



**Justice Done Differently.**

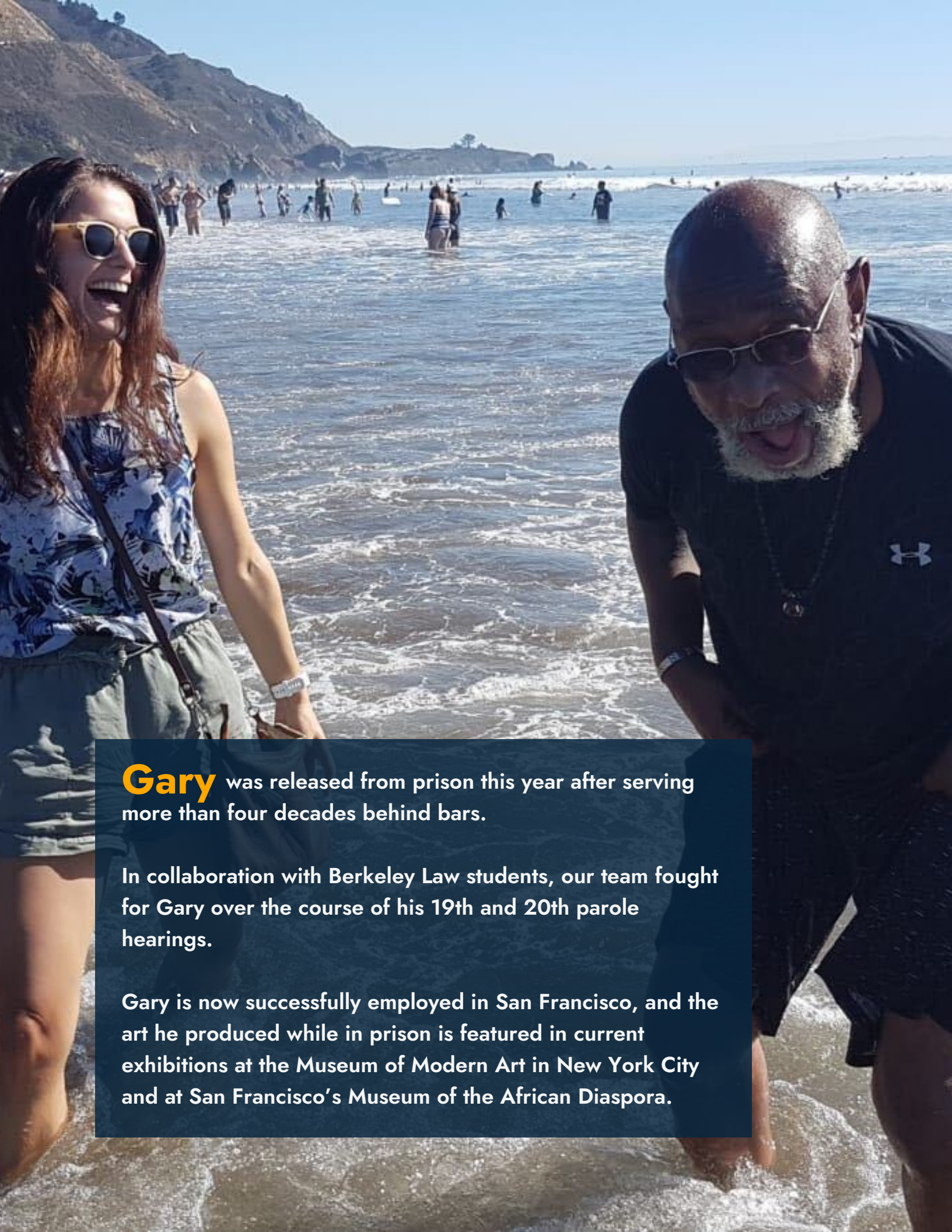


## 2020 Annual Report

(510) 271-0310 | [www.uncommonlaw.org](http://www.uncommonlaw.org) | 220 4th St., Suite 103, Oakland







**Gary** was released from prison this year after serving more than four decades behind bars.

In collaboration with Berkeley Law students, our team fought for Gary over the course of his 19th and 20th parole hearings.

Gary is now successfully employed in San Francisco, and the art he produced while in prison is featured in current exhibitions at the Museum of Modern Art in New York City and at San Francisco's Museum of the African Diaspora.

