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Police Science Book Reviews

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POLICE SCIENCE BOOK REVIEWS

Edited by

Richard L. Holcomb*

CRIME DETECTION. By *Arne Svensson* and *Otto Wendel*. Elsevier Press, Inc., Houston, Texas. 1955. Pp. 376. \$9.25.

This book has been written by two investigators; one, Arne Svensson, is Assistant at the National Institute of Technical Police, and the second, Otto Wendel, is Chief Assistant at the National Institute of Technical Police, Stockholm, Sweden. In addition, Otto Wendel is Chief Inspector for the Criminal Investigation Department at Stockholm. The National Institute of Technical Police is the federal police agency charged with the functions of keeping central files of fingerprints, et cetera, serving as a central agency for the issuance of passports and is responsible for the coordination of the efforts of foreign and local police. Further, this agency renders aid to requesting police agencies by assigning specially trained agents for the examination of crime scenes. Its crime laboratory is among the best in Europe. With this investigative background, and thorough research in the investigative field, the authors have written a clear comprehensive treatise on the techniques of investigation at the crime scene; what to look for in the matter of physical evidence, and where this evidence may be found. They have gone into their subject thoroughly and reveal their master craftsmanship as one reads the unfolding chapters.

The elementary portions of each chapter should be thoroughly impressed upon every police officer in this country, since, usually, it is a uniformed police officer who is the first one in authority to arrive at the crime scene. Or, police at the very beginning of their training should be taught the manner in which evidence can be found and preserved. Too often

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evidence is lost or obliterated by the very actions of the officer at the crime scene.

The authors in Chapter 1 clearly point out the responsibilities of the officer who is the first to arrive at a crime scene and, at the end of the chapter, give 14 useful rules to be followed by every such officer. Chapter 2, short and to the point, deals with Rules of Investigation, Equipment, and the Doctor. In Chapters 3, 4, and 5 entitled "Personal Clues, Finger and Footprints, Tool and Toothmarks, Et cetera," "Blood and Other Personal Clues," and "Miscellaneous Clues," the authors thoroughly cover the field and give to the reader results of their own experiences as well as the benefit of what has been written in the field of criminal investigation. Each chapter in this volume contains complete references to authors and the papers and publications written on the particular subject covered by the chapter.

Chapter 8 on the subject "Causes of Death" is one of the most comprehensive treatments of that topic ever read by this reviewer, and the remaining chapters are just as thorough and complete.

At times the reviewer is struck by the repetitive treatment given certain subject material. However, no doubt, the authors wish to stress the importance of their message to the reader and use this method of doing so.

The case histories found in each chapter, based on actual crimes and the results gained by investigators, are illuminating and aid a great deal in realizing that the authors are not advocating untried investigative methods or procedures.

This book is of great value to every police officer, even though that officer may never investigate the scene of a crime, for if the

necessity ever arises, by thus being armed with the knowledge of what to do and what not to do, he can make a creditable showing. This book will also be of value to the crime investigator, the police supervisor, and the police laboratory technician. Further, certain chapters, for example Chapter 8 ("The Causes of Death"), can be of immense value to the homicide investigator and the coroner or medical examiner since we all agree that, because of lack of understanding, training, and sometimes competency, some homicides in the United States are never identified as such.

The only fault this reviewer finds with this publication is in its cost. It is believed that this may be prohibitive to many in the field.

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PHYSICIAN IN THE COURTROOM. By *Lester Adelson, Clinton DeWitt, Samuel R. Gerber, Alan R. Moritz, and Oliver Schroeder, Jr.*, Press of Western Reserve University, Cleveland, Ohio. 1954. Pp. 99. \$2.00.

This volume actually represents a collection of articles appearing in the *Western Reserve Law Review* during 1953-1954 that are attractively bound together for convenience. Each section should be evaluated independently.

1. *Injury and Cancer*. Dr. Adelson, a widely-publicized forensic pathologist, gives us a concise and well documented presentation of his topic. His remarks are well thought out until he tackles the legal concept of proximate cause. His analysis suffers when compared with that, for example, of Professor Ben Small, "Gaffing At a Thing Called Cause: Medico-Legal Conflicts in the Concept of Causation," *Tex. L. Rev.* vol. 31, 630 (1953). The so-called "pathologist's viewpoint" as to the absence of causal connection between single trauma and malignancy is fairly stated, however. Footnote 54 on page 29 should include the law review citation to the article (*Univ. of Chic. L. Rev.* vol. 10, 313 (1943)) as well as the medical citation given to increase the value of the work for students and practitioners who may have more ready access to the legal literature.

