

randomized control trial of physical activity promotion in primary care. *International Journal of Epidemiology*, 31, 808-815.

Lincourt, P., Kuettel, T.J. & Bombardier, C.H. (2002) Motivational interviewing in a group setting with mandated clients. *Addictive Behaviors*, 27, 381-391.

Tempest in a Teapot?

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If there was a consensus from the previous Virtual Symposium, it seemed to detail that coercion and counselor influence occurs in all helping efforts. Therefore, the issue becomes not the presence or absence of coercion (absolute) but rather the issue of *degree* (scale). When prompted by Harry Zerler's question, "Is it legitimate /ethical to incorporate MI in such circumstances (mandated interventions)?" I find myself answering a question with a question: "Why would work with involuntary clients be any different?" One might parry, "Because mandated interventions are problematic due to the tremendous power welded by probation staff." When there is dissonance between an officer and defendant's aspirations, ethical complexities are increased, as probation agents can ask that onerous sanctions be levied in response to misbehavior. My response involves a critical look at the power attributed to probation agents and how that power is used. I have argued elsewhere (Clark, 2001, June) and repeat my contention that a therapeutic relationship in probation work can be established through (1) perspective and role-taking by the officer and (2) skillful negotiations with the probationer.

Perspective and Role-taking

Who wields this problematic power that raises the ethical tempest? A helpful MI perspective answers, "Not the officer!" The locus of power is centered in the judicial bench rather than to any individual officer. To bring this power home to roost with the officer is incorrect. It also proves to limit and stifle the very relationship that becomes the conveyor of change. Take for example a passage found in chapter twelve, "Ethical Considerations," of the MI text (Miller & Rollnick, 2002):

...consider a counselor who works with offenders on parole and probation and who has the power at any time to revoke that status and order incarceration.

tion. (emphasis added) (p. 166)

Accurately stated, no officer is truly vested with the power to jail an offender, apply new consequences, or increase consequences by personal decision or whim. This is not a case of "splitting hairs" with a play on words. An agent *must* petition the court. The court then substantiates the alleged violations of probation in a formal hearing and *it is the court that determines guilt or innocence and imposes additional sanctions where appropriate.*

No rocks thrown, no intent to disparage, only to point out how pervasive this misperception has become across our culture. The statement that the probation officer "...has the power at any time to revoke that status and order incarceration..." demonstrates something akin to an unfounded "urban legend" that gains credibility through endless retelling. Confound becomes fact. This mistaken attribution of power is not only limiting for the MI-inclined officer, but an incorrect understanding of the jurisprudence process.

I do not gloss over personal abuses of power, or even systemic bias that prompts disrespectful treatment of offenders. Officers can (and do) illegitimately grasp at this power base ("I'll lock you up!"). However, abuses of power are not specific to probation agents and can occur within any helping endeavor. Abuses may well crop up with greater frequency in the criminal justice field, yet I would assert that this becomes an *ex post facto* argument for the *greater expansion, rather than preclusion*, of MI within my field.

Misperceptions are understandable and easy to overlook when professed outside the criminal justice field, but far more troublesome when furthered by criminologists *within* the field. Consider this short treatise from criminal justice academe-

mician Robert Mills (1980):

The distinguishing feature of corrections that differentiates it from other helping professions is the large amount of socially sanctioned authority, both actual and delegated, carried by the corrections official...The officer must learn to become comfortable with his authority, and to use it with restraint in the service of the officer and client's objectives.

The reaction of some inexperienced officers is to banish the "big stick," and go hide it in the judge's chambers or in the warden's office. Such officers seem to believe that social casework and counseling can proceed in corrections in the same basis as in an outpatient clinic, that their "good guy in the white hat" image is somehow tarnished by the possession of so much power over their clients. Officers who conduct investigations and counseling while denying their own authority are usually perceived as being weak, and are subject to easy manipulation by their clients. (p. 46)

With all due respect, my suggestion is that officers do exactly what Mills cautions against! Motivational Interviewing, as utilized within the field of probation, is refractory to personally assuming the "big stick." This becomes not a "weakness" as purported by Mills, but rather a strength. When using MI with mandated clients, I am mindful of the distinction of "power versus force" (Hawkins, 2002): greater *power* to increase readiness to change and improve outcomes can be harnessed with the use of MI, by establishing fit with a probationer ("Are we together on this?"), than with use of adversarial *force* from the "me vs.

you” nexus of dominance. I believe the ability to create and maintain a therapeutic relationship—essential to the spirit of MI—can only be realized by placing the “big stick” with others.

Skillful Negotiation

Miller and Rollnick (2002; pp. 173-174) detailed a wonderful example of this negotiation with probationers. It begins with an honest explanation of the duality of an officer’s roles: certainly to supervise and report compliance to probation orders but also to act as a helper and lend assistance. Should compliance become an issue, the officer negotiates: “How do we (you, significant others and myself) keep *them* (the judge, the court, agency policy) off your back?”

In training, I find that staff new to MI have a hard time negotiating these dual roles. Concrete thinking of either/or tends to dominate. “I *either* supervise and seek compliance (applying sanctions for failure to comply) *or* I practice MI and try to motivate and establish a therapeutic alliance.” It’s not “tea or water,” it’s the “good-enough” blend that creates the brew. Helping staff to adopt a both/and conception is central to our MINT teapot.

References

Clark, M.D. (2001, June). Influencing positive behavior change: Increasing the therapeutic approach of juvenile courts. *Federal Probation Quarterly*, 65, 18-27.

Miller, W.R. & Rollnick, S. (2002). *Motivational interviewing: Preparing people for change* (2nd edition). New York: Guilford Press

Hawkins, D.R. (2002). *Power vs. Force: The hidden determinants of human behavior*. Sedona, AZ: Veritas Publishing.