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Processes of participant engagement with the Edmonton Drug
Treatment Court: A grounded theory

by

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Abstract

The Edmonton Drug Treatment and Community Restoration Court (EDTC) diverts substance-addicted offenders from the criminal justice system and provides intensive court supervision, case management, and links to social, employment and education support. This thesis aimed to generate a grounded theory of the process of participant engagement with the EDTC, drawing on staff and participant interviews and observation of EDTC operations.

Criteria of engagement included meeting expectations, communicating openly and honestly, and forming bonds. Internal engagement was described as feeling hopeful and willing, and perceiving expectations as helpful rather than controlling. Perceptions underlying internal engagement involved motivation and openness to socialization and trust; feeling engaged resulting in the act of confronting issues rather than avoiding them. The process of engagement was a positive cycle, instigated and perpetuated through interaction with expectations and discipline, realizing and experiencing specific reasons to change, forming trust and accessing internal and external resources to address barriers.

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Chapter 1: Introduction and Background

Purpose

Drug Treatment Courts (DTCs) have been developed to facilitate the rehabilitation of criminal offenders who have concurrent addiction problems, in an attempt to address one of the root causes of their criminal behaviour. DTCs blend rehabilitative and punitive approaches to dealing with criminal behaviour and illicit drug use, diverting substance-dependent individuals away from the criminal justice system in order to receive addiction treatment under intensive court supervision and case management.

A crucial factor defining success for any program aiming to change substance use behaviour is the issue of retention, or keeping participants in treatment long enough so that therapeutic effects can take place (Simpson, 2004). Program retention has been linked to the concept of engagement, which refers to a combination of active participation in treatment, interest in treatment and compliance with conditions of treatment. From a theoretical perspective, engagement is linked to concepts of treatment readiness, treatment motivation, and quality of therapeutic relationship with those administering treatment (Griffith, Knight, Joe & Simpson, 1998; Wild, Cunningham & Ryan, 2006, Simpson, 2004). Although DTCs have proliferated across North America, to date there has been a lack of research on engagement in DTCs. Researchers have argued that qualitative research is needed to describe engagement as it occurs in drug courts in order to identify barriers to and motivators of success (Rempel & Destefano, 2001) as well as factors relating to the drug court environment and participant-staff interactions that may influence retention in DTC programs (Belenko, 2001). With this in mind, the purpose of this research was to systematically describe the process of participant engagement with the Edmonton and Drug Treatment and Restoration Court (EDTC).

Problem

Drug use and drug addiction has been well established as a widespread problem in Canada. The estimated social costs of drug use to Canadian society, including indirect costs related to productivity losses, direct health care costs, and law enforcement costs, was estimated to be \$38.8 billion in 2002 alone (Rehm et al., 2002). The criminal justice system in particular is affected by substance use

and misuse; after costs to health care, law enforcement is the second largest direct economic cost associated with substance misuse (Rehm et al., 2002). DTCs have emerged as a social response to these high costs, in response to three features of the association between substance misuse and involvement in the criminal justice system, as discussed in the following subsections.

Substance Use, Abuse and Dependence¹ among Offenders

Levels of substance use and addiction are considerably higher in prison populations compared to the general population. Rates of drug use during six months prior to arrest have been found to be just over 50% among federal inmates and 60% among provincial inmates in Quebec, with 30% of federal inmates reporting drug use at least a few times per week (Pernanen, Cousineau, Brochu & Sun, 2002). When Canadians at large were asked about use of illicit drugs during the past year, rates were found to be much lower, at 14.5% for any illicit drugs, and 3% for illicit drugs excluding cannabis (Health Canada, 2004). A comparison of federal inmate populations published in 2004 found that 62.3% of male inmates and 57.1% of female inmates met criteria for lifetime prevalence of drug abuse or substance abuse disorder, much larger proportions than males and females in the Canadian population at large (A health care needs assessment of federal inmates in Canada, 2004). Rates of substance dependence are estimated to be 31% among federal inmates and 43% among provincial inmates in Quebec (Pernanen et al., 2002), compared to an estimated 0.8% of Canadians who exhibit illicit drug dependence and 2.6% who exhibit alcohol dependence (according to the 2002 Canadian Community Health Survey: Mental Health and Well-being, see Tjepkema, 2004). These findings clearly indicate that criminal offenders often experience substance abuse and dependence problems.

¹ Both substance abuse and substance dependence differ from substance use in that they are defined by a maladaptive pattern of substance use. Substance abuse is defined as factors such as failure to fulfill role obligations, repeated use in situations that are physically hazardous, multiple legal problems, and/ or recurrent social and interpersonal problems in the past 12 months. Substance dependence includes the same maladaptive patterns of use as substance abuse, but also includes tolerance, withdrawal and/ or a pattern of compulsive use in the past 6 months. (American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Text Revision, 2000)

