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Police Science Book Reviews

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POLICE SCIENCE BOOK REVIEWS

Edited by
Richard L. Holcomb*

CASES AND COMMENTS ON CRIMINAL JUSTICE. By Fred E. Inbau and Claude R. Sowle, The Foundation Press, Inc. \$11.00.

As never before, police administrators are realizing that courts are not only determining court procedure but police procedure. They are increasingly aware that they must look to state decisions as well as the federal cases in order to find legal doctrines and concepts which determine police policies. In this book the authors have a very complete discussion of the substantive criminal law with selected cases from both state and federal courts. Just as important, if not more important, criminal law administration and the basic procedures and concepts of criminal law are discussed thoroughly.

The book is divided into three parts: (1) The Criminal Law: Basic Procedures and Concepts; (2) The Substantive Criminal Law; and (3) Criminal Law Administration.

Part One discusses basic criminal procedures and concepts. This is very valuable to the police instructor in teaching the overall criminal procedure from arrest to parole, and in helping the police officer to understand how he fits into this overall procedure. This part also discusses the sources or history of our criminal law and some of the basic problems presented.

Part Two, which discusses the substantive criminal law, gives the administrator, the instructor, and the investigator in law enforcement the reasoning of the courts in reaching decisions in criminal cases. The offenses in this part of the book are considered under the broad categories of "Homicide," "Sex Offenses and Related Problems," "Misappropriation and Related Property Offenses," and "Uncompleted Criminal Conduct and Criminal Combinations." Each specific offense is defined, and the elements necessary to be investigated by the police investigator and proved by the prosecutor are discussed. Also in this part the factors affecting criminal responsibility such

as Infancy, Mistakes of Law and Fact, and Duress are discussed, as well as the defense of Mental Impairment.

Probably the most interesting and valuable part of the book from the viewpoint of the police instructor and investigator is the very thorough discussion of Criminal Law Administration in Part Three. A large part of the book is devoted to the legal controls over police investigation procedures and the rights of the accused and the state. Certainly, courts are handing down many current decisions in this area, most of which determine the procedure which must be followed by police investigators.

The instructor or investigator only has to look at such chapter titles as "Freedom from Unwarranted Arrest and Detention," "Freedom from Unreasonable Search and Seizure," "Freedom from Unauthorized or Coercive Interrogation," "Freedom from Self Incrimination and Bodily Invasion," "Freedom of Verbal Communications from Electronic Interception," "Right to Counsel," and "The Right to Fair Trial Preparation and Fair Trial Procedure" to recognize areas which not only have been of concern in the past but also are being given unprecedented attention by our courts today.

The Criminal Law Administration section of the book is especially important to police instructors as the authors have compiled cases and comments concerning many problems which must be discussed in police training but are difficult to find in one book.

Some of the especially commendable features of the book are:

- (1) It contains both comments concerning the law and cases on the points presented. This makes reading more interesting and the rules of law more meaningful.
- (2) Complete references make it possible to study further on the points presented.
- (3) Both sides of controversial questions are presented.
- (4) Problems of law enforcement are discussed

* Chief, Bureau of Police Science, Institute of Public Affairs, State University of Iowa, Iowa City.

from the point of view of the law enforcement officer and in language the law enforcement officer can understand.

The police instructor will find this book very valuable for teaching "Crimes and their Elements," "Criminal Law Administration," "Arrest, Search, and Seizure," "Confessions," "Self Incrimination," "Wiretapping," "Rights of the Accused," "Criminal Procedure," and other related subjects.

The criminal investigator will find discussions of historic as well as current cases which determine the procedures the investigator may use as well as the reasoning of the courts.

JOHN C. KLOTTER

Southern Police Institute
Louisville, Kentucky.

PRIMARY POLICE FUNCTIONS. By R. Bruce Holmgren, William C. Copp and Associates, New York, 1960. Pp. 212, Illus. 18. \$2.00.

The author is qualified by experience and training to write this book. He is further qualified by the fact that he is presently the editor of a magazine and can write very well. This is a rare combination. We have had many experienced police officers write police books, and we have had many experienced writers write police books, but it is seldom that a good writer with a sound police background writes a book. When he does, as in this case, it is a valuable contribution to the field of police literature.

Further, this book treats an area where far too little has been written, the primary police functions. While we have had many good books written on the highly specialized aspects of investigation, and a number on some of the other specialized areas, the day to day work of the patrolman, the backbone of the force, has never received the attention it deserves.

