



UNCOMMON  
LAW

A photograph of a smiling, bald Black man with glasses, wearing a grey hoodie, hugging a woman with long red hair from behind. The woman is wearing a green top. In the background, a white van is parked, and other people are visible, including a woman in a grey blazer and a man in a dark jacket. The scene is outdoors, possibly at a university event.

# Beyond the Board Room

Expanding the Definition of Parole Success



# Table of Contents

<b>Overview.....</b>	<b>1</b>
<b>Highlights.....</b>	<b>2</b>
<b>Findings</b>	
<b>I. Employment.....</b>	<b>3</b>
<b>II. Housing.....</b>	<b>4</b>
<b>III. Emotional Wellbeing.....</b>	<b>5</b>
<b>IV. Education.....</b>	<b>6</b>
<b>V. UnCommon Law's Services.....</b>	<b>7</b>
<b>VI. Resources and Support.....</b>	<b>8</b>
<b>Conclusion.....</b>	<b>9</b>
<b>Methodology.....</b>	<b>9</b>
<b>Acknowledgements.....</b>	<b>9</b>
<b>Appendix.....</b>	<b>10</b>

# Overview of this report

35,000 people are currently serving life sentences in California prisons for serious and violent crimes – more than 30% of the entire state prison population. While many of these people have long since aged out of crime, or completed the kinds of self-help and therapeutic programs, vocational training, and educational programs that substantially reduce their future risk to society, the reentry “success” of Lifers (those serving lengthy/life sentences) is nearly always reduced to rates of parole success and recidivism (i.e., whether they return to prison after release) in public discourse. Studies have continued to show that people who are released from life sentences on parole are far less likely to return to prison – indeed, the California Department of Corrections and Rehabilitation’s most recent data reveals a recidivism rate of 2-3% among this population<sup>1</sup>, far lower than the national average of 68% over the same time period following release<sup>2</sup> – **but these numbers tell us very little about the quality of life most former Lifers maintain once released, or the contributions they make to their communities upon their return.**

UnCommon Law has maintained a 60% average rate of parole grant success, with only 1% of our clients returning to prison. While parole grant rates and recidivism statistics are undeniably important measurements, these data are limited in the story they are able to tell us about the impact of our services beyond the board room. Those appearing before the Board have, more often than not, engaged in self-transformation beyond what can be quantified in a parole grant or denial; and simply remaining out of prison is in and of itself not an indicator of mental, physical, social and/or economic health. We also know that people who have transformed their lives in prison are uniquely qualified to improve their communities upon returning home, and often actively participate in stopping cycles of violence, trauma, and incarceration – a phenomenon which recidivism as a stand-alone statistic does very little to capture.

The following analysis describes the experiences of 85 former UnCommon Law clients, including their experiences working with UnCommon Law while inside, and the success achieved and challenges faced by those released from prison through UnCommon Law representation. The findings establish that the respondents (33% of all clients released with UnCommon Law representation) reported success across several key wellness categories since their return home, and indicate that UnCommon Law’s services positively impact clients in a myriad of ways beyond a parole grant.

