



# REINVENTING JUSTICE

The American  
Drug Court  
Movement

James L. NOLAN, Jr.

# Reinventing Justice

**Susanne Karstedt, Ian Loader, Heather  
Strang**



## Reinventing Justice:

**Reinventing Justice** James L. Nolan Jr., James L. Nolan, 2003-01-26 The findings reported in this book are based upon ethnographic observations of drug courts throughout the United States and provide a glimpse into the unique character of the American drug court model considering the qualities and consequences of this form of criminal adjudication *The Machinery of Criminal Justice* Stephanos Bibas, 2012-04-26 Two centuries ago the criminal justice system was primarily run by laymen In court victims and defendants interacted face to face while lay jurors from the community sat in judgment Jury trials passed moral judgment on crimes vindicated victims and innocent defendants denounced guilty defendants and reconciled and healed wounded relationships But over the last two centuries lawyers have taken over the process silencing victims and defendants and in many cases substituting a plea bargaining system for voice of the jury This lawyerized machinery has purchased efficient speedy processing of many cases at the price of sacrificing softer values such as reforming defendants and healing wounded victims and relationships In other words the U S legal system has bought quantity at the price of quality without recognizing either the trade off or the great gulf separating lawyers and laymen s incentives interests values and powers *The Machinery of Criminal Justice* explores these trends and considers how criminal justice could better accommodate lay participation values and relationships Achieving Open Justice through Citizen Participation and Transparency Jiménez-Gómez, Carlos E., Gascó-Hernández, Mila, 2016-08-12 Open government initiatives have become a defining goal for public administrators around the world However progress is still necessary outside of the executive and legislative sectors *Achieving Open Justice through Citizen Participation and Transparency* is a pivotal reference source for the latest scholarly research on the implementation of open government within the judiciary field emphasizing the effectiveness and accountability achieved through these actions Highlighting the application of open government concepts in a global context this book is ideally designed for public officials researchers professionals and practitioners interested in the improvement of governance and democracy Transforming Criminal Justice? Jane Donoghue, 2014-04-03 Why is punishment not more effective Why do we have such high re offending rates How can we deal with crime and criminals in a more cost effective way Over the last decade in particular the United Kingdom in common with other jurisdictions such as Canada the United States US and Australia has sought to develop more effective ways of responding to criminal behaviour through court reforms designed to address specific manifestations of crime Strongly influenced by developments in US court specialisation problem solving and specialist courts including domestic violence courts drugs courts community courts and mental health courts have proliferated in Britain over the last few years These courts operate at the intersection of criminal law and social policy and appear to challenge much of the traditional model of court practice In addition policy makers and practitioners have made significant attempts to try to embed problem solving approaches into the criminal justice system more widely Through examination of original data gathered from detailed interviews with judges magistrates and other key

criminal justice professionals in England and Wales as well as analysis of legislative and policy interventions this book discusses the impact of the creation and development of court specialisation and problem solving justice This book will be essential reading for students and academics in the fields of criminology criminal justice criminal law socio legal studies and sociology as well as for criminal justice practitioners and policy makers **Banished** Katherine Beckett, Steve Herbert, 2009-11-12 With urban poverty rising and affordable housing disappearing the homeless and other disorderly people continue to occupy public space in many American cities Concerned about the alleged ill effects their presence inflicts on property values and public safety many cities have wholeheartedly embraced zero tolerance or broken window policing efforts to clear the streets of unwanted people Through an almost completely unnoticed set of practices these people are banned from occupying certain spaces Once zoned out they are subject to arrest if they return effectively banished from public places Banished is the first exploration of these new tactics that dramatically enhance the power of the police to monitor and arrest thousands of city dwellers Drawing upon an extensive body of data the authors chart the rise of banishment in Seattle a city on the leading edge of this emerging trend to establish how it works and explore its ramifications They demonstrate that although the practice allows police and public officials to appear responsive to concerns about urban disorder it is a highly questionable policy it is expensive does not reduce crime and does not address the underlying conditions that generate urban poverty Moreover interviews with the banished themselves reveal that exclusion makes their lives and their path to self sufficiency immeasurably more difficult At a time when more and more cities and governments in the U S and Europe resort to the criminal justice system to solve complex social problems Banished provides a vital and timely challenge to exclusionary strategies that diminish the life circumstances and rights of those it targets

