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Henderson, Editors
James Publishing (2010)

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TEXT:

[*59] In a country that incarcerates more citizens both per capita and in total number than any other country on earth, and in a system that has the dubious distinction of having the largest and one of the fastest growing inmate populations in the United States, the federal prison system ironically remains an enigma for many defense counsel and the general public. The *Federal Prison Guidebook* lifts the veil on the mystery of post-conviction law, policy and practice in a concise, comprehensive, and well-organized fashion with up-to-date information.

[*60] The *Guidebook* primarily provides detailed information on each of the 114 federal prisons including those that are privately operated, from commissary privileges and recreational activities to religious and educational services. Authors Alan Ellis and J. Michael Henderson include interesting tidbits, such as information about the availability of traditional sweatshops offered to Native American defendants and a training and certification program in an all female federal fire brigade. The *Guidebook* also provides information about the type of prisoners housed at each facility, the security level of the facility, inmate population, and local lodging accommodations for friends and family visiting the inmates.

However, the title of the *Guidebook* does not fully capture the wealth of information provided.

For example, there are chapters on federal sentencing practice tips for defense counsel, a comprehensive introduction to the advisory Federal Sentencing Guidelines and how they are applied, detailed case law analyses, information concerning habeas corpus practice, and tips on navigating the complex Bureau of Prisons' administrative process especially with regard to how defendants are classified for BOP placement purposes. It therefore is not just a *Guidebook* on prisons, but on the law, practice and policies that encompass the entire federal post-conviction world.

Among the highlights of the *Guidebook* is information about the UNICOR or "prison industry" programs available to inmates at virtually all BOP facilities. These programs essentially are factories within the prisons that provide occupational training and employment to inmates as well as a modest income.

There also is a comprehensive review of the TRULINCS (now known more popularly as CORRLINKS) program that allows inmates in some institutions to correspond by email with family and friends. This also can be quite useful for defense counsel, although one must be wary not to waive any attorney-client privileges or breach confidentiality when using this monitored system. I have found that TRULINCS/ CORRLINKS provides an excellent alternative to frustrating phone tag between counsel and client, or having to rely on family members as informational intermediaries.

Importantly, the *Guidebook* also offers tips on getting your client into the best prison for her needs, as well as information on early-release programs such as RDAP (Residential Drug Abuse Program). In this regard, among the more important tips in the *Guidebook* is how to work with the sentencing judge to draft effective language in the Statement of Reasons to increase the likelihood that your client will be placed in the prison of her choice and be made eligible for early-release programs (or at least not be made ineligible).

A common misperception among clients is that the sentencing judge can order where a defendant spends his time; sentencing judges only can recommend where the sentence is to be served; the Bureau of Prisons has the ultimate say, but a well-drafted and factually supported Statement of Reasons by the court can and often does influence where the BOP decides to place an inmate.

Perhaps the most important chapter for defendants who are about to self-surrender to the BOP is "How to Do Time." This very detailed chapter covers everything from what to bring when reporting (not much, and no more than \$ 300) and what to expect, to solving problems with prison staff, to furlough eligibility. The chapter on medical care also is extremely important for those clients that require prescription medication or otherwise require medical treatment. There is even information about advanced health care directives that may incorporate "do not resuscitate" instructions. Having your client review this chapter can ease some of the anxiety that necessarily accompanies imminent incarceration.

The *Guidebook* simply is a must-have for any practitioner, academic and court official, as well as -- and perhaps most importantly -- defendants facing a federal sentence and their family members. In short, anyone involved or interested in the byzantine world of federal criminal law will find the *Guidebook* a robust and, in fact, fascinating introduction into that world, especially the post-conviction and post-sentencing world -- an often neglected area of law in which exceedingly few defense attorneys specialize. Where and how a client serves his time, after all, can be just as important as the sentence he receives.

GRAPHIC:

PICTURES 1 and 2, no caption