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## Police Science Book Reviews

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**Reflection Spectra of Small Paint Samples: A Potential Solution**—Fred W. Paul, Paul M. Dougherty, Lowell W. Bradford, and Brian Parker, *Journal of Forensic Sciences*, 16(2): 241-244 (April 1971). Requiring a minimum of additional equipment for most criminalistics laboratories, this very simple method will complement the capabilities of the laboratories to establish the facts of hit-and-run cases and other cases in which paint is a feature. (WEK)

**Two-Floor TLC as a Routine Analytical Tool in Forensic Chemistry**—P. C. Maiti, *Journal of Forensic Sciences*, 16(2): 245-247 (April 1971). Use of two-floor TLC has been advocated for routine analyses in a forensic chemistry laboratory.

This offers greater scope of resolution together with facility for side-by-side comparison. A word of caution. All four of the chemicals used in this method are possible cancer inducing agents and can also cause a number of allergic reactions with skin and mucous membrane. (WEK)

**Second International Conference of Forensic Activation Analysis**—Glasgow, Scotland, 27-29 September 1972. A program covering a wide range of applications of activation analysis is planned. Interested parties should contact Dr. J. M. A. Lenihan, Western Regional Hospital Board, 11 West Graham St., Glasgow, C.A. Scotland, for details on conference. (OH)

## POLICE SCIENCE BOOK REVIEWS

Edited By

Melvin Gutterman\*

### COURTROOM TESTIMONY: A POLICEMAN'S GUIDE.

By Kevin Tierney. New York: Funk & Wagnalls, 1970. Pp. ix, 232. \$7.95.

Police testimony is the lifeblood of the criminal justice system, says author Kevin Tierney, and, mindful of this fact, he has provided us with a book designed to improve the competence of police officers as witnesses.

Though denoted a policeman's guide, the author has shunned the stilted "dos and don'ts" approach that we have come to expect from police training manuals on courtroom testimony. Mr. Tierney's thesis is that the policeman, to insure that his testimony will have maximum impact, must understand the total courtroom context. He is, of course, eminently correct. To that end, the policeman is provided with a panoramic view of our system of criminal justice. The book is well organized, with no distracting notes, citations, and references to catch the eye and distract the reader. These are neatly tucked away at the end of each chapter, available but unobtrusive.

Particularly effective is the chapter on honesty and discretion in testimony. Clearly, the author is no Pollyanna. He is aware of the pressure on a

police witness to "save his case," in the face of restrictive court decisions and rules of evidence that seem designed to thwart the forces of law and order.

Says Mr. Tierney, "What is needed is that that special care be taken to impart in court a sense of the honesty and tact of police evidence. Honesty is respected by prosecution and defense alike." He might have added that the officer who puts his case before his integrity is soon recognized, and, at that point, his future usefulness as a police witness is completely undermined.

Especially damaging to the prosecution's case is the suppression of favorable truth by the policeman who is unwilling to disclose or concede any fact that may assist the defense. Although this form of dishonesty falls well short of lying, says the author, it is objectionable because the court is entitled to all the evidence in reaching a decision. Furthermore, the truth will generally out, and when it does the case will go out the window. Juries react negatively to the police witness's lack of candor.

Of special interest to this writer is the author's admonition against the use of technical terms by a police witness, which he feels can be confusing and self-deflating. If these terms are mere jargon,

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slang or "pretensions," he is undoubtedly correct. However, technical terms, if relevant and correctly used, can be most effective. An able prosecutor will always request an explanation in layman's terms from the witness. The impact on the jury is obvious.

The chapter titled "Testimony and the Jury" is most comprehensive and thorough, and, again, the author's approach is realistic and candid. The policeman is admonished against being overzealous, an attitude that is detrimental to the prosecution and often leads to mistrials. Any doubts entertained by the police witness about inadmissible testimony should be resolved before trial with the prosecutor. Improper answers, cautions the author, will almost certainly incur the judge's displeasure, and that should be avoided. Particularly disquieting to the court and prosecution (and often welcomed by defense counsel), is the police witness who cannot resist hammering that last nail into the coffin lid. Amid cries of mistrial from defense counsel, and baneful glares from the bench, the policeman may realize, too late, that he let his zeal carry him too far.

