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RECENT BOOKS

CRIMINAL LAW AND CRIMINOLOGY: A SURVEY OF RECENT BOOKS

JULIET M. CASPER*

ACQUAINTANCE RAPE—UNITED STATES

VERNON R. WIEHE & ANN RICHARDS, *INTIMATE BETRAYAL: UNDERSTANDING AND RESPONDING TO THE TRAUMA OF ACQUAINTANCE RAPE* (THOUSAND OAKS, CA: SAGE, 1995) 213 pp.

Why are so few acquaintance rapes reported to the police? Why do victims tend to blame themselves? In order to address these questions and others, Wiehe and Richards conducted a nationwide research study of the problem of acquaintance rape. The nature and effect of acquaintance rape is graphically described in their work, often in the words of survivors. The authors found that the way in which a rape was perceived or understood by others, i.e. the police and counselors, affected the level of services provided to victims, the attempts to prosecute perpetrators, and the efforts to prevent the problem.

CAPITAL PUNISHMENT—MORAL AND ETHICAL ASPECTS

PHILLIP MONTAGUE, *PUNISHMENT AS SOCIETAL DEFENSE* (LANHAM, MD: ROWMAN & LITTLEFIELD, 1995) 175 pp.

This book aims to provide a plausible and well-developed theory of individual self-defense, which can then be analogized to societal defense, thereby offering a justification for legal punishment. Moral principles and considerations are

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closely examined. In the final chapter, the author justifies the use of the death penalty.

CHILD ABUSE—REPORTING—UNITED STATES

ANTOINETTE A. COLEMAN, *CHILD ABUSE REPORTING: AN URBAN PROFILE* (NEW YORK: GARLAND, 1995) 163 pp.

In 1974 the Child Abuse Prevention and Treatment Act mandated that states adopt mandatory reporting laws for child abuse. While there has been some statistical analysis of these reporting laws, there has been little empirical study of the content of the mandatory reports or the types of report dispositions. Coleman undertakes just such a study in this work. Examining child abuse reporting from the perspective of the reporters, Coleman uncovers common characteristics of children and families, the range and severity of abuse, and differences between medical and nonmedical reporting sources.

COMMUNITY POLICING—CONNECTICUT—NEW HAVEN

STEVEN MARANS ET AL., *THE POLICE-MENTAL HEALTH PARTNERSHIP: A COMMUNITY-BASED RESPONSE TO URBAN VIOLENCE* (NEW HAVEN: YALE UNIVERSITY PRESS, 1995) 147 pp.

This manual for a community policing program describes the collaborative effort of mental health professionals and police officers in New Haven, Connecticut, in dealing with children exposed to violence. The program, in operation since January 1992, takes a proactive response to violence. Police officers are re-oriented in their interactions with children, and mental health clinicians carry beepers in order to mobilize treatment services more quickly and effectively.

CORRECTIONS—UNITED STATES

CHOOSING CORRECTIONAL OPTIONS THAT WORK: DEFINING THE DEMAND AND EVALUATING THE SUPPLY (ALAN T. HARLAND ED.) (THOUSAND OAKS, CA: SAGE, 1996) 275 pp.

The eight essays in this book examine risk prediction, assessment, and control in criminal justice. The management of risk through the use of surveillance, community programs,

and confinement is specifically addressed. The authors view the treatment of offenders as essential for a successful correctional system.

CRIMINAL COURTS—UNITED STATES

DAVID W. NEUBAUER, *AMERICA'S COURTS AND THE CRIMINAL JUSTICE SYSTEM* (BELMONT, CA: WADSWORTH PUBLISHING, 5TH ED., 1996) 435 PP.

Intended for undergraduate courses in criminal justice, political science, sociology, or psychology, this text focuses on the players in the criminal justice system that are involved in the daily decisions about guilt or innocence and probation or prison. The last edition of the text was in 1992, and this edition contains new chapters on substantive and procedural law and criminal appeals. A glossary has also been added.

CRIMINAL JUSTICE, ADMINISTRATION OF—UNITED STATES

FRANCIS A. ALLEN, *THE HABITS OF LEGALITY: CRIMINAL JUSTICE AND THE RULE OF LAW* (NY: OXFORD UNIVERSITY PRESS, 1996) 156 PP.

Based upon a set of lectures given at the University of Michigan Law School in 1994, this book examines the performance of the criminal justice system in light of the requirements of the rule of law concept. Allen believes that the rule of law concept is vital in a liberal society and identifies an array of forces that have weakened that concept. He then offers suggestions to revitalize the rule of law.