# Highlights



**91%** of eligible respondents are employed



**52%** of respondents report actively volunteering in their communities



**100%** of respondents are housed



**95%** of respondents report high levels of mental wellbeing



**38** respondents are pursuing, or intend to pursue, higher education



**100%** approval rating for UnCommon Law among respondents

# Findings

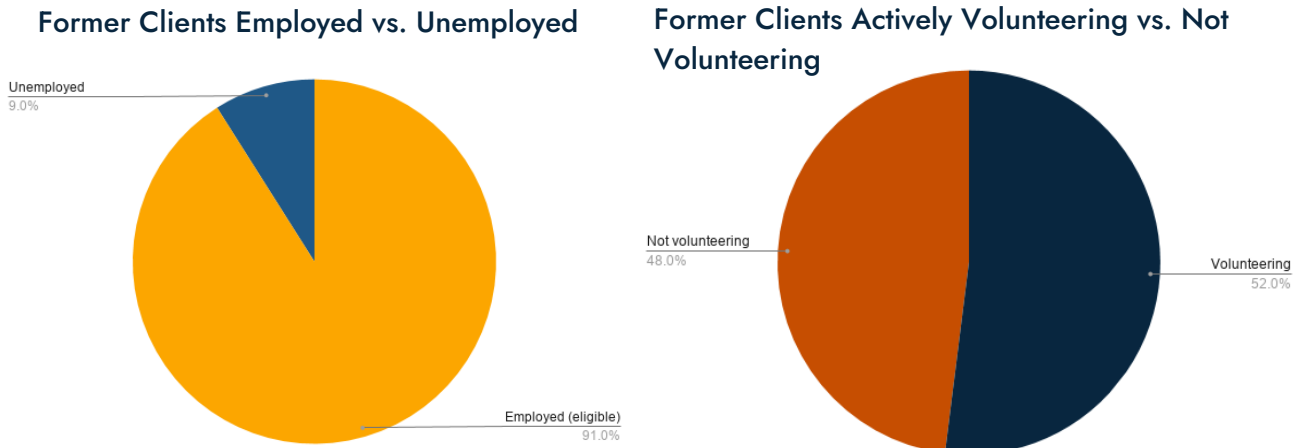
## I. Former client respondents maintain high levels of employment and volunteerism in emotionally and intellectually fulfilling jobs after release

Significant barriers to employment exist for formerly incarcerated people – especially those with past felony convictions. The unemployment rate for formerly incarcerated people is over 27%: five times higher than the current national average and higher than the national unemployment rate during the Great Depression.<sup>3</sup> Stable employment is a key indicator of post-release success, and can provide insight into a person’s financial stability, emotional fulfillment, and community connection.

91% of employment-eligible<sup>4</sup> respondents are currently employed (or have been employed in the past year) in the community across a variety of sectors, with the greatest level of employment (44%) in the non-profit/government sector.

**“I work for the City of Richmond, getting ahead of gun violence and working with at-risk youth to prevent them from going to prison. We pick kids up, help them get employment, help them retain their driver’s license, enroll them in school, take them to court appearances, and we take them on trips to see places like Washington and New York.”**

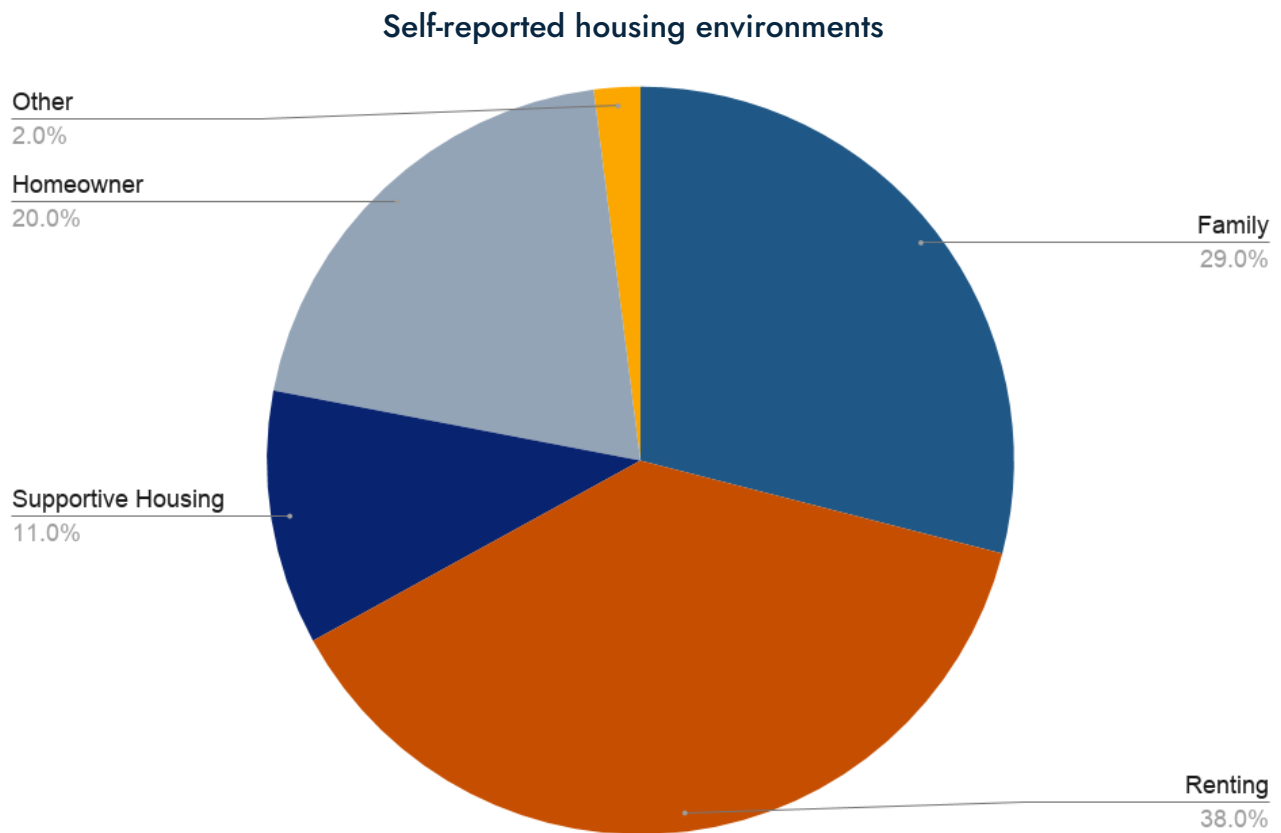
Furthermore, 52% of respondents report actively volunteering in their communities, most often with system-impacted youth, currently-incarcerated individuals, or community elders.