Link between Addiction and Criminal Behaviour

In 2003, 85 953 drug-related charges were laid in Canada, including possession, trafficking, importation and cultivation and comprising about 3.1% of total criminal charges (Leung, 2004). However, it has been acknowledged that drug use contributes to a variety of crimes beyond those labelled as “drug-related”, including prostitution, property crimes, theft and violent crimes. While 15% of federal inmates were convicted with a drug crime as the most serious offence, 40-50% of crimes committed by federal inmates overall are estimated to be causally linked to drug or alcohol use (for example, in order to get money obtain drugs or alcohol; see Pernanen et al., 2002). Although research does not support the idea that substance dependence *causes* criminal behaviour (i.e., criminal behaviour often predates regular drug use), there is ample evidence that substance abuse and dependence can perpetuate and prolong criminal behaviour (Abram, 1989; Inciardi, McBride & Rivers, 1996). Indeed, inmates diagnosed as alcohol or drug dependent reported committing an average of 7.1 crimes per week, compared to 1.7 crimes per week among offenders not reporting recent drug or alcohol use and 3.3 crimes per week among offenders reporting use of drugs or alcohol but not displaying dependence (Pernanen et al., 2002). Thus, not only do offenders more often experience addiction problems than the general population, those who are dependent on alcohol or other drugs report more criminal behaviour than other offenders.

The Criminal Justice System as a “Revolving Door”

It has been said that the criminal justice system is a “revolving door” in the way that it deals with drug offenders (Winick & Wexler, 2003, p. 13). In other words, many of the same individuals are seen in the criminal justice system over and over again. In this view, the criminal justice system does not change the drug-using behaviour it is trying to correct and instead, may actually perpetuate it. Consequently, the criminal justice system processes many of the same individuals over and over again. McBride (cited in Inciardi, McBride & Rivers, 1996), argued that many factors contribute to the “revolving door”, including the criminal justice system forcing those convicted of criminal offences to interact with other criminals and thereby become socialized into criminal roles; denying convicted felons the opportunity to play legitimate roles; and changing offenders’

self-concept to that of a criminal. As an illustration, the 2-year reconviction rate for Canadian federal prisoners released in released in 1994-5 was estimated to be 44.0%, and was estimated to be 42.6% and 40.6% for prisoners released in 1995-6 and 1996-7 respectively (Public Works and Government Services Canada, 2003).

Research Question

Drug Treatment Courts (DTCs) have been developed as one solution to these problems of substance abuse in the criminal justice population. The literature review to follow will demonstrate the difficulties involved in evaluating DTCs. Most evaluations to date have focused on outcomes of DTCs, and there is very limited understanding of *how* DTCs exert effects on participants. One important area that remains largely unexplored is how DTCs retain participants long enough that they can meet the requirements of graduation.

To address these knowledge gaps, this research described the process of engagement with the Edmonton Drug Treatment and Community Restoration Court (EDTC). The study was designed to answer questions such as "what is the process through which participants become active, involved participants of a DTC, committed to complying with all its terms and conditions?", and "what factors can keep this process from fully occurring?" Grounded theory methods were used to generate a theory regarding the process of engagement among participants of a DTC. Specific objectives of the study were to clearly describe features of engagement with a DTC and to identify how internal and external factors interacted to form the process of engagement.

Significance

DTCs have been developed as one solution to the widespread problem of substance addiction in the criminal justice system². By offering a process-

² Other approaches to substance abuse in the criminal justice system include treatment within prisons or secure facilities, the most effective of which may be therapeutic communities (Perry et. al, 2006). Reviews also suggest that diversion programs and aftercare programs including those that do not follow the court-supervised and intense case management model of DTCs, may be effective in reducing criminal behaviour and drug use. However, as will be shown with research on DTCs, the research is often prone to methodological difficulties (Harvey, Shakeshaft, Hetherington, Sannibale & Mattick, (2007).

oriented understanding of *how* participants come to be engaged in DTC programs, this study hopes to shed light on how DTCs exert their effects on participants. This information would be of use to those operating DTCs, in that it would offer insights into which aspects of DTCs are of most importance for retaining participants and ensuring commitment to making changes to drug use and criminal behaviour. Helping DTCs to better retain participants, in turn, has the potential of helping more participants to successfully graduate and raising the therapeutic effect of DTCs with a greater number of participants, which could help stop the revolving door of substance use and criminal behaviour in the criminal justice system.

This information would also be of use to DTC researchers, due to the fact that greater understanding of how DTCs work would resolve some of the methodological difficulties involved with studying their effects. Furthermore, engagement is not fully understood even in the context in which it is most often studied: community drug treatment. A systematic qualitative study of the process of engagement offers insight into factors that would help substance-addicted individuals become committed to make changes to their behaviour that may apply to a variety of contexts.

Chapter 2: Literature Review

History of DTCs

DTCs are defined as “a mechanism for providing long-term court-supervised treatment to offenders with drug problems” (Belenko, 2001). They are a subset of what can be referred to as “special jurisdiction” or “problem-solving” courts, which divert individuals from the traditional justice system and into treatment, providing intensive case supervision in order to facilitate rehabilitation and reintegration into society, in an attempt to address root causes of criminal behaviour. These courts have arisen as a response to the “revolving door” of the criminal justice system, and an acknowledgement that the traditional adversarial approach does not have the tools to deal successfully with substance-dependent offenders (Winick, 2003). In general, these programs are said to share the following characteristics:

the court hears an expanded scope of nonlegal issues; the court uses its authority to solve nonlegal as well as legal problems arising from the individual’s case; the court considers and attempts to effect outcomes, for example, sobriety, that go beyond application of the law; the court attempts to foster increased collaboration between government and nongovernment entities to accomplish shared goals; and judges and attorneys find themselves playing dramatically new roles. (Denckla, cited in Petril, 2003, p. 6)

The first DTC was launched in Dade County, Florida in the United States in 1989. Although there are now over 1000 DTCs and other problem-solving courts in the United States, this phenomenon is fairly new to Canada; the Canadian DTC began operation in Toronto in 1998, followed by one in Vancouver in 2001. Since that time, Justice Canada has launched pilot DTC programs in Edmonton, Regina, Winnipeg, and Ottawa.

