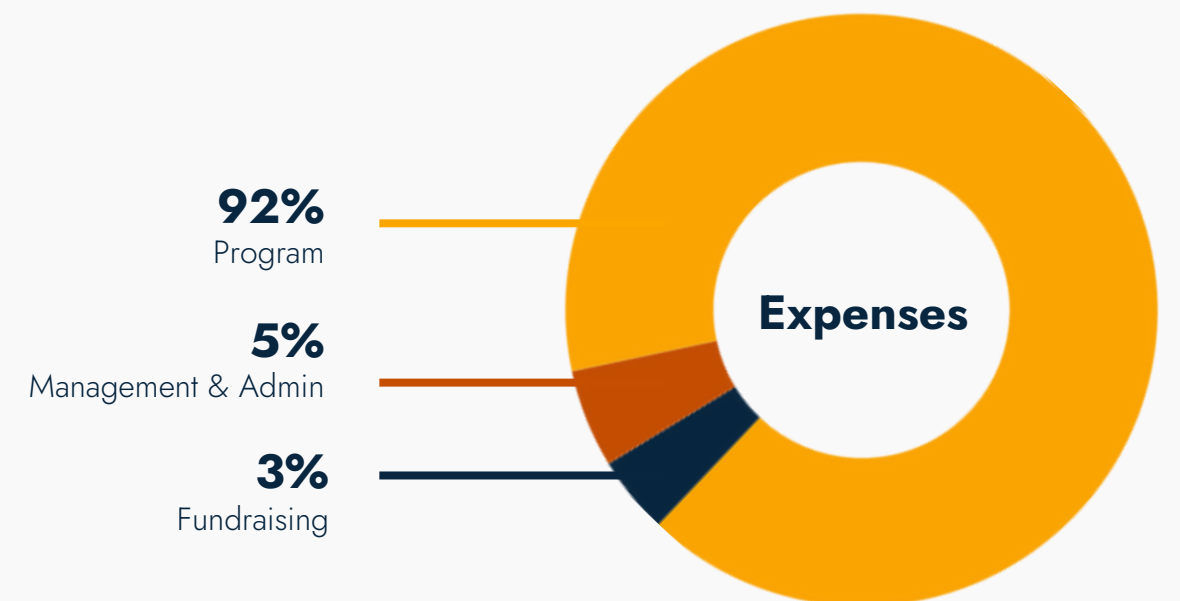
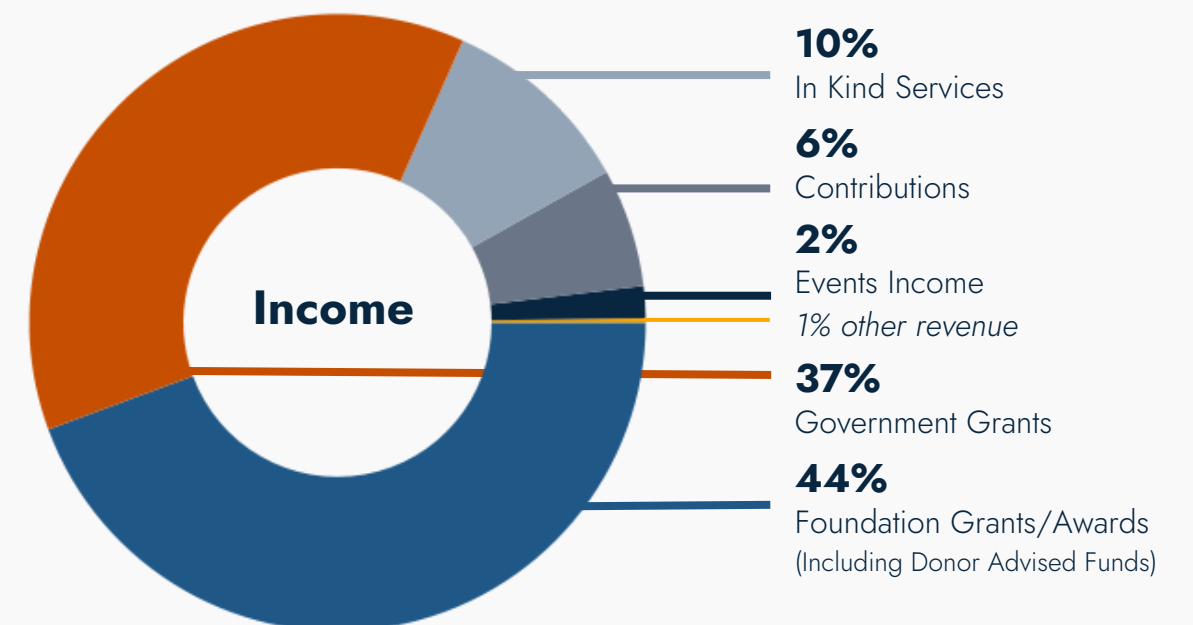
In addition to our direct legal services and programming, our office directly provided parole resources, phone support, and training to over 1,400 incarcerated people and advocates. 5,000 people also accessed our resources online.

**17**

In 2022, we welcomed 17 of our formerly life-sentenced clients home from prison. Combined, these 17 individuals served **440 years in prison.**

# Critical Support

These numbers have been updated from the original published report in February 2023 to reflect the final financial activity for the year ended December 31, 2022







**200+**  
Sustaining Donors



**180+**  
Donors at \$1,000+




**Our Partners**

Meadow Fund | The California State Bar's Legal Services Trust Fund Program | Crankstart  
The Overman Charitable Foundation | RTI | van Loben Sels/Rembe Rock  
The 11th Hour Project | California Wellness Foundation



**Very special thanks to**



Cotchett, Pitre, & McCarthy  
The Paul and Mason Gudelsky Fund for  
Peace and the Arts  
Rob & Olga Eber  
Baker McKenzie  
Heising Simons  
Meta  
Timothy & Diana Fitzpatrick  
Erin Scott  
Amity Foundation  
The Scott Family  
The Veen Firm  
Kazan McClain Partners' Foundation  
Bonafide



Chris and Crystal Sacca  
Jen Rubio  
JK Irwin Foundation  
Nia Impact Capitol  
Quinn Delaney  
California Wellness Foundation  
The Marfo Family  
Crankstart  
Rosen, Bien, Galvan & Grunfeld  
The Cole Family  
Logikcull  
Alan Ramo & Leslie Rose  
New Breath Foundation

[Click here](#)  
to support our work in 2023!



**UNCOMMON LAW**  
JUSTICE DONE DIFFERENTLY