JUDGE HAROLD J. ROTHWAX, *GUILTY: THE COLLAPSE OF CRIMINAL JUSTICE* (NY: RANDOM HOUSE, 1996) 238 PP.

The author has been a judge on the New York State Supreme Court and a lecturer at Columbia Law School for twenty-five years. His critique of the criminal justice system focuses on sacrifices of the truth. He sees criminals and defense attorneys hiding behind such ill-conceived statutes, procedures, and rulings as the speedy trial requirement, liberal discovery practices, and the *Miranda* rulings. Ten major reforms are advocated, including the demise of the unanimous jury verdict and the requirement that defend-

ants testify on their behalf. The author has written an engaging narrative filled with colorful illustrations of real life injustice.

FALSE IMPRISONMENT

- C. RONALD HUFF ET AL., *CONVICTED BUT INNOCENT: WRONGFUL CONVICTION AND PUBLIC POLICY* (THOUSAND OAKS, CA: SAGE, 1996) 180 pp.

In an attempt to obtain a reliable estimate of the number of wrongful convictions, the authors utilize material from case files in the literature, national and international research reports, and personal interviews with people who have been wrongly convicted. While they cannot offer exact figures and statistics, they do clearly show that the innocent are found guilty, and that faulty eye-witness identification is most often present in such cases. Policy recommendations include the elimination of the death penalty and special jury instructions regarding eye-witness testimony.

FORFEITURE—UNITED STATES

- LEONARD W. LEVY, *A LICENSE TO STEAL: THE FORFEITURE OF PROPERTY* (CHAPEL HILL: UNIVERSITY OF NORTH CAROLINA PRESS, 1996) 272 pp.

An often abused and somewhat questionable practice, federal forfeiture is used in criminal and civil proceedings as a tool of punishment. Property is confiscated without compensation because it is presumed to be connected to the commission of a crime. The property often then becomes a new source of revenue for underfunded law enforcement agencies. Levy argues that civil forfeiture is unconstitutional, and that criminal forfeiture is not being used against organized crime, as intended.

GUN CONTROL—UNITED STATES

- ROBERT J. SPITZER, *THE POLITICS OF GUN CONTROL* (CHATHAM, NJ: CHATHAM HOUSE, 1995) 210 pp.

Spitzer believes that "the gun policy struggle is one where elephantine political forces battle over policy mice." Assess-

ing the issues and interest groups involved in gun control, he argues that data on suicide, accident, and self defense must be examined in order to provide an accurate picture of the criminological consequences of guns and gun control. This data, along with a detailed analysis of the Second Amendment's meaning, intent, and interpretation, demands a new framework for discussing and debating gun policy.

JUVENILE DELINQUENTS—UNITED STATES

JANICE JOSEPH, *BLACK YOUTHS, DELINQUENCY AND JUVENILE JUSTICE* (WESTPORT, CT: PRAEGER, 1995) 213 pp.

This comprehensive study of racism and discrimination in the juvenile justice system focuses on the experience of black youth. From the initial arrest to the detention, adjudication, and sentencing stages, black youth are shown to receive different treatment. The author also discusses the nature of delinquency among black youth, the theoretical approaches to delinquency, and community-based corrections and prevention programs.

JUVENILE JUSTICE, ADMINISTRATION OF—UNITED STATES

MINORITIES IN JUVENILE JUSTICE (KIMBERLY KEMPF LEONARD ET AL. EDs.) (THOUSAND OAKS, CA: SAGE, 1995) 242 pp.

The nine research and policy papers within this work illustrate the disparate treatment of minority youths in the juvenile justice system. The results of specific studies of juvenile justice systems in Florida, Minnesota, Pennsylvania, Washington, and California are reported. The variety of decision-makers, the variations in statutes, and the discretion of juvenile courts are viewed as potential sources for discrimination.

POLICE—UNITED STATES—HISTORY

W. MARVIN DULANEY, *BLACK POLICE IN AMERICA* (BLOOMINGTON, IN: INDIANA UNIVERSITY PRESS, 1996) 193 pp.

This comprehensive study of African-American police officers traces the development and progression of three gen-

erations of officers, from Reconstruction to the present day. The work of pioneering officers, such as Charles Allegre, Ira L. Cooper, and Buster Landrum, is described, as is the work of number of African-American police chiefs in today's cities. Dulaney finds that African-Americans needed to achieve political power before they could enjoy meaningful participation in law enforcement. Further, he views the success of African-Americans in law enforcement as a measure of African-American acceptance and progress in society.

