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RECENT BOOKS

CRIMINAL LAW AND CRIMINOLOGY: A SURVEY OF RECENT BOOKS

JULIET CASPER SMITH*

ABUSED WOMEN—LEGAL STATUS, LAWS, ETC.

DONALD ALEXANDER DOWNS, *MORE THAN VICTIMS: BATTERED WOMEN, THE SYNDROME SOCIETY, AND THE LAW* (Chicago: University of Chicago Press, 1996) 309 pp.

Despite the growing cultural, political, and psychological acceptance of battered woman syndrome, the syndrome reinforces the very victimization the abused women attempt to escape. Downs, a political science professor, believes the syndrome robs the abused women of their reasoning and will power. By analyzing existing research and conducting personal interviews, he is able to illustrate the positive and negative effects of the syndrome and recommend a new legal framework for cases involving domestic abuse.

ACQUAINTANCE RAPE—UNITED STATES

PEGGY REEVES SANDAY, *A WOMAN SCORNED: ACQUAINTANCE RAPE ON TRIAL* (NY: Doubleday, 1996) 338 pp.

Set against a historical backdrop of American sexual culture, this book looks at why Americans so often respond to defendants in acquaintance rape cases with sympathy. The author, a cultural anthropologist, believes that "with respect to sex crimes, we have not abided by our constitutional com-

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mitment to equal justice for all." She traces the legal and social subordination of women, the history of the female sex drive, the role of race and class, and the factors shaping the public's response to rape.

CAPITAL PUNISHMENT

WILLIAM A. SCHABAS, *THE DEATH PENALTY AS CRUEL TREATMENT AND TORTURE* (Boston: Northeastern University Press, 1996) 288 pp.

Examining domestic constitutional law and customary and conventional international law, this author argues that the death penalty is incompatible with the tenets of human rights law which prohibit cruel punishment or torture. Cases from the International Court of Justice, the European Court of Human Rights, the Inter-American Court of Human Rights, and various national courts and commissions seem to point to a "progressive limitation and ultimate abolition of the death penalty." The author discusses cultural attitudes about cruelty, focusing specifically on the conditions of death row and various methods of execution.

CRIME PREVENTION—UNITED STATES

PETER T. ELIKANN, *THE TOUGH-ON-CRIME MYTH: REAL SOLUTIONS TO CUT CRIME* (NY: Insight Books, 1996) 323 pp.

The introduction of mandatory minimum sentencing, especially for drug crimes, has greatly increased the number of nonviolent offenders in state prisons. This increase has meant that many violent criminals are serving less time due to prison overcrowding and higher prison costs. Elikann believes it is time for punishment to become cost effective. Instead of advocating spending more money on prisons, politicians and policymakers should look towards alternative sentencing options. These options, Elikann argues, are cheaper, more effective at reducing recidivism, and tougher and more demanding on the individual offender.

CRIMINAL JUSTICE, ADMINISTRATION OF—UNITED STATES

JIM MCGEE & BRIAN DUFFY, *MAIN JUSTICE: THE MEN AND WOMEN WHO ENFORCE THE NATION'S CRIMINAL LAWS AND GUARD ITS LIBERTIES* (NY: Simon & Schuster, 1996) 399 pp.

The United States Department of Justice, nicknamed "Main Justice," possesses extensive powers to investigate and punish criminals. The authors, renowned journalists, focus on the activities of the Criminal Division over the last fifteen years. Success stories, such as the Cali cocaine cartel investigation and the capture of CIA agent-turned-traitor Aldrich Ames, as well as stories where U.S. attorneys abused their powers are detailed. The focus and priorities of the Reagan, Bush, and Clinton administrations illustrate how a political agenda can affect individual liberty.

CRIMINAL LAW—UNITED STATES

HARVEY WALLACE & CLIFF ROBERSON, *PRINCIPLES OF CRIMINAL LAW* (White Plains, NY: Longman, 1996) 310 pp.

An introductory textbook on criminal law, this work deviates from the traditional law school casebook by presenting the material in narrative format, with a few case briefs scattered throughout the chapters. Each chapter begins with an outline and ends with review questions and notes. The authors first cover sources of criminal law, limitations on criminal liability, basic requirements of a criminal act, and defenses. Then they discuss specific crimes, such as homicide, sex offenses, extortion, moral crimes, and drug offenses.