Nevertheless, the policeman's role on the witness stand is to testify fully and fairly. The judge whose displeasure is easily incurred will generally find something to be unhappy about. The reticent police witness is no more effective than the voluble one. The answer lies in effective pretrial preparation between policeman and prosecutor.

The author's views on trials and plea bargaining are interesting, but, it is felt, unduly cynical. The courts, says Mr. Tierney, have lost their viability and are so disassociated from the general criminal process so as to play a mere "window dressing" role. And the "illegal procedure" of plea bargaining is a measure of this dysfunction. Further, the police know that in some state courts the judges are, or can be, bought. They know too that the lawyers involved in criminal trials are often not of the highest integrity.

It would appear that the author, in departing from his role as educator, to that of editorialist, is least effective. To be sure, it is true that corruption is always a factor to be dealt with, but it detracts from the book's effectiveness as a training tool, to cast such broad aspersions upon the system and the people who labor hard and long to make it work. Interestingly enough, Mr. Tierney, who

recognizes the "schizophrenic variety" of criticism of case disposal outside of the courtroom feels that the police themselves have a strong claim to be the best qualified agency of compromise of criminal cases because of their engagement in "perpetual symbiosis."

The fact is that plea bargaining, despite the unhappy connotation of the name, is not only a legal, but an indispensable process for dispensing justice in our system. Most, if not all jurists and academicians, recognize a variety of beneficial interests served by this procedure. The police witness should certainly be advised that not only is it his prerogative, but his duty to actively participate in these negotiations.

In discussing the modern rules dealing with confessions, the author displays a trenchant knowledge of the inadequacy of the *Miranda* decision. He finds the argument that it protects the poor, the ill-educated, and the ignorant theoretically dubious and practically incorrect. The so-called waiver aspect of the *Miranda* rule opens the door to admission of the confession, while foreclosing any means of attacking it at trial. The inducement for this waiver still remains clouded and uncertain, particularly where the accused is unhardened and unsophisticated. It is a fact that the court takes a dim view of the hapless accused, who having waived his right to remain silent, seeks to retract his damaging statements at trial. This writer cannot, however, agree with the author's position that any confession should be admitted for assessment by the jury if it is given in circumstances where it is likely to be true. If anything, this would certainly be a giant step backward, considering, as the Supreme Court has said, the area of low visibility surrounding the "circumstances."

If the *Miranda* doctrine of privilege against self incrimination is to be preserved as a meaningful right, the sole course would be to limit the taking of confessions to a judicial officer, presumably the committing magistrate. Only within the calm, rational, and detached atmosphere of the courtroom can we be assured that the admonitions administered to the accused were fully comprehended, and the resultant waiver, if any, was knowing and voluntary.

By now, the reader may have surmised that this book surpasses the "how to" type of manual one might expect from a policeman's guide. And he would be correct. In its 232 pages, this work literally blankets the field of courtroom testimony. The relatively few points elaborated in this review

represent a mere fraction of the information presented.

The author's viewpoint emerges clearly: that the policeman must work as effectively as he can within the legal system as he finds it—and he will not find it perfect, any more than it will find him perfect. In the final analysis, the policeman who recounts the unvarnished truth, skillfully, professionally and with even-handedness, shows himself worthy of the heavy responsibility imposed upon him.

*Courtroom Testimony* makes a significant contribution to the literature of law enforcement. It deserves to be read and studied by every police officer.

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POLICE ORGANIZATION AND MANAGEMENT. By V. A. Leonard and Harry W. More. Mineola, N. Y.: The Foundation Press, Inc., 1971. Pp. xviii, 557.

This treatise, third edition, by Leonard and More, is a long awaited etude in the study of police administration. Both authors are outstanding criminal justice scholars and need no introduction to the police community or the criminal justice academic community.

This most inclusive work covers 15 Chapters and 6 Appendixes. It is well documented with footnotes, tables, and a bibliography. It is very excellently indexed.

