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Charles E. O'Hara and James W. Osterburg. New
York: The Macmillan Company, 1949.

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BOOK REVIEWS

AN INTRODUCTION TO CRIMINALISTICS by Charles E. O'Hara and James W. Osterburg. New York: The Macmillan Company, 1949. Pp. xxii, 705. \$10.00.

IN no field is the demand for good books more urgent than in that of law enforcement. The range and extent of information and training needed by the peace officer are such that years of university training well might be required to prepare him for his work. The trend is in that direction¹ but the vast majority of those now engaged in this service have had to learn the hard way. Years of experience in the actual work of law enforcement give the officer equipment for his calling beyond anything that can be taught in the classroom, although he would have progressed much faster and farther if he had had the benefit of adequate instruction and training in advance. And since the average peace officer began his experience without that advantage, and is not able now to turn back the clock and start over again, it is extremely important for him to do everything possible in the effort to make up for what he has missed. One of the methods of accomplishing this is by reading good books on the subject. At this point the average peace officer has encountered another handicap due to his inability to find the right kind of book on some phase of law enforcement he was particularly interested in at the moment. This situation is being improved as new books make their appearance.

One of the most recent publications in the law enforcement field is *An Introduction to Criminalistics* prepared by two detectives who for nearly ten years have served as staff members of the police laboratory of the New York City Police Department. The chief word in the title, which has heretofore been listed as a synonym of criminology, has been redefined. In the words of the authors: *Criminalistics* is "that science which applies the physical sciences in the investigation of crimes."² This change of definition is commendable. Criminology needs no exact synonym, whereas it is quite useful to have a single word to represent what has usually been designated by some such cumbersome phrase as *scientific crime detection* or *scientific criminal investigation*. The new definition, moreover, provides a word comparable to *Kriminalistik*, *Criminalistique* and *Criminilistica*, found in common use in continental Europe.

Perhaps the best way to indicate the contents of this volume is to state what it does not include. The subjects of toxicology, handwriting comparison,

1. For example, the State College of Washington now offers four years of professional police training leading to the Bachelor of Science degree.

2. P. x.

firearms identification, and lie detection have been omitted. As explained by the authors, the addition of these matters would have required a second volume more than half the size of the present one, and they are rather adequately covered by other texts.³ With these exceptions the book covers rather thoroughly the present day application of the physical sciences to the investigation of crimes. This statement must not be interpreted to mean that these pages cover every application of physical science ever made in a criminal case other than the four mentioned. They do not, to mention only one for example, deal with the possible contribution of the wood expert, such as Arthur Kohler's study of the patched ladder used by the kidnaper of the Lindbergh baby. No doubt even the most complete criminalistics laboratory will expect to call upon an outside expert to aid in very unusual cases, and this volume does not purport to go beyond the needs of the complete criminalistics laboratory.

Another method of giving some idea of the exhaustive nature of this volume is by outline and sample. The outline shows the book divided into ten parts: Part A, the laboratory in general; part B, physical measurements; part C, impressions; part D, photography and the crime laboratory; part E, physical examinations; part F, chemical examinations; part G, document examinations; part H, optical methods of analysis; part I, advanced instrumental methods of analysis; part J, science and probative value of physical evidence. Selecting one of these parts as a sample we find part E divided into seven chapters: Chapter 19, direction of force in broken windows; chapter 20, gambling machines, marked cards, and altered dice; chapter 21, ultraviolet and infra-red examinations; chapter 22, X-rays; chapter 23, examinations in automobile accidents; chapter 24, the identification of automobile and other glass; chapter 25, determining speed in motor vehicle accidents. An examination of one of these chapters (21) discloses ten subdivisions (in two groups): [Ultraviolet examinations] 1, nature of ultraviolet light; 2, use of ultraviolet light; 3, ultraviolet sources; 4, examinations by fluorescence; [infra-red examinations] 5, the infra-red region; 6, cloth, paints, and stains in the infra-red; 7, documents and the infra-red; 8, shadow photography; 9, miscellaneous; 10, infra-red examinations without photography. And to carry the sampling process one step farther we find thirteen topics under subdivision 4: stains; glass; gems; teeth; fingernails, polish, cosmetics; secret writings; altered documents; altered seals; counterfeit tickets and coupons; laundry marks; fingerprints; statues, pottery, ceramics; paintings.