CRIMINAL LIABILITY— UNITED STATES

R. GEORGE WRIGHT, *DOES THE LAW MORALLY BIND THE POOR? OR WHAT GOOD'S THE CONSTITUTION WHEN YOU CAN'T AFFORD A LOAF OF BREAD?* (NY: New York University Press, 1996) 219 pp.

This work offers a logical treatment of the notion of criminal responsibility with regard to the poor, hungry and homeless. The author discusses the circumstances of the most deprived and argues that any judgments regarding the culpability of the most deprived must take into account the circumstances of poverty, desperation, and necessity.

CRIMINALS—UNITED STATES—BIOGRAPHY

E. R. MILNER, *THE LIVES AND TIMES OF BONNIE AND CLYDE* (Carbondale, IL: Southern Illinois University Press, 1996) 188 pp.

Bonnie Parker and Clyde Barrow were responsible for a string of deaths in Texas and Arkansas. Relying upon primary sources, such as oral histories, personal memoirs and diaries, newspaper accounts, and official records, the author presents a vivid portrait of two criminals that popular culture has romanticized. Bonnie and Clyde's adventures featured high speed chases in stolen cars, gun battles with police officers, and a number of narrow escapes from capture. This author discusses their early lives, their first meeting, their spiral into a life of crime, and their eventual demise in a surprise ambush.

DRUG ABUSE—UNITED STATES—HISTORY

JILL JONNES, *HEP-CATS, NARCS, AND PIPE DREAMS: A HISTORY OF AMERICA'S ROMANCE WITH ILLEGAL DRUGS* (NY: Scribner, 1996) 510 pp.

During the Victorian Age, many drugs now considered dangerous and illegal were sold over the counter to treat hundreds of different ailments. From 1885-1925 America experienced its first drug epidemic. Heroin and cocaine were two now illegal drugs Congress was concerned with when it passed the Pure Food and Drug Act in 1906. This Act was followed by the Harrison Narcotic Act of 1914, thus beginning the federal government's long running antidrug campaign. The author's history of drug use and drug culture illustrates the supply and demand variables at work during the three drug epidemics in America.

GRAND JURY—UNITED STATES

SUSAN BRENNER & GREGORY G. LOCKHART, *FEDERAL GRAND JURY PRACTICE* (St. Paul, MN: West, 1996) 883 pp.

This West Publishing treatise removes the mystery surrounding federal grand juries. The grand jury's functions, subpoena powers, and immunity powers are discussed in detail, as are ethical issues and the potential for abuse of grand

juries. The authors illustrate why the grand jury has become the preferred investigatory tool for prosecutors facing complex criminal activity, white collar crimes, and allegations of political corruption.

JUVENILE COURTS—NEW YORK (NY)

PETER REINHARZ, *KILLER KIDS, BAD LAW: TALES OF THE JUVENILE COURT SYSTEM* (NY: Barricade Books, 1996) 335 pp.

Presenting the prosecutor's view of the juvenile criminal justice system, this author tells the stories of the kids in New York City's juvenile prosecution unit. These vivid stories describe violence as a sport, gangs as families, and the legal system as a push-over. The author then discusses the law and the problems it has created for juvenile prosecution. The public's right to safety seems to have been compromised by the narrow focus on the rights of the accused.

MURDERERS—BIOGRAPHY—ENCYCLOPEDIAS

DAVID K. FRASIER, *MURDER CASES OF THE TWENTIETH CENTURY: BIOGRAPHIES AND BIBLIOGRAPHIES OF 280 CONVICTED OR ACCUSED KILLERS* (Jefferson, NC: McFarland & Company, 1996) 552 pp.

A reference librarian at Indiana University, Frasier has meticulously researched the twentieth century's most interesting and significant murder cases and created "an authoritative reference work" covering cases from all over the world. Organized alphabetically, with three different indices, the work provides information about the occupation of the subject, the location(s) of the murder(s), the number of victims, and weapon(s) used. Each entry also lists literary, theatrical, and or cinematic treatment of the case. Bibliographies for each entry are current through 1995.

RACE HORSES—WOUNDS AND INJURIES—UNITED STATES—CASE STUDIES

KEN ENGLADE, *HOT BLOOD: THE MONEY, THE BRACH HEIRESS, THE HORSE MURDERS* (NY: St. Martin's Press, 1996) 313 pp.