The book has only three minor weaknesses. The first is with Chapter 8, dealing with Police Records Administration. There is a very superficial and elementary discussion of a very complex function of the contemporary police department. The chapter title is also misleading. There is no such thing as "police records administration," but rather, "criminal justice information management." Of course, the authors have chosen this title because it is the one most commonly understood. This chapter might better have been deleted.

The second minor weakness is in the chapter on Police Personnel Selection. The authors might better have put in a chapter on "police personnel administration." Selection is only a small organic part of the entire police personnel "system." It is very difficult, for example, to determine if the authors are merely discussing the total personnel process and/or administrative, professional and technical personnel.

The third minor weakness is in the title of the text itself. There is no such thing as "Police Organization and Management." This work might better have been titled *Police Administration: An Introduction*. There is a body of knowledge known as the theory, history, practice, and philosophy of administration. This, similar to business and industry, we have pirated and use in the daily administration and management of our police departments. There is nothing original in our current police programs and management philosophy.

This work is a recommended and enlightened addition to the literature of police administration. The authors should be congratulated for their outstanding contribution in this direction. This volume should be a part of every serious student's library collection.

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PRELIMINARY INVESTIGATION AND POLICE REPORTING: A COMPLETE GUIDE TO POLICE WRITTEN COMMUNICATION. By John G. Nelson. Beverly Hills, California: Glencoe Press, 1970. Pp. xvii, 513.

This treatise, by the author of *The Koga Method. Police Weaponless Control and Defense Techniques* and of *The Koga Method: Police Baton Techniques*, is a four part work covering the general subjects of police report writing. In dividing his work into quarters, the author discusses in Part One: General Elements of Preliminary Investigation and Report Writing; Part Two: Police Reporting Style; Part Three: Arrests; and in Part Four: Investigating and Reporting Crimes and Miscellaneous Police Activities. This work also contains an excellent index and an appendix entitled, "The Lawman's Word Definer"—a glossary of medical, narcotic, Mexican narcotic, legal terms, and slang.

It is extremely difficult to determine why this book was commissioned. For example, most of Part One of this text could be found in any general criminal investigation work; anything that is discussed in Part Two could be found in a good senior high school English text or mastered in a college freshman English class; Part Three could be found in any police legal manual or criminal law text or police academy training bulletin; Part Four, containing samples of police reports is perhaps the most valuable part of this work. The author might

better have merely published a shorter work dealing specifically with the subject matter in Part Four namely, Investigating and Reporting Crimes samples. This would have proved to be a valuable contribution to the education and training of the young police recruit to say nothing of the improvement to police reporting, *per se*.

This text will have little application where formal records systems are in operation. This, of course, means our larger police departments. The thousands of smaller police departments across America, should, but do not, possess formal report procedures. The "vest pocket" records reporting system is the case rather than the exception. When state-wide computer based data systems are instituted throughout America, perhaps this work would have some general application in that it does promote uniformity of reporting. This we are all interested in. However, when this day arrives, the bureaucratic state, as in all other matters, will dictate a "reporting system".

This book will make excellent outside or collateral reading for students at the junior college level who are taking courses in criminal investigation, police administration, criminal law, or police records administration. This text should be in the library of all police departments along side other noted works in English, grammar, and written communication. But since this work is not a university text book, it is not quite clear where it will receive application.

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THE REPORT OF THE PRESIDENT'S COMMISSION ON  
CAMPUS UNREST. New York: Arno Press, 1970.  
Pp. x, 537. \$5.95.

*The Report of the President's Commission on Campus Unrest* deals with the causes of student protest; the black student movement; campus disorder; the responses of law enforcement and campus administration; and some recommendations for the minimization of future conflict. The book was written "to the American People." It includes seven chapters—one each dealing with a particular aspect of student unrest; the Commission's recommendations; and the special reports on Kent State and Jackson State.

The theme is that "the crisis on American campuses has no parallel in the history of the na-

tion... (it) reflects and increases a more profound crisis in the nation as a whole." A propensity for violence as a means of effecting change and a lack of understanding or respect for the viewpoints and motivations of others are the components of this crisis. As an aid to understanding this crisis, the Commission sketches the background of student protest during the 1960's and points out that disorder, turmoil and riots are not new to American campuses, but very much a part of their history since the early 19th century. The difference lays in the fact that most 19th century disturbances were apolitical while those in the 20th century have been highly political.

