

MOTIVATIONAL INTERVIEWING AND THE PROBATION EXECUTIVE: MOVING INTO THE BUSINESS OF BEHAVIOR CHANGE

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Motivational Interviewing (Miller & Rollnick, 1991) is a way of talking with people about change that was first developed for the field of addictions but has broadened and become a favored approach for use with populations in a variety of settings (Burke, Arkowitz & Dunn, 2002). It has been transitioned to criminal justice in general (Birgden, 2004; McMurrin, 2002; Farrell, 2002) and probation efforts specifically (Walters, Clark, Gingerich, Meltzer, forthcoming, In Press; Clark, 2005; Ginsburg et al., 2002; Harper & Hardy, 2000; Miller, 1999). It represents a turn to moving probation departments into the "business of behavior change" (Clark, 2006). This article will suggest several benefits from the importation of Motivational Interviewing into probation practice.

This article posits eight reasons to consider the Motivational Interviewing approach:

1. Motivational interviewing aligns your department with evidence-based practice.
2. It can help your staff to get "back into the game" of behavior change.
3. It suggests effective tools for handling resistance and can keep difficult situations from getting worse.
4. It keeps your officers from doing all the work, and makes interactions more change-focused: interactions are more changed-focused when officers understand where change originates; changed-focused interactions place the responsibility for behavior change on the offender; and motivational interactions create an appetite for change in offenders by amplifying their ambivalence.
5. Motivational Interviewing will change who does the talking.
6. This approach will help prepare offenders for change.
7. Motivational Interviewing changes what is talked about.
8. It can teach your officers how to enforce probation orders and deliver sanctions *without leaving a motivational style*.

Motivational Interviewing Aligns With Evidence-Based Practice

Go back beyond the last two decades and you'll find that criminal justice suffered from a lack of proven methods for reducing offender recidivism (Andrews & Bonta, 2003). Today, it is almost unimaginable that our field ever operated without practice methods being studied and empirically validated through rigorous science. Science-based methods for probation work continue through the National Institute of Corrections "Evidence-Based Policy and Practice" initiative (NIC, 2004). This article discusses Motivational Interviewing, a practice included among the eight principles of effective interventions to reduce the risk of recidivism. Within these eight principles, the second principle of evidence-based practice cites:

"2. Enhance Intrinsic Motivation - Research strongly suggests that "motivational interviewing" techniques, rather than persuasion tactics, effectively enhance motivation for initiating and maintaining behavior change" (p.1).

This article attempts to lend substance to that recommendation by reviewing possible benefits offered to probation departments from the integration of motivational strategies into community corrections.

It Can Help Your Officers Get "Back into the Game" of Behavior Change

Historically, motivation has been viewed as a more-or-less fixed characteristic of offenders. That is, an offender usually presented with a certain motivational "profile" and until he was ready to make changes, there was not much you could do to influence his chances on probation. Under this model, the probation officer becomes an enforcer of the court's orders, but not necessarily an active participant in the behavior change of the offender. One officer described his role:

The defendant, in consultation with his lawyer, negotiates for the consideration of probation supervision (and conditions) in lieu of jail time. In our initial meeting, and throughout our work together, I tell the probationer what is expected of him and make it clear what the penalties will be should he fail to comply. We have regular meetings to verify that he is making progress on his conditions and I answer any questions he might have. If he breaks the law or shows poor progress on his conditions, I see to it that appropriate sanctions are assessed. Throughout the process, the probationer is well aware of the behavior that might send him to jail, and if he ends up there, it's his own behavior that gets him there.

Reflected in this statement is an officer who is essentially cut out of the change process, except as an observer. However, recent evidence suggests there may be quite a lot that an officer can do to influence probationer's chances of successfully completing probation. Motivational Interviewing places staff "back in the game" of behavior change.