# This Report

This year, UnCommon Law welcomed our 258th client back into the community from a life sentence. For the past 14 years, our attorneys and advocates have championed the radical notion that people sentenced to life in prison for violent crimes have the greatest capacity for personal transformation and for disrupting cycles of harm in our communities. We believe this because we have actually witnessed it with our clients—two of whom we're proud to now call full-time staff members at UnCommon Law.

The COVID-19 pandemic has taught us new ways to support people leaving prison. Our clients released this year are reconnecting with loved ones and entering the workforce in a Zoom-filled virtual world that did not exist when they went to prison. Those left behind to fend for themselves in overcrowded facilities have continued to suffer from the incompetence and cruelty of state actors, who have failed to protect them from COVID-19 and have refused to release those at highest risk of death but lowest risk to public safety. We have specifically challenged lawmakers, corrections officials, and the broader public to see the people beyond the labels of "violent offender" or "prisoner." This has never been more important: even as the virus rages throughout all 35 state prisons, the 35,000 people serving life sentences are still not being considered for expedited release.

Despite these difficult circumstances surrounding our work, we have built up and diversified our staff. We more than tripled the size of the UnCommon Law staff, adding smart, driven, and empathetic members who better reflect the communities we serve: 45% of our team is either formerly incarcerated or directly impacted by incarceration, and 50% are people of color.

At the same time, we've initiated two new programs aimed at dismantling a system that has left so many thousands of people with so few pathways to return home. We have fully staffed our new program, "Home After Harm: UnCommon Law's Pathways to Parole Success," finalizing plans for a 2021 launch. We are also developing a new policy arm to focus on legislative and other changes that would dramatically increase the number of people released from prison each year. We are directly challenging the state's abysmal parole grant rate, which averages just 16% over the past 40 years.

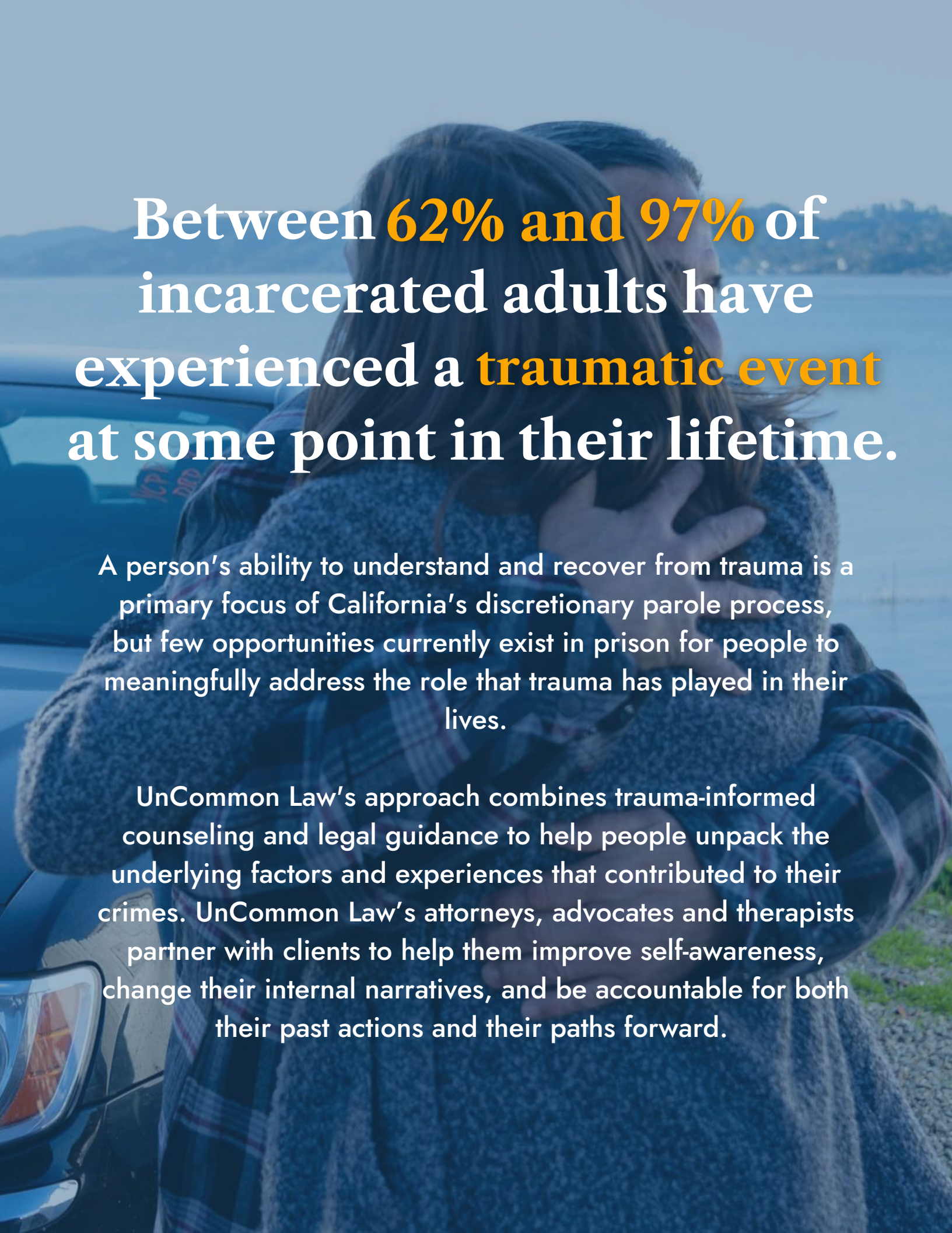
None of this progress would be possible without the tireless support of people like you, who have demanded fairness in our criminal legal system. You have championed our work, invested in our success, volunteered, and engaged this community in countless ways. You inspire us to continue fighting, and you hold a piece of the world we are all working towards. It is an honor to share this report with you.

