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Police Science Legal Abstracts and Notes

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POLICE SCIENCE TECHNICAL ABSTRACTS AND NOTES

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Qualitative Microdetermination of Organic Phosphorous Compounds—Clark M. Welch and Phillip W. West, *Analytical Chemistry*, 29 (6): 875 (June 1957). Three methods of detecting organic phosphorous compounds are described. Method A (Sulfuric Acid-Dianisidine Molybdate) is a general method. Sensitivity varies depending on the manner in which the phosphorous is bound, and the volatility, since refluxing concentrated sulfuric acid is used as a degrading reagent with mercuric sulfate as a catalyst when necessary. Method B (Sulfuric Acid-Hydrazine Molybdate) is not applicable when the mercury catalyst is used. Arsenic interferes when in sufficient concentration. Method C (Sodium Perborate-Dianisidine Molybdate) applies when readily hydrolyzed acyl derivatives are involved. This method is more sensitive in detecting sarin than the other two methods. Excessive organic matter interferes through the formation of carbon during the digestion. (JFW)

Detection of Nerve Gases by Chemiluminescence—Jerome Goldenson, *Analytical Chemistry*, 29 (6): 877 (June 1957). The use of 5-amino-2,3-dihydro-1,4-phthalazinedione (luminol) and sodium perborate to detect nerve gases in the range of 0.5 gamma is described. Possibilities of quantitative determinations and continuous automatic sampling are suggested. (JFW)

Sensitive Detector Crayons for Phosgene, Hydrogen Cyanide, Cyanogen Chloride, and Lewisite—Benjamin Witten and Arnold Probst, *Analytical Chemistry*, 29 (6): 855 (June 1957). Methods of preparation of crayons capable of detecting the agents listed are presented. (JFW)

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Quantitative Aspects of Microchromatography—Helene Von Horst, Veronica Jurkovic, and Yolanda Carstens, *Analytical Chemistry*, 29 (5): 788 (May 1957). The authors describe various conditions which influence the stability of chromatograms, including light, heat, humidity, and uniformity of filter paper blanks. (JFW)

Chromatography of Organic Acidic Compounds on Multibuffered Paper—Morton Schmall, E. G. Wollish, Remp Colarusso, C. W. Keller, and E. G. E. Shafter, *Analytical Chemistry*, 29 (5): 791 (May 1957). Paper impregnated with alkaline buffers, in marked zones of ascending pH, is used to separate acidic compounds. Stronger acidic compounds are immobilized at lower pH levels than are the weaker acidic compounds. Benzoic acid, several barbiturates, and some phenol compounds are separated. (JFW)

Two Techniques for Paper Chromatography—Donald I. French and Melvin R. Gibson, *Analytical Chemistry*, 29 (8): 1167 (August 1958). "Two techniques, which involve spotting crude extracts on paper strips and eluting separated alkaloids, provide accurate and simple methods for quantitative separation and preparation for alkaloidal assay of small quantities of solanaceous drugs." (JFW)

The Determination of Barbiturate after Putrefaction—Elvera J. Algeri, *Journal of Forensic Sciences*, 2 (4): (October 1957). Results of a systematic study into the analytical methods of ultraviolet spectrophotometry and paper chromatography in relation to determination of barbiturates in putrified and embalmed tissues. (WEK)

Blood Grouping Tests in Uncontested Paternity Proceedings—Leon N. Sussman and Sidney B.

Schatkin, *Journal of Forensic Sciences*, 2 (4): (October 1957). The findings by means of blood grouping tests that 18% of men who admit paternity are not the fathers of the children they accept suggest strongly the need for re-evaluating such admissions. Serious doubt can now be placed on the reliability of such admissions of paternity, which are so routinely accepted by the courts. In the interests of justice, it would seem that a blood grouping test be mandatory in every case involving a charge of paternity. (WEK)

Quantitative Spectrographic Analysis in Criminalistics—Peter Cerlon, *Journal of Forensic Sciences*, 3 (1): (January 1958). The fundamental requirements of forensic spectro-chemistry are outlined. A procedure of comparative analysis is presented; its advantages and limitations are discussed. (WEK)

Cody "Thunderbird" Revolver—A. B. Hart, W. E. Kirwan, *Bulletin of Bureau of Criminal Investigation*, New York State Police, 22 (5): 3-4 (1957). The Cody "Thunderbird" revolver, manufactured in .22 caliber rim fire, has six lands and grooves, right twist. Land and groove widths are equal. The serial number is located on the

right side of the aluminum alloy frame just above the trigger. (JDN)

