

## BOOK REVIEW

*Donald Doud*<sup>1</sup>

### A Review of *The Lindbergh Case*

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**REFERENCE:** Fisher, J., *The Lindbergh Case*, Rutgers University Press, 109 Church St., New Brunswick, NJ 08901, 1987, \$22.95, 480 pp.

*The Lindbergh Case* is a painstakingly researched, immensely readable account of the "Crime of the Century" from the kidnapping of the Lindbergh baby in 1932 to Richard Hauptmann's conviction and execution some four years later. Its author, Jim Fisher, Professor of Criminal Justice at Edinboro University, Edinboro, Pennsylvania, states that he spent over four years on researching the case, and I can believe it. The vast amount of background material that he reviewed and catalogued by computer includes some 7500 pages of trial transcripts and literally thousands of other documents maintained in the Lindbergh case archives in West Trenton, New Jersey, such as affidavits, memos, letters, logs, statements, photographs, press clippings, trial exhibits, and material from the Governor Hoffman file. Fisher also examined the physical evidence itself including the fourteen ransom notes, Hauptmann's known handwriting, the kidnap ladder, and the baby's sleeping suit.

Of particular interest to the forensic scientist is Fisher's detailed account of the handwriting examinations conducted by the eight prominent forensic document examiners employed by the State of New Jersey<sup>2</sup> and of their highly effective testimony at the trial. The use of demonstrative evidence including letter and word comparison photographs enabled the experts to explain graphically the detailed reasons for their opinions. Some of these handwriting comparison exhibits are shown in the illustrative section of the book.

In connection with the ladder evidence, Fisher describes in detail the meticulous work of Arthur Kohler, the wood identification expert. Kohler, who had identified one of the siderails on the kidnap ladder as being cut from a section of flooring in Hauptmann's attic, based his opinion upon wood grain similarities, identifying striations in the wood caused by a defective plane blade, and the precise positioning of four nail holes appearing in both the siderail and in the attic joints of the Hauptmann home. Less flattering is Fisher's account of the autopsy on the partially decomposed body of the Lindbergh baby, which was performed physically by a mortician rather than by the New Jersey pathologist himself whose hands were badly crippled with arthritis. To make matters worse, the examiner, who was not a

<sup>1</sup>Forensic document examiner, 77 West Washington St., Chicago, IL 60602, and P.O. Box 13813, Milwaukee, WI 53213.

<sup>2</sup>Albert S. Osborn, Albert D. Osborn, and Elbridge Stein from New York; John Tyrrell from Milwaukee; Herbert J. Walter from Chicago; Harry Cassidy from Richmond, Virginia; Clark Sellers from Los Angeles; and Wilmer Souder, Bureau of Standards expert from Washington, DC.

forensic pathologist, failed to take photographs of the autopsy or make detailed notes of the examination procedures employed.

The police also made investigative mistakes that are detailed by Fisher, none of which, however, proved to be of major importance. Indeed, considering the appalling conduct of the news media, which at one point during the investigative stages of the case deliberately published confidential information about the serial numbers of the ransom money, it was only through a stroke of good fortune—a \$10 ransom bill on which a gas station attendant had scribbled the license number of Hauptmann’s car—that the police were finally able to apprehend Hauptmann.

In his detailing of this event and of others surrounding the investigation and trial of the case, Fisher does not insult the intelligence of the reader by excusing, explaining, or by passing judgement on any of the individuals involved nor on the significance of the evidence itself. But, as his account proceeds step by step, it becomes abundantly clear that the State of New Jersey’s case against Bruno Hauptmann was, as one witness stated it, “overwhelming and unanswerable.”

It is interesting to compare Fisher’s objective and well-researched account of the Lindbergh case with two other books published within recent years: *Scapegoat* [1] by investigative reporter Anthony Scaduto and *The Airman and the Carpenter* [2] by journalist Ludovic Kennedy, both of which can best be described as revisionary histories of the Hauptmann-Lindbergh case. In both cases the writers tacitly admit to having decided on Hauptmann’s innocence *before* fully investigating the case, which tells something about the objectivity of these books. The results of this backwards, cart-before-the-horse approach to the Hauptmann-Lindbergh investigation and trial are ludicrous to anyone familiar with the details of the case. To present even a remotely plausible story, both writers are forced to call all prosecution witnesses liars, incompetents, or part of a giant conspiracy to railroad Hauptmann to the electric chair. Facts are dealt with in a highly selective manner, dismissing out of hand those that do not fit the particular theory of Hauptmann’s innocence and employing speculation, hearsay, and innuendo to support evidence that appears helpful to their cause.

Another journalistic device used in both *Scapegoat* and *The Airman and the Carpenter* is to omit or minimize evidence that might cause the reader to doubt the writer’s theory. For example, all serious students of the Hauptmann-Lindbergh case agree that the handwriting evidence relating to the 14 ransom letters was the single most important element leading to Hauptmann’s conviction. And how do Kennedy and Scaduto deal with this important evidence and the convincing testimony of the 8 forensic handwriting experts? Both authors virtually ignore the specifics of the word and letter comparisons conducted by the experts as well as the illustrations they used for demonstrative purposes. In Kennedy’s book, for example, he states

As their combined testimonies run to some five hundred pages of the trial transcript and are much concerned with technicalities—the shape of a “t” or the curl of a “y”—and as their conclusions were later challenged by the defense’s lone expert using the same material, it is not proposed to go into these in any detail.

Indeed? Scaduto attempts to distract the reader from the compelling handwriting evidence by implying that when asked to write by the police Hauptmann was told how to misspell certain words that were also misspelled in the ransom notes. Nothing of this kind was ever proven at the trial nor did the issue have any bearing on the identifying characteristics of the writing itself. But the red herring was thrown out nevertheless, for whatever effect it might have on the reader.

Another well-known journalistic concept, character assassination, was also used in an attempt to destroy the credibility of the forensic handwriting examiners, such as, Scaduto’s statement, “The handwriting experts in this case appear to have been as lacking in ethics as Col. Schwarzkopf, who encouraged perjured testimony, and as all the police and FBI men

and eyewitnesses who fabricated evidence and who lied repeatedly." Kennedy's approach is a little more discreet but no less vitriolic when he states, "All eight were as much victims of the current epidemic of hallucinations as everyone else."

Interestingly, both Kennedy and Scaduto visited the Lindbergh case archives in Trenton, New Jersey where all case exhibits are maintained, including the enlarged comparison exhibits used by the forensic handwriting experts. Had Kennedy or Scaduto seen fit to display in the illustrative sections of their book reproductions of the exhibits used by Clark Sellers (see illustrations on p. 17 of the January 1988 *Journal of Forensic Sciences*), the readers would have laughed their way through the remainder of these transparent attempts to revise the history of the Hauptmann-Lindbergh case.

After wading through the convoluted fiction of Scaduto and Kennedy, it is refreshing to find in *The Lindbergh Case* a truly factual history of what really transpired during the investigation and trial of Bruno Hauptmann for the kidnapping and murder of the Lindbergh baby. This book is indeed a monument to the painstaking efforts of its author, Jim Fisher, and should be in the library of every forensic scientist interested in the account of a case that represents a significant milestone in the progress of the forensic science profession.

### References

- [1] Scaduto, A., *Scapegoat: The Lonesome Death of Richard Hauptmann*, G. P. Putnam's Sons, New York, 1976.
- [2] Kennedy, L., *The Airman and the Carpenter: The Lindbergh Kidnapping and the Framing of Richard Hauptmann*, Viking Penguin Inc., New York, 1985.