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RECENT BOOKS

CRIMINAL LAW AND CRIMINOLOGY: A SURVEY OF RECENT BOOKS

JULIET M. CASPER*

COMMUNITY POLICING—UNITED STATES

BUREAU OF JUSTICE ASSISTANCE, NEIGHBORHOOD-ORIENTED POLICING IN
RURAL COMMUNITIES: A PROGRAM PLANNING GUIDE (Washington,
D.C.: The Bureau, 1994) 117 pp.

A neighborhood-oriented policing program is one way to achieve greater effectiveness in the handling of certain crimes. This book is a step by step guide to developing, implementing, and assessing a rural community policing program. Under such a plan, citizens share in the responsibility for dealing with crime, while police work is reoriented to reflect a more proactive and problem-solving approach to crime. The appendixes provide sample surveys, a mission statement with goals, problem-solving guides, and sources for further information.

THE CHALLENGE OF COMMUNITY POLICING: TESTING THE PROMISES
(Dennis P. Rosenbaum, ed.) (Thousand Oaks, CA: Sage, 1994)
320 pp.

Traditional policing methods, such as random squad car patrols and radio call responses, have failed to permanently impact the problem of violent crime, drug trafficking, and gang activity in many American cities. The press and politicians have heralded community policing as the best alternative. Going beyond the rhetoric and politics, this book contains

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articles that attempt to define the terminology, describe different types of programs, and evaluate the community policing programs that a number of cities in the United States and Canada have implemented. The articles address the implementation problems, the attitudes of the law enforcement agents, and the impact on the community.

CORRECTIONS—UNITED STATES

ESCAPING PRISON MYTHS: SELECTED ESSAYS IN THE HISTORY OF FEDERAL CORRECTIONS (John W. Roberts, ed.) (Washington, D.C.: American University Press, 1994) 212 pp.

A one-day conference was held on 28 March 1991, at the Smithsonian Institution in Washington, D.C., to commemorate the centenary of federal imprisonment. This book acts as a record of the proceedings at that conference—a conference dedicated to the history of federal corrections. Federal imprisonment began with the Three Prisons Act of 1891, which authorized the building of federal prisons at Leavenworth, Kansas; Atlanta, Georgia; and MacNeil Island, Washington. The authors trace the evolution and influence of the federal prison system with a particular attention to the prisoner classification system, inmate rights, prison programs, and management styles and techniques.

CRIMINAL BEHAVIOR—UNITED STATES

THOMAS GABOR, "EVERYBODY DOES IT!": CRIME BY THE PUBLIC (Toronto: University of Toronto Press, 1994) 378 pp.

Professor Gabor explores the prevalence of criminality in the United States and Canada and refutes the commonly-held notion that criminals constitute a marginal group of wicked individuals. Incentives, personal stresses, provocations, peer pressure, and other social forces may lead a law-abiding citizen to deviate from the norm. Gabor analogizes crime to the common cold—no one is completely immune from it, and not everyone is equally susceptible to it. The seriousness of the crime and the frequency and persistence of such criminal behavior is what differs from person to person.

J. ROBERT LILLY, ET AL., *CRIMINOLOGICAL THEORY: CONTEXT AND CONSEQUENCES* (Thousand Oaks, CA: Sage, 2nd ed., 1994) 256 pp.

The authors have thoroughly revised four chapters of this work for this edition. Also, a new chapter addresses the feminist perspective and "left realism." The authors continue to focus on the interconnections between social context, criminal theory, and criminal justice policy-making in this primer on criminological theory.

CRIMINAL LAW—UNITED STATES—PHILOSOPHY

JUSTIFICATION AND EXCUSE IN THE CRIMINAL LAW: A COLLECTION OF ESSAYS (Michael Louis Corrado, ed.) (New York: Garland Publishing, 1994) 625 pp.

The essays in this book focus on how the state's right to punish is limited by legal excuses and justifications. Some of the authors discuss theories for such a limitation, such as a utilitarian rationale for excuses, a motivational theory of excuses, and an economic theory of criminal law. Other authors are concerned with the particular excuses and justifications that the legal system accepts and rejects. For example, courts recognize the defenses of necessity and duress, but they avoid expanding these defenses for fear of a slippery slope.

CRIMINOLOGY

DANIEL J. CURRAN AND CLAIRE M. RENZETTI, *THEORIES OF CRIME* (Boston: Allyn and Bacon, 1994) 324 pp.

Aimed at undergraduate and graduate students in criminology or criminal justice courses, this textbook explains and summarizes a number of theories for crime which are based upon biology and physiology, psychology and psychiatry, or sociology. An appendix provides methods for criminological research.