## II. Former client respondents are housed

Formerly-incarcerated people are up to ten times more likely to become homeless than the general population. These numbers are higher for formerly-incarcerated people of color, and for those over the age of 45.<sup>5</sup>

Respondents to this survey (many over the age of 45) are overwhelmingly housed, with 100% reporting a stable living situation:



**"I'm in an office right now and the couch is about the size of the last cell I was in. I can go outside whenever I want. I can go downstairs to the kitchen and open up the refrigerator whenever I want to."**

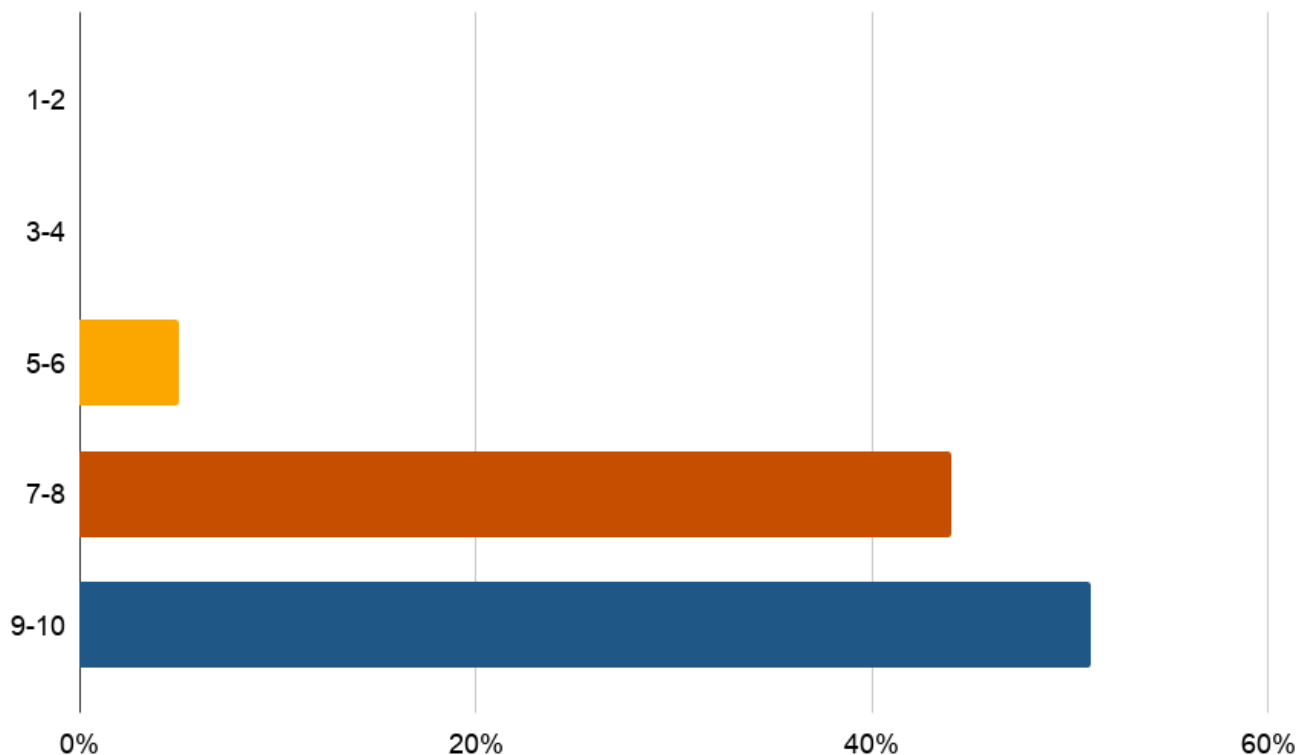
### III. Former client respondents maintain strong community connections, and are well prepared to manage their emotional health and wellbeing upon release