It Suggests Effective Tools for Handling Resistance and Can Keep Difficult Situations from Getting Worse

Since motivation has been viewed more like a fixed offender trait, it has been thought that if offenders enter probation depart-

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ments displaying little motivation, then the best strategy is to attempt to break through the probationer's denial, rationalization, and excuses:

- You got a problem.
- You have to change.
- You better change or else!

Space prohibits a review of the many studies (Miller & Rollnick, 2002; Hubble, Duncan & Miller, 1999) that find a confrontational counseling style limits effectiveness. One such study (Miller, Benefield and Tonnigan, 1993) is telling. This study found that a directive-confrontational counselor style produced twice the resistance, and only half as many "positive" client behaviors as did a supportive, client-centered approach. The researchers concluded that *the more staff confronted, the more the clients drank at twelve-month follow up*. Problems are compounded as a confrontational style not only pushes success away, but can actually make matters *worse*. Although many probation staff rightly object, "We're not counselors! — our job is to enforce the orders of the court," this claim only serves to highlight the need for strategies to help staff get back in the game of behavior change.

Other staff shy away from a heavy-handed approach, using instead a logical approach that employs advice or reasoning:

- Why don't you just...
- Do you know what this behavior is doing to you?
- Here's how you should go about this...

Unfortunately, both of these approaches can end up decreasing motivation. When these methods fail to begin behavior change, officers will ramp up their energy and begin to push — only to find the offender pushes back. Staff escalates the confrontation or reasoning, only to find the offender has escalated as well. Locking horns creates a downward spiral that satisfies neither. Research finds that when we push for change, the typical offender response is to defend the problem behavior:

- "You've got a problem" / "No, I don't"
- "Why don't you...." / "That won't work for me"
- "You better change or else!" / "Take your best shot!"

We clearly don't want to create a situation where the offender is only defending the "don't change" side of the equation. Part of the equation involves using known techniques to draw out more positive talk, while the other part of the equation is having a collaborative style where offenders feel more comfortable talking about change. For instance, research suggests that characteristics of the staff person — even in a brief interaction — can determine the motivation, and subsequent outcome, of the offender.

It Keeps Your Officers from Doing All the Work, and Makes Interactions More Change-Focused

Interactions are more change focused when the officer understands where change comes from. Staff trained in Motivational Interviewing can turn away from a confrontational style or logic-based approaches as they become knowledgeable of the process of behavior change. Many in probation believe that what causes change are the services provided to the offender, whether that involves treatment, the threat of punishment, advice, education or "watching them" and monitoring their activities. These conditions and services represent only part of the picture — and not

necessarily the most important part. Research finds that long-term change is more likely to occur for *intrinsic* reasons (Deci & Ryan, 1985). Often the things that we assume would be motivating to the offender simply aren't. Thus, motivation is, in part, a process of finding out what things are valued and reinforcing to the individual probationer.

Change focused interactions place the responsibility for behavior change on the offender. We use an attractive (and accurate) phrase when training the Motivational Interviewing approach, "When Motivational Interviewing is done correctly it is the offender who voices the arguments for change." So, how does the officer do this? The first step in getting the offender thinking and talking about change is by establishing an empathic and collaborative relationship. Staff can watch and listen to find out what the person values and if their current behavior is in conflict with these deeply-held values. Motivational Interviewing calls our attention to this key idea:

It is discrepancy that underlies the perceived importance of change: no discrepancy, no motivation. The discrepancy is generally between present status and a desired goal, between what is happening and how one would want things to be (one's goals).

If there is a rift between what one values and current behavior, this gap is called "discrepancy." It is within this gap that the material will be found for amplifying *the offender's own reasons for change*. When working with offenders who see no problem with their illegal behavior, it is essential that an officer have the skills to create an "appetite" for change. Creating this appetite for change involves creating ambivalence.

