

1971

Police Science Book Reviews

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for the detection and identification of seminal stains in the forensic laboratory. It is a modification of the commonly used azo-dye technique for acid phosphatase employing filter paper for spot testing and is based on the well-known fact

that the seminal acid phosphatase which is of prostatic origin is almost completely inhibited in the presence of L(+) tartrate. The method is suitable for normal, aspermic and contaminated seminal stains. (WEK)

POLICE SCIENCE BOOK REVIEWS

Edited by
Melvin Gutterman*

THE SUPREME COURT AND THE LAW OF CRIMINAL INVESTIGATION. By *Duane R. Nedrud*. (Edited by *Marguerite D. Oberto*.) Chicago: LE Publishers, 1969. Pp. xxiv, 286. \$6.95.

This is a handbook that can be used, according to the author, by the lawyer—i.e., judge, defense counsel and prosecutor—"as a quick memory refresher as well as a source that enables him to gain immediate access to the in-point Supreme Court decision(s) [the official and unofficial citations being given]. For the law enforcement officer, he continues, "it can be considered his complete library." The former statement has merit: the latter probably over-reaches a bit.

Today's profession-minded law enforcement officer knows that no single volume can be his library. It can be said, with reasonable certainty, however, that this is a book that law enforcement officers should have in their personal libraries; and, more than that, they should master its contents, and apply the knowledge gained to enforcement practices. Constitutional-law enforcement would be a long forward-step toward upgrading police and community relations.

For too long a time too many law-enforcers have lamented too much on the United States Supreme Court's "police the police" concept. Too much time has been expended by too many on how to circumvent the law instead of on how to acquire knowledge to comply with the law. The surest path for law enforcement officers to achieve higher status is to know and follow the law; the surest way to show the Court that some of its decisions on criminal procedure may need to be modified, or even overruled, is for law enforcement officers to show the Court by their actions that they believe in "government under law."

* Professor of Law, Emory University, Atlanta, Georgia.

The author puts the issue in perspective in the Preface when he says that "(t)o say that the law enforcement officer can no longer function without a sound understanding of the Supreme Court decisions—despite the Court's having in the past stated that the law enforcement officer need not be a 'legal technician'—is indeed an understatement, for the main thrust of legal principles of criminal investigation, as these rules have emerged, has been directed at the law enforcement officer, with the lawyer as the medium to effectuate the discharge of these exclusionary rules."

Subscribers to *Nedrud the Criminal Law*, a monthly loose-leaf service published by the author, will find that the handbook provides quick leads to materials in the annuals of the parent publication. The sectional divisions are the same in both publications. A reader may want to locate the state and federal cases for his jurisdiction on a particular point. These cases can be readily found by checking the same section(s) in the annual volumes of *Nedrud the Criminal Law* (beginning in 1967).

The Supreme Court and the Law of Criminal Investigation encompasses two major topics: Part A deals with Arrest, Search and Seizure, and Part B covers Confessions/Self-incrimination. A concise summary of the law precedes each of the 25 sectional divisions, and cross references are given to the cases that are digested under each section. This combination gives a researcher a quick access to related cases that deal with the same legal principles.

The Table of Contents and two Tables of Cases contribute materially to the handbook's usefulness. For example, 47 Supreme Court decisions that have taken on an abbreviated name form in their everyday usage—the Table being by no means exhaustive—are indexed in the

"Common Name Table of Supreme Court Cases." The Table lists the names of the parties, and the page numbers of the handbook on which the decisions are digested. The other Table of Cases lists the 204 decisions discussed in the handbook, and 152 others that are mentioned in footnotes.

In sum, this is a handbook that sets forth in the clearest possible terms the rapidly changing standards of law enforcement conduct as determined by the court—and in particular by the Supreme Court of the United States. It is a book that should impress upon police administrators and upon prosecutors the need for carefully developed and fully implemented policy pronouncements in all areas of criminal procedure.

FRANK D. DAY

Professor, School of Criminal Justice
Michigan State University
East Lansing, Michigan

COPS ON CAMPUS AND CRIME IN THE STREETS.

By *Erle Stanley Gardner*. New York: William Morrow and Company, 1970. Pp. 156. \$5.00.

The theme of this brief commentary by the

late Mr. Gardner is that today's policeman is prevented from fulfilling his primary duty by a multitude of causes.

The use of the police on campuses to keep the peace rather than enforce the law when broken; a permissive society; job frustration leading to departure from the service; lack of public support; and the targeting by an angry citizenry of the police as the symbol of a government engaged in an unpopular war are cited as examples of the many problems working to the disadvantage of law enforcement personnel.

In addition to correcting these ills the author also comments on proposed gun legislation, capital punishment and the lie detector or polygraph.

Although some might enjoy this easily read book, there is little to recommend it for the serious minded reader or professionally oriented law enforcement officer.

RICHARD O. BERNITT

Director of Public Safety
Michigan State University
East Lansing, Michigan

A CHANGE IN EDITORSHIP

Throughout the many years of its existence, dating back to 1910, this *Journal* has been under the editorship of professionals. In 1931 student participation began on a very limited scale with the preparation of materials for a section captioned "Recent Criminal Cases". It was the product of members of the Student Legal Publications Board of Northwestern University School of Law. Subsequently, in 1947, that section became known as "Criminal Law Case Notes and Comments"; it began to include extensive case analyses and comments upon various criminal law topics.

Student interest and the quality of student-produced materials eventually warranted a greater degree of recognition for their efforts; in March, 1970, that portion of the *Journal* containing criminal law leading articles as well as student products was placed under the autonomous editorship of the student board. A well merited extension of this responsibility, to become effective with the March issue of the next volume, will place students in charge of the entire *Journal*.

The present Editor-in-Chief will relinquish his post to Mr. Jon E. Steffensen, a senior law student elected by members of the Student Legal Publications Board. Professor James B. Haddad, the present Assistant Editor-in-Chief, will serve as Faculty Advisor to the Board.

The present Criminology Editor, Dr. Marvin E. Wolfgang, will continue in that capacity under the new arrangement, with the continued assistance of Editorial Consultants. Mr. Ordway Hilton will remain as Editor of the Police Science Section, assisted by his group of Editorial Consultants.

We of the Northwestern University School of Law Faculty are very confident about the continued high quality of the *Journal*; in fact, we anticipate a superior product. As for the readers who harbor any skepticism, perhaps the following from Francis Bacon's "Of Youth and Age" is worth noting: "The errors of young men are the ruin of business; but the errors of aged men amount but to this, that more might have been done and sooner".

Fred E. Inbau