THE FUTURES OF CRIMINOLOGY (David Nelken, ed.) (Thousand Oaks, CA: Sage, 1994) 250 pp.

This collection of essays, written by scholars from around the world, focuses upon the relationship between theoretical criminology and theoretical developments in other fields, such as linguistics, semeiotics, anthropology, and critical

legal studies. Criminologists have not taken up the challenge of producing a post-modern criminology, and the future of criminology as a science is threatened by its tendency to be practical. Each essay is an item on the future work agenda for the field.

FEMALE OFFENDERS

KATHLEEN DALY, *GENDER, CRIME, AND PUNISHMENT* (New Haven, CT: Yale University Press, 1994) 338 pp.

Are like crimes treated alike? Do punishments for like crimes differ due to gender? The answers to these questions, and others, can be found in this book. The author presents the research results of a study that consisted of forty pairs of defendants sentenced in the New Haven, Connecticut, Felony Court. The crimes ranged from homicide to robbery to various drug offenses, with the severity of the offense often differing for males and females.

GANG RAPE—NEW JERSEY

PETER LAUFER, *A QUESTION OF CONSENT: INNOCENCE AND COMPLICITY IN THE GLEN RIDGE RAPE CASE* (San Francisco: Mercury House, 1994) 205 pp.

The author, a reporter, reconstructs the story of how a mentally handicapped teenage girl came to be raped by several male classmates. In defense, the classmates used the age-old "She wanted it" argument, but were ultimately convicted. The case established the legal definition of force in New Jersey, and it recognized that criminal threats can be implied.

HATE SPEECH—UNITED STATES—HISTORY

HATE CRIMES LAWS: A COMPREHENSIVE GUIDE (New York: Anti-Defamation League, 1994) 40 pp.

This is the first report by the Anti-Defamation League (ADL) since the 1993 United States Supreme Court decision *Wisconsin v. Mitchell*, which upheld a state hate crime statute. A number of state legislatures have recently enacted a specific provision in their code to deal with bias-motivated crimes against persons. State and federal courts are facing issues of

statutory interpretation, in addition to constitutional challenges. This guidebook examines these statutes and cases, provides a model statute, and makes suggestions for future action.

JUDGES—SELECTION AND APPOINTMENTS—UNITED STATES—HISTORY

JANE MAYER AND JILL ABRAMSON, *STRANGE JUSTICE: THE SELLING OF CLARENCE THOMAS* (Boston: Houghton Mifflin, 1994) 406 pp.

The product of almost three years of investigation, this book recounts the events surrounding the nomination and confirmation of Supreme Court Justice Clarence Thomas. The preponderance of the evidence—hundreds of interviews and a review of documents not seen by the public—suggest to the authors that Thomas lied about more than Anita Hill at the confirmation hearings. They also believe that the White House campaigned hard for Thomas and basically “sold” him to Congress, the media, and America.

JURY—UNITED STATES

STEPHEN J. ADLER, *THE JURY: TRIAL AND ERROR IN THE AMERICAN COURTROOM* (New York: Times Books, 1994) 285 pp.

This critique of the American jury system aims to determine why juries act capriciously and reach illogical or wrong results. The author reconstructs seven different kinds of cases and analyzes the jury deliberations. He finds that the belief that ordinary citizens are capable of discovering the truth and rendering justice, no matter how complex the case, is a myth that does not reflect reality. Jurors are often confused, bored, and frustrated. If the jury system is to continue, this author argues that jurors should get the proper training, tools, and information necessary for reaching correct results.

JUVENILE DETENTION—UNITED STATES

REFORMING JUVENILE DETENTION: NO MORE HIDDEN CLOSETS (Ira M. Schwartz and William H. Barton, eds.) (Columbus: Ohio State University Press, 1994) 191 pp.

Juvenile detention centers are typically overcrowded, inadequately staffed, and expensive to operate. They have become the dumping ground for youths that families, schools, and

communities refuse to deal with appropriately. The eleven essays in this work discuss the problems with the centers and suggest solutions.

LAWYERS—UNITED STATES—BIOGRAPHY

DONALD E. VINSON, *AMERICA'S TOP TRIAL LAWYERS: WHO THEY ARE AND WHY THEY WIN* (Englewood Cliffs, NJ: Prentice Hall Law & Business, 1994) 497 pp.