2. *Medical Ethics and the Law: The Conflict*

Between Dual Allegiances. Professor DeWitt has herein produced the best discussion of this problem to come to my attention. This section is "must reading" for the physician as well as for the lawyer. It is surprising how many persons who should know better do not realize that the physician-patient privilege, where it exists, is a testimonial privilege only (see footnote 26, page 39, especially). Disclosure outside the courtroom of confidential information is properly distinguished. A number of other significant items are elucidated. Of particular interest is the discussion of the physician's duties in relation to cooperation with police officials. Perhaps a note of confusion is introduced when Professor DeWitt apparently confines "Medical Jurisprudence, or Clinical Forensic Medicine" to a "specialized practice" which is concerned only with crimes. Other sections of the book readily illustrate the importance of Legal Medicine in civil litigation as well.

3. *Expert Medical Testimony and the Medical Expert*. One of the nation's best-known coroners, Dr. Samuel Gerber, makes a strong plea for more objectivity in expert testimony. A number of difficulties preventing an ideal attainment of abstract justice in our common law adversary system are considered. Since revised editions of this text are contemplated, it might be well to mention several statements which perhaps could bear reconsideration.

So often one finds lawyers ridiculing each other and each other's witnesses. Doctors do not; they may differ, but they will not belittle each other. They may go into court separately, but they come out together, arm in arm and with the utmost respect for each other (page 68).

It might well be that the converse hits nearer the truth. Of course, lawyers are paid advocates and, as such, are duty-bound to exert strenuous partisan efforts in the courtroom. Once out of the arena of battle, however, it is hard to find a more congenial group than the brotherhood of trial lawyers. On the other hand, one does not have to look far to discover doctors who carry over theoretical or professional divergences of opinion into personal grievances.

On page 73, Dr. Gerber advises the attorney to have appropriate textbooks on hand "to use if necessary on re-direct questioning." This suggestion, coupled with the paragraphs devoted to "Textbooks," appears somewhat misleading. This no doubt stems from the fact that the various states differ in their rules applicable to the use of texts. As a general proposition, however, texts are not permitted for use in direct or re-direct examination, but their use is allowed under varying rules of liberality during cross-examination of the expert.

Dr. Gerber tells us (page 75) that it is bad practice to frame hypothetical questions "so that they conform to the questioning party's theory." In reality, the basic reason for utilizing the hypothetical question by the advocate is just that—to integrate the proponent's "theory of the case" through opinion testimony.

For teaching facility, it might also be well to include in the Bibliography (Item 21) the law review citations to Dr. Smith's brilliant paper on "Scientific Proof and Relations of Law and Medicine" as well as its medical citation.

4. *Trauma and Heart Disease*. This section has been masterfully executed by Dr. Alan Moritz, considered by many as the most outstanding forensic pathologist this country has produced. Nine different facets bearing on scientific causation of heart pathology by trauma are succinctly analyzed with the aid of simple charts. No medicolegal case involving the heart can be considered well prepared unless the information marshalled in these brief pages is incorporated into the medicolegal trial brief.

All in all, the collection has proved of substantial assistance as supplemental material for our law students in the course on Legal Medicine in Personal Injury Litigation. We look forward to the additional publications in this Law-Medicine Series with the hope that they carry forward the quality standard established by this initial volume.

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EL EXAMEN PERICIAL DE DOCUMENTOS ANTE LOS TRIBUNALES DE JUSTICIA. By *Dr. B. Aznar*, Publicaciones de Escuela de Medicina Legal de Madrid, Madrid, Spain. 1954. Pp. 77. Illus. 52.

The examination of questioned documents has in our day an established position in the professional field. In reading this Spanish contribution to the literature, it is important to note that from the presentation of the subject, we can say that Dr. B. Aznar has placed Questioned Document Examination within the purview of Forensic Medicine. This is an interesting and puzzling development as in the beginning the examination of questioned documents was closely allied to calligraphy and this had found recognition in Spanish law. Now, apparently, medical doctors working in forensic medicine seem to be the best qualified. Both positions are extreme and not satisfactory.

