

1959

Police Science Book Reviews

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In reaching its verdict, the court stated that it was not concerned with the social, ethical and philosophical problems to which the practice of wiretapping gives rise. Instead, it emphasized that the issue in the case only concerned the rules of evidence, namely, whether testimony which in itself is relevant to the determination of a defendant's guilt or innocence should nevertheless be rejected if it was secured in an allegedly improper manner.

Judge Musmanno, the dissenter, took issue with the technical approach of the majority and questioned how the *Chaitt* case could be binding authority on the court when it is conceded that the reasoning behind it had been nullified by the United States Supreme Court decision in *Bevanti v. United States*, 355 U.S. 96 (1958), which invalidated a state statute authorizing wiretapping because the state statute violated the federal act. Judge Musmanno wonders what force compels the court to adhere to what it mentally and morally condemns, and that the court should mentally and morally condemn wiretapping is clear to Judge Musmanno. He states, "Wiretapping is 'dirty business' with all its admitted muck, mire, and malignity." Furthermore, wiretapping is an invasion of one's privacy and a violation of an individual's constitutional rights under the Fourth Amendment. Thus, the judge concludes that he must dissent in this case and in all future cases until the Supreme Court of Pennsylvania stops protecting malicious meddlers.

Mail Watch Not an Obstruction of the Mails—
The defendant was charged with willful attempts

to evade his income taxes. To track down evidence of the defendant's expenditures, the government placed a watch upon his mail, whereby Post Office employees recorded the names and return addresses which appeared on the outside of mail addressed to the appellant and transmitted this information to the prosecution. Upon his conviction, the defendant appealed, claiming that this was a violation of 18 U.S.C. §§ 1701-1703 which prohibits any obstruction of the mails. The United States Court of Appeals for the Second Circuit held that the mail watch was not illegal and in no way obstructed the mails. *United States v. Costello*, 255 F.2d 876 (2d Cir. 1958).

There was no proof offered of any actual delay caused by the mail watch but, while not inevitable, some delay was probable, even though only to a limited extent. In any case, it was never a delay of more than one delivery and the court ruled that this was not within the criminal prohibition against willfully retarding the passage of the mails. Furthermore, a detention alone without proof that it was for an unlawful purpose does not constitute a violation of these postal regulations.

In relation to the contention that the defendant's letters had been "taken", the court drew a distinction between material which is sealed and material which is open for inspection. Thus any writing appearing on the outside of envelopes may be read and used.

(For other recent case abstracts see pp. 460-463 *supra*)

POLICE SCIENCE BOOK REVIEWS

Edited by
Richard L. Holcomb*

SCIENCE AND THE DETECTION OF CRIME. By
C. R. M. Cuthbert, Philosophical Library, New
York, 1958. Pp. 244, Illus. 33. \$10.00

In the words of the author: "The work is not intended as a scientific text book, but it is hoped

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that, in addition to being of interest to the ordinary reader, it may be of some value to young detective officers and others whose work makes it necessary to know the extent to which science can assist in the investigation of crime." This is a fair appraisal of this publication. It is better than the usual popular work on scientific crime detection, but

would be only of interest to a police officer with some time on his hands.

The author, as a former Superintendent of the Metropolitan Police Laboratory, New Scotland Yard, is well-qualified. My major objection is to his handling of a scientific aid to investigation widely used in the United States, the lie detector. He expresses the belief that this technique will not be used in England because it does not give a useful reaction in the case of a psychopath (and this group makes up much of the criminal population) and because the test results are not admissible in court. Neither of these is a real objection. Psychopaths give quite good reactions. It is true that they have little emotion as a result of a lie, but they do have a real fear of discovery, so respond well. True test results are not usually used as evidence, but a competent operator averages about 70% confessions in the cases where a suspect is not telling the truth, and in any case eliminates many innocent suspects, allowing concentration on the guilty.

This book is well written, the presentation is interesting, and it is more than usually accurate. It very adequately does what the author intended.

R. L. HOLCOMB

Iowa City

COLORIMETRIC DETERMINATION OF NONMETALS.

By *David P. Boltz*, Interscience, New York, 1958. pp. xii, 372. \$8.50

This most recent and authoritative book is one of a series of eight published by Interscience on analytical chemistry. It is a collection of monographs written by competent contributors, edited and coauthored by David P. Boltz, distinguished in the field of analytical chemistry. It is well written, having excellent organization, clarity in description and is limited to only pertinent information.

Restricted to colorimetric methods of analysis, this volume deals only with the nonmetallic elements. There are eleven chapters contained in its 372 pages. The first of these chapters discusses the science of colorimetry in theory, the methods used, and the forms of instrumentation employed in this kind of analysis. The ensuing chapters are classified according to the particular nonmetallic element being considered for analysis. The sequence of the elements is as follows: phosphorous, silicon, nitro-

gen, chlorine, bromine, iodine, fluorine, sulfur, tellurium and selenium, and boron.

The organization of the material is presented in a consistent pattern throughout the entire book, which makes it easy to follow the techniques described. The element considered for analysis is first approached by means of separation of the element from its constituents, next by the ways in which determination can be achieved, and then followed by applications.

This book should prove a very useful addition to both the theoretical and practical chemist's reference library.

JOSEPH PRICE

Chicago Police Crime Detection Laboratory

POLICE WRITING. By *E. Caroline Gabard & John P. Kenney*; Charles C Thomas, Publisher, Springfield, Illinois, 1957. pp. 93. \$3

The word *Police* in the title is somewhat misleading, inasmuch as this book will greatly help anyone, who is not a professional author, facing the task of writing term papers, theses, articles, or reports. Even many professional authors' writings would be improved if they practiced various points advocated in this book.

This reviewer purposely used the word *anyone* in the first paragraph, since writing principles and suggestions, as outlined by the authors, apply regardless if the writing is on police subjects, or parole, or highway engineering, or birdwatching.

The great portion of the book is directed towards various problems involving the writing of term papers, theses, and doctoral dissertations. This book is highly recommended, especially for those who have not done any writing except reports.

One minor fault the reviewer found was the repetition in Chapter VI, "The Police Article". On page 41, "...such scholarly publications as *Police*, and *The Journal of Criminal Law, Criminology, and Police Science*." Page 42, "The scholarly article ... appears in such publications as *Police, The Journal of Criminal Law, Criminology, and Police Science*...." Page 47, "A scholarly style is employed ... *Police*, and *The Journal of Criminal Law, Criminology, and Police Science*."

RICHARD O. ARTHUR

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