SEARCHES AND SEIZURES—UNITED STATES

LAWRENCE F. ROSSOW & JACQUELINE A. STEFKOVICH, *SEARCH AND SEIZURE IN THE PUBLIC SCHOOLS* (TOPEKA, KS: NATIONAL ORGANIZATION ON LEGAL PROBLEMS OF EDUCATION, 2D ED., 1995) 70 PP.

The first edition of this book was published in 1987 and consisted of only forty pages. Since that time, drugs and guns have become increasingly more commonplace in America's schools. The authors tackle issues of student rights, school liability, metal detectors, and drug testing. The Supreme Court case *New Jersey v. T.L.O.*, 469 US 325, is clearly explained and applied.

SENTENCES (CRIMINAL PROCEDURE)—UNITED STATES

MICHAEL TONRY, *SENTENCING MATTERS* (NEW YORK: OXFORD UNIVERSITY PRESS, 1996) 222 PP.

What would a just sentencing system look like? Tonry offers his vision of such a system in this book, which explores state and federal sentencing laws and the sentencing reform work in other Western countries. The "three strikes and you're out" laws are not the answer to the crime problem, nor are the other mandatory sentencing laws. Tonry disagrees with the commonly held belief that harsher penalties will reduce the rate of crime. Instead he advocates the use of noncustodial, intermediate sanctions and the repeal of all mandatory minimum penalties.

SEX AND LAW

CAROL SMART, *LAW, CRIME AND SEXUALITY* (THOUSAND OAKS, CA: SAGE, 1995) 250 pp.

Smart's essays, written for students, bring together the perspectives of criminologists, sociologists, feminists, and philosophers in order to demystify the law's treatment of women. Hoping to generate debate, Smart specifically discusses prostitution, rape, and pornography. Her essays are organized according to Sandra Harding's typology of feminist knowledge.

VIOLENCE—UNITED STATES—PREVENTION

PREVENTING VIOLENCE IN AMERICA (ROBERT L. HAMPTON ET AL. EDs.) (THOUSAND OAKS, CA: SAGE, 1996) 311 pp.

These thirteen essays, published as volume four of *Issues in Children's and Families' Lives*, represent the social and literary context of family violence. The influences of the media, the community, and the school system are addressed in the hope of uncovering methods for preventing the violence. Educational and training models are presented.

WIFE ABUSE—UNITED STATES

EVE S. BUZAWA & CARL G. BUZAWA, *DOMESTIC VIOLENCE: THE CRIMINAL JUSTICE RESPONSE* (THOUSAND OAKS, CA: SAGE, 1996) 285 pp.

The first edition of this book was written five years ago, and while the authors continue to provide an overview of the many theories surrounding domestic violence, they have completely re-written the chapters in this edition to reflect new approaches to the age-old problem of domestic abuse. In addition, a new chapter has been added on the problem of stalking. The mandatory arrest and no-drop prosecution policy in place in a number of jurisdictions today is not a solution favored by these authors.

WOMEN PRISONERS—UNITED STATES—CASE STUDIES

KATHRYN WATTERSON, *WOMEN IN PRISON: INSIDE THE CONCRETE WOMB* (BOSTON: NORTHEASTERN UNIVERSITY PRESS, 1996) 402 pp.

In 1973, with the publication of *Women in Prison*, Watterson hoped to open the public's eyes to the realities of prison life and thus spur change. What she finds in 1996 is that her book inspired very little positive change in the prison system. In fact, the number of people in prison today is five times what it was twenty-five years ago, and population of women in prison has grown more rapidly than any other prison group. Still hoping to illustrate that prisons don't stop crime, Watterson discusses her insights gleaned from recent statistics and from visits with the administrators and workers of a New Jersey women's prison.

WOMEN MURDERERS—UNITED STATES

CORAMAE RICHEY MANN, *WHEN WOMEN KILL* (ALBANY: STATE UNIVERSITY OF NEW YORK PRESS, 1996) 215 pp.

Mann examines the experiences of 296 females arrested for homicide in six large cities between 1979 and 1983. Using qualitative and quantitative data from police files, homicide records, and FBI reports, she is able to pinpoint common circumstances and characteristics of the murders, the victims, and the motives. The role of race and ethnicity and the influence of narcotics and alcohol are especially addressed.