

1958

Police Science Legal Abstracts and Notes

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Recommended Citation

Police Science Legal Abstracts and Notes, 48 J. Crim. L. Criminology & Police Sci. 476 (1957-1958)

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he can be further examined for the purpose of determining the various details of the crime.

There are other limitations and misconceptions. These, however, are the ones which probably occasion the most difficulty to the police examiner and restrict the potential of his service to his department and to the citizens of his community. And that difficulty can be greatly minimized if chiefs of police and other commanding officers will give some thought and attention to these various limitations and misconceptions. They should accord the polygraph examiner their full consideration, cooperation, and support. It will bring about a greater measure of success in his work, and the ultimate result will not only benefit the community but reflect deserving credit upon the entire police department. (WEK)

Gasoline Poisoning—J. H. Shaw, *The Police Chief*, 24 (7): 16-18 (July 1957). This article, reprinted from the April, 1957 issue of the *R.C.M.P. Quarterly*, describes two Canadian auto accidents in which four persons died. None received injuries sufficient to cause death but apparently died from toxic absorption of gasoline through the skin. Gasoline-soaked clothes should immediately be removed, fresh air (oxygen if available) should be given, and, if necessary, artificial respiration should be administered. (ROA)

Texas Law Enforcement Foundation's Crimemobile—Pat Robinson, *The Police Chief*, 24 (7): 36 (July 1957). A large truck contains various devices including a polygraph, radar, portable X-ray, drunkometer, a portable crime lab, police weapons, and fingerprint equipment. The Foundation, a private group, is having this shown throughout Texas with outstanding success. For further information and plans write Director Homer Garrison, Texas State Department of Public Safety or the Foundation's chairman, Mr. Park Street. (ROA)

Report on Seat Safety Belts—*The Police Chief*, 24 (7): 38 (July 1957). Cornell University's Committee on Transportation Safety Research reported to a congressional investigat-

ing committee that beyond all reasonable doubt safety belts save lives as well as reduce frequency and severity of injuries. In detail is explained Cornell's investigation of actual accidents which lead them to the conclusion that a proper belt will increase an occupant's chances of escaping injury by nearly 60 per cent. (ROA)

Polaroid Fingerprint Camera—Pat Robinson, *The Police Chief*, 24 (8): 35 (August 1957). For obvious reasons a regular polaroid camera is mounted on a regular fingerprint camera. For simple plans of construction write Supervisor Herman David, Technical Laboratory, Police Department, Kansas City, Missouri. (ROA)

Value of Science and Records in Fugitive Cases—*FBI Law Enforcement Bulletin*, 26 (6): 3-7 (June 1957). A very basic description of the services the FBI Laboratory offers a law-enforcement agency. Also given is basic information on fingerprint submission and statistics of identifications made from fingerprints in the past 20 years. (ROA)

New Design in Mobile Crime Unit—*FBI Law Enforcement Bulletin*, 26 (6): 22-23 (June 1957). Self-contained unit that fits on pick-up trucks. Body is metal, both sides open to permit access to shelves. Listed are some of the items it can carry. Photograph included. Sheriff Joe W. Rice (Riverside County, California) offers to furnish additional information to interested persons. (ROA)

Plexiglass Handles Radar Beams—*The Police Chief*, 24 (6): 16 (June 1957). Plexiglass window, which is completely transparent to radar beams, replaces glass rear window on squad cars. Purposes: protects unit from weather and road shocks as well as make it more effective by not "telegraphing" its presence. Photo shows its use in Roseville, Michigan. (ROA)

Report on the Department of Chemistry, Singapore—The 1956 annual report details various forensic problems handled by the

Department of Chemistry for law enforcement agencies. Several problems of identification are illustrated. (OH)

Cook County, Ill., Sheriffs Report—Sheriff Joseph D. Lohman has prepared a mid-term report covering the activities of his department. Of particular interest is the discussion of a

proposed metropolitan police force covering all of Cook County. This department would coordinate the activities of law enforcement within the County which includes Chicago and a great deal of its Suburban area. At this time there are more than 11,000 police and law enforcement officials operating in over two hundred separate agencies. (OH)

FOREIGN LANGUAGE PERIODICALS AND ARTICLES OF INTEREST IN THE FIELD OF POLICE SCIENCE*

Compiled by Kurt Schwerin†

ARCHIV FÜR KRIMINOLOGIE. Lübeck. Vol. 119, nos. 1-2, Jan.-Feb., 1957.

R. Heindel, *Antwort auf den Artikel "Das Flammen-Verfahren zur Sicherung latenter Fingerspuren" von J. Corr* (The flame method for securing latent fingerprints: Reply to an article by J. Corr) (p. 1-4).—W. Specht, *Neues Verfahren: Eine Vorbehandlung der Urkunden vor der Schriftaltersbestimmung durch das Heess'sche Chlorid- und Sulfatverfahren* (A new method: Pre-treatment of documents before determining the age of the script through the Heess chloride and sulphate treatment) (p. 11-12).—H. H. Huelke, *Ein einfaches Verfahren, mit Kugelschreiber überschmierte Tintenschrift lesbar zu machen* (A simple method to make visible inkscript besmeared with a ball pen) (p. 49-51).