Firearms Examination Mailing—Postal Regulations—A. B. Hart, W. E. Kirwan, *Bulletin of Bureau of Criminal Investigation*, New York State Police, 22 (5): 5-9 (1957). Through the efforts of W. E. Kirwan, the U.S. Post Office Department has modified its regulations concerning the use of the mails to transmit firearms to crime detection laboratories. This new regulation permits mailings between officers of an agency authorized to serve warrants of arrest or commitment. No affidavit or certificate need be filed by sender. For complete instructions consult the Post Office Department. (JDN)

Wanted Crime Laboratory Personnel—Qualified criminalists are needed in the following fields:

1. Chemistry (narcotics analyses and blood alcohol determinations)
2. Comparative microscopy, including firearms
3. General micro-analytical examinations

Annual salary: up to \$6800, depending upon experience. Address all applications to C. A. Mc-Inerney, Assistant Director, Pittsburgh and Allegheny County Crime Laboratory, 401 Court House, Pittsburgh 19, Pa.

POLICE SCIENCE LEGAL ABSTRACTS AND NOTES

Arthur Rollins*

Invasion of Body Opening in Search of Evidence: Federal Court Toleration—The defendant, an American citizen, entered California from Mexico and was stopped by the federal customs officer inspecting pedestrian traffic. After declaring that he had purchased nothing in Mexico, the defendant went into the customs building for the usual personal examination. Upon request, the defendant removed his coat and thereby revealed numerous puncture marks on his arms. He then admitted that he was using narcotics occasionally and that he was on parole from a California conviction for possession of marijuana. The customs officer then requested the defendant to disrobe entirely, which he did willingly, but no contraband was discovered in his clothing or on his person at that time. However, the officer noticed a substantial quantity of a greasy foreign substance outside the defendant's rectum. After some questioning, the defendant admitted that he had placed about a tablespoon full of heroin encased in rubber condoms inside his rectum, but unsuccessfully tried to remove it by attempting a bowel movement. The defendant was placed under arrest and taken to jail where he was informed that a qualified physician and surgeon was going to make a rectal examination. The defendant objected, but undressed without assistance and then refused to cooperate further. The doctor was able to determine the presence of some foreign object in the defendant's rectum, but could not remove it. The defendant was taken to a hospital where it took two hospital corpsmen to undress the defendant and hold him so that another qualified doctor could examine him. Only after the outer condom tore, alarming the defendant did he consent to the examination and the subsequent removal of the heroin. The defendant was charged with importing and concealing narcotics, and the heroin removed from his rectum was introduced over his timely objection. The United States Court of Appeals affirmed the conviction, one judge concurring and one dissenting, and held that

evidence obtained through a *reasonable* invasion of the body does not violate the Fourth Amendment and is thus admissible in a federal prosecution. *Blackford v. United States*, 247 F.2d 745 (9th Cir. 1957)

Since the defendant was tried in a federal court, evidence obtained through a violation of the Fourth Amendment was inadmissible. The court first determined that even though the customs officers did not have a warrant, their arrest of the defendant was lawful because they had probable cause for believing that he had or was committing a felony. This decision was based on the fact that the officers found both needle marks and a greasy area on the defendant, and also his admission of a prior narcotic conviction and parole and that he was occasionally using and then carrying narcotics. The novel question that the court then faced was whether or not there is any Fourth Amendment restraint on the nature and extent of the search of a person made incident to a lawful arrest; that is, "must the search and seizure itself accord with a standard of reasonableness more stringent than the Due Process limitations delineated in [the stomach pump case of] *Rochin v. California*, 342 U.S. 165 (1952) and [the blood specimen case of] *Breithaupt v. Abram*, 352 U.S. 432 (1956)?" The Fourth Amendment provides that "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. . . ." The court looked to the literal meaning and historical background of the amendment and stated that it was impossible for the amendment to protect property from unreasonable searches and seizures and not the person also. The court also concluded that the test of reasonableness was a stricter test than that applied to state proceedings under the fourteenth amendment as promulgated by the *Rochin* and *Breithaupt* cases, where "civilized standards of decency and fair play" must be met. Action on the part of officers may be unreasonable and yet still comply with the civilized standards rule, according to the court. However, the court did look to the *Rochin* and

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