The outline for this book was taken from a series of lectures the author gave to a ten man police force. This training was designed to give these men the elements of the job they needed to do. It does this very well, and the material is so basic that it will apply to a force of any size. This material was also published in serial form in *Law and Order* magazine several years ago. There are nineteen chapters covering the sorts of problems an officer on the beat faces every day. The author departs from the usual sequence and devotes the first chapters to public relations. This is a good

thing. Public relations for any law enforcement agency is founded on the actions of the men on the beat and the emphasis given by placing these chapters first is altogether proper. The additional chapters cover patrol and observation, investigating a suspicion, crowd control at fires, parades and special events, handling traffic, accident investigation, traffic violations, investigations, taking statements, handling evidence, and report writing.

One major weakness is that there are no illustrations related directly to the text. The artist who worked up the cover could have done an excellent job with illustrations. There are, however, eighteen photographs from the "Thousand Word Picture" series featured in *Law and Order* magazine. Each of these photographs presents a police situation where a major error is being made by an officer. The reader tries to find that error and then checks with an explanation in the back of the book explaining the error and the proper procedure. This is an excellent device, and it was a good idea to include it.

There are often several good ways of handling a police situation, for example, there is no single "best" way of stopping a violator or suspect's car. In these sorts of situations the author often explains several sound methods, rather than only one way of doing the job, and presenting it as the only way, as is too often done.

This is a sound, practical book. The publishers are to be congratulated for putting it on the market at a price that a policeman can afford. This publication can be recommended without reservation.

RICHARD L. HOLCOMB

PRACTICAL POLICE KNOWLEDGE. By Juby E. Towler, Charles C Thomas, Publisher, Springfield, Ill., 1960. Pp. 206. \$5.75.

The dust jacket of this book, in speaking of the author, states that "... he is an expert in the use of firearms and the lie detector". On page 125 the author says (and this is all he has to say about lie detection) "The lie detecting apparatus is simply a sensitive meter which registers automatic human impulses. It is effective, and the method of the test is to ask questions that can be answered by 'yes' or 'no' and watch the reading on the meter. Only the serious cases should merit the use of this device. The test takes considerable time and must be handled by someone qualified to give it. Experience, alertness, calmness, and knowledge of the controls are some of the qualifications of the opera-

tor". From this description it is apparent that the author is speaking of a meter used to show changes in skin resistance. The use of such a meter as a lie detector has long been discredited. The idea that "Only serious cases should merit the use of this device" is entirely new to me. Most law enforcement agencies base their decision upon the value of the technique to the investigation of the case, rather than the importance of the case.

This is only one example of error or misstatement. On the following page, the author states "Handwriting is a means of positive identification". I am sure that most document examiners would hope that this is true, but unfortunately, few believe that it is so infallible a method. Along the same line, the statement is made on page 119 "*Res gestae* was first used in Boston in 1889". While it is not possible to determine whether the author meant that the first time *anywhere* *res gestae* was used was in Boston, or that the first time it was used in Boston was in 1889, it is still an error for this is a much longer standing exception to the hearsay rule. There is little point in reciting additional errors or misleading statements for there are so many of them as to make this a most difficult book to read and an impossible one to give to a young officer. Part of this arises from the fact that a great deal of this book is concerned with the law, and while the author, from time to time, cautions of the difference in the law between states, he often fails to point this out. For example, on page 65 he says "To be arrested for drunkenness a man must be drunk in a public place." This is

doubtless the law in his state, but not in every state, for in some there is no requirement that intoxication occur in a public place.

Because of these criticisms, it is not possible to recommend this book. There is useful material in it, and without doubt Captain Towler is a good, practical, police officer, but this book will not be of much assistance to anyone.

RICHARD L. HOLCOMB

POLICE REPORT WRITING. By *John C. Hazlet*, Charles C Thomas, Springfield, Ill. 1960 Pp. 234, Illus. 105, \$8.00

Roughly two thirds of this book is quoted directly from publications by the Federal Bureau of Investigation or the National Safety Council that are either free to law enforcement agencies or available at a very low cost. It is doubtful that the remaining material is worth \$8.00. However, there has not been very much written on police report writing, and any contribution to the field is of some value.

The title is misleading. Most of the book is on police records, handling the reports after they are written. Only a few pages are on writing reports, an area where material is badly needed. The bulk of the illustrations is taken from the FBI or National Safety Council publications and is excellent. A series of amateur snapshots (illustrating what various crimes look like) does not add anything to the value of the book.

This book is a minor contribution to the field.

R. L. HOLCOMB