Juvenile Justice Preston Elrod, R. Scott Ryder, 1999 Criminal Justice Law Enforcement Civilising Criminal Justice David J. Cornwell, John Blad, Martin Wright, 2013 Probably the best collection there is Civilizing Criminal Justice is an inescapable resource for anyone interested in restorative justice truly international and packed with experience while combining history theory developments and practical advice This volume of specially commissioned contributions by widely respected commentators on crime and punishment from various countries is a break through in bringing together some of the best arguments for long overdue penal reform An increasingly urgent need to change outmoded criminal processes even in advanced democracies demands an end to those penal excesses driven by political expediency and damaging notions of retribution deterrence and punishment for its own sake Civilising criminal justice will make it fairer more consistent understandable and considerate towards victims of crime currently largely excluded from participation Principles of reparative and restorative justice have become increasingly influential in the quest to provide justice which tackles harm compensates victims repairs relationships resolves debilitating conflicts and calls offenders to account And in any case what real justification is there for subjecting more and more people to the expensive but hollow experience of prison especially at a

time of economic stringency Civil justice in its various forms can be swifter cheaper and more effective in court or through mediated processes focusing on the harmful consequences of offences rather than inflicting punishment that may satisfy a baying media but come home to haunt the community This brave and generous book 600 pages illustrates the many different ways in which criminal justice can be civilised and how lessons can be learned from practical experience across the world and shared expertise It is a volume that every politician should read every criminal justice professional should possess and that every student of criminology and penology will find invaluable David Cornwell John Blad and Martin Wright are three of the leading international experts on this topic with many publications to their names individually Contributors Serge Gutwirth and Paul De Hert Belgium Federico Reggio Italy Bas van Stokkom The Netherlands Lode Walgrave Belgium Susan Easton and Christine Piper UK Louis Blom Cooper QC UK Tapio Lappi Seppä Finland Thomas Trenczek Germany Jean Pierre Bonaf Schmitt France Per Andersen Norway Claire Spivakovsky Australia Ann Skelton Republic of South Africa Borbála Fellegi Hungary Judge Fred McElrea New Zealand and the editors John Braithwaite is a Distinguished Professor at the Australian National University author of ground breaking works on restorative justice and recipient of various awards

**Restoring Justice** Daniel W. Van Ness, Karen Heetderks Strong, Jonathan Derby, L. Lynette Parker, 2022-05-30 Restoring Justice An Introduction to Restorative Justice Sixth Edition offers a clear and convincing explanation of restorative justice a movement within criminal justice with ongoing worldwide influence The book explores the broad appeal of this vision and offers a brief history of its roots and development as an alternative to an impersonal justice system focused narrowly on the conviction and punishment of those who break the law Instead restorative justice emphasizes repairing the harm caused or revealed by criminal behavior using cooperative processes that include all the stakeholders The book presents the theory and principles of restorative justice and discusses its four cornerpost ideas Inclusion Encounter Repair and Cohesion Multiple models for how restorative justice may be incorporated into criminal justice are explored and the book proposes an approach to assessing the extent to which programs or systems are actually restorative in practice The authors also suggest six strategic objectives to significantly expand the use and reach of restorative justice and recommended tactics to make progress towards the acceptance and adoption of restorative programs and systems

Emotions, Crime and Justice Susanne Karstedt, Ian Loader, Heather Strang, 2011-04-01 The return of emotions to debates about crime and criminal justice has been a striking development of recent decades across many jurisdictions This has been registered in the return of shame to justice procedures a heightened focus on victims and their emotional needs fear of crime as a major preoccupation of citizens and politicians and highly emotionalised public discourses on crime and justice But how can we best make sense of these developments Do we need to create emotionally intelligent justice systems or are we messing recklessly with the rational foundations of liberal criminal justice This volume brings together leading criminologists and sociologists from across the world in a much needed conversation about how to recalibrate reason and emotion in crime and justice today The

contributions range from the micro analysis of emotions in violent encounters to the paradoxes and tensions that arise from the emotionalisation of criminal justice in the public sphere They explore the emotional labour of workers in police and penal institutions the justice experiences of victims and offenders and the role of vengeance forgiveness and regret in the aftermath of violence and conflict resolution The result is a set of original essays which offer a fresh and timely perspective on problems of crime and justice in contemporary liberal democracies