The publication of *Questioned Documents* by A. S. Osborn in 1910 brought into the public eye what was already a fact, i.e. the existence of the science of questioned document examination. Dr. Aznar has remained behind the times in this important matter.

The graphic material in this book is not specially good. There is an undue emphasis on the use of apparatus and equipment which are undoubtedly important but which hardly make a questioned document examiner. At the same time, what Dr. Aznar calls "mentalidad pericial" (expert mentality) is a somewhat mystical conception which would prove difficult to define.

The importance that the author gives to graphology is to be regretted. Though the most glaring claims of graphology are disposed of, this interesting pastime is granted a place which is unwarranted by the experience of innumerable examiners of questioned documents working within the United States and Latin America.

The only really encouraging aspect of the book is the earnest desire of its author to use all the resources which modern science has so lavishly bestowed on the questioned document examiner. It is a pity that we are not given a chance to see Dr. Aznar at work as in the latter

part of the book; he presents the questions he has been asked by Courts and Government Bureaus, but we do not see his reports.

It is to be hoped that Dr. Aznar will gradually evolve towards considering the examination of questioned documents as entirely separate and independent from forensic medicine, a line of thought which has been prevalent in this Hemisphere since the advent of A. S. Osborn and his followers.

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FIRST AID AND RESUSCITATION. By *Carl B. Young, Jr.*, M.P.H. Charles C. Thomas, Springfield, Illinois, 1954. Pp. 352, 169 Illus. \$8.50.

This book is perhaps improperly titled. It deals largely with the organization, function, and operation of an emergency medical service. It is much more a handbook than a treatise on the subject which its title sets out. This fact in no way detracts from its merit, however. It is refreshing to read a discussion of the subject from a non-physician whose authority rests in thoughtful experience rather than in borrowed theory.

There are medical men who could have done a more scholarly job with this subject. It is perhaps to their discredit that they have not done it. What this work lacks in medical character is more than compensated for by the earnestness and intensity of the author in drawing on his experience and study to develop his subject. It would perhaps be impossible for the medical scientist to put the same points over as well as Mr. Young has done.

There is of necessity much oversimplification in the scientific background given for the recommendations for emergency treatment. He can get a debate out of almost any medical man on many points. His recommended principles of emergency treatment are accepted by most, however.

The author directs his remarks not to physicians but to the people who undertake to render emergency medical care. Their concern ends at the time when the concern of the physi-

cian begins. These moments are crucial ones in the lives of many people. Mr. Young's book can enhance the chances for recovery of many if it can be placed in the hands of the men who operate the ambulances and have the job to do. The book is not beyond the ability of the non-medical person to understand. The fundamentals of treatment are clearly and forcefully stated many times throughout the book.

Not only should this book be required reading for every person whose job it is to render first aid, but a copy should be in his possession and in his ambulance. If the service is a busy one the book will be well worn with use. The recommendations for treatment are specific, explicit, and simply stated. Many well chosen photographs illustrate the improper as well as the proper way of doing things. The index and glossary of terms will be helpful. The explanations of anatomy and physiology, to this reviewer, are overdone in some cases and of questionable accuracy in others. These are minor considerations, however. The faults are minor and detract not at all from the effectiveness of his theme. Let the physician who disagrees with the author supplement these lessons with his own counsel and teaching to increase the effectiveness of emergency medical service in the hands of the rescue squads.

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REVISTA DE MEDICINA LEGAL. Madrid. Eighth year, nos. 86/87, May/June, 1953.

J. Wyrsh, *Reflexiones psicopatológicas sobre los delitos* (Psychopathological reflections on crimes) (p. 205-213).—I. Alamillo Salgado, *La pericia médica en el proceso criminal* (Medical expertise in criminal procedure) (p. 251-265).

REVUE DE DROIT PÉNAL ET DE CRIMINOLOGIE.

Brussels. 34th year (1953-54), no. 2, Nov., 1953.

R. Grassberger, *L'audition de l'inculpé par le juge d'instruction: Die einvernahme des beschuldigten durch den untersuchungsrichter* (The hearing of the accused before the examining judge) (p. 75-89).

