



The Journal of Sociology & Social Welfare

Volume 30
Issue 3 *September*

Article 16

September 2003

Drug Courts in Theory and Practice. James L. Nolan Jr. (Ed.).

Follow this and additional works at: <https://scholarworks.wmich.edu/jssw>



Part of the Social Work Commons

Recommended Citation

(2003) "*Drug Courts in Theory and Practice.* James L. Nolan Jr. (Ed.)," *The Journal of Sociology & Social Welfare*: Vol. 30 : Iss. 3 , Article 16.

Available at: <https://scholarworks.wmich.edu/jssw/vol30/iss3/16>

This Book Note is brought to you for free and open access by the Social Work at ScholarWorks at WMU. For more information, please contact wmu-scholarworks@wmich.edu.



Book Notes

James L. Nolan Jr. (Ed.), *Drug Courts in Theory and Practice*. Hawthorne, NY: Aldyne de Gruyter. \$51.95 hardcover, \$25.95 papercover.

The legal system in the United States has only recently begun to acknowledge the qualitative differences existing between drug offenders and other criminals. Sociolegal policies and interdictions based on traditional conservative interpretations of substance abuse have proven largely ineffective in addressing this country's drug abuse problems. The persistent incarceration of drug offenders has not deterred substance abusers from using drugs or committing crimes. Increased law enforcement and harsher penalties have only served to cost society and the criminal justice system valuable and precious resources. As a consequence of this futile situation, progressive representatives from the judicial and treatment communities of Dade County, Florida created the first US drug court in 1989. This was a judicial innovation designed to integrate jurisprudence and substance abuse treatment into one cohesive model unique to the adjudication of drug offenders. Since then, the drug court movement has grown. Currently, there are more than one thousand drug court incarnations worldwide. The increased presence of drug courts around the world, and in particular, the United States, has begun to afford this phenomenon literary and critical attention. Such is the focus of this edited work on the theory and practice of drug courts.

In this book, James L. Nolan, Jr. brings together a distinguished group of authors from the fields of law, criminal justice, sociology, philosophy, and drug policy, to present various and diverse perspectives on the drug court phenomenon. To Nolan's credit, these perspectives offer both positive and negative interpretations. Much of the text focuses on the inherent contradictions and conflicts that exist between traditional jurisprudence, the treatment of substance abusers, and the drug court as an integrated judicial and treatment intervention. Many authors detail their concerns with the drug court's departure from the legal establishment's original design and purpose. They believe that the

adversarial, impartial, and impersonal decorum representative of traditional legal protocol is inconsistent with the existing drug court forum. Opponents of the drug court movement contend that drug courts may compromise the legitimacy of the criminal justice system.

The book attempts to explain drug courts from a number of legal and jurisprudential theoretical perspectives such as theories of punishment, social defense theory, and the rehabilitative ideal. Practical examples of drug court dynamics are presented to support or challenge theoretical interpretations. Proponents of the drug court movement discuss its efficacy and implications for the future of drug offender jurisprudence. The book also contains interesting comparisons and contrasts between the drug court movements of the United States and Great Britain.

This book is very informative and enlightening. Its strongest point lies in its diversity of perspectives. Nolan provides a panoply of arguments for critical consideration. The theme and intent of the book are consistent throughout. Unfortunately, some of the points do become redundant. Nevertheless, the contributing authors are clear and informative regarding the drug court movement, its evolution and development as a judicial innovation, and the many theoretical and practical challenges that have been presented by this nascent sociolegal phenomenon.

Ann M. Nurse, *Fatherhood Arrested: Parenting from Within the Juvenile Justice System*. Nashville, TN: Van der Bilt University Press, 2002. \$39.95 hardcover, \$19.95 papercover.

The increased use of custodial sentencing in the United States over the last decade has resulted in a huge prison population. While many politicians and members of the public believe that the routine use of incarceration is an effective way of reducing crime, many criminologists conclude that it has, in fact, had a limited deterrent impact. Despite the exponential increase in the prison population, violence, drug dealing and properly crime remain problems of huge proportions. Drawing on a substantive body of research into the effectiveness of prisons, they also point out that custodial sentences, particularly for drug related offences, is counterproductive. Recidivism remains a major problem and in many cases, the prospects of rehabilitating those who