The Commission states that some causes of student protest are: "race, the war, and the defects of the modern university" but "they are neither the only nor the most important causes." The "advance of American society into the post-industrial era, the increasing affluence of American society, and the expansion and intergenerational evolution of liberal idealism" are much more important. These ideas have prompted the creation of a new youth culture with a passionate attachment to principle and an equally passionate opposition to the larger society. This youth culture has developed rapidly and possesses an almost religious fervor. Parents taught their young that virtues such as compassion, learning, love, equality, self-expression, and democracy were worthy of pursuit and respect. Parents held these views as ideals; however, they did not live by them. They were engrossed in economic pursuits and the hard task of providing material advantages to their young. Children brought up in affluence and exposed to these views adopted them not only as attitudes but as habits of life. Liberal faculty members seriously challenged these views while teaching at universities which are basically conservative. This seeming contradiction between the philosophy of liberal faculty members and the realities of the institution caused youth to view university administrators as hypocrites. This resulted in the university becoming the site and object of much student unrest.

The black student movement with its emphasis on civil rights and struggle for social justice is not identical with white student unrest. "It extends beyond the college and university campus and, in varying degrees, involves the total black population of America." Its goals and aspirations differ from those of white radicals. The goals and

aspirations of black students are "specific, concrete, tangible and identifiable" and can be met through the appropriate response of government at all levels, of college and university administrators, faculties and boards of trustees.

The university's response to campus disorder must begin with a unification and sense of community which it has often lacked. It must face the fact that unrest will not cease in the foreseeable future and must take steps to ensure that it can differentiate between peaceful protest—those forms of protest that will be allowed—and those that will be prohibited. The university must have tactical plans for action when disorder and disruption occur. Sanctions must be clearly made known in advance and employed against those who participate in impermissible behavior after the conduct has ceased.

Law enforcement must take steps to minimize the dangers of violent over-reaction to campus demonstrations. Law enforcement officers must be given adequate training in the handling of civil disturbances and riots, nonlethal rather than lethal weapons must be utilized, and command and control over individual officers must be exercised. The police cannot meet the challenges facing them without the support of the public.

"Reform of the structure of the university and of the educational experiences it offers" could aid in quieting much of the student unrest. However, any changes should be made to improve education not to satisfy the whims of the dissidents.

Government must share in the responsibility of minimizing campus unrest. Government often can solve social problems and evils and must commit itself to so doing. Progress must be made toward ending the war, achieving social and racial justice and increasing the options available to youth so that those who do not want to attend college need not be forced to do so. Above all, the President must offer "the compassionate, reconciling, moral leadership that can bring the country together again."

Kent State and Jackson State were national tragedies. We must learn all that is possible from these incidents to insure that they are never repeated. The conduct of the students on both campuses was intolerable; the administration were not equipped to handle these disorders, and the law enforcement agencies were inadequately trained and lacking in the command, coordination, and control necessary to prevent needless injuries and death.

While this report is of some interest to every American, but particularly educators and law enforcement officers, it is not significantly different from other Presidential Commission reports on related subjects. The recommendations, for instance, that pertain to law enforcement were offered earlier in the *President's Commission Report: Police*. The recommendation for additional federally funded training programs for police officers either overlooked or ignored many programs currently funded under the Law Enforcement Assistance Act.

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HAND WRITING AND FINGER PRINT. By G. C. Veerappa, B.A., LL.B. Bangalore, India: G. C. Veerappa publisher, 1969. Pp. 103. Rs.18.

The author has put together a very elementary book dealing with handwriting identification (85 pages) and fingerprint identification (17 pages). The portion of the book on handwriting identification discusses principally writing and signature identification and detection of forgery. A few pages are devoted to inks and erasures, and there is some discussion of Indian law.

Inserted within the pages are some forty-five illustrations of handwriting problems and thirty illustrations of fingerprints. Those interested in learning more about handwriting identification would gain a great deal from the illustrated cases, but, unfortunately, the quality of reproduction for the most part is poor and often the material illustrated has been greatly reduced in scale so that the captions and illustrations in combination have little meaning. All and all the publication does not add significantly to the literature in these fields.