Effectiveness of DTCs

Recidivism

Belenko (2002) reported on the difficulty of completing evaluation of DTCs, especially with regard to the outcome that is frequently of most interest to the justice system and to the general public: their effect on recidivism (i.e., re-offending, or engaging in additional criminal behaviour). He cites a number of barriers that have prevented the development of a rigorous body of scholarship

on DTC effectiveness, including: difficulty identifying appropriate comparison groups, the fact that DTC processes change often, the requirement of evaluators who are knowledgeable about both criminal justice and substance abuse treatment, lack of resources, and difficulty identifying factors that are most assess in local-level evaluations. Many reviews point to the fact that few evaluations of DTCs are conducted with sufficient control groups, sample sizes and follow-up periods to make well-founded conclusions, and that few randomized controlled trials have been conducted to assess effectiveness (Belenko, 2001; Latimer, Morton-Bourgon, & Chretien, J., 2006; U.S. Government Accountability Office, 2005)

Despite these methodological difficulties, several major reviews and meta-analyses suggest that DTCs are effective in reducing recidivism among DTC participants compared to controls. Justice Canada (Latimer et al., 2006) conducted a meta-analysis on 54 studies of 66 DTCs, and found that drug treatment courts significantly reduced recidivism rates by 14% compared to controls (95% CI = 0.10 – 0.17); overall, 57% of DTC participants were not charged with a new offence during the follow-up period compared to 43% of controls. A review completed by the U.S. Government Accountability Office (2005) found that of 13 of 17 DTC evaluations reporting post-program recidivism showed lower re-arrest or reconviction rates among DTC participants compared to controls. Among evaluations demonstrating significant differences between DTC participants and controls, differences in re-arrest rates ranged between 4 and 20% and differences in reconviction rates ranged between 5 and 25%. Belenko (2001) reviewed 37 DTC evaluations and found that four out of six studies that examined 1 year recidivism rates demonstrated reductions, with two of these demonstrating statistically significant differences (12% DTC versus 40% control in one study; 45% DTC versus 65% control in the other study) and the remaining two reporting large differences but not testing for significance (37% DTC versus 39% referred and 75% pilot in one study; 39% DTC versus 73% control in the other study). Belenko's review also noted that all three of the studies which used a randomized controlled trial design demonstrated reductions in recidivism. A more recent study (Krebs, Lindquist, Koeste, & Lattimore, 2007) used generalized estimating equations to examine longer-term impact of drug court participation compared to regular probation on criminal recidivism,

measuring arrest rates every six months from 1 year before drug court or regular court entry to 30 months afterward. Krebs et al. indicated that participants who entered drug courts were 2.04 times less likely to be arrested than those who did not enter drug court at the point of 12 to 18 months after baseline; however, no results at any other time period were significantly different between the two groups.

Effectiveness is less clear when comparing DTCs and other drug treatment programming in offender populations. Two reviews comparing DTCs to addiction treatment offered in prison, monitored by a court or probation system or treatment offered in the community (Perry et al., 2006; Holloway, Bennett & Farrington, 2006) located a small number of studies evaluating DTCs that met the methodological standards prescribed in the reviews and therefore offered limited conclusions. Perry et al. (2006) reported that none of the three identified DTC studies were homogenous enough to be included in their meta-analysis, and only one of the two studies reporting on recidivism rates demonstrated evidence of significant reductions in recidivism. Holloway, Bennett & Farrington, (2006) included only one DTC evaluation; though this evaluation demonstrated an effect for post-program recidivism (OR=2.21, $p<.02$), authors grouped it with studies of “drug testing” programs and concluded that these types of programs were no more successful than controls in reducing recidivism.

Other Outcomes of DTCs

Graduation rates for DTCs vary greatly within and between reviews, Latimer et al. (2006) reported graduation rates between 15.6% and 91% with a mean of 45.2%, the US Government Accountability Office (2005) reported a range of 27 to 66%, and Belenko (2001) a range of 29% to 47%. These variations may be explained in part by the differences in requirements for entering the drug court (for example, drug of choice and history of criminal behaviour), differences in drug court programming, and differences in requirements for graduation.

Throughout the existing literature on DTC effectiveness, there is a paucity of research with regard to the effect of DTCs on substance use and other outcomes such as health, psycho-social functioning, employment and education, largely because few DTC evaluations provide information on these outcomes

(U.S. Government Accountability Office, 2005; Belenko, 2001). There is evidence that DTC participation reduces substance use and leads to improvements in health and psychological status while completing the program, but there is little to no evidence regarding these outcomes following program completion (Belenko, 2001). A small number of cost-effectiveness evaluations suggest that although DTCs include more upfront costs compared to normal criminal justice processing, they yield positive net benefits in terms of cost savings from reduced recidivism and avoided costs to potential victims (U.S. Government Accountability Office, 2005, Belenko, 2001).

