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Book Reviews

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legislative intent in requiring operator's licenses. Conceding that the drivers' license requirement was enacted primarily as a revenue measure, the court referred to other legislation providing for revocation of licenses for the commission of serious traffic violations. In view of the mounting toll of traffic deaths in the state, this practice was thought to be a valid exercise of the police power in protecting the public from incompetent, dangerous or unqualified drivers.

Urine Test for Intoxication May Be Challenged on Basis of Individual Peculiarities—Petitioner was convicted of drunken driving. Admitted into evidence at his trial were the results of a urine test for intoxication. The test indicated the presence of more than the amount of alcohol determined by statute to be *prima facie* evidence of intoxication. The arresting officer observed other indicia of intoxication including bloodshot eyes, slurred speech and lack of muscular coordination. Defendant challenged the evidence introduced against him, claiming that unclean receptacles and overlong retention of urine in his system might impeach the accuracy of the test. He further contended that the other indicia of intoxication referred to by the prosecution might have been caused by other factors such as a cerebral concussion or mild insulin shock. Petitioner also claimed that the test itself was not generally accepted as accurate by the medical profession. The Supreme Court of Michigan rejected these arguments and affirmed the conviction. The court held that petitioner's objections went to the weight and not to the admissibility of the evidence. *People v. Miller*, 98 N.W.2d 524 (Mich. 1959).

Petitioner further challenged the retroactive application of a statute providing a heavier sentence for repeated offenses of drunken driving. Having been convicted of this offense once prior to the passage of the statute, he insisted that the consideration of an offense committed prior to the effective date of the statute was an exercise of *ex post facto* legislation in violation of his federal constitutional rights. The court rejected this contention, holding that the statute punished the second offense more harshly, not the first, and in no way involved *ex post facto* legislation.

Punishment by Penal Authorities for Offense Committed in Prison Is Not Bar to Subsequent Prosecution for Same Offense—Petitioner was convicted by a court of the unauthorized possession of a narcotic drug within prison. Previously, on the basis of this offense, petitioner had been punished with twenty-nine days of solitary confinement. This punishment was awarded by the warden of the prison under his statutory powers to discipline within the prison. Petitioner unsuccessfully contended at his trial that while an offense punishable under several sections of the penal code may be punished under any one of the sections, punishment under one of the sections is a bar to subsequent punishment under another section. The District Court of Appeal of California, First District, affirmed the conviction, holding that the prohibition against double jeopardy in the state and federal constitutions applied only to judicial action and that *punitive action taken by prison authorities did not constitute judicial action*. *People v. Ford*, 345 P.2d 354 (Cal. App. 1959).

(For other recent case abstracts see pp. 76 and 77)

BOOK REVIEWS

Edited by

Richard L. Holcomb *

POLICE WORK WITH JUVENILES. By *John P. Kenney and Dan G. Pursuit*, Second Edition, Charles C Thomas, Springfield, Ill. 1959 Pp. 383, \$9.50.

This is the second edition; the first was published in 1954 and reviewed in the March-April

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1955 Journal. This edition has added a section on police policy, a chapter on delinquency prevention, a digest of recently published standards by national organizations, a section on progress in police juvenile work, and the bibliography has been brought up to date.

The new chapter on delinquency prevention is

of particular interest since the police are now attempting to define their role in prevention. This reviewer is inclined strongly toward the viewpoint that the police function should be directed entirely toward assisting the victim rather than the offender. While some agencies should establish recreational programs and other services for delinquents or potential delinquents, this is not a police function, no matter how well they might be able to do the job nor no matter how lacking these facilities might be. The arguments on both sides are many and involved. Kenney and Pursuit have neatly handled this problem by suggesting further careful study while carrying on some effective prevention activities that everyone agrees are a police function. They suggest, for example, control of such conditions harmful to juveniles as improperly operated pool rooms, dance halls, and similar places where juveniles congregate, early referral of youths with problems, etc. This is a sound approach.

This book is the standard in the field. It is comprehensive, authoritative, and well written. The authors are highly capable and experienced. As a result, *Police Work With Juveniles* should be in the library of everyone concerned with police work with juveniles.

R. L. HOLCOMB

CRIME AND KIDS. By *John E. Winters*, Charles C Thomas, Springfield, Ill. 1959, Pp. 159, \$5.25.

The author has the rank of Inspector and is the commanding officer of the Youth Aid Division, Metropolitan Police Department, Washington, D. C., so there is little doubt about his qualifications. However, this book covers only about a third as much material as does Kenney and Pursuit even though relatively long sections of the text are quotations from other publications and might well be in an appendix.