**Justice Outsourced** Michael L. Perlin, Kelly Frailing, 2022-09-23 Examines the hidden use of non judicial officers in the criminal justice system

**The Psychology of Justice and Legitimacy** D. Ramona Bobocel, Aaron C. Kay, Mark P. Zanna, James M. Olson, 2011-02-25 In response to the international turmoil violence and increasing ideological polarization social psychological interest in the topics of legitimacy and social justice has blossomed considerably Social psychologists have explored the psychological underpinnings of people's reactions to injustice and illegitimacy including the behavioral and psychological consequences of the motivation to view individual outcomes and governmental systems as just and legitimate Although injustice and illegitimacy are clearly related at conceptual and theoretical levels these two rich literatures are rarely integrated Social justice researchers have focused on how people make sense of particular instances of injustice whereas legitimacy researchers have tended to focus primarily on people's reactions to unfair systems of intergroup relations This 11th volume of the Ontario Symposium series brings together the work of leading researchers in fields of social justice and legitimacy to facilitate the cross pollination and integration of these fields The contributions address broad theoretical issues and cutting edge empirical advances while illustrating the diversity and richness of research in the two fields By uniting these two domains this volume will stimulate new directions in theory and research that seek to explain how and why people make sense of injustice at all levels of analysis

**The Oxford Handbook of Juvenile Crime and Juvenile Justice** Barry C. Feld, Donna M. Bishop, 2012-01-12 State of the art critical reviews of recent scholarship on the causes of juvenile delinquency juvenile justice system responses and public policies to prevent and reduce youth crime are brought together in a single volume authored by leading scholars and researchers in neuropsychology developmental and social psychology sociology history criminology criminal justice and law

**Battleground: Criminal Justice** Gregg Barak, 2007-10-30 There are many controversial aspects of our criminal justice system and this encyclopedia examines the most significant controversies throughout American history with emphasis on current debates trends and issues Arranged alphabetically approximately 100 entries cover background explanations notable cases and events various sides of an issue and what to expect in the future Entries are objective and factual allowing readers to formulate their own conclusions Sidebars and case examples help to illustrate each entry and sources for further reading point readers to other important materials Given the prevalence of controversial criminal justice topics in the news this timely reference is an important resource for anyone interested in crime and justice Entries include Boot Camps Corporal Punishment DNA Evidence Domestic Violence Expert Testimony Eye Witness Identifications Gun Control Homeland

Security International Criminal Court Legalization of Marijuana Mental Health and Insanity Police Brutality Prison Violence Racial Profiling School Violence Sex Offender Laws Stalking Laws Supermax Prisons Three Strikes Treating Juveniles as Adults War on Drugs and more

**Dispensing Justice Locally** Richard Curtis, Brian Ostrom, David Rottman, Michele Sviridoff, 2014-01-02 This book shows the significant impact and success that can be accomplished when courts are designed to meet the needs of the community regardless of traditional proceedings The presentation of this unique approach marks the way for courts and ancillary justice agencies of all sizes to work together to build community confidence and assure not only quality of life but quality of justice

*Criminal Justice Theory, Volume 26* Cecilia Chouhy, Joshua C. Cochran, Cheryl Lero Jonson, 2020-02-14 Criminal Justice Theory Explanations and Effects undertakes a systematic study of theories of the criminal justice system which historically have received very little attention from scholars This is a glaring omission given the risk of mass imprisonment the increasing presence of police in inner city communities and the emergence of new policy initiatives aimed at improving the quality and effectiveness of the administration of justice Fortunately however a number of disparate theoretical works have appeared that seek to provide insight into the nature and impact of criminal justice Based on 13 original essays by influential scholars this volume pulls together the most significant of these perspectives thus creating a state of the art assessment of contemporary criminal justice theory Criminal justice theory can be divided into two main categories The first includes works that seek to explain the operation of the criminal justice system Most of these contributions have grappled with the core reality of American criminal justice its rising embrace of punitiveness and the growth of mass imprisonment The second category focuses on works that identify theories that have often guided efforts to reduce crime The issue here focuses mainly on the effects of certain theoretically guided criminal justice interventions The current volume is thus organized into these two categories explanations and effects The result is an innovative and comprehensive book that not only serves researchers by advancing scholarship but also is appropriate for advanced undergraduate or graduate classroom use