The Drug Court “Black Box”: How do DTCs Work?

Reviewers of the DTC literature consistently note that much of the difficulty in understanding *whether* DTCs work is due to the fact that there is so little understanding of *how* DTCs work. In other words, most DTC evaluations have been heavily focused on outcomes such as program retention, relapse and recidivism, thus overlooking the question of which elements internal to DTC programs (i.e., the “black box”) brought about those outcomes. As an illustration, the review by the U.S. Government Accountability Office (2005) found that none of the 27 DTC evaluations reviewed explicitly examined the effect of the judge and only two evaluations considered the effect of substance abuse treatment and sanctions imposed, despite the fact that the relationship with the judge and the use of rewards and sanctions have both been proposed as elements critical to participant success in DTCs. Belenko (2001) found that only 10 out of 37 evaluations reported on program and treatment service delivery information, and that very few of these demonstrated how delivery of services and program components were associated with program outcomes. Perhaps even more so than research related to recidivism outcomes of DTCs, research investigating the role of DTC components is faced with many methodological challenges. The following subsections discuss a few of the most prevalent of these factors, followed by a discussion of results of existing research.

Variation among DTCs

Attempts to identify variables that promote success in DTCs are also difficult because DTCs, perhaps by their very nature, show a great deal of

variation in how they operate, and as Cooper (2003) states, “[n]o two drug courts are alike” (p. 1679). Indeed, a meta-analysis of DTC evaluations completed by the Department of Justice Canada (Latimer et al., 2006) revealed significant variation in the extent to which the 66 reviewed DTCs reported offering programming targeting academic skills (60.6%), vocational skills (54.6%), social skills (36.4%), relapse prevention (22.7%) and psychological well-being (21.2%). Similarly, descriptions of in a review by the U.S. Government Accountability Office (2005) revealed that DTCs vary as to whether or not they accept participants with past criminal history, participants’ demonstrated level of drug addiction, requirements for program completion, nature and frequency of drug testing, the approach and philosophy for how a judge prescribes sanctions, and how termination from the program is determined.

Part of this variation stems from disagreements among drug court professionals as to how DTCs *should* run. For example, there is disagreement among DTC professionals as to whether rewards and sanctions should be delivered in a standardized manner, based on specific participant behaviour, or whether they should be more tailored to the individual. Those that seem to be more aligned with the justice perspective on DTCs argue that sanction and reward delivery should be fixed (Cooper, 2003). However, others believe that standardization is not desirable, and that delivering program elements such as rewards and sanctions in an individualized manner is key to differentiating DTCs from the justice system and therefore key to understanding effects of DTCs on participants (Lindquist, Krebs & Lattimore, 2006, Satel, 1998).

There is also disagreement around the end goal of DTC programs. Some experts see a DTC as simply attempting to increase treatment retention, others as a way to decrease both recidivism and drug use, and still others as a “comprehensive rehabilitation program that not only targets addiction, but also promotes prosocial behaviour and successful re-entry into the community” (Banks & Gottfredson, 2003, p. 386). There may be a belief among some DTC professionals that it is necessary to aim for such wide ranging goals as pro-social behaviour and successful re-entry into society. Goals such as these are more difficult to define than are goals of reduced recidivism and increasing treatment retention, which makes them not only more difficult to achieve through DTC

programming, but also more difficult to measure in an evaluation or research study.

DTC Research and Evaluation is Largely Atheoretical

DTCs are a combination of at least two social sectors: the criminal justice and health sectors. As Cooper (2003), notes:

Drug courts have come to be all things to all people – crime reduction programs, intensive community based supervision programs, diversion programs, drug user treatment programs, public safety programs, holistic rehabilitation programs, jail system cost-saving entities, mechanisms for coordinating social service delivery, etc (p. 1696).

Not only does this likely explain the different opinions with regard to how DTCs should run, but it also leads to conflicting opinions with regard to the desired outcomes of DTCs, and therefore which aspects of DTCs should be most emphasized to bring about desired effects. For example, the criminal justice sector might see a reduction in criminal recidivism and increased retention in treatment as a desired outcome, whereas the desired outcomes of the health sector might include such things as improved physical and emotional health, psychosocial functioning and better integration with society. Nolan (2002) notes that the acceptance of the treatment perspective of drug addiction “fundamentally alters the manner in which drug-user offenders are handled in the criminal justice system” (p. 1729), namely by requiring that offenders admit their “sickness” rather than their “guilt”. He states that, though public debate of DTCs center around utilitarian questions related to whether DTCs work and whether they save money,

The jettisoning of guilt may represent the most important, albeit rarely reflected upon, consequence of the drug treatment court ... one wonders what will become of a criminal justice system bereft of the same quality that once defined its very existence” (p.1737).