Motivational interactions create an appetite for change in offenders by amplifying their ambivalence. Motivational Interviewing assumes a certain degree of offender ambivalence (I should change, but I don't want to). They literally feel two ways about the problem. To consider the Stage of Change theory (Prochaska & DiClemente, 1983) some probationers will enter our courts in the precontemplation stage, seeing their problem behavior as "no problem at all." A few more enter probation supervision in the preparation or action stage, having acknowledged the problem during the first appointment and needing only minimal assistance to begin change efforts. Throughout this process, ambivalence is an internal battle between "I want to do this very much, but I know that I really shouldn't." This pull in two directions generally lies at the heart of compulsive, excessive behavior. The majority of probationers already have both arguments within them — A side that wants to be rid of the problem (pro change), and a side that doesn't believe change is possible or beneficial (stay the same).

Staff have long been taught to see ambivalence as a classic form of "denial," yet for the motivationally-inclined officer it demonstrates a reason for optimism! Rather than being a sign that a person is moving away from change, ambivalence is a signal that change may be on the horizon. *Ambivalence makes change possible—it is the precursor to positive behavior change.*

Offenders can change if they can successfully negotiate their ambivalence. The challenge therefore, is to first identify and increase this ambivalence, and then try to resolve it by creating discrepancy between the actual present and the desired future. The larger the discrepancy, the greater the desire to change.

There will be a very small percentage of offenders who have no discrepancy or ambivalence over their current behavior — and no amount of strategies can create it where there is none to start with. However, the good news for probation staff is that large majority of offenders will enter our departments with a certain amount of concern regarding their behavior. Whether the discrepancy can be harnessed for change depends on whether an officer understands how to recognize it — and use it — to elicit self-motivational speech.

Motivational Interviewing will Change Who Does the Talking

Training in Motivational Interviewing teaches techniques to strategically steer a conversation in a particular direction — yet steering in itself is worthless without the ability to move the conversation forward. Consider how probation officers often work much harder than their probationers. As part of a qualitative research project, Clark (2005a) videotaped actual office appointments between offenders and their assigned probation officers. The finding was that, in office visits averaging 15 minutes in length, officers “out-talk” offenders by a large margin. For instance, in one session, 2,768 words were spoken between officer and offender. The breakdown? The officer spoke a hefty 2,087 words out of this total while the probationer was allowed only 681 words. Another example demonstrates slightly less talking overall but the ratio of “talk-time” remained similar. Total number of words spoken in this interview was 1,740. The word count found the officer spoke a robust 1,236 words while the offender was relegated to 504. Although listening by itself is no guarantee of behavior change, using strategies to get the offender talking, is a prerequisite to being an effective motivational interviewer.

In interactions like this, officers are literally talking themselves out of effectiveness. The problem is not so much that the officer is doing all the talking, but rather that *the offender is not*. It stands to reason that the more the officer is talking, the less opportunity there is for the probationer to talk and think about change. Compliance can occur *without* the officer listening and the probationer feeling understood — the same cannot be said if one wants to induce behavior change.

This Approach Will Help You Prepare Offenders for Change

When you get the offender talking, officers are taught to strategically focus on encouraging productive talk. Frequently, officers want to jump straight to problem solving. However, this approach ignores the fact that most people need to be prepared for change. Getting offenders to do most of the talking is the first step, followed by preparing people to think about change. Motivational Interviewing trains staff in basic listening and speaking strategies:

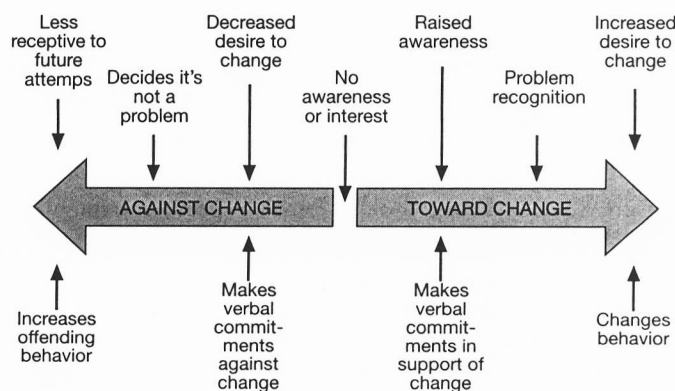
- Ask Open Questions
- Affirm Positive Talk and Behavior
- Reflect What You are Hearing or Seeing
- Summarize What has Been Said