Thank you.



Keith Wattley



A photograph of a man and a woman embracing each other. The woman is in the foreground, her back to the camera, wearing a grey sweater. The man is behind her, his arms around her, wearing a plaid shirt. They are standing outdoors near a dark-colored car. In the background, there is a body of water and a hazy landscape under a blue sky.

Between **62% and 97%** of incarcerated adults have experienced a **traumatic event** at some point in their lifetime.

A person's ability to understand and recover from trauma is a primary focus of California's discretionary parole process, but few opportunities currently exist in prison for people to meaningfully address the role that trauma has played in their lives.

UnCommon Law's approach combines trauma-informed counseling and legal guidance to help people unpack the underlying factors and experiences that contributed to their crimes. UnCommon Law's attorneys, advocates and therapists partner with clients to help them improve self-awareness, change their internal narratives, and be accountable for both their past actions and their paths forward.



**“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 my work with [UnCommon Law], and I started to understand how to deal with and manage my anger.”**

**- Former UnCommon Law client**



# Our Impact

In 2020, UnCommon Law invited 85 former clients to share their experiences working with our team while inside prison, as well as the successes achieved and challenges faced upon leaving prison. What we learned is published in "Beyond the Board Room: Expanding the Definition of Parole Success," an impact study that highlights the gaps in the way the corrections system currently measures release "success."

Our results demonstrated high levels of wellbeing across multiple wellness areas, and highlighted what we have long known anecdotally to be true: people released from life sentences are unlikely to return to prison, are uniquely qualified to improve their communities upon returning home, and often actively participate in stopping cycles of violence, trauma, and incarceration.

While parole grant rates and recidivism statistics are important, these data tell us little about the quality of life most former "lifers" (those sentenced to life in prison) maintain once released, or the contributions they make to their communities upon their return. "Beyond the Board Room" marks an important step in the conversation about what real reentry success looks like.