Winick & Wexler (2003) argued that DTCs have developed in a largely atheoretical manner, and have presented therapeutic jurisprudence as a potential theory that can provide grounding for the movement. Therapeutic jurisprudence is based on the premise that the tools of behavioural science can be used to study the therapeutic and anti-therapeutic impact of the law, as well as to

increase the law's therapeutic potential when it is consistent with other legal goals. In other words, therapeutic jurisprudence "specifically asks *what* legal arrangements work and *why*" (p. 7). A particular focus of discussion articles around DTCs have been the change of the traditional role of both judges and lawyers toward this therapeutic orientation (Burns & Peyrot, 2003; Wheeler, 2005). Many believe that this different role of judges is a crucial aspect of what makes DTCs effective with participants (Wheeler, 2005); however, there is some debate over whether it is in fact beneficial for participants (Thompson, 2002).

Research supports the idea that DTC judges and other staff accept therapeutic jurisprudence as a relevant theory for DTC operation (Edwards, 2005). A study testing a model of DTC support based on therapeutic jurisprudence found that "therapeutic" aspects of DTCs, such as the ratio of supportive to adversarial comments made by the judge, were significantly correlated with positive participant outcomes (Senjo & Leip, 2001). However, therapeutic jurisprudence is less a theory of behaviour change per se than an acknowledgement that the justice system has an effect on individuals and should make use of existing behaviour theories. Since there are a number of theories in the behavioural sciences, many with conflicting and even contradictory views of behaviour and processes of behaviour change, the adoption of therapeutic jurisprudence by DTC researchers and programmers is a step in the right direction but only a beginning to gaining an understanding how DTCs operate, and with what effects.

Perhaps as a result of this lack of cohesive theory of behaviour change, it is difficult to discern a meaningful picture from current studies of factors mediating the effect of DTCs on participants. To illustrate, different researchers emphasize different variables in understanding processes of engagement in DTCs, including: participant motivation (Cosden et al., 2006) perceived deterrence (Marlowe, Festinger, Foltz, Lee & Patapis, 2005), desire to keep from using drugs due to risk of penalty (Gottfredson, Kearley, Najaka & Rocha, 2007), opinion of judge or for the sake of self or family and fairness of the justice process (Gottfredson, Kearley, Najaka & Rocha, 2007).

DTCs May Be Greater Than the Sum of Their Parts

What is perhaps most difficult to clarify through DTC research, and indeed what has rarely been attempted, is the effect of the key DTC elements when they are combined to form one comprehensive program. Cooper (2003) emphasizes the “dynamic, diverse, nonlinear and human nature” of DTCs, along with the two unique factors of “the human interaction at all levels, which they promote, and the immediacy of the response they generate” (p.1677).

This may in fact be the greatest reason that DTC research to date has done little to open the “drug court black box”; studies attempting to understand the DTC effect may take DTC components out of context and therefore distort the understanding of how the DTC effect operates with participants.

Results of Research on DTC Components

What the limited research with regard to program components does suggest is that treatment combined with supervision and sanctioning makes the strongest contribution to reductions in recidivism (U.S. Government Accountability Office, 2005). Research with regard to treatment in DTCs suggests that participants who complete treatment are more likely to graduate and less likely to be rearrested (Taxman & Bouffard, 2005, Banks & Gottfredson, 2004), and a greater amount of treatment sessions and greater percentage of time in treatment, the greater the reduction in re-arrests following DTC completion (Goldkamp, White & Robinson, 2001). Research with regard to other DTC components is less clear. For example, some have suggested that the deterrence effect of legal sanctions may be an important mediator for the DTC effect (Marlowe, Festinger, Foltz, Lee & Patapis, 2005). However, a recent study suggests that completion and retention rates may be similar for DTCs with and without legal sanctions (Hepburn & Harvey, 2007). Furthermore, when jail sanctions do have an effect, they have an inverse relationship to program completion (Belenko, 1994, Goldkamp, White & Robinson, 2001). These findings suggest that the relationship between sanctions and graduation may be more dependent on participant characteristics and less contingent on actions of the DTC per se. Similarly, research has demonstrated mixed results or inconclusive results with regard to the importance of attendance of court hearing sessions (Marlowe et al., 2003, Marlowe, Festinger, Dugosh & Lee, 2005, Gottfredson,

Kearley, Najaka & Rocha, 2007), and the relationship with the judge and other DTC staff (Hepburn & Harvey, 2007, Senjo & Leip, 2001).

Qualitative DTC Research

A number of researchers have examined DTCs using qualitative methods. Nolan's (2001) ethnography of 21 drug treatment courts in the United States described a number of key features of these programs. One such feature is the fact that the use of narrative seems to be a defining feature of DTCs, in particular, narrative concerned with judicial empathy and open expression of emotions. Nolan states that:

The judge is not simply concerned with whether or not a "defendant" committed some illegal behaviour but is actively involved in the process of helping the "participant" or "patient" recover, heal and overcome an addictive lifestyle. Given this orientation, the judges and treatment providers necessarily explore the inner emotive regions of the defendant to effect this change. The application of emotivist storytelling in the drug court [results] in a restructuring of court procedures (p. 112)

Nolan (2002) explored the prevalence of the so-called "disease paradigm" among DTC judges. Nolan noted that many judges believe that DTCs operate on participants by improving their self-esteem, and explored the idea of guilt versus illness and responsibility in the context of DTCs. In the words of one judge, drug treatment court is "combination of taking responsibility and also recognizing that some things are beyond the control of the individual. Addiction to drugs is a health problem" (p. 1737).

