

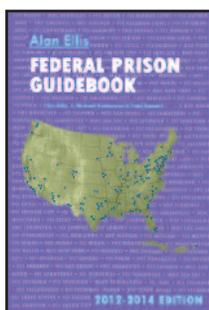
jurors, lawyers, law professors, judges, and anyone else who values the place of ordinary citizens in our constitutional democracy. ■

## About the Reviewer

Lou Virelli is an Associate Professor of Law at Stetson University College of Law in Gulfport, Fla.

## Federal Prison Guidebook 2012-2014 Edition

By Alan Ellis, J. Michael Henderson  
& Todd Bussert  
James Publishing (2012)  
Reviewed by Elizabeth Kelley



Just as every two years congressional and legislative elections take place, so too, former NACDL President Alan Ellis and his co-authors publish a new edition of the *Federal Prison Guidebook*. Simply put, the *Federal Prison Guidebook* is indispensable — for criminal defense lawyers, judges, U.S. Attorneys, probation officers, and individuals (along with their families) facing federal time.

Like the previous editions, the 2012-2014 edition of the *Guidebook* is divided into two sections. The first section, of approximately 200 pages, is an introduction to the Bureau of Prisons (BOP) and the seemingly labyrinthian world of federal sentencing. The second section is a guide to every federal prison, including facilities that are privately managed, organized by region of the country. The information in this section is arranged in a format that is easier to read than that found on the BOP's website, which is difficult to navigate. Additionally, there are useful features such as nearby lodging and accommodations for families and visitors.

If you have a previous edition of the *Guidebook*, you might legitimately ask why you need to buy a new one. (I know a superb criminal defense lawyer who joked that his edition was so old that he was committing malpractice.) You should invest in a new edition for three reasons: one, we owe it to our clients and those we serve to provide the most up-to-date information possible (we would never cite case law that has been over-

turned); two, the field of federal sentencing law is continually changing; and three, the new sections of the *Guidebook*, particularly in the areas of sentencing for those convicted of child pornography and white collar offenses, are at once scholarly and practical.

“Scholarly” and “practical” happily co-exist in the *Federal Prison Guidebook*. On the one hand, the book defines potentially difficult terms such as “departures” and “variances” and explains the purpose and strategies behind Section 2255 and 2241 motions. On the other hand, it contains intensely practical information including a model letter for someone wishing to submit a character letter on behalf of a person about to be sentenced, a list of commissary products available for purchase (including harmonicas, Fig Newtons, and wheat germ), and an explanation of TRULINCS (Trust Fund Limited Inmate Computer System), a program that allows inmates to send and receive email. Indeed, the chapter titled “How to Do Time” should be given to anyone about to enter the federal prison system. All would be wise to heed these words:

[T]he offender would be well-advised to keep important personal information about themselves and their families confidential, period! This does not mean being so secretive as to arouse the suspicions of other inmates. But it should be painfully obvious that there are real criminals in federal prisons, and becoming vulnerable to these criminals will only complicate life for the well-meaning inmates who truly wish to serve their sentences with as little hassle as possible. Well-meaning inmates can be conned, their family's privacy and well-being compromised, and life seriously disrupted, if they are too friendly with the wrong inmates (80).

Make no mistake, the *Federal Prison Guidebook* is written from a particular perspective. Alan Ellis and his co-authors are advocates for the rights of those awaiting sentencing and those who are incarcerated. Still, the bulk of the information in the *Guidebook* is objective and heavily footnoted. That is the reason the *Guidebook* is useful to all relevant parties in the federal system, and has been since the first edition was published in 1998.

A modified version of Elizabeth

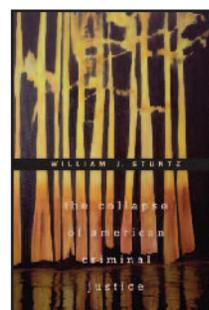
Kelley's review will appear in *The Federal Lawyer*. ■

## About the Reviewer

Based in Spokane, Wash., Elizabeth Kelley is chair of the NACDL Membership Committee. She has a special commitment to representing individuals with mental illness and intellectual disabilities who are accused of crimes.

## The Collapse of American Criminal Justice

By William J. Stuntz  
Harvard University Press (2011)  
Reviewed by Timothy Zindel



Harvard law professor William Stuntz succumbed to cancer in 2011 at 52, months before the university published his masterpiece, one of the most important books about American criminal justice to be published in many years. Stuntz's humanism and compassion make this work both readable and convincing. His book has no trace of academic dryness.

Stuntz begins: “Among the great untold stories of our time is this one: the last half of the twentieth century saw America's criminal justice system unravel.” He asks: How did it unravel? What can be done to repair it? His work is rich with ideas. While the book contains too many ideas to describe in a short review, three will be explained here.

*The failings of the American justice system arise in part from two Reconstruction-era Supreme Court rulings construing the Equal Protection Clause of the 14th Amendment — United States v. Cruikshank and United States v. Reese. The former limited the Clause's reach to state officials and the latter made proof of discriminatory motive prerequisite to an Equal Protection claim. Because most discrimination is done by private actors who keep their motives hidden, the Clause for over 100 years has played virtually no role in American justice, resulting more recently in cases such as McCleskey v. Kemp (rejecting evidence of the disproportionate imposition of the death penalty on Georgia killers of white victims, especially killers who are black)*