

### **Halfway Home: Race, Punishment, and the Afterlife of Mass Incarceration**

**By Reuben Jonathan Miller**

Little, Brown and Company, Cambridge, 2021

352 pages, \$20.81

Reviewed by Elizabeth Kelley

Most judges, prosecutors, criminal defense lawyers, and certainly members of the public believe that when an offender exits the prison gates, he or she has completed his or her sentence. In fact, for many of us, our image of release from prison has been romanticized. We think of Brooks, the elderly inmate played by James Whitmore in the 1984 film *The Shawshank Redemption*. When Brooks is released after serving 50 years in prison, he easily finds an apartment and a job bagging groceries. However, the film shows that Brooks is lonely for his former home and prison buddies, and in the depths of depression, he hangs himself. Reuben Jonathan Miller's compelling new book, *Halfway Home: Race, Punishment, and the Afterlife of Mass Incarceration*, shatters that myth.

Reuben Jonathan Miller is an assistant professor at The University of Chicago Crown Family School of Social Work, Policy and Practice. Certainly, this position and Miller's other academic achievements make him well-qualified to write this book. Yet it is who he is—an African American male born in 1972, raised by his grandmother with a father and brothers in prison—that makes this book personal. It is this dichotomy—the scholarly and the personal—that enriches Miller's writing and provides the structure of the book.

As a country, we have spent the last few years engaging in a serious public debate over the merits (or lack thereof) of mass incarceration. We have educated ourselves on the disproportionately high numbers of black and brown people who are incarcerated. We have examined the economic and human costs of mandatory minimums and three-strikes sentences. We have developed programs to divert first-time nonviolent offenders as well as people with substance abuse and mental disability issues out of the criminal justice system. Most recently, at the federal level, we have enacted the First Step Act and expanded Compassionate Release. Yet the piece of criminal justice reform that is overlooked is re-entry—what Miller calls a “supervised society.”

... [A] hidden social world and an alternate legal reality. The prison lives on through the people who've been convicted long after they complete their sentences, and it lives on through the grandmothers, lovers, and children forced to share their burdens because they are never really allowed to pay their so-called debt to society. (p. 8).

*Halfway Home* impressively assembles statistics and stories about people with criminal records. Almost 20 million Americans are burdened by a criminal record. The obstacles they encounter—significant as well as petty and arbitrary—prevent most from ever emerging from the trauma of incarceration and the stigma of a conviction.

Admittedly, public sympathy is never going to extend to a convicted sex offender who is forbidden from living near a school or to a violent offender prevented from owning a gun. But the stories of people profiled in Miller's book not only gain the reader's sympathy but also inspire outrage at a system that punishes people who regret a colossal mistake, often made when they were young, and who are genuinely struggling to turn over a new leaf.

Miller's older brother, Jeremiah, is an example of this struggle. Pick your metaphor: Catch-22 or Sisyphus. We are introduced to Jeremiah early in the book when Miller recounts all the money and other items he sends to his incarcerated brother to preserve a modicum of humanity, like phone and commissary money, or books and magazines from the publisher. Jeremiah is an endearing, likable fellow who is immensely proud of his younger brother, the professor. His disposition is always sunny, and he is constantly looking for a favor, which Miller invariably grants. Jeremiah is about to be released from a prison in Michigan, but Miller lives in Chicago. Jeremiah can't cross state lines while on parole, so living with Miller and his family is out of the question. Miller tries to find him a suitable apartment, which of course, Miller will have to pay for. It's nearly impossible to find a landlord who will rent to a convicted felon. Miller finds a room in a friend's basement. But when a parole officer inspects the housing, he learns that the owner has a dog, and parolees aren't allowed to live with dogs. Jeremiah has to spend a couple extra months in prison while suitable housing is again found.

Jeremiah is a grown man, so the entry-level jobs he does land—washing dishes and making tortillas—don't satisfy him. He is then given a grant to take a truck-driving class so that he can get a job where he can earn real money and gain self-respect. But once again, he hits a wall: no one will hire him because the rules of parole won't allow him to cross state lines, and even local routes would require him to be out past his curfew. Meanwhile, Jeremiah picks up a series of

technical parole violations, such as being late to meet with his parole officer, and stands in danger of being sent back to prison.

*Halfway Home* should provoke a serious discussion by the public about the collateral consequences of conviction. For meaningful change to occur, there must be awareness, and then a groundswell of support. *Halfway Home* has received favorable reviews from numerous outlets, including *National Public Radio* and the *New York Times*. Miller makes palpable the sights, sounds, and smells of jail and prison life.