Mackinem (2003) completed qualitative fieldwork with three DTCs in the southern United States. He examined how DTC staff go about making judgements about sanction and reward delivery, program entry, and allowing participants to stay in the program. Mackinem observed that:

At no occasion did I see staff judgement as a simple manifestation of appropriate policy and procedure manuals. While such manuals existed in all courts, at no times were they central to any decision making. Staff judgement is a manifestation of their individual histories, professional orientation and experiences with the client, experiences with other staff members, personal factors, and organizational characteristics. (p. ix)

He further characterized staff judgement among all of these factors as a process of creating moral identities of participants as being a "worthy addict" or an

“unworthy criminal”. The former deserves staff effort, understanding and allowances, the latter is unworthy of effort and must be dealt with sternly.

Burns and Peyrot (2003) conducted an ethnographic study of the California Drug Treatment Program which included observation of two Southern California drug courts and interviews with judges and other staff. The authors illustrate various aspects of these courts, including judge’s use of sanctions, how staff determine whether participants are suitable for participation, advancement and graduation, and participants’ use of negotiation-type processes to minimize staff perception of their responsibility for infractions. Of particular interest to the present research on participant engagement with DTCs is the authors’ observation that it is “commitment to recovery, rather than simply the behaviour itself, which figures into the decisions of drug court judges” (p. 428) and that “there are several levels of compliance, including: not making it into the program; being “on your way,” but not as good you could be; and demonstrating acceptable recovery” (p.431).

Belenko (2001) reported that 18 out of 37 DTC evaluations reviewed between 1999 and 2001 shared qualitative data on the attitudes, experiences, and perceptions of drug court participants and staff. Belenko stated that qualitative participant and staff interviews, can be

“useful for understanding the way in which drug courts operate, the factors that may help or hinder client engagement in the drug court, and the challenges that staff face in identifying client needs and linking them to effective services [and for shedding light on] the drug court environment [and] the nature of the interactions among staff and clients that may affect drug court retention rates and program compliance (p.24).

Though the qualitative data reviewed often yielded useful suggestions for improving DTC operations (such as tougher sanctions, expanded services for children and families, improved interagency communication, and smoother interagency linkages), Belenko cautions that these interviews were most often completed with graduates only and that staff perceptions tended to be highly positive in terms of the success of the programs, and should therefore be considered “descriptive and anecdotal” (p.10).

The Concept of Engagement

The atheoretical nature of DTC research to date may benefit from careful consideration of the concept of participant engagement, which has proved to be important in understanding responses to addiction treatment provided outside the context of the justice system. Engagement can be characterized as a combination of active participation in treatment, interest in treatment, and compliance with conditions of treatment, and is linked to concepts of treatment readiness and motivation and therapeutic relationship with those administering treatment (Griffith, Knight, Joe & Simpson, 1998; Wild, Cunningham & Ryan, 2006, Simpson, 2004). The importance of examining concepts of early engagement and early recovery lie in their relationship to treatment retention, or length of time in treatment, which has been identified as one of the most important predictors of treatment success (Bell, Richard & Feltz, 1996). Engagement has also been shown to have a strong link to treatment outcomes such as drug use at follow-up (Griffith et al., 1998).

Outside the context of DTCs, Simpson (2004) reviewed decades of research on addiction treatment processes and outcomes, and proposed a useful conceptual framework characterizing effective drug treatment. In this review, he defines “early engagement” in the context of drug treatment programs as “the extent to which new admissions show up and actively engage in their role as ‘patient’”, and states that it is measured primarily through program participation and formation of therapeutic relationships in the initial weeks of treatment (p. 106). Simpson identifies that factors such as treatment motivation, readiness, and severity of drug use predict early engagement, and has shown that early engagement can be enhanced through such means as contingency management and ensuring that the structure and characteristics treatment program maximizes the therapeutic relationship.

Early engagement is closely related to, and has been identified as the precursor to, the concept of “early recovery”, a change in thinking and acting “that builds on successes from the previous engagement stage and sustains retention in treatment for a long enough time to see evidence of enduring change in drug use and related problem behaviours” (Simpson, 2004, p. 108). Early recovery is measured by assessing changes in psychosocial functioning and in drug-use and other related behaviour, and can be predicted by factors such as measures of

early engagement and the therapeutic relationship. It can be enhanced through use of relapse prevention and identification of triggers, enhancing social, coping and life skills, and ensuring participants have a strong relationships with a network of “significant others”.