**91%**  
employed



**100%**  
housed



**52%**  
volunteering  
in their  
communities



**45%**  
pursuing  
higher  
education



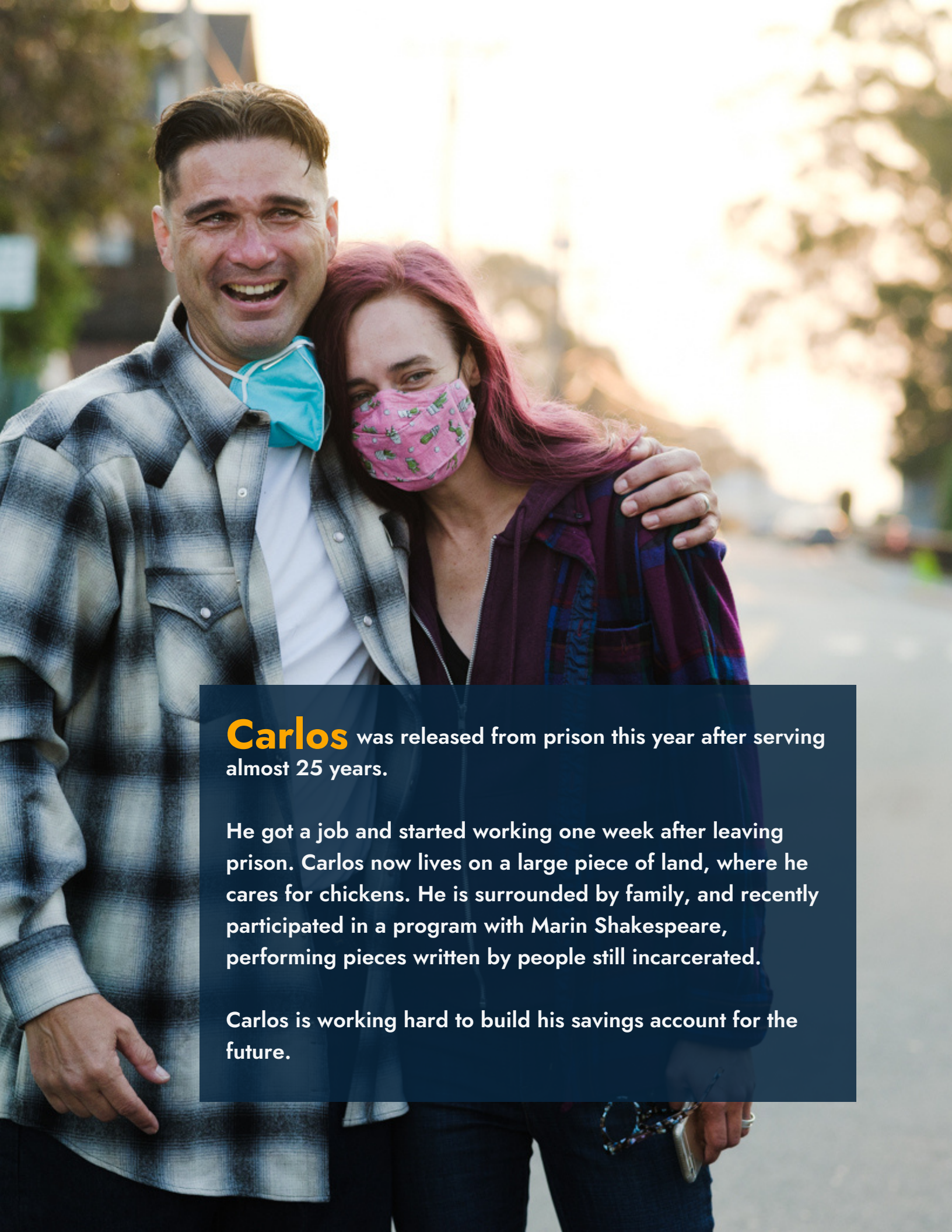
**100%**  
UnCommon Law  
approval rating



**95%**  
high level of  
mental  
wellbeing

*Results from our 2020 Impact Survey*





**Carlos** was released from prison this year after serving almost 25 years.

He got a job and started working one week after leaving prison. Carlos now lives on a large piece of land, where he cares for chickens. He is surrounded by family, and recently participated in a program with Marin Shakespeare, performing pieces written by people still incarcerated.

Carlos is working hard to build his savings account for the future.

# Home After Harm

This year, we finalized launch plans for "Home After Harm," a three-year program that may eventually make our innovative legal and healing model available to everyone whose release from prison is dependent upon the parole board, which currently accounts for more than half of those incarcerated in the state. This pilot, funded in part by the City of Oakland, could represent a major culture shift inside our prisons, with the possibility for statewide implementation post-2023.

The Home After Harm pilot seeks to create a therapeutic community in two prisons—California Medical Facility and California State Prison, Los Angeles County—in which participants have the opportunity and support to revisit their traumatic histories, and to develop new understanding, be accountable, and adopt coping skills.



The Home After Harm team is staffed with formerly incarcerated and system-impacted Advocates (including former clients), who are designing our curriculum and will lead the counseling and guidance work previously undertaken by lawyers, social workers, and other therapists at UnCommon Law. This team is using their own emotional intelligence, communication skills, and lived experience to guide the transformation of others.







**Our former clients**  
are developing our Home After Harm  
curriculum, going back inside to run our  
programming, and proving the power of  
leading by example.



Former clients JC, Vaughn and Charlie leading a workshop at California State Prison, Los Angeles County





The James Irvine Foundation

for the People of California

The James Irvine Foundation

The James Irvine Foundation

Each year, **The James Irvine Foundation** recognizes a select number of leaders with innovative solutions to California's most critical challenges.

