

Critical Analysis of Drug Court

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ABSTRACT. *The situation of drug flooding has become a key problem in many countries. In the process of making the national drug system, the court will use various treatments to supervise the drug addicts, and they should be given treatment to help themselves get rid of drugs, so as to return to society better. This article analyzes the drug court overview, drug court operation and later effect, through making up the defect of "Mcdonald's Chemical Trial", adding "therapeutic justice" and so on, we hope to provide effective reference for relevant people.*

KEYWORDS: *Drug court; Mcdonald's trial; Therapeutic justice*

1. Introduction

During the development of serious crimes in society, most of the cases will involve drugs. Because of the lack of resilience to drugs, drug users often relapse to take drugs. In the supervision process of drug courts, using a variety of governance methods can help most drug users to get rid of drugs. In the process of drug court supervision, it can help most drug addicts to detoxify, which is beneficial to the stable development of society and the maintenance of public order, but because of the imperfection of the system, there are still many deficient links to be adjusted.

2. Overview of the Drug Court

The formulation of the law helps the society to look more intuitively at the occurrence stage of the whole event, and during the study of the legal provisions, it is necessary to strengthen the analysis of historical factors and complex social factors. In times of drug abuse, the establishment of drug courts helps people to take a comprehensive look at the current social development. In essence, the degree of perfection of the drug court is directly related to the local social development, and the period of punishment should be analyzed from the link of drug policy development to clarify the local economic status, so as to facilitate the understanding of the causes of the drug court and its development necessity.

Drug courts are capable of public safety and public health. Looking at the current social drug problem from the perspective of, inter alia, focusing on addressing the situation of drug abuse, correctly reducing the number of drug users, combining legal management with a variety of medical governance studies to strive to reduce the effects of drug addiction from physiological and chemical research, in order to avoid the constant relapse of drug users. This has been done through years of counter-narcotics efforts to reduce drug use through the use of modern medical means, combined with judicial punishment as a combination of treatment.

3. Operations and Late Effects of Drug Courts

3.1 Operational Processes

From a fundamental point of view, drug court is a system related to criminal justice, and the overall operation mode is mainly to achieve efficient operation in accordance with the provisions of the legal and judicial system. It mainly includes the following modes: pre defense mode operation, post trial postponement mode and post trial conditional mode. Drug court is a way developed through many jurisdictions and in the unique economic and political environment. In different jurisdictions, drug court will judge it according to the local situation, and the judge's ruling mode has strong discretion. Therefore, drug courts in different regions often have some differences in the adjudication process. Usually, drug courts use multiple procedures to run three links. First, the operation of the pre defense mode is mainly to bring the addicts who meet the conditions to the drug court. If the trial

defendant completes the corresponding drug court detoxification treatment, he can cancel the prosecution. But if the detoxification fails, the case needs to go through the normal litigation link again. The disadvantages of this link are obvious. If the defendant fails to participate in the project, a large amount of time cost will be extended. Second, the mode of postponing the judgment after the trial. In this process, the court manages the drug addicts, adopts the mode of agreement management, and uses the community, society and a variety of medical governance methods, so as to ensure that the drug addicts can enter into a normal life state, not to relapse. Therefore, in order to ensure the high efficiency of the trial, the defendant needs to sign an agreement to cooperate with the corresponding detoxification process. Once the defendant fails to detoxify according to the agreement, if the defendant relapses, the treatment will be cancelled directly, and the judgment will be made directly. Third, the mode of conditional judgment after the trial, once the urine test of the abstainer is invisible and all aspects of the test are in the routine test, he can graduate from the drug court, and the staff will prepare the graduation ceremony for him, and help him return to the society, and then he will not relapse. If the disciplinarian violates the regulations, the judge will adopt the legal process of revoking the probation and executing the imprisonment penalty.

3.2 Effect of Implementation

Unlike the traditional criminal courts, such drug courts are more humane and efficient in their governance, and have begun to receive wide public attention after a few long periods of operation.

Drug courts can be recognized by society in a short period of time, mainly due to the research of current scholars and corresponding scientific treatment, long-term statistics show that drug courts can be far more effective than criminal decisions. From the point of view of the therapeutic effect, the number of people treated in the court has exceeded the number of people treated in the community, which is not only efficient but also can ensure the follow-up drug treatment effect. According to the survey of drug addicts returning to society, the recidivism rate is relatively low. Drug addicts can enter into a normal state of life and will not be disturbed by drug addiction. At the same time, the possibility of spreading drugs to the surrounding population is reduced, which is conducive to maintaining social stability. However, the lack of scientific methods and methods in the rest of the institutions concerned, resulting in a higher rate of relapse in the later period, will not lead to a significant reduction in the social drug base, which will not only increase the burden and suffering of the users, but also affect the safety of the relevant personnel around the users. In addition, from the point of view of economic benefits, the drug court's late economic benefits are high, and the prospects worth popularizing are relatively good view, through the analysis of the data, can directly get twice the benefit, is a sustainable development of governance model [1].