**U.S. Criminal Justice Policy** Karim Ismaili, 2015-10-16 Revised edition of U S criminal justice policy 2011

**The Oxford Handbook of Crime and Criminal Justice** Michael Tonry, 2011-09-29 A comprehensive and accessible overview of the operation of the American criminal justice system This handbook s extensive coverage of the criminal justice system in the U S makes it an important reference for students and scholars in criminal justice law and public policy

**Street Justice** Bruce A. Jacobs, Richard Wright, 2006-05-22 This study examines the structure process and forms of retaliation in contemporary urban America where street criminals employ it instead of recourse to the criminal justice system It explores retaliation from a first hand perspective based on interviews with currently active street criminals rather than prisoners

**American Criminal Justice Policy** Daniel P. Mears, 2010-04-12 American Criminal Justice Policy examines many of the most prominent criminal justice policies on the American landscape and finds that they fall well short of achieving the accountability and effectiveness that policymakers have advocated and that the

public expects The policies include mass incarceration sex offender laws supermax prisons faith based prisoner reentry programs transfer of juveniles to adult court domestic violence mandatory arrest laws drug courts gun laws community policing private prisons and others Optimistically Daniel P Mears argues that this situation can be changed through systematic incorporation of evaluation research into policy development monitoring and assessment To this end the book provides a clear and accessible discussion of five types of evaluation needs theory implementation or process outcome and impact and cost efficiency It identifies how these can be used both to hold the criminal justice system accountable and to increase the effectiveness of crime control and crime prevention efforts

**Reimagining Restorative Justice** David O'Mahony, Jonathan Doak, 2017-09-21 Restorative justice theory has largely failed to keep pace with the rapid expansion of restorative practices worldwide indeed it is remarkable how much support RJ has when so few advocates can even define what it is As such this insightful and comprehensive new contribution from two of the top scholars on the frontlines of restorative justice research is hugely welcome Professor Shadd Maruna Centre for Criminology and Criminal Justice University of Manchester Reimagining Restorative Justice is a reflective and balanced reconsideration of restorative justice It deftly sweeps across the large literature on the subject putting it in perspective seeing anew through its wide angle lens Empowerment and accountability provide a fertile framework for this richly reimagined justice Professor John Braithwaite Australian National University David O Mahony and Jonathan Doak have made a significant contribution to the confusing and over complicated field of restorative justice theory They do so through their use of empowerment theory to bring conceptual and operational clarity to the concepts of agency and accountability in restorative processes and outcomes As a result they develop a convincing argument for face to face dialogue between victim and perpetrator within the core of the criminal justice system Their emphasis upon ethical and skilful practice is a welcome riposte to the rapid spread of restorative justice lite driven by managerialism and the need to cut costs Tim Chapman Lecturer at the University of Ulster O Mahony and Doak convincingly argue that rapid developments in the practice of restorative interventions have outstripped restorative justice theory They provide both an outstandingly helpful review of the literature and a fresh theoretical approach based on empowerment theory Everyone seriously interested in restorative justice will want to reflect carefully on the authors conclusions Anthony Bottoms Emeritus Wolfson Professor of Criminology at the University of Cambridge In recent years restorative based interventions have expanded rapidly and are increasingly viewed as a legitimate and even superior means of delivering justice The result of this swift but piecemeal development has been that restorative justice practice has outpaced the development of restorative justice theory This book takes up this challenge by reimagining a new framework for the operation of restorative justice within criminal justice In essence it is contended that the core empowering values of agency and accountability provide a lens for reimagining how restorative justice works and the normative goals it ought to encompass



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