BASSEGNA DE NEUROPSICHIATRIA. Ospedale Psichiatrico Consortile, Nocera Inferiore (Salerno), Italy. Vol. 7, no. 4, July/August, 1953.

D. Pisani and F. Micalizzi, *Prognosi della criminalità, infantile e giovanile in funzione degli elementi etiologici* (The prognosis of infantile and juvenile delinquency as a function of etiological elements) (p. 222-250).

REVUE DE SCIENCE CRIMINELLE ET DE DROIT PÉNAL COMPARÉ. Paris. n. s. 1953, nos. 3-4, July/Sep.—October/Dec., 1953; n. s. 1954, no. 1, Jan./March, 1954.

J-L. Costa, *Remarques sur certains aspects d'ordre sociologique, juridique et pédagogique du statut des jeunes délinquants en Europe occidentale* (Certain sociological, legal and educational aspects on the status of juvenile delinquents in Western Europe) (no. 3, p. 395-417).—Jean Pinatel, *Criminologie et droit pénal* (Criminology and criminal law) (no. 4, p. 595-608).—Charles Germain, *Les nouvelles tendances du système pénitentiaire français* (New tendencies in the French penitentiary system) (no. 1, p. 39-63).—Pierre Grapin, *"Dysmorphisme et criminalité"* (Malformation and criminality) (p. 65-81).

REVUE INTERNATIONALE DE CRIMINOLOGIE ET DE POLICE TECHNIQUE. Geneva. Vol. 7, no. 3, July/Sep., 1953.

F. Grispigni, *L'Institut de criminologie de Rome* (The Criminological institute in Rome) (p. 174-179).—S. Hurwitz, *La presse et la criminalité* (The press and criminality) (p. 186-190).—Roland Grassberger, *Hans Gross, fondateur de criminologie, son oeuvre, son émule et ses continuateurs* (Hans Gross, founder of criminology, his work, his rivals, and his followers) (p. 194-199).—Charles Sannié, *L'expertise des oeuvres d'art* (The expert appraisal of works of art) (p. 220-210).

REVUE INTERNATIONALE DE DÉFENSE SOCIALE. Genoa. Seventh year, no. 3/4, July/December, 1953.

Severin-Carlos Versele, *A propos des termes "défense sociale" et "antisocialité"* (Remarks

on the terms of "social defense" and "anti-sociality") (p. 145-156).—E. Calogerà, *L'antisocialità sessuale. Ricerche psicosperimentali con il "Thematic apperception test"* (Sexual anti-sociality. Psycho-experimental research with the "thematic apperception test").

REVUE INTERNATIONALE DE DROIT PÉNAL. Paris. 23d year, nos. 2-3, 1952; 24th year, nos. 1/2-3, 1953.

P. Nuvolone, *Droit pénal et criminologie* (Criminal law and criminology) (1952, p. 157-176).—C. S. Hamson, Robert Vouin *Le procès criminel en Angleterre et en France* (The criminal trial in England and France) (1952, p. 177-190).—A. Quintano Ripollès, *Les aspects modernes des institutions pénitentiaires ibéro-américaines* (Modern aspects of Latin-American penitentiary institutions) (p. 292).

The 1953 issues contain the reports presented to the *Sixth International Congress of Criminal Law, Rome, 1953*, arranged in four sections: 1. *La protection pénale des conventions internationales humanitaires* (Criminal protection of international humanitarian conventions).—2. *La protection de la liberté individuelle durant l'instruction* (The protection of individual liberty during the hearing).—3. *Le droit pénal social-économique* (Socio-economic criminal law).—4. *Le problème de l'unification de la peine et des mesures de sûreté* (The problem of the unification of punishment and security measures).

REVUE PÉNITENTIAIRE ET DE DROIT PÉNAL. Paris. 77th year, nos. 7/9, July/Sep., 1953.

Charles Germain, *La classification des délinquants en France* (The classification of delinquents in France) (p. 319-349).—P. Cannat, *Parrallèle entre les réformes pénitentiaires en France et en Italie* (A parrallel between the penitentiary reforms in France and Italy) (p. 405-411).

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Karl A. Hall, *Die freiheitsstrafe als kriminalpolitisches problem* (Imprisonment as a problem of criminal policy) (p. 76-110).