I'd grown accustomed to the sounds of buzzers and gray steel doors shutting and locking behind me. ... The smell of must, instant coffee, hastily brushed teeth, unwashed jumpsuits, and stomach flu tells you precisely where you are. (p. 3).

Miller's portrait of prisons in America underscores the absurdity of any expectation that people will emerge from such a dehumanizing experience and be fully functional members of society.

Behind the walls and Plexiglas and locked, sallow, whitewashed cinder-block corridors, men sometimes chained, shuffle single file down the hallways. Even those who walk freely do so in rows.

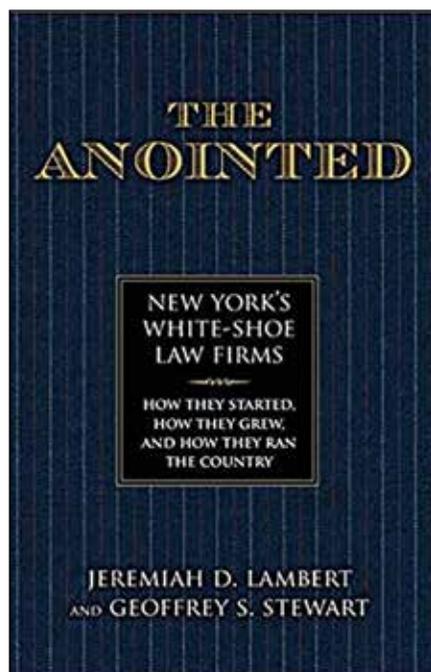
The jargon thrown around in this jail doesn't seem to describe the things men do. *Movement*, *meds*, and *yard* seem best fit for herding cattle. When "feeding time" is announced, some man in oversize khakis hauling an industrial-strength black garbage bag filled with bologna or ham sandwiches on white bread, sometimes with oranges and cartons of milk, makes his way to the front of the wing to pass out his goods. (p. 13).

Indeed, the word Miller uses the most in the book is probably "cage," in the context of people living in cages or being caged. And the stark fact remains that the incarcerated and those subject to the strictures of the "supervised society" are poor and black or brown.

*Halfway Home* is an argument to free these individuals from the vice of the supervised society. It is also a plea to free their

families, neighborhoods, and communities from the devastation imposed on them. ☉

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## ***The Anointed: New York's White Shoe Law Firms—How They Started, How They Grew, and How They Ran the Country***

**By Jeremiah D. Lambert and Geoffrey S. Stewart**

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248 pages, \$23.75

**Reviewed by Ellen Denum**

*The Anointed* describes the historical circumstances that led to the creation of the modern-day law firm by following the lives of some of the founders of three of the largest firms: Sullivan & Cromwell; Cravath, Swaine & Moore; and Davis Polk & Wardwell. Chapters one through three serve as introductions to the firms and founding members. Chapters

four through seven describe the various industries and historical context that allowed these firms to flourish. The remaining chapters recount the early lives of the firms and their founders and how the firms reacted to and overcame eventual government oversight and regulation. And finally, the book concludes with a look toward the future.

While there are many worthy discussion points throughout the book—the unscrupulous ways these men developed their wealth and status, the exploitation of the railroad system, and how J.P. Morgan is the center of the early Wall-Street firm universe—in light of recent events, the most important discussion topic may be the creation of the Cravath system. While the system itself covers only a single chapter, it is the shadow that lurks behind the creation and perseverance of these firms and the effect it continues to have on the legal industry.

Paul Cravath created his namesake system during the early 1900s, when a person could be hired as a lawyer without first graduating from an accredited law school (and law schools did not always require an undergraduate degree) and associates at firms were rarely paid and were expected to find their own clients and leave within a few months. The disorderly system of the time created significant advantages for someone who hired only a few associates and paid them a high salary to attract the best and the brightest, and also force them to work nights, weekends, and holidays because few others wanted to "invest" in them. Because he paid his associates a high salary, Cravath could be particularly discerning about who he hired.

A key feature of the Cravath system that helped these firms dominate the legal market was a lack of diversity. And not merely a lack of diversity, but the founders actively sought to create "overwhelming white, Protestant, upper- or middle-class, Republican and male bastions."<sup>1</sup> Even their nickname, "white-shoe" firms, denotes a commitment to maintaining elite white Anglo-Saxon values.<sup>2</sup>

The echoes of these decisions are still felt throughout the legal industry today. As noted by the authors, although more women than men graduate from law school, they make up less than 20 percent of equity partnerships.<sup>3</sup> And minorities, particularly Black lawyers, continue to be severely underrepresented at all levels within Wall-Street firms.<sup>4</sup> Due to this disparity, a recent letter from Coca-Cola's general counsel charged law