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Police Science Book Reviews

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—D. J. Clackmore, *Journal of Forensic Sciences*, 14(4): 545-554 (October 1969). Experiences with the use of gas chromatography for the detection of some compounds liable to be encountered in aviation toxicology are described. Methods for the detection of barbiturates, decongestants, and

stimulants in therapeutic quantities are suggested. The determination and significance of alcohol and carbon monoxide found in post mortem tissue are discussed and techniques to minimize error recommended. (WEK)

POLICE SCIENCE BOOK REVIEWS

Edited by

Melvin Gutterman*

THE LAW OF ARREST, SEARCH AND SEIZURE. By J. Shane Creamer. Philadelphia: W. B. Saunders Company, 1968. Pages xi, 273. \$6.95.

The law of criminal investigation as shaped by the Supreme Court of the United States in the 1960's is the law. And until it is changed by the Court, or the people, those who are sworn to enforce the law should know and follow the law. This is the polestar law enforcement should follow to achieve the status it seeks to reach.

People of good faith may disagree as to the constitutional bases of some of the Court's opinions. There should be no disagreement, however, that law enforcement officers should enforce the law as it is, no matter what their personal opinions may be, nor, for that matter, what others might wish the law to be.

This compact volume points the way for law enforcement officers who want to perform their duties in the right way. It is written in language that can easily be understood. It can be read in an hour or two. But this would be wholly inadequate. There's simply no easy path to an understanding of the law. A reader must be prepared, therefore, to do more than engage in a cursory reading exercise to get from this book both the hows and the whys that are to be found in it.

The first five chapters of 111 pages blend a bit of history with definitions and techniques albeit, perhaps, a bit too succinctly. Better that, however, than to infer important concepts in a mass of printed words. Prelude to triumph or tragedy of law—"The Suppression Hearing"—beginning on page 89 and running through page 111, gives recognition to a stepping-stone in the criminal justice

system that most legal commentators disregard, or skim lightly.

"Commentaries on Supreme Court Decisions," comprising chapters VI and VII, pages 114-262, include 21 leading criminal procedure decisions that have been handed down by the Supreme Court of the United States. The author has done an outstanding job in the way he has digested the opinions, utilized excerpts, and, particularly, in his analyses. This material can provide any reader a good insight into the philosophy that has guided the Court's majority in the recent past. And, of more importance, the analyses tell law enforcement officers what they can do to perform their duties effectively and, at the same time, in a way that measures up to constitutional standards.

The book is marked by a shortcoming that, in recent years, characterizes any book on criminal procedure after it is off the press for a year or longer. In the 1960's, the Court, term after term, announced decisions that have affected Fourth, Fifth, and Sixth Amendment rights, and have had far-reaching implications. The 1968-1969 term was no exception. Fourth Amendment decisions, alone, like *Spinelli v. United States*, 393 U.S. 410, (1/29/69); *Davis v. Mississippi*, 394 U.S. 72, (4/22/69); and *Chimel v. California*, 395 U.S. 752 (6/23/69), promise to have a profound effect on law enforcement practices.

Moreover, a few statements crop up now and then in the book, applicable to some jurisdictions, inapplicable to others, that could confuse a neophyte law enforcement officer. For example, on page 71, the statement appears that, "If an officer arrests for a misdemeanor committed out of his presence it is an unlawful arrest." That simply is not true in jurisdictions that authorize a mis-

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demeanor arrest, without a warrant, on reasonable grounds to believe such an offense has been committed.

Aside from those minor shortcomings, on balance, the book is a good one for both the law enforcement agency library, and the law enforcement officer's personal library. (No great effort would be required to update the book with digests of Supreme Court decisions that have come down since the book's publication. The few generalizations that do not apply across-the-board detract hardly at all from the values the book holds out to the practicing law enforcement officer.)

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POLICE GUIDANCE MANUALS. By *Louis B. Schwartz* and *Stephen R. Goldstein*. Philadelphia: The University of Pennsylvania Printing Office, 1968.