ORDWAY HILTON

Examiner of Questioned Documents  
New York, N. Y.

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ON COMMUNISM. By J. Edgar Hoover. New York: Random House, 1969. Pp. xxii, 158. \$4.95.

This book is a distillation of Mr. Hoover's writings on communism in America. The first fifty-eight pages consist of an introductory essay in which he sets out his analysis of the Communist Party—U.S.A. He appraises the evolution of the Party to the present day, giving his views on the role of the New Left, the civil rights movement,

and black nationalism. His comment on the present menace of communism is noteworthy: "Communism has hurled us a mortal challenge. The response of Americans—the response of free men everywhere—will determine whether or not freedom itself survives. Understanding what communism is and how it operates will help us to meet this challenge."

The remaining one hundred pages is a compilation of quotations selected by Mr. Hoover from his speeches and writings spanning half a century and include his opinions on varied aspects of communism. On the goals of communism he writes: "Communism is dedicated, by ideology and practice, to complete domination of the world. Communism aims to destroy all other social orders and to communize the entire world." As to life under the communist system, he asserts: "The individual, in Communist society, is a pawn, subject to the whims of the ruling elite. Civil rights are nonexistent; concentration camps the symbol of justice; terror the order of the day." On how communism works, he says: "Chicanery, intrigue, and treachery are the stock in trade of communists, not only in dealing with their enemies but also in their relations with each other." And as to how the citizen ought to combat it, Mr. Hoover contends: "To emerge the victor in the fierce struggle now raging, each citizen must live in accordance with the Judeo-Christian tradition, show sincere regard for the rights of others, respect the law, champion social justice, and be unswervingly dedicated to the moral and religious principles of Western civilization on which this country was founded."

Mr. Hoover has been accused of being obsessed with the subject of communism. It may well be that his writings and speeches on the subject suggest an almost religious fervor. But in all fairness it should be noted that he does not blame all of the ills of our society on the communist threat. He recognizes the shortcomings as well as the rewards of the democratic system of government.

For those interested in a compact, readable collection of Mr. Hoover's thoughts on communism, this is the book. But for those looking for an objective interpretation of the communist system, the book, unfortunately, reflects the singleness of purpose of someone too deep among the trees to recognize the existence of the forest.

DANIEL P. KING

Division of Corrections  
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**HANDWRITING AND THUMB-PRINT IDENTIFICATION AND FORENSIC SCIENCE.** By. *H. R. Hardless*. Allahabad, India: Law Book Publishing Company, 1970. Pp. 293, xv. Rs25.

The author is the son of the late Charles R. Hardless, some of whose books were available in this country between 1912 and 1920. This book includes a reasonably thorough look at the identification of handwriting and the detection of forgery (122 pages); the basic elements of thumbprint identification (77 pages); and a concluding section on forensic science (81 pages). While its style is clear thorough editing and somewhat better organization within sections would greatly improve the text. On more than one occasion the author has strayed away from the subject under discussion.

Handwriting identification considers the problem of both identifying English script and signatures as well as the various Indian scripts. Fundamental principles are set forth.

The section on forensic science is surprising. Here is found an elementary discussion of type-writing identification, some consideration of impressions of seals and rubber stamps, tampering with documents and consideration of postage stamps. All of this might have been discussed under the more universal term of questioned document examination. Finally there are a few pages devoted to firearms identification, but beyond this no attempt has been made to cover other subjects which in this country are considered to make up forensic science.

It is common among writers on questioned documents in India to discuss fingerprint identification or thumbprint identification since many documents are executed with these prints. Again the author covers the fundamentals involved in such work.

For the most part the discussions do not go beyond the basic elements of the subjects considered into the more complex problems that may be encountered in each field. The text has value for attorneys in India who are concerned with technical problems in the various fields under discussion, and document examiners throughout the world who are interested in learning something about the problems encountered in a country like India with numerous scripts and languages will find information of help.

ORDWAY HILTON

Examiner of Questioned Documents  
New York, N. Y.