4. Operational Advantages of Drug Courts

4.1 Replacing McDonald's Trial

Compared with the traditional criminal courts, drug courts have a high degree of management rights, and the personnel directly involved in drug rehabilitation activities are also voluntarily involved in advance, thus the later cooperation effect is better. The advantages of drug courts are clear and conducive to large-scale operations in a number of countries and regions, and the underlying reason is that, in traditional criminal tribunals, the problems of drugs are often restrictive and mechanical, and it is difficult to re-examine the inherent perception of such incidents. In the traditional legal process, the final success or failure lies in the degree of adjudication of the parties, is a simple legal issue, but right the parties have no essential adjustment and help, and lack of interpretation and understanding of the root cause, resulting in the many judicial proceedings will be around, the formal status of the ruling is serious, commonly known as "McDonald's trial ". However, in order to increase the order and efficiency of the overall process, the final ruling is to introduce a humane approach to governance, starting with the real needs of human nature, to ensure that the final decision can solve the problem of drug users' access, so as to maintain the current social order and essentially reduce the number of users.

4.2 Increased "Therapeutic Justice" Approach

The use of therapeutic justice in drug courts to strengthen the treatment of abusers, originally promoted by American university professors in mental health, has been widely used in a variety of stages of law management, including a large number of criminal, juvenile and identity injuries, after research by the staff concerned. Therapeutic justice mainly uses the study of law, starting with the psychological factors of the users themselves,

to strengthen their psychological guidance, to make it clear that more people can make the influence of the law on the users, and the advantages of the social effect on the treatment are obviously increased. Law governance can be analyzed from many links, using substantive and procedural law to guide the users. Typically, such treatment often regards the law as an ability. It is often called a scientific method of enforcement because of the restriction of behavioral effect between them, and the combination of legal sanctions can strengthen the treatment depth and enhance the effect of anti-treatment. It can improve the efficiency of legal treatment without harming the basic conditions of the parties exercising their rights. For example, in a 1999 United States judgment, it was at the annual NADCP meeting, after the introduction of therapeutic justice, that was used for judicial adjudication, through the treatment of the user and the results of later experiments, because the will and psychology of the client was respected, the traditional criminal treatment was rejected in the way adopted to promote the enforcement effect of the incident [2].

4.3 Enhanced Social Control

In the ruling, the drug court can take the community as the social basis and strengthen the overall control effect. In the study of the operation process of the drug court, we can know that the drug court can conform to the development of the times and ensure that its own advantages play to the limit. Traditional court decisions are usually based on community governance, in which the willingness to punish is heavier, and the treatment of drug addicts is less humanized, in which the treatment staff have a strong sense of resistance, so that the court will exert a crackdown and strengthen the way of anti-social governance, this way because of the lack of scientific governance, so that it is difficult to achieve efficient governance effect. But in the current drug court trial process, reduce the intensity of community strike, the court's humanized judgment into the community's governance link, and then rely on the community's governance effect to form a series of patterns, so as to achieve a high degree of management of drug addicts. Because drug courts focus on this form of community, it is also beneficial to community development during the period of punishing multiple acts against the community. According to the above argument, it is obvious that drug courts have a forward-looking vision, not only to observe from the corner of society, but also to judge from the overall level to improve the efficiency of overall treatment [3].

4.4 Strengthening the Interpretation of Justice

There are still many problems in drug courts. Because of the short running time, a large number of links are not perfect. In the establishment of selection criteria, due to the complicated selection rules and many conditions, it is impossible to treat all the abstainers fairly. This phenomenon is often manifested through the following two aspects.

First, there are a large number of new abstainers every year, in which it is difficult to ensure that everyone will enter the corresponding governance link.

Secondly, in entering drug courts, there are differences in the manner used as a result of the different disciplinary measures required by the users. The differentiation of this hierarchy is contrary to the present idea of fairness and justice. In the traditional trial process, the legal conviction and the degree of events committed by the parties are related, and during the period of adopting the law to decide the case, the law can take advantage of the connection between the historical events, the events and the legal decisions to strengthen the relationship between each other, and use the interpretation of the case to ensure the actual structure of the law, so as to embody the concrete ruling and form the equivalence. In the post-modern legal concept, focusing on the equality of all people, the study of such legal ideas, in the drug court management process, should also strengthen the attention to this link, adjust the rationality of rule-making, comprehensive deepening of universal laws, conducive to the future development of human rights management.

5. Conclusion

In conclusion, drug courts have many advantages. Because its establishment is mainly based on the healing jurisprudence, it can ensure that drug addicts strengthen their own control and help them regain their new life. But in the process of operation, there are still many deficiencies. During the period of drug treatment by agreement, it is difficult to manage many details effectively. There are still obstacles in communication among drug court treatment team, members and abstainers, which seriously affect the quality of drug court management. In order to ensure the long-term and stable development, and to ensure that the advantages of drug courts can be maximized, it is necessary for the relevant staff to improve a number of details, so as to improve the operation of drug courts.

References

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