People who are incarcerated often face significant mental health challenges upon release. 47% of formerly-incarcerated people experience a traumatic event in the first 8 months after their release from prison,<sup>6</sup> and formerly-incarcerated people report high rates of Post-Traumatic Stress Disorder, with very few resources available to help them. The current spread of COVID-19 has added additional stressors – isolation, difficulty maintaining employment, and health-related anxiety among them.

95% of former clients surveyed feel “supported by family and loved ones,” and 70% report relationships with at least 3 people who actively support them. 95% reported high levels of mental wellbeing.

**“I use the lessons and tools I learned from the groups I participated in during my time in prison to apply it to my life. I haven’t had a bad day since I left prison.”**

Self-reported mental wellbeing, ranked on a scale of 1 (low health) to 10 (high health)



## IV. Many former clients continue their education and pursue additional degrees after release

Over half of those who leave prison each year have a high school credential, but only 6% have a postsecondary degree.<sup>7</sup> Once out of prison, many face significant obstacles to continuing their education, including transportation, obtaining housing, and securing identification. Access to education is often a critical component of reentry success: the Center for Disease Control defines education as a key social determinant of health,<sup>8</sup> and a study from the Council of State Governments (CSG) Justice Center found that continued education among formerly incarcerated people corresponded to a 43% reduction in recidivism, and a 13% increase in employment.<sup>9</sup>



**38**

of the former clients surveyed have pursued or intend to pursue additional degrees or education since release (45% of respondents)

**"I'm currently in graduate school getting my Masters in social work!"**

**"After I got out, I got an Associate Degree in Film and Editing, and was able to get a job at 21st Century Fox as an Assistant Director."**

**"I left prison with two 'AA' degrees, and enrolled at Arizona State University after parole. I graduated with honors, pursued and got my Masters, and most recently completed my certification in Applied Behavioral Analysis."**

A significant number of former UnCommon Law clients reported continuing their education after release, and have achieved additional degrees in everything from Applied Behavior Analysis to Policy and Legislation, at high-level institutions like UC Berkeley.



## **V. UnCommon Law's services contribute directly to transformation and self-improvement in prison**

UnCommon Law provides a unique blend of trauma-informed, healing-centered legal advocacy to ultimately identify and address the underlying issues that contributed to a person's pathway to crime. As high as 87% of incarcerated men<sup>10</sup> (and a much higher rate among women and trans people)<sup>11</sup> have experienced traumatic events at some point in their lifetime. While maintaining a 60% success rate in the parole board room, our trauma-trained attorneys and social workers ultimately partner with clients to help them improve self-awareness, change their self-narratives, assume accountability for their past actions, and build a path forward – regardless of the outcome of their parole hearing.