These four techniques (sometimes referred to by the “OARS” acronym, for Open Questions, Affirm, Reflect, and Summarize) will help an offender think about change, and help to gather better

quality information so we can assist the person in planning. In some instances, we don’t need offenders to talk much, especially when officers are simply gathering information or documenting compliance. But in other instances, when staff are focused on behavior change, the use of OARS will increase the probability that the probationer will speak more—and think more—in a more productive direction. These techniques become a “gas peddle” for conversations.

Figure 1 illustrates some of the markers that help to determine whether the interaction is a good one, that is, whether the probationer is moving closer towards change.

Figure 1

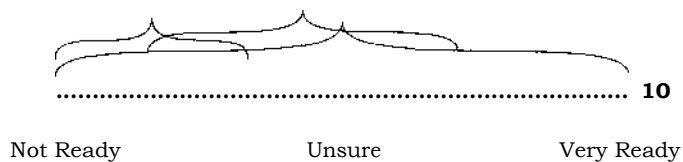


Another benefit from the use of OARS is evident in how it can move troublesome conversations back to productive ends. Unfortunately, a great majority of the responses typically used by probation staff tend to make bad situations worse. Initially listening to and trying to understand an offender’s anger will lower frustration levels and make future conversations more productive. Understanding an offender’s point of view is not the same as agreeing with it. As any argument must involve two people, the motivationally-inclined officer — using OARS — simply takes him or herself out of the mix. It takes two people to argue — *it is impossible to fight alone*. An angry and a combative attitude can often be reduced by simply reflecting back to the offender what they are feeling or thinking. The focus should not rest between the officer and the probationer (force and coercion) but rather between the probationer *and their own issues* (discrepancy and ambivalence).

Motivational Interviewing Will Change What Is Talked About

There is good evidence to suggest that people can literally “talk themselves in and out of change” (Walters, et al., 2002). For instance, there are linguistic studies that suggest that the speech of the provider sets the tone for the speech of the client, which in turn, influences the ultimate outcome (Amrhein, et. al., 2003). In short, certain statements and questions — and especially a certain provider style — seem to predict whether people decide to change during brief conversations. Offenders may come in with a certain range of readiness, but what the officer says from that point on makes a difference in how the probationer speaks and thinks, and ultimately in how they choose to behave.

Figure 2
Motivational Continuum



*People come in with a certain range.
What you say makes a difference from there.*

Eliciting "change talk" (self-motivational speech)

There has been an increasing interest in short Motivational Interviewing sessions that have been able to match the improvement of several months of outpatient work. As a result, linguists (Amrhein, et al., 2003) began to study the speech content of these motivational sessions — the actual words spoken between a staff person and their client — looking for what speech content proved to determine positive behavior change. What they found were five categories of motivational speech — desire, ability, reason, need and commitment language. These conditions have been placed in an easy-to-remember acronym of "DARN-C":

- D esire (I Want to, prefer, wish)
- A bility (I Can, able, could, possible)
- R easons (I Should, why do it?)
- N eed (I Must, importance, got to)
- C ommittment (I Will, I'm going to...)

The researchers were quick to point out that not every dimension had to be voiced for behavior change to start. Simply getting the offender to verbalize one of the four constructs (DARN) might be enough. However, the same could not be said for Commitment. It was Commitment talk that actually predicted behavior change. For this reason, staff should be aware of techniques to help increase motivational talk in a general sense — especially navigating conversations towards commitment language.