Professors Schwartz and Goldstein, under a grant from the Office of Law Enforcement Assistance, devised this series of guidance manuals with the intent to answer a number of basic questions that police officers might have about their jobs. The manuals, for the most part, have a technical, legalistic orientation, addressing themselves to such questions as arrest, the use of force, stop and frisk, search and seizure, and wire-tapping.

The level of presentation is very basic; the language is very elementary; and problems are presented, at times, with a high degree of oversimplification. A portion of the material is highly localized and applicable only to the Philadelphia area.

However, even recognizing these shortcomings, the authors did an admirable job of developing meaningful manuals which may serve as "models" for training material in other metropolitan police departments. Even though the material is technically oriented, the authors interweave philosophical, conceptual, and sociological considerations. In this sense, the manuals are a multidisciplinary approach to the role of the police in the criminal justice system. Concepts developed by Skolnick (*Justice Without Trial*), Banton (*The Police in the Community*), Gelhorn (*When Americans Complain*), LaFave (*Arrest*), and many other outstanding scholars, are distilled from their esoteric setting and thoroughly integrated into the legalistic text.

In addition to giving such basic information as how to prepare an affidavit for a search warrant, the manuals explain the general rationale and philosophy behind constitutional limitations and the exclusionary rules. Thus, the policeman receives the "how to" information, and at the same time, the philosophical "why" is presented. The manuals constitute a beautiful blending of the technical and the conceptual.

In such matters as prostitution, homosexuality, obscenity, and similar vice crimes, the manuals approach the problems realistically, introducing an awareness of current sociological findings and theories and their effect upon police enforcement policy and practices.

The manuals also recognize that police have discretionary authority. (Something that the current public relation positions of many police administrators repudiate, e.g., "We enforce all the laws against all the people, all the time, without fear or favor".) The authors discuss use of discretion and full enforcement in terms meaningful to the line police officer. For instance, one pamphlet states: "A responsible police officer exercises discretion in accommodating the public while maintaining community services. Discretion does not mean doing whatever the officer pleases; it means using judgment after giving due consideration to the rights and desires of everybody."

Beyond simply providing a police officer with technical competency to do his job these manuals are concerned with the police officer recognizing that he must function within a community setting and be aware of the ultimate implications and impact of his actions. In this sense, the manuals constitute a significant effort toward making police training much more socially relevant and community oriented.

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KIDS, COPS AND KILOS. By *G. Thomas Gitchoff*. San Diego, California: Malter-Westerfield Publishing Co., 1969. Pp. xviii, 178. \$2.95.

The decade just past was not only another ten years of our lives. The conflict between generations has sharpened to the point where there is now a separate "counter-culture" of young people who have turned their backs on the conventions of their parents and turned on to their own idealism.

This generation has been freed from the trials—

economic and social—personally faced by their parents. They are repulsed by the sham and delusion of a society that acclaims a moon landing the “greatest event since the creation” while millions of people exist in the streets and slums of our metropolitan jungles besieged by crime, hunger, and a sense of hopelessness.

Kids, Cops and Kilos seeks to examine a segment of this generation—a group of relatively wealthy suburban youth experiencing the impact of social change—a subject area lacking substantive research by criminologists and social scientists. In an indirect way, Gitchoff explains the apparent decline in respect for law and order.

One of the primary concerns of Gitchoff is the rapid growth of drug use and abuse among the youth of Pleasant Hill, California. He describes a startling change in attitudes, interests, and activities of suburban youth over a three year span as they reject their middle-class values and adopt a “hang-loose” ethic.

The author—now Assistant Professor in the School of Public Administration and Urban Studies, San Diego State College—collected his data during his tenure as a researcher and Director of Youth Services for the city of Pleasant Hill. The basis of the study is a leadership core group representing about one hundred youths.

The book itself is very impressionistic—perhaps overly so. Gitchoff admits that he sought to test no specific hypothesis nor did he have any firm pre-suppositions of relevance. Unfortunately, this has resulted in a rather loosely organized and, at times, rambling collection of impressions, observations, and personal experiences of the author.