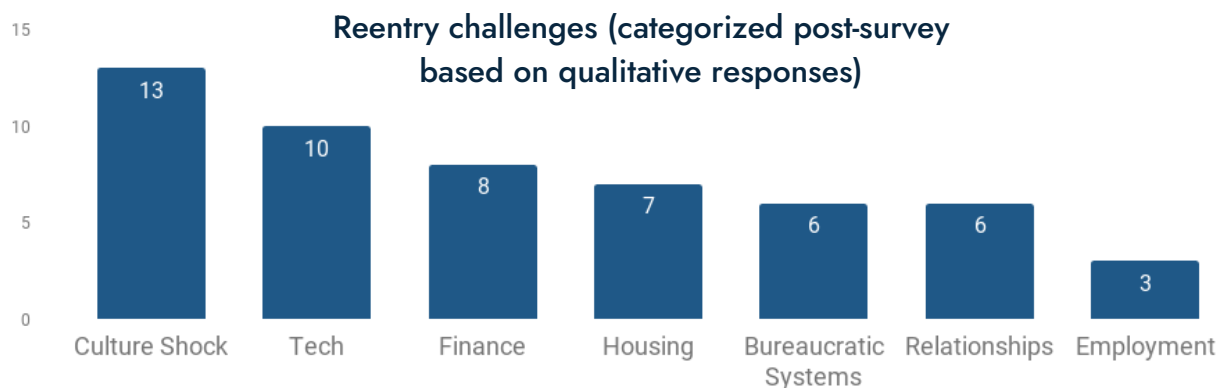
**"I was able to understand where all my pain and trauma came from. I now understand that having past trauma in my life was a key factor in me making the decision that I made. I started to attend anger management classes because of Keith. I started to understand how to deal with and manage my anger when I do get upset, or if I'm triggered."**

100% of former UnCommon Law clients surveyed ranked UnCommon Law's services as either "Above Average" or "Excellent" as compared to previous legal representation, and 44% of respondents reported increasing additional in-prison programming while working with UnCommon Law staff.

## VI. Formerly incarcerated people may require unique resources and support that can be difficult to access once released

While there are hundreds of phenomenal, community-based organizations doing the hard work of supporting people post-release, many formerly-incarcerated people are still critically in need of certain resources, and struggle to locate and access them. Our research was as much geared towards understanding individual reentry success as well as possible patterns in reentry challenges, and identifying opportunities for intervention and assistance.

The majority of our clients who cited specific areas in which they felt unprepared or unsupported during their release specified maintaining healthy romantic relationships and navigating technology-based financial systems as the two largest barriers to success. Individuals incarcerated as children or very young adults can leave prison without any experience dating or maintaining long term relationships on the outside, a transition many identified as challenging. Additionally, technological advancements over the past several decades present potentially stressful, confusing obstacles to those returning to their communities after long-term sentences.



Finally, former clients described the overwhelming change inherent in reentry as an emotional and difficult process:

**“When I was in prison and you had to buy something, like a toothbrush, they would just ask if you wanted the hard one or the soft one. But then the first time I went to the store when I got out, I was very overwhelmed and got frustrated by all the options. There are so many colors and options, and no one was there to help.”**

# Conclusion

UnCommon Law's impact, and the success of our clients, can be measured far beyond the outcome of a parole hearing. People serving lengthy sentences require unique services and resources while inside, and continue to do so once they have been released. Organizations like UnCommon Law must continue delivering high-caliber, healing-focused services to best prepare individuals for a safe and successful release, and, once released, those individuals should be connected to a community-based network of continued services and opportunities.

## Methodology

Surveys were conducted by a team of 18 volunteers, led by an UnCommon Law staff member and an UnCommon Law intern. Responses were gathered via phone from 85 former clients.

We were not able to contact every one of the 257 former clients released through our services: many have moved frequently in the years following their release, some have died, and some have left the country or been deported. Our team had some form of up-to-date contact information for 186 former clients (or their family members). Of that 186, we learned that 16 had left the country, and 11 were unable to complete the survey for a variety of reasons (including death).