To venture an additional suggestion, without attempting the forbidding task of mentioning each topic included: there are 48 chapters; the chapters have subdivisions which vary in number from two⁴ to twenty-five,⁵ and what

3. P. xii.

4. Chapter 4.

5. Chapter 12.

are here called "subdivisions" for want of a better label may have still further divisions which range from none to fourteen.⁶

The volume is generously illustrated with pictures, figures and diagrams; most of the chapters include well-chosen exercises to guide the student who wishes to make use of the information given; and the text is liberally supplemented by footnote references to source material or collateral reading, followed by general references to other literature in the field.

The index is somewhat disappointing. Its eight and a half pages are not an adequate guide to one searching for a particular point in 696 pages⁷ of detailed treatment of fields of mathematics, physics, chemistry, biology and medicine—as applied in the investigation of crimes. Cross-indexing, for example, has been largely neglected. One interested in determining the speed of an automobile in an accident case might start looking for "automobile," then "speed," then "accident," and then "determining," all without avail. He will find the page reference he is seeking when he looks under "motor vehicle" and subline "determining speed of," and he may be counted upon to carry his search that far; but the purpose of the index is to save time, and careful cross-indexing would have given him the lead under whichever of these index lines he sought first. To carry the point further: a physicist interested in checking the applications of his science to the investigation of crimes would be astounded to find neither "physicist" nor "physics" included as a main index line. If he was interested in studying, in particular, applications of the branch of (1) mechanics, (2) properties of matter, (3) heat, (4) electricity and magnetism, (5) sound, (6) light or (7) atomic or nuclear structure, he would (no doubt to his amazement) find not one of these included as a main index line.

In the most literal sense this volume is very tiresome reading. This is due, not to the excellent manuscript prepared by the authors, but to the printing of this material by the publisher. The general text is printed in ten point type with nearly a four and three-quarters inch line. Quotations, exercises and footnotes are in even smaller type, with no shortening of the line. The explanation, without doubt, is that it was necessary to use small type and a large page in order to keep the material within the limits of a single volume. The fact remains, however, that if all police books were printed in this style the officer could not do much reading in his field without risk of impairing his eyesight. If small type and a large page must be used the reader should at least have the benefit of having the page divided into two columns. Another printing technique of this volume which unnecessarily handicaps the reader is that of placing the footnotes at the end of the chapter instead of at the foot of the page.

6. See 3, "Reagents," under Chapter 33, "Narcotics."

7. Not including the index.

Matters of form, however, must not be permitted to divert attention from the inherent merit of this volume. *An Introduction to Criminalistics* is a "must" for every police department library and should be studied by every officer interested in this branch of law enforcement.

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THE CONSTITUTIONAL WORLD OF MR. JUSTICE FRANKFURTER: SOME REPRESENTATIVE OPINIONS. Selected and Edited by Samuel J. Konefsky. New York: The Macmillan Company, 1949, pp. xviii, 325. \$4.50.

PROFESSOR Konefsky, who has already established himself as a student of keen understanding by his penetrating study of "Chief Justice Stone and the Supreme Court,"¹ is deserving of additional accolades for his superb job in compiling and editing some of the more representative opinions of Mr. Justice Frankfurter during his past ten years on the Supreme Court bench. The task confronting a successful editor of legal opinions is threefold: first, there is the choice and organization of materials; then, the problem of achieving a literary and scholarly blending of the different portions of the opinions quoted, and lastly, the necessity of helping the reader to gain an understanding of the cases without forcing the editor's viewpoint upon him. The author has succeeded admirably in all these endeavors. He has arranged the subject matter in such vital categories as the limits of the judicial process, government and economic interests, civil liberties, criminal and administrative justice, and the complexities of our dual system of government. Each opinion is prefaced by a clear and pithy explanation of the underlying factors of the case. The brilliance of Mr. Frankfurter's decisions would be excuse enough for such a work, but far more important is the insight that one gains into the philosophical differences that have beset the Court during this history-making decade.

To attempt to categorize Frankfurter's opinions is an impossible task, and has led this reviewer to conclude that the esteemed justice is neither consistent as to the "means" nor the "ends" by which he arrives at his decision. There are times when he reasons like a social scientist but draws conclusions like a legalist, and other occasions when just the reverse is true. The liberal elements have been particularly antagonized by the learned jurist's sacrificing of ideals for what they have conceived to be his mistaken idea of the mechanics involved in declaring a law unconstitutional. The static concept of a Court that mechanically lays the Constitution beside a statute which is challenged in

1. KONEFSKY, CHIEF JUSTICE STONE AND THE SUPREME COURT (1945). See Kent, Book Review, 2 MIAMI L.Q. 251 (1948).