One section of the book which should prove particularly interesting to readers of this Journal is the author's description of the efforts of the Pleasant Hill Youth Commission to establish a dialogue between youth and adults—particularly between youth and the police. Chapter five addresses itself to the development of the police-youth discussion group program in Richmond, California in 1965, to deal with lower-class black youth and its application to the all-white middle-class youth of Pleasant Hill. Gitchoff considered the discussion group program to be highly successful and offered this thought:

“Effective police-youth programs are not made by top level police administrators, albeit their approval is a necessary requirement. The main effort derives from the beat officer who

confronts and is confronted by the citizenry, friendly and hostile, youth or adult. It is the beat officer who must have a penchant for improving police-youth relations, if he is to successfully create meaningful communication and understanding between these traditionally opposed factions.”

The book, although at times weighty and extraneous, is both stimulating and thought-provoking. It needs to be read by those who presume to understand youthful alienation and revolution against the mores and conventions of a different generation.

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THE COMPLEAT SWINDLER. By *Ralph Hancock* with *Henry Chafetz*. New York: The Macmillan Company, 1968. Pp. xv, 294. \$6.95.

Having completed this little book, one has to believe that the authors themselves should have reserved a chapter for the expositors, the debunkers, those who would, for no more than a nominal charge, show the rest of us what some of us have been doing that was bad. Here, for a mere pittance, two hardworking file-diggers have produced, for power or money or prestige or revenge, their own terms, a thoroughly entertaining and enjoyable volume. But, and here is the rub, they, their publisher, and their reviewers (for the dust jacket) have led us to believe that herein is a regular encyclopedia of conman's crime, something which may serve as a primer for the uninitiated or a reference for the pro. It just ain't so. This is a delightful piece of work. But as research beyond the Sunday supplement level, it is just fluff. Granted, numbers of true life cases are noted and the ways of many criminals are described. Most of this, however, can be come by if one would but read his daily papers with slightly more than headline scanning intensity. This has no more place in a professional library than a good joke book. It would be quite at home, however, amid best-sellers and memoirs of movie personalities and engaging quarterbacks.

It is fair to include the authors in that great group, whom they seem so to envy, the swindlers. From a bedtime reading one has difficulty in recording any calling or trade, any profession or vocation, which does not fall within the purview of their treatment. This indictment may be a bit too sweeping, but if making a buck is not swindling,

then the authors have left this reviewer bedazzled. The authors clearly condemn those who get something for nothing from those who wanted to get something for nothing, but they do so with such poorly veiled admiration for the swindler and contempt for the swindled that hat colors become quickly confused.

There is more than a passing familiarity by the authors with some of the subjects they bring to view. They evince clearly an awareness of the same forces which have driven Nader and his cohorts to battle; indeed, there is a foretaste of the Nader assault upon the automobile industry in this book, the copyright of which would seem to show the authors arrived early on the scene. There is substance in the attacks upon the diet food and drug industries, and medications and cosmetics generally. The suggestions, however, that legislative and administrative actions have increased the swindling may be a debatable conclusion. Exposing the rats by flushing their holes does not mean that the rats were not there until the flushing began. Be that as it may, the authors reveal more than

one weakness of human nature, all of it the stuff upon which their heroes feed.

The police rookie, the prosecuting tyro, the average citizen—all may find this volume useful and, certainly, entertaining. It is also hurtful in the way it tears away the drapes of credulity, naivete, and plain old gullibility, the stocks in trade of so many of us, as well as the greed in us. Perhaps, it is in this that one reacts to the avowed professionalism and professed altruism of the authors. They're making a buck by making fun of me! It has to be the rare reader who is completely unfamiliar with at least one of the swindling schemes described by the writers; rarer still is he who has not been the "pigeon" in one of them.

The Compleat Swindler need not be required reading for law enforcement officials; it may, however, turn to salt the swindler's sugar in the mouths of the innocents.

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