60 of the 186 clients contacted received surveys by mail, and the remainder were contacted by phone or email. At least three attempts were made to reach each client for whom we had phone or email contact information.

Ultimately, excluding the clients we learned had either passed away, left the country, or were unable to complete the survey for a number of reasons, the number of clients with reliable contact information stands at 159. Our team was able to survey 53% of those individuals.

## Acknowledgements

We owe an enormous debt of gratitude to every former client who shared their stories with us – while the information provided allows us to better understand UnCommon Law's strengths and opportunities for further impact, these surveys also painted an incredible picture of those we work with as real leaders and change-makers. We would also like to acknowledge the hard work of the many volunteers who made this report possible; they administered survey questions with a level of care, compassion and spirit very much keeping with UnCommon Law's mission and values.

## Appendix

1. Board of Parole Hearings 2019 Report of Significant Events. (2019). [https://www.cdcr.ca.gov/bph/wp-content/uploads/sites/161/2020/02/BPH-Significant-Events-2019.pdf?label= 2019 Report&from=https://www.cdcr.ca.gov/bph/statistical-data](https://www.cdcr.ca.gov/bph/wp-content/uploads/sites/161/2020/02/BPH-Significant-Events-2019.pdf?label=2019+Report&from=https://www.cdcr.ca.gov/bph/statistical-data)
2. Alper, M., Ph.D., Durose, M. R., & Markman, J. (2018, May). 2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period (2005-2014). <https://www.bjs.gov/content/pub/pdf/18upr9yfup0514.pdf>
3. Couloute, L., Kopf, D. (2018, July). Out of Prison & Out of Work: Unemployment among formerly incarcerated people. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/outofwork.html>
4. I.e. not retired, not constrained by physical or mental health issues
5. Couloute, L. (2018, August). Nowhere to Go: Homelessness among formerly incarcerated people. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/housing.html>
6. Pettus-Davis, C., PhD, MSW, Renn, T., PhD, MSSW, MPH, Kennedy, S., PhD, MSW (2020, May). Trauma and Loss During Reentry: Early Findings from a Multi State Trial. Institute for Justice Research and Development, Florida State University, College of Social Work. [https://ijrd.csw.fsu.edu/sites/g/files/upcbnu1766/files/Publications/Trauma\\_During\\_Reentry.pdf](https://ijrd.csw.fsu.edu/sites/g/files/upcbnu1766/files/Publications/Trauma_During_Reentry.pdf)
7. Couloute, L. (2018, October). Getting Back on Course: Educational exclusion and attainment among formerly incarcerated people. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/education.html>
8. Office of Disease Prevention and Health Promotion. (2020). Social Determinants of Health. <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-of-health>
9. Bacon, L., Lee, G., Weber, J., Duran, L. (2020, February). Laying the Groundwork: How States Can Improve Access to Continued Education for People in the Criminal Justice System. Justice Center, The Council of State Governments. [https://csgjusticecenter.org/wp-content/uploads/2020/02/Laying-the-Groundwork\\_Feb2020.pdf](https://csgjusticecenter.org/wp-content/uploads/2020/02/Laying-the-Groundwork_Feb2020.pdf)
10. Wolff, N., Huening, J., Shi, J., & Frueh, B. C. (2014). Trauma Exposure and Posttraumatic Stress Disorder among Incarcerated Men. *Journal of Urban Health*, 91(4), 707-719. doi:10.1007/s11524-014-9871-x
11. Survived and Punished. Bierria, A., Kaba, M., Lenz, C., Michels, S., Munshi, S., Ritchie, A., Rumpf, C., Smith, G., Suh, S. (2019, January). Research Across The Walls: A Guide to Participatory Research Projects & Partnerships to Free Criminalized Survivors. [https://survivedandpunished.org/wp-content/uploads/2019/02/SP\\_ResearchAcrossWalls\\_FINAL-compressedfordigital.pdf](https://survivedandpunished.org/wp-content/uploads/2019/02/SP_ResearchAcrossWalls_FINAL-compressedfordigital.pdf)