CRIMINALIA. Mexico. Vol. 2, no. 4, April, 1957. Roberto Cervera Aguilar, *Sistema de identificación* (A system of identification) (p. 240-68).

INTERNATIONAL CRIMINAL POLICE REVIEW. Paris. Vol. 12, nos. 105-108, Feb.-May, 1957. English edition.

A. Cuelenaere, *Sabotage and criminalistics* (no. 105, p. 34-40).—J. D. Kusters, *The case of the elusive burglar, or The benefits of police co-ordination* (p. 41-47).—Ordway Hilton,

Proper evaluations of dissimilarities in handwriting (p. 48-51).—*The system of international narcotics control* (no. 106, p. 66-70).—J. W. Kallenborn, *A visit to the Interpol Counterfeits and forgeries museum, The Hague* (p. 71-81).—Roland Grassberger, *Location of the outbreak of fire in burnt buildings* (p. 82-90; to be continued).—E. de Greef, *The criminologist and the policeman* (no. 107, p. 98-105).—R. Grassberger, *Location of the outbreak of fire in burnt buildings* (conclusion) (p. 110-19).—A. Niceforo, *The influence of variations in temperature on crimes and other types of human reactions* (no. 108, p. 130-36).—E. Martin, *The comparison of coloured textilefibres*, pt. I (p. 137-45).—L. H. Smith, *A miniature radio receiver for police use* (p. 146-50).

KRIMINALISTIK. Hamburg. Vol. 10, no. 10, Oct. 1956; vol. 11, nos. 5-6, May-June 1957.

Arthur Kobabe, *Fingerabdrucknahme bei unbekanntem Wasserleichen mit fortgeschrittener Waschhaubildung* (Taking fingerprints from unknown corpses found in water) (no. 10, p. 364-67).—Hellmuth Müller, *Das Drüger-Gasspurgerät, Modell 19/31* (The "Drüger Gasspurgerät, Model 19/31", a new instrument for recognizing and measuring gas) (no. 5, p. 172-74).—ROLF HOLLER, *Die polizeiliche Kriminalstatistik für die Bundesrepublik Deutschland 1956* (Criminal police statistics for the Federal Republic of Germany, 1956) (no. 5, p. 161-63; no. 6, p. 201-204).

* All periodicals listed are available in the Elbert H. Gary Library, Northwestern University School of Law, 357 East Chicago Ave., Chicago.

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POLICE SCIENCE LEGAL ABSTRACTS AND NOTES

Arthur Rollin*

Person Walking on Public Street Need Not Identify Himself to Police—The defendant, walking down a public street, was approaching a police car in which two plain clothes officers were sitting while looking for persons engaged in book-making activities. After the defendant had twice stopped to talk to other persons, he observed the officers and changed his direction. Because he had aroused their suspicions, the officers approached the defendant and after identifying themselves, asked to see the defendant's identification. The defendant, according to one of the officers, stated that he did not care who they were and refused to identify himself. The officers again requested the defendant to identify himself and were refused. During the exchange, voices were raised and three people stopped to see what was happening. The defendant was then arrested on a charge of disorderly conduct. The City Magistrates' Court of New York dismissed the charge and held that a citizen accosted on a public street by the police does not have to disclose his identity to them. *People v. Tinston*, 163 N.Y.S. 2d 554 (1957).

The court stated that it "knows of no legal mandate obligating the citizen to reveal his identity" in circumstances such as in this case. Thus, the court stated that the defendant was justified in refusing to identify himself and then went on to admonish the police officers as to their duty to society and the fundamental rights and constitutional guarantees of the people of this country. In addition, the court was of the opinion that the reason for the defendant's arrest was that he refused to identify himself, and added that the disorderly conduct statute is one of the most abused statutes, by both civilians and police, in the entire penal law. The court did not question the good intentions of

the police, but felt that the defendant was entitled to constitutional protection. The court also pointed out that the police were as much responsible, if not more so, for the public disturbance as was the defendant.

Identification Records of Persons Acquitted or Released Without Conviction Not Required to be Returned.—A number of persons who were arrested, charged with an offence, and then later acquitted or released without conviction, sought the return of photographs, fingerprints, and other records of identification taken upon arrest. The Chicago Police Department refused to return the records and they were retained in the police department's files for exhibition to the victims of crimes for the purpose of possible identification. The Appellate Court of Illinois held that the police department had violated neither an Illinois statute nor the arrestees' right of privacy by retaining their identification records for use in attempting to identify criminals even though the arrestee had not been convicted of a crime. *Klob v. O'Connor*, 142 N.E.2d 818 (Ill. 1957).

The plaintiffs argued that an Illinois statute supported their contention that their identification records should be returned to them. This statute provides that all chiefs of police are to send identification records of certain alleged criminals to the department of public safety and if these persons are subsequently acquitted or released without conviction the records are to be returned to them. The court rejected this argument and held that paragraph 780e of chapter 38, ILL. REV. STAT. 1953, applied only to the department of public safety of the State. The plaintiffs also contended, irrespective of statutory provision, that continued use of their identification records by the police department constitutes a violation of their right of privacy. The court recognized that the

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