Engagement and DTCs

Though there is a not a great deal of Drug Treatment Court research addressing the issue of engagement directly, two major DTC studies suggest that concepts related to participant engagement make a difference with respect to program completion. Taxman and Bouffard (2005) completed a retrospective analysis with 2 357 participants across four drug courts and found that compliance with drug court conditions differed among participants who did and did not graduate; graduates had a lower percentage of positive drug screens (62.9% versus 81.4%), had a higher percentage of participants meeting at least 75% of required drug tests (62.9% versus 23.3%) and had a higher percentage meeting at least 75% of required treatment sessions (61.9% versus 20.7%). Similarly, the review completed by the U.S. Government Accountability Office (2005) found that the only program factor which consistently predicted program completion was compliance with drug court conditions, including attendance of treatment sessions, beginning treatment early in the program, and appearing at status hearings. Of these, those factors which were associated with early engagement, such as whether the participant absconded from program contact or received warrants within 30 days of program entry more consistently predicted program completion than did factors related to participation during the duration of the program, such as treatment attendance, status hearing attendance and within-program arrests (though the latter were generally positively related to program completion). Factors that did not consistently predict program completion included severity of sanction invoked if participants failed to complete program and manner in which judge conducted status hearings. This report emphasizes the importance of improving understanding of matters which bear on retention in DTCs, stating that “to the extent that drug court program managers can learn more about methods to retain participants for the duration of the program, they may be able to further enhance the positive impacts of drug court programs” (p. 7).

Only one DTC study to date has explicitly addressed the concept of participant engagement. Rempel and Destefano (2001) completed a study with 1163 enrollees of the Brooklyn Treatment Court in order to examine predictors of drug court engagement (defined as four consecutive months of drug-free and sanction-less participation) and treatment retention (participation in at least 90 days of treatment). Logistic regression revealed that the most important predictors of both treatment retention and engagement were legal coercion (defined by amount of jail time required in the case of drug court failure), legal/emotional coercion (defined by the presence or absence of a pending Family Court case), attendance of treatment in the first 30 days of enrolment and not having a warrant issued within 30 days of program enrolment. Weaker predictors of dropout were being younger, having heroin as primary drug of choice, prior misdemeanour conviction, and residence in a neighbourhood designated as having greater social isolation (based on income and demographic data indicating a high amount of single-parent households). Some of the variables that had been hypothesized to be important but did not reach significance included educational and employment status and history of homelessness, both of which were thought to represent 'mainstream social ties'. Treatment retention and drug court engagement were highly interrelated; 80-85% of those who completed 90 days of treatment were also defined as engaged (i.e. had a period of 4 months that were drug and sanction-free), and age was the only significant predictor of engagement among those who completed 90 days of treatment. These results give some clear direction with regard to drug court programming, such as the importance of enrolling participants in treatment as soon as possible and using the threat of legal incarceration to ensure engagement. Many questions were not able to be addressed, however. In particular, variables such as social isolation and mainstream social ties are a fairly new and misunderstood area of study. Furthermore, it is difficult to ascertain specific causal relationships with this type of data. Rempel and Destefano (2001) concluded that:

As the significance becomes clearer of the typical prediction variables analyzed in this study, it becomes important for research to look more closely at the treatment and recovery *process* in drug courts. In this regard, there is a compelling need to undertake more qualitative projects that attempt to learn from participants ... what were the crucial barriers they faced, what factors motivated their success, and how drug courts can improve their services [*italics in original*]" (p. 117).

The Present Study

Research has established the effectiveness of DTCs in reducing recidivism and has begun to distinguish the role of some of the components of DTCs in bringing about outcomes. However, the question of why some participants are retained in DTCs and others are not remains unanswered. The literature reviewed in this chapter suggests that a productive line of research designed to address the question of participant retention may focus on obtaining a more systematic description of the concept of participant engagement.

With that in mind, this study used grounded theory to develop a theory describing the process of engagement among participants of the EDTC. In particular, I aimed to gain understanding the process through which participants were brought into the EDTC, began to meet its requirements, and became committed to making changes to their lives. Specific objectives were to clearly describe what engagement with the EDTC looks like, to identify the factors internal and external to participants that were most important to the process of engagement (including barriers to and motivators for success), and, if pertinent, identify the stages of becoming engaged.

Chapter 3: Method

This study used grounded theory methods to generate a theory about processes of engagement among participants of a DTC. This study examined these issues in collaboration with the Edmonton Drug Treatment and Community Restoration Court (EDTC). Data collection took place over a five month period beginning in November 2007, then again between October 2008 and March 2009. Data sources used to explore the research question included direct observation of pre-court meetings and court hearing sessions, semi-structured interviews with EDTC participants and staff, and a focus group with EDTC graduates.

Overview of Methodological Approach

Grounded theory attempts to generate “a theory that accounts for a pattern of behaviour which is relevant and problematic for those involved” (Glaser, 1978, p. 93). Grounded theory is based on the sociological perspective known as Symbolic Interactionism, which is “both a theory about human behaviour and an approach to inquiring about human conduct and group behaviour” (Anells, 1996, p. 380). Symbolic Interactionism asserts that individuals create meanings for objects around them, which are both based on and modified by interaction with those around them, and that these meanings shape how individuals act in social situations. Blumer (1969) highlights how using Symbolic Interactionism to characterize human behaviour has profound methodological implications for researchers. For example, understanding people’s actions requires that researchers take their point of view into account to understand the meanings they have for the objects they are interacting with (p. 50-2). This is one reason why I completed interviews to explore the point of view of participants and staff regarding the EDTC activities and processes. Blumer also emphasizes the importance of “naturalistic” observation. This serves a few purposes in relation to symbolic interactionism. First, it acknowledges that social interaction is not merely an arena for human behaviour, but that social interaction forms human behaviour in its own right (p.52-3). In that way, a crucial aspect of describing processes of the EDTC is seeing them in action. Second, it allows us to study social action not by examining isolated causal factors, but instead by looking at the entire set of processes by which social actions are constructed (p.56). Spending time immersed in EDTC activities was important for describing

the dynamic process by which participants interact with and create the EDTC as a social process.