Dr. Vinson, a trial consultant and expert in jury research, has compiled a list of fourteen exceptional litigators, based upon a survey of lawyers, judges, and bar associations. In addition to the in-depth biographies, his book examines the strategies, tactics, beliefs, values, work habits, and lifestyles of each litigator. These fourteen men share a number of characteristics that may explain their phenomenal success. Anyone with an appreciation of or curiosity in trial practice will enjoy this work.

NARCOTICS, CONTROL OF—UNITED STATES

DIANA R. GORDON, *THE RETURN OF THE DANGEROUS CLASSES: DRUG PROHIBITION AND POLICY POLITICS* (New York: W.W. Norton, 1994) 316 pp.

The author examines the forces that sustain drug prohibition and studies current policy-making initiatives in the states and Congress. She believes that failed "get tough" policies survive because they are politically attractive to Republicans and Democrats. There is a "shadow agenda" at work which blames drug abuse for a wide range of social ills. Drug policies in Europe and Canada have moved in a different direction from the United States. Perhaps, there is something to be learned from these countries.

POLITICAL PRISONERS—UNITED STATES—HISTORY

STEPHEN M. KOHN, *AMERICAN POLITICAL PRISONERS: PROSECUTION UNDER THE ESPIONAGE AND SEDITION ACTS* (Westport, CT: Greenwood Publishing, 1994) 216 pp.

In 1917, Congress passed the Espionage Act, a law intended to prohibit anti-war speech. Anyone speaking out against World War I, or conspiring to do so, would be committing a

felony. A large number of anti-war activists, Socialists, trade union leaders, religious zealots, and pacifists were arrested, convicted, and served a year or more in prison, despite a real lack of evidence against them. Some activists died before ever being tried in court, while others died under horrible prison conditions. Stephen Kohn, an attorney in Washington, D.C., recounts this dark period in American history. With files obtained from the Federal Bureau of Prisons, the Federal Bureau of Investigation, and other divisions of the Department of Justice, he is able to paint a clear picture of the prison experience for these "disloyal" inmates. Curiously, the United States government has never declared the sedition laws unconstitutional, so this blight upon the First Amendment still exists.

PRISON VIOLENCE—UNITED STATES

MATTHEW SILBERMAN, *A WORLD OF VIOLENCE: CORRECTIONS IN AMERICA* (Belmont, CA: Wadsworth, 1995) 232 pp.

According to Dr. Silberman, humane incapacitation is an unrealistic goal for today's prisons. Prison administrators use force as the mechanism for control and order, and prisoners adhere to a convict code that celebrates strength, force, and violence. Inmates are caught in a cycle of societal and state violence. In addition to providing a view of contemporary prison life, Dr. Silberman suggests ways to reduce prison violence.

RAPE VICTIMS—SERVICES FOR—CALIFORNIA

NANCY A. MATTHEWS, *CONFRONTING RAPE: THE FEMINIST ANTI-RAPE MOVEMENT AND THE STATE* (New York, Routledge, 1994) 188 pp.

Evolving from a political agenda of changing consciousness to a social service agenda of helping victims, the anti-rape movement has faced struggles and enjoyed some success. Matthews traces the history of the movement and the development of rape crisis centers. In particular, she studies the activities of six centers in California over a long period of time. Early activities, such as confrontations with rapists and street theater, were soon replaced with services geared towards the individual rape victim. Slowly, rape crisis work became professionalized and rape trauma syndrome gained legitimacy.

SEXUAL CRIMES—UNITED STATES

THE HANDBOOK OF FORENSIC SEXOLOGY: BIOMEDICAL AND CRIMINOLOGICAL PERSPECTIVES (James J. Krivacska, ed.) (Amherst, NY: Prometheus Books, 1994) 594 pp.

The first part of this handbook examines in detail a number of sexual activities considered against the interests of society. For example, sodomy, pedophilia, incest, rape, prostitution, and voyeurism are all activities that the state attempts to regulate. The second and third parts address methods for responding to the sex offender and the victim and ways for society as a whole to restructure its views of sexuality. According to the editors of this handbook, without an understanding of the nature and etiology of deviant sexual behavior, efforts aimed at prevention and intervention will be subject to societal discontent or righteous moralizing.

SOCIAL CONTROL—CONGRESSES

INEQUALITY, CRIME, AND SOCIAL CONTROL (George S. Bridges and Martha A. Myers, eds.) (Boulder, CO: Westview Press, 1994) 330 pp.

In this work, noted sociologists and criminologists explore the relationship between social inequality and the control of criminal behavior. The articles address the need for a clear and consistent model for social control, the need for studies of inequality that focus on major ethnic groups and women, the need for research on the relationship among different forms of social control, and the need for a theory that explains how beliefs are transformed into policies and practices.