This year, we were thrilled to see UnCommon Law's Executive Director, Keith Wattley, receive the James Irvine Leadership Award for his work transforming the parole process through healing and accountability.



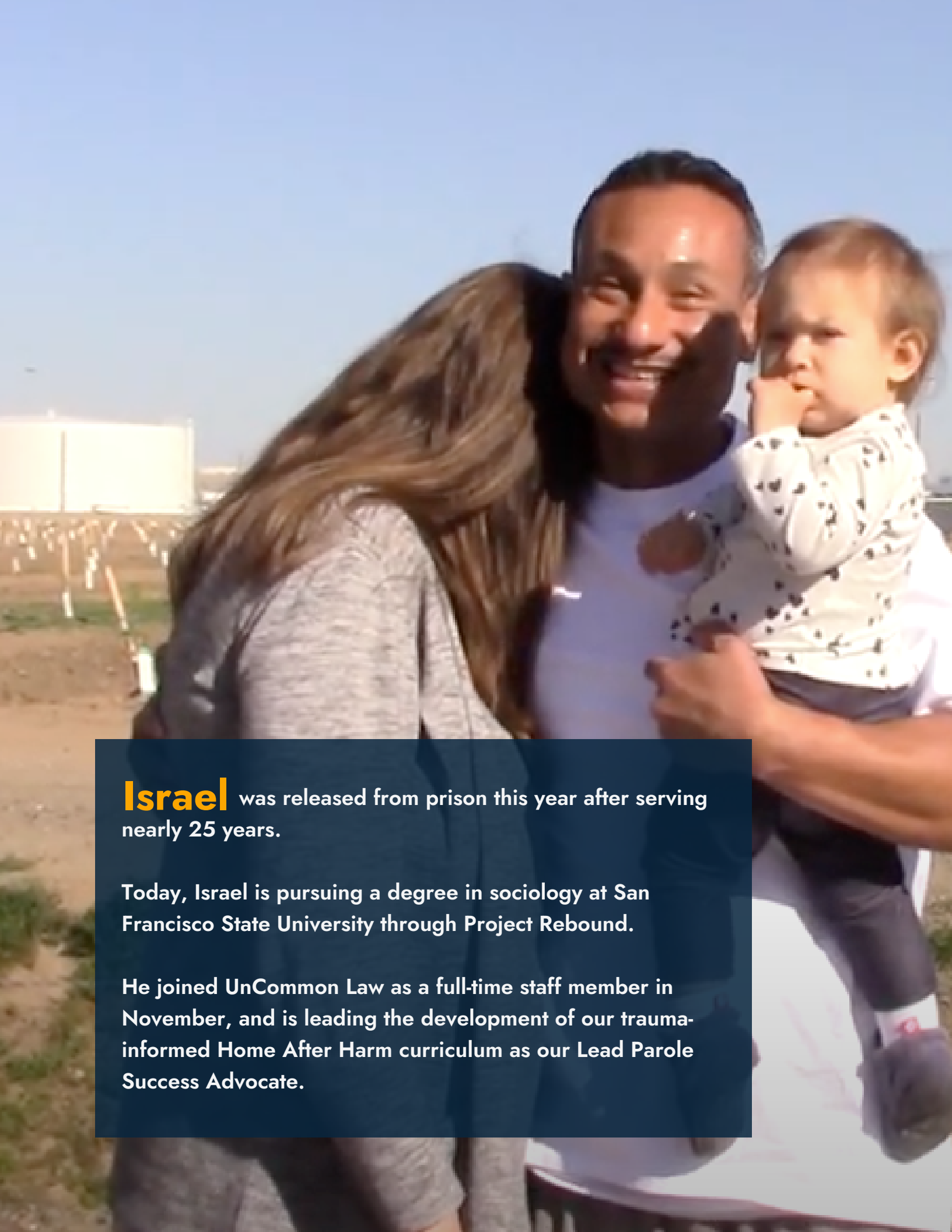
# Raising our Voice



Today, there are too many people in prison and far too few pathways home. While public support has grown for criminal justice reform, piecemeal legislation has sent more people through the discretionary parole process but has had zero impact on success rates when hearings are actually scheduled. More than 35,000 people rely on this flawed system in order to return home. This system is simply not designed to release people from prison, so we need to replace it with one that is. We need some bold new approaches to challenging the state's 40-year average grant rate of 16%.