It Can Teach Your Officers How to Enforce Probation Orders and Deliver Sanctions Without Leaving a Motivational Style

One of the things that make probation officers unique is their conspicuously dual role. They help a probationer to plan, but dispense sanctions if he fails; they ask for honesty, but also report to the court. Indeed, it is understandable why some officers have a hard time navigating this dual role. The tendency is to move to one side — to become too harsh or too friendly — when a more middle-of-the-road approach is called for. In reality, probation officers are more like consultants, in that we manage the relationship between court and probationer. This is not as far-fetched as some would believe. In truth, we neither make decisions for the probationer nor for the court. If we treat the position from the perspective of a consultant, we can avoid some of the pitfalls inherent in this dual role. Adopting this middle-of-the-road stance makes us not only an effective advocate for the court, but also allows us greater power to influence the actions of the probationer.

Motivational Interviewing can make change more likely, but it is by no means a magic bullet. When violations occur, there are a couple of strategies for keeping a motivational edge.

Explain your dual roles (Become the "go-between"). Motivational Interviewing encourages officers to be honest with offenders about all aspects of their probation, including conditions, incentives, and sanctions. Officers should fully explain up front to the probationer about their dual role — yet do so as someone who represents "both sides." For instance:

I want to make you aware that I have a couple roles here. One of them is to be the court's representative, and to report on your progress on the conditions that the court has set. At the same time, I act as a representative for you, to help keep the court off your back and manage these conditions, while possibly making some other positive steps along the way. I'll act as a "go-between" — that is, between you and the court, but ultimately you're the one who makes the choices. How does that sound? Is there anything I need to know before proceeding?

Address Behavior with an "Even Keel" Attitude. Adopting a new approach like Motivational Interviewing is clearly a process. Even after an initial training, there is a common pitfall for many officers when compliance problems occur. At some point, if a probationer remains ambivalent (e.g., lack of progress), they believe it makes sense to move out of a motivational style and switch over to more coercive and demanding strategies. Staff who initially found the benefits of motivational work will justify heavy-handed tactics — perceiving them to be a natural response to resistance, even remarking that difficult offenders seem to be "asking for it." A critical idea missed — *there is a difference between enforcing sanctions based on lack of progress, and switching styles to a more heavy handed approach.* One can enforce court orders and assess sanctions as appropriate, without leaving motivational strategies behind.

Force, for all its bluster, can often make a situation worse. This is especially true when addressing violations. Offenders may already be on the defensive about their progress, and an agitated officer can make the offender's attitude worse. For this reason, we suggest that officers address violations with an "even keel" attitude, addressing the behavior, dispensing the appropriate sanction, but not getting agitated or taking the violation personally.

Motivationally-inclined officers offer their support — and their regrets — to the probationer who might be considering a violation of probation orders:

PO: We've talked about this before. In another two weeks, you will be in violation of this court order. We have also talked about how it is up to you. You can certainly ignore this order but sanctions will be assessed.

Probationer: "Darn right I can I can ignore it — this is so stupid!"

PO: "It seems unfair that you're required to complete this condition. It feels to you like it might be a waste of your time."

Probationer: "Yeah. I can't believe I have to do this!"

PO: "It's important that I tell you that my (supervisor, judge, responsibilities, policy, position) will demand that I assess a consequence if it's not completed before the next two weeks."

Probationer: "You don't have to report this."

PO: "Unfortunately, that's part of my job. I have to follow orders here. So, this will be something I'll have to do."

Probationer: "You mean you can't just let it go?"

PO: "No, I don't have a choice. But — you have a choice, even if I don't. Is there anything we can do to help you avoid these consequences before the end of the month (next meeting, court deadline)?"

Probationer: "I'll think about it, it just seems unfair."

A confrontational approach is always an option, but at this point simply recognizing the offender's reluctance, and fairly informing him or her about what is likely to happen, can improve the likelihood that a decision for compliance will eventually overtake the emotions of the moment.

