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Mayer Brown managing partner helped free lifer who changed his life

"To me, it's the reason I became a lawyer in the first place. You know, it's not every day that you have a chance to really help do justice, and getting Ken released certainly was that," said Ward Johnson, Mayer Brown's managing partner for Northern California.



From left: Ward Johnson, Ken Oliver, Jacqueline Teobaldi, and Sarah Balkissoon. (Photo courtesy of Mayer Brown)

Ward Johnson and Ken Oliver met four years ago under exceptional circumstances. Johnson, a commercial litigation attorney and managing partner of Mayer Brown's Northern California offices, took on a pro bono assignment for Stanford University's Three Strikes Project.

Oliver was serving a life sentence in Soledad State Prison. He said he was assigned to solitary confinement for eight years after being found in possession of a book. The author had killed prison guards and Oliver said the prison officials determined his interest in the book made him a

threat to the general prison population.

"The first time I ever met Ken, he was in a holding cell at Soledad prison in an orange jumpsuit," Johnson recalled in a recent video conference interview. "And after listening to him talk, for really just a minute, you knew that you were talking with somebody who was really an extraordinary person, who really had something to say."

Oliver was 29 when he was sentenced to life in prison under the three strikes law for felonies committed since he was a teenager including armed robbery and unlawful possession of a firearm. His last crime, for which he got the third strike, was riding as a passenger in a stolen vehicle.

Voters eased the penalties for three-time felons whose last crime was considered nonviolent in 2012. Oliver was ineligible for a new sentence under the changed law because he was found with gang materials while in prison. The materials included the book "Blood in My Eyes" by prison gang leader George Jackson, who murdered a prison guard and was later killed in a prison escape after which five hostages were found dead in his cell.

Oliver said in the videoconference with Johnson that he used his time in prison to study the law.

"When I was in solitary confinement, I probably spent, I don't know, a few thousand hours over the course of that time studying constitutional law. I was trying to figure out and understand why I was in solitary confinement for reading a book?" Oliver explained that he read up on due process, the U.S. Constitution, and various Supreme Court opinions. "I gained an affinity for the art of argument."

Johnson, as lead counsel, worked for Oliver's release, ultimately getting his gang affiliation expunged and settling a lawsuit for \$125,000 as damages for his time in solitary. The Los Angeles County district attorney dropped objections to Oliver's release in 2019 "in the interest of justice" after the California Department of Corrections and Rehabilitation expunged the gang affiliation record. *Oliver v. Beard*, U.S.D.C. (C.D. Cal.), Case No. 2:14-cv-01890-JVS-PJW.

"It's very, very, very rare -- like rarer than hitting the lottery -- where a corporate firm the size of Mayer Brown comes in to help," Oliver said. "The truth of the matter is, had I not had Ward and Mayer Brown, I very well could be still sitting in a prison cell today."

Instead, he said he has built a new life for himself, becoming a paralegal and an advocate for changes in the criminal justice system.

In November 2021, he was named executive director of the new philanthropic arm of technology startup Checkr, which developed a platform for employee background checks that gives applicants with criminal records a better chance at getting hired. The platform has a dashboard with tools to filter out criminal charges that aren't relevant to the business, and to determine if the nature of the crime and when it was committed is important to the job for which they're being considered.

"When I was in prison, I ran into a lot of men who wanted something different but hadn't in their life been given the opportunity to play in a different sandbox, if you will. They wanted to be entrepreneurs. They wanted to be real estate brokers. They wanted to, you know, do all different types of things, but didn't really have a pathway to get there," Oliver said.

He joined Checkr.org after a little over a year as executive director for the nonprofit Creating Restorative Opportunities and Programs. Founded by convicts, the group seeks to help other released prisoners find housing, work and a new purpose. He's now chairman of the board.

Oliver said he hopes to pay forward Mayer Brown's legal assistance by doing what he can to help "make a dent in recidivism in California."

"Because really, what people need is support and training and access to the middle-class economy," he said. "And when you give someone who's been locked out of the middle-class economy an opportunity, typically they don't go backward from that."

Johnson said the success of Oliver's case brought new fervor to his pro bono work.

"To me, it's the reason I became a lawyer in the first place. You know, it's not every day that you have a chance to really help do justice, and getting Ken released certainly was that," said Johnson.

Mayer Brown continues to provide pro bono services to Creating Restorative Opportunities and Programs, such as legal guidance on tax and legislation issues.

"There are thousands and thousands and thousands of Ken Olivers languishing in a prison cell in an unjust way," Oliver said. "To me, the biggest story in all of this is the fact that this is what happens when a firm comes in and does some good criminal justice work and helps out someone who doesn't have the means to otherwise access the legal system in a meaningful way."

-- Jennifer McEntee [#365483](#)