Recounting the four-and-a-half year investigation by Assistant U.S. Attorney Steven Miller, this work shows the connection uncovered between the disappearance of heiress

Helen Brach and a series of suspicious racehorse deaths. The author recreates events spanning more than twenty years with dialogue from court testimony and documents as well as oral histories of the participants. The result is a captivating story of greed.

SPENCE, GERRY

GERRY SPENCE, *THE MAKING OF A COUNTRY LAWYER* (NY: St. Martin's Press, 1996) 437 pp.

This is the autobiography of the man many Americans would recognize as a commentator during the O.J. Simpson murder trial or as the host of a CNBC television show. Spence is also known as the attorney who successfully defended Imelda Marcos and Randy Weaver of Ruby Ridge fame. This work focuses on Spence as a man, his personal struggles and triumphs. His relationship with his parents, his childhood experiences, his marriages, and early legal career are exposed in a thoughtful, folksy monologue.

TRIALS (POLICE MISCONDUCT)—CALIFORNIA—LOS ANGELES

ROBERT DEITZ, *WILLFUL INJUSTICE: A POST-O.J. LOOK AT RODNEY KING, AMERICAN JUSTICE, AND TRIAL BY RACE* (Washington, D.C.: Regnery Publishing, 1996) 213 pp.

Initially reluctant to write the cops' side of the story, Deitz was soon convinced of Sergeant Stacy Koon's innocence in the restraint and arrest of Rodney King. The videotape of the incident was shown repeatedly by the media, but it was an edited version, a version that conveniently deleted the actions of King trying to escape from the police and trying to strike one of the officers. Deitz' book creates doubts about the fairness of the justice system and exposes the political agenda that was at work during the trials.

JEWELL TAYLOR GIBBS, *RACE AND JUSTICE: RODNEY KING AND O.J. SIMPSON IN A HOUSE DIVIDED* (San Francisco: Jossey-Bass Publishers, 1996) 348 pp.

This author/psychologist was conducting an ethnographic study of the effects of the Rodney King verdict and subsequent riots on the attitudes and aspirations of blacks in Los

Angeles aged fifteen to thirty, when the verdict in the O.J. Simpson murder trial was announced. She soon saw many parallels between Simpson and King and many similarities with regard to the role of the media. Her book places the issue of race at the heart of both cases, and it finds the verdicts predictable. Drawing upon documentary evidence, case histories, and social protest activities, the author proposes remedies for improving the relations between blacks and the police.

TRIALS (MURDER)—KENTUCKY—LOUISVILLE

JOHN CORNWELL, *THE POWER TO HARM: MIND, MEDICINE, AND MURDER ON TRIAL* (NY: Viking, 1996) 322 pp.

In 1989, Joe Wesbecker, a pressman on disability leave from Standard Gravure, shot twenty of his co-workers, then killed himself. Eight people died, and a suit was brought by their survivors and the twelve injured employees against Eli Lilly, the pharmaceutical company that manufactures Prozac, a drug for depression that Wesbecker was taking at the time. Cornwell, a journalist and research fellow at Cambridge University, recounts Wesbecker's story and the courtroom drama that concluded with a 9-3 verdict in favor of Lilly and allegations of secret pay-offs to the plaintiffs.

UPCHURCH, CARL

CARL UPCHURCH, *CONVICTED IN THE WOMB: ONE MAN'S JOURNEY FROM PRISONER TO PEACEMAKER* (NY: Bantam Books, 1996) 237 pp.

Upchurch's autobiography describes his journey from gangbanger to community organizer and civil rights advocate. Growing up in an environment filled with drugs, violence, and crime, his story is not a pretty one, and is told in graphic, sometimes brutal, detail. Upchurch educated himself while in prison, and today holds degrees in literature and psychology. He is the founder and executive director of the Council for Urban Peace and Justice in Pittsburgh, Pennsylvania. He works to empower inner city youth to resist lives of crime.

VICTIMS OF CRIMES—UNITED STATES

LESLIE SEBBA, *THIRD PARTIES: VICTIMS AND THE CRIMINAL JUSTICE SYSTEM* (Columbus, OH: Ohio State University Press, 1996) 446 pp.

The author first evaluates recent proposals and reform measures centered upon the victims of criminal activity. Some of these measures include a "Bill of Rights" for victims and court ordered restitution. He then examines the victim's traditional role in the criminal justice system and victims' emotional and physical needs. His analysis concludes that the reforms have had "a limited potential for satisfying victims' needs and expectations, or have been designed or implemented in such a manner as to limit their contribution in practice."