There is considerable material on the organization and operation of a police juvenile division. This is sound and practical. The author has drawn from his long experience to give many valuable pointers in this area. However, there are a number of chapters that are only a page or two in length. Combination of this material into longer chapters would be helpful. One chapter, "Problems of Juvenile Officer," is made up almost entirely of listing major outline points on a variety of topics. The subjects covered are good and the points look interesting, but it would have been much more help-

ful if the author had put a little meat on this skeleton. It is hoped that by the time a second edition comes around he will have had the time to expand this material for it is basically sound.

As mentioned in the review of "Police Work With Juveniles" there is a definite question as to what the police function in crime prevention should be. Inspector Winters says, "It is the author's belief that the police should not enter into this field (recreational and educational activities for young people) unless there are no available agencies to undertake the task. If such resources are not immediately available, then the police should attempt to institute a program to provide for leisure time activity for young people until such time as an agency is available. They should then assume a supporting role." He next discusses the Police Boys Club of Washington, D. C. This club was formed in 1933. It would appear that in the intervening 27 years, no other agency has made itself available. This would be true of similar efforts and that no matter how noble the objectives, or how good a job the police did they would soon find that they had a permanent, time consuming activity competing for manpower and funds with police activities many officers believe are the primary responsibility of the police.

This is a good book for officers interested in juvenile work. It is written by an experienced police officer and as a result avoids the objections found in much material published by sociologists and others who try to tell the police how to do their job. It is hoped that Inspector Winters continues to write in this field.

R. L. HOLCOMB

COURTROOM MEDICINE. By *Marshall Houts*. Springfield, Illinois: Charles C Thomas. 1958. Pp.xviii, 511. \$14.00.

Twenty-five years ago relations between the medical and legal professions were very different from what they now are. Then interest in medico-legal problems was warm; today it is nearly on the boil. On the one hand great heat has been generated by the vexatious subject of medical malpractice; on the other hand, and more profitably, both doctors and lawyers have begun to see how very much their callings overlap, and how much they can give each other.

One consequence of this entente cordiale (or semi-cordiale) has been a flood of literature on medico-legal problems of all sorts. Most of the

writing has aimed at the lawyer, perhaps because he draws more deeply on the doctor's discipline in his profession than the doctor draws upon the law. In fact, as certain discomfited physicians will have to admit, some lawyers became reasonably learned in matters medical and can make all but the cagiest expert witness sweat a bit. In any event, lawyers have seen the need for more information on medicine, and the book under review attempts to help satisfy the want.

Whereas some books on similar topics are largely the work of one man (*e.g.*, Gradwohl, *Legal Medicine*) this book is more in the nature of a comprehensive symposium composed of thirty chapters by different authors. The editor has sought, as he says in his Foreword, to give to lawyers: "a basic orientation in a number of medical subjects which would permit them to recognize medico-legal problems and then discuss them intelligently with their chosen experts." In other words, to comprehend but not to become experts. The book, then, is not designed to explain the law to doctors—it is meant to explain medicine to lawyers.

It begins with a chapter on the medical expert witness. In keeping with the tenor of the book, this chapter is not meant to substitute for Wigmore, but to explain to the lawyer how to prepare and then question his medical witness. The author, Alan E. Schwartz, of Detroit, emphasizes careful pretrial preparation; this cannot be overemphasized. The doctor must, obviously, educate the lawyer, but, not so obviously, the lawyer must educate the doctor, who may not realize how the adversary system works. The courtroom is a poor place to find out.

There follow chapters on Anatomy, Allergies, etc., each a thumbnail, skeletal description by a doctor of the subject at hand and covering the basic aspects of medicine and medical practice. This is really the heart of the book, and since it involves over 350 pages one can hardly attempt to sketch it in detail, and must be content to say it is inclusive and as thorough as the announced aims of the book require. If the number of pages gives a clue to emphasis, the reader will note how much space is devoted to back injuries, as compared for example with hernia; most lawyers would have it thus. The language used, while it must be technical, is clear and any serious reader should find terminology no barrier to understanding. Most of the chapters have a bibliography, a very useful addition indeed (though one questions the usefulness to lawyer references to publications in German

or French). The pictures and drawings are helpful, though, as the editor will doubtlessly admit, they are only the gateway into anatomy or physiology and cannot replace careful study of, say, the spinal column under the guidance of a capable orthopedist.