In this example, the officer refuses to leave the middle, neither defending the court's order, nor siding with the offender to stop the sanction. When it comes to the specific sanction, the officer defers to the court, and re-emphasizes a collaborative relationship: "How do we (you, significant others and myself) keep them (the judge, the court, agency policy) off your back?" Finally, the officer emphasizes the offender's personal responsibility. Offenders don't have to complete their conditions; they always have the option of taking the sanction.

Motivational Interviewing steers clear of both the hard and soft approaches. The "hard" approach is overly-directive and defends the court's authority ("You better do this!", "Drop the attitude, you're the one who broke the law," "Don't blame the court"). Less examined is the "soft" approach. This approach leaves the officer defending the probationer, ("I won't tell this time — but don't do it again," "Do you know what the court would do if I brought this to their attention?"). A positive alliance is not the same as ignoring violations to keep a good relationship at any cost ("You better get it together or I'll have to do something"), nor is it the same as allowing the situation to become personal and attempting to "out-tough" the offender ("I'll lock you up!"). Both approaches miss the mark as they prevent the officer from occupying the "middle ground."

A motivational approach is about finding the middle ground of a consultant who works with both sides (the court and the offender). Officers can work in partnership with the offender, while still being true to their court roles. Officers can respect personal choice, but not always approve of the offender's behavior. By their skills and strategies, agents can supervise for compliance and, at the same time, increase readiness for change.

Postscript

With training dollars always at a premium, it's not always an easy choice in deciding how they will be spent. Professional training in Motivational Interviewing (MI), as on many other topics, is often delivered via skill-based workshops. Recent stud-

ies (Miller & Mount, 2001, Rollnick, Mason & Butler, 1999) investigated MI training effectiveness by gathering taped practice samples before and after training, which were coded for staff behavior. On paper-and-pencil measures, participants reported large increases in motivational interviewing skills. Observational measures reflected more modest changes in practice behavior that were often retained 4 months after training. These articles called for more effective learning transfer to improve staff skills — and thereby increase client responses that were predictive of behavior change.

From this research, implications for training and quality control of implementation strategies have been developed. Following the conclusion of training sessions, continued follow-up is offered onsite within probation departments by utilizing digital recording of probation appointments and having these recordings sent offsite for coding and professional feedback. The protocol has the officer and probationer:

- Officer and Offender sign a "release of information to allow audio-taping for educational purposes." This release can easily be rescinded at any time by offender or officer.
- Explanations are given to the offender at the time this release is to be signed describing that the taping is not for the court's review but is entered into only for educational and training purposes.
- Department purchases a digital recorder (<\$75 avg.) that allows the recording to be transferred into a computer via USB cable.
- Sessions are recorded simply by placing the digital recorder between the offender and officer. Once the session has been completed, the audio file is uploaded into a department's computer (Windows® Audio File format) and sent via email attachment to a coder (MI trainer who has completed training — Motivational Interviewing Treatment Integrity MITI Coding System — and holds proficiency as an MI "coder"). This coder reviews the audio tape, summarizing the content and offering commentary.
- Coder sends back an Excel® spreadsheet via email attachment that lists summary of various behavior/response counts from session content. (i.e., reflective statements, resistance-lowering techniques, change talk, MI-adherent responses, etc.)
- Inserted into the session recording are interspaced taped statements made by these MI-trainers / coders who offer feedback and suggestions to the officer regarding session content. This feedback may be generalized (pro's and con's of the session) or specific to a juncture in the dialogue (For example: "You might have tried to use a reflection here instead of a closed-ended question.")
- Department executives are included in the coding arrangements to determine issues of progression, availability and handling of these audio tapes.

As noted, this coding for further training and fidelity to the approach stems from training research (Miller & Mount, 2004) that concluded with a call for practice proficiency:

Specific information provides (staff) with corrective feedback, and points to particular practice behavior changes that can be made. The extent to which (staff) has made these changes over time can be documented objectively through use of the same coding of subsequent practice tapes. Specific target goals and reliable

feedback of current performance are two important components in effective skill acquisition, which are too often unavailable to (staff) in gaining and improving practice proficiency (p. 20).

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