UnCommon Law is unique in our advocacy for the rights of people who have been convicted of violent crimes. Our deep knowledge of the parole process is unparalleled, and our direct service model has allowed us to develop strong relationships in legal, legislative and system-impacted communities. For the first time, in 2020, UnCommon Law cosponsored legislation with State Senator Nancy Skinner (Senate Bill 1064), aimed at preventing the parole board from using unreliable information to deny parole. Although the bill passed through the Senate and Assembly, Governor Newsom vetoed it. We will not give up this fight.

In 2021, we are launching a comprehensive Policy, Advocacy, Litigation and Communications initiative, utilizing our expertise and status in the field to affect systems-level change. This initiative requires the help of several new staff members and a collaborative effort with other organizations and individuals. We aim to fundamentally reimagine the prison experience from start to finish, and to create meaningful pathways home from it. Our focus will be on making sure the programs available to people in prison are more responsive to their extensive trauma histories so that they are better prepared when appearing before the parole board. At the same time, we'll seek new ways to rein in the parole board's virtually unfettered discretion to deny parole to those who should be released.



**Israel** was released from prison this year after serving nearly 25 years.

Today, Israel is pursuing a degree in sociology at San Francisco State University through Project Rebound.

He joined UnCommon Law as a full-time staff member in November, and is leading the development of our trauma-informed Home After Harm curriculum as our Lead Parole Success Advocate.





# Our team

grew to 22 in 2020. We're proud to be cultivating a strong group of current and future leaders who are growing UnCommon Law's impact every day.





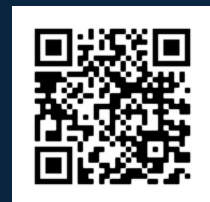
# Your support

UnCommon Law is tremendously grateful to our partners and sponsors for their generous support of our programs in 2020.

## Our 2020 Partners

Silicon Valley Community Foundation	Crankstart
Lafayette Juniors	Meadow Fund
van Löben Sels/Rembe Rock	The James Irvine Foundation
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JK Irwin Foundation	Linda Woo
The Cole Family	The Ella Baker Center for Human Rights
Rosen, Bien, Galvan & Grunfeld	The Norman/Welchman Family
Melissa Nelken & Ronald Lee	Kenneth Scott
The Kapor Center	Thomas & Lillia Hess
ACLU of Northern California	Mount Tamalpais College
Katherine Scott	Stephen Lamm
Caroline & Dick Norman	

UnCommon Law relies entirely on the support of our community. To uplift our work in 2021, visit [www.uncommonlaw.org/donate-to-us](http://www.uncommonlaw.org/donate-to-us), or scan the QR code with your phone's camera app to make a donation!





In 2021, we will raise \$1.6 million to continue scaling our approach and growing our impact. Our team is expanding rapidly, and we are committed to ensuring that those with lived experience have not only membership on our team, but leadership opportunities in this work.

The launch of our Home After Harm program will allow us to scale our work by training currently and formerly incarcerated people as counselors to guide others in the deep self-reflective work that has helped so many of our clients. This new chapter will lay the groundwork for statewide implementation of our trauma-informed approach, and make our resources available to all those whose release from prison depends on the parole board. Furthermore, the remote-delivery model required by COVID-19 opens new opportunities to improve access to new technology in prisons, including the possibility of meaningful, face-to-face connection in the midst of a pandemic that has further isolated the most alienated people in our society.

The new year also brings fresh opportunities to directly address some of the flaws laid bare in our prison system. For example, for 40 years, the state parole board has been violating the law requiring that parole “shall normally” be granted, instead granting only 16% of the time. Also, a preliminary study recently published in the Harvard Civil Rights-Civil Liberties Law Review by researcher Kristen Bell found that success in parole hearings depends more on a person’s race and ability to hire their own lawyer, and less on the crime they committed or their conduct in prison. Since those preliminary findings, the parole board has actively withheld race data that could help determine the scope of the problem. If the discretionary parole process is plagued by the same biases that exist in every other realm of society, we must not pretend otherwise.

More broadly, it’s time to move past incremental criminal justice reforms that focus on low-hanging fruit while discarding entire segments of the incarcerated population as being beyond redemption. These are our folks, particularly the Black, Brown, and poor ones who are typically left behind.

The numerous turmoils of 2020 have lit a fire in many of us. We’ll be stoking that fire in 2021, and we look forward to fighting alongside you.