So here is a clear medical book for lawyers, which, it seems, achieves the goal it set out for. If there is any area in which more should be said, it is in the general field of psychiatry. More should be said about competency, a much litigated matter. And the criminal aspects of mental disorder certainly need to be treated, as do such other topics as post-traumatic neurosis. One suspects the editor steered shy of the criminal law aspects of psychiatry on purpose, but the personal injury side of psychiatry should not be neglected, particularly in a book aimed, not at the criminal field, but at civil litigation and affairs.

In sum, however, this is a most useful book for the general practitioner. Clear, comprehensive, accurate, it sets out to open the door to medico-legal knowledge for the lawyer, and this it certainly does. If it will not make him a finished student of medicine, it is because it does not try to do so. Any lawyer in general practice could well afford to put it in his professional library.

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STATISTICS ESSENTIAL FOR POLICE EFFICIENCY.

By *John I. Griffin*, Charles C Thomas, Publisher, Springfield, Ill. 1958, Pp. 229, Fig. 77, \$7.50.

This is a college text book type approach to the procedures of applying statistical methods concerning problem solving and decision making to the broad concepts of enforcement based on accumulated facts from local, state, and national police agencies.

The author, with an academic background in the field of statistics, exerts an effort to inject statistical methods and procedures into the field of enforcement. He stresses the management level need for accepting statistics as a tool, to bring about better enforcement and crime prevention practices. The need is established with a very general summary of the presently accepted police records, summaries, and reporting practices in common use. The discussion of basic police data, records, summaries, and reports is in most general terms. Broad generalities are projected into various areas of statistical analysis for suggested executive and administrative guidance.

The need for introducing knowledge or an awareness of advanced statistical methods into the basic qualifications of administrative police personnel is encouraged. The experiences in the use of statistical guidance are most common to enforcement agencies in large metropolitan areas or on the national level. Numerous cases cited are outside the enforcement field. There are implications that future police executives and administrators may need to be human electronic computers, who can statistically analyze the broad enforcement problems and reduce these calculations, estimates, trends, and predictions to the needs of specific local police organizations.

The reader should not dismiss the importance of statistical methods, neither should he be lured into accepting a theoretical statistical approach to decision making before an acceptable uniform pattern of collecting and processing basic police records and reports are available, that lend themselves to mass comparison. It is important to note that, to use statistical methods for greater police efficiency, one must look for practical applications in large municipalities such as Los Angeles, New York City, Philadelphia, and other metropolitan areas that have access to controlled and generally reliable data.

The author points to general use in establishing trends from mass data such as collected by the Federal Bureau of Investigation. Progressive municipal and state police administrators of today, as well as the administrative personnel of the Federal Bureau of Investigation, realize that enforcement problems, that require policy changes and decision making, are well over 95 percent local and about 5 percent federal level responsibilities. Most police problems must be solved at the local level because of the many known irregularities and lack of uniformity in individual cases. Decisions must include a flexible and honest understanding of the behavior patterns of men and women. It is difficult to group the intangible causes of delinquent behavior patterns into statistical groups as one might readily do with inanimate objects such as machine products or manufacturing problems.

The text material presents the basic police data, records, and reports briefly. The approach is inadequate to develop the necessary practical

police records base from which the author attempts to launch the police administrator into a new theoretical field. Policy making enforcement personnel are advanced too quickly into a new body of knowledge dealing with specific and exacting mathematical formulae most commonly restricted to technical papers and college text books on statistical methods.

The publication has merit in that it offers another step toward professionalization for the police administrator or technical personnel. Actually, only limited effort was made to clearly define the basic limitations encountered in gearing the exactness of statistical procedures with the commonly accepted weaknesses found in gathering, processing, and summarizing raw police type data.

The major stress is on statistical methods and formulae rather than on how the administrator can best bridge the gap from basic police records to efficient use of statistical methods. This approach restricts the publication to the college classroom rather than the inservice training school, adult education short courses, and reading libraries of most police departments.

In conclusion, the publication has promise in that it suggests a possible method to solve management level police problems. This is a stimulating challenge for all police administrators. However, the book appears to be limited to college level training courses for police officers desiring a degree in police science. It will be most useful under the guidance of a competent police instructor. The subject matter in its present offering is too far removed from the most common practices used in processing basic police data, records, summaries, and reports so as to create a desire or stimulate police executives, administrators, and record officers to want to bridge the gap into the mathematical field of problem solving. Most police administrators today, products of years of practical experience in law enforcement, will find it difficult to read. They will hesitate to place their trust, for efficient police operation, into an advanced statistical approach to policy making and problem solving.

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