From this disciplinary perspective, a grounded theory study gathers data from a naturalistic setting in order to “generate or discover a theory ... that relates to a particular situation”. This situation is one in which individuals interact, take actions, or engage in a process in response to a phenomenon” (Creswell, 1998). Grounded theory “is a detailed grounding by systematically analyzing data sentence by sentence by constant comparison as it is coded until a theory results. The result is that “all data is conceptualized into categories and integrated into a theory” (Glaser, 1978, p.16). The theory that emerges in this type of research is substantive rather than formal, in that it attempts to describe behaviour in a specific context. Its explanatory power lies mainly in the discovery of one category that “explains a considerable portion of the action in an area and relates to most categories of lesser weight used in or making the theory work” (Glaser, 1978). Often, this core category is what Glaser refers to as a Basic Social Process (BSP), which will be described in more detail in the analysis section below.

Researcher’s Point of View and Formation of Research Question

My interest in the EDTC began before I began this thesis research. While working for my supervisor as a research assistant prior to becoming a Master’s student, I expressed interest about the program to an EDTC evaluation assistant, and was invited to observe my first EDTC pre-court meeting and court session. What initially drew me to the EDTC was the fact that I had always been interested in alternative approaches to justice. As I began to read more of the literature on DTCs, I saw them as a striking example of people working together to make changes to a large and unwieldy system (the legal system) in order to better serve individuals (the offenders and, as some would suggest, those working within the legal system).

As a health promotion student, I liked the idea of a thesis project that explored a program that was multidisciplinary, involved partnerships between different agencies and organizations, and emphasized the importance of social support and community reintegration. As a former student of psychology and political science, I was drawn to study processes that took into account individual,

interpersonal and contextual factors. Finally, my goals for this current thesis project were to increase my knowledge and skills in qualitative research methods, as well as to gather evidence that might be useful for the EDTC and other drug court staff.

I began with a few different ideas for research questions. I applied for initial funding with a question related to how mental health was assessed and managed in the EDTC. Realizing I wanted to deal with a question more central to the operation of the EDTC, I spent the spring semester of 2007 developing questions around the role of formal and informal rewards and sanctions, issues of compliance and the role of relationships in the court. I came at these questions from the point of view of self-determination theory (SDT, see Ryan & Deci, 2002) with the guidance from my supervisor Dr. Wild, who directs the Addiction and Mental Health Research Laboratory at the University of Alberta, and who has trained with the originators of the theory. As part of a qualitative research methods course which emphasized the value in inductive inquiry, I formed the current research question encompassing all of these ideas in the broader concept of “engagement”. Though I moved away from a priori use of the theory in my research, and did not set out to test SDT, the beliefs behind SDT have certainly informed my data gathering and interpretation. In particular, though I examined a number of behaviour change and other theories when interpreting my results, SDT took a special place in analysis and interpretation throughout my research process because of its place in the development of my research question. Though SDT has a strong quantitative tradition, it is also a macro-theory which begins with an assumption that people are active organisms, who strive to try to integrate their experiences into a coherent sense of self, and that social environments can either facilitate these tendencies, or hinder, block or overwhelm them (Deci & Ryan, 2002). I take these beliefs to be overarching constructs, which strongly reflects my overall view of human behaviour and human motivation. However, I made a strong effort to ensure that I was not limiting myself to this theory or imposing concepts from it into this theory, mostly by making sure that I stayed close to the language used by those in the setting, and saving any comparisons for the discussion rather integrating them with the results.

An important consideration for all research, especially in the qualitative paradigm, is to consider how one's own biases might affect the findings presented. In that regard, it is important to mention several biases with which I entered the field, and how I addressed these. First of all, I entered this research with an idea that drug courts, and especially the personal and non-punishment model favoured by the EDTC, were a positive approach to dealing with substance abuse. It was important for me to check these beliefs by being responsive to what was actually going on in the EDTC setting, and in particular, to be cognizant of any downfalls or limitations of the model being put forward by the EDTC. I also entered the field with the idea that it was possible for substance-addicted offenders to successfully make changes to their life if the correct supports were in place. I found that it was important for me to be aware of discussions in the setting regarding accountability and responsibility, and to ensure that I was not removing blame from offenders. Prior to entering the field, I made note of many of my assumptions and beliefs related to my research question, and continued to enhance my awareness through careful documentation throughout the research. These and other methods used to minimize bias and enhance credibility of the research findings are discussed more thoroughly in the Rigour section of the Methods chapter.

Study Setting and Overview of the DTC Program

The Edmonton Drug Treatment and Community Restoration Court (hereafter referred to as EDTC) is a partnership between many organizations and agencies in the justice and treatment sectors, including the Criminal Division of the Provincial Court in Edmonton, Justice Canada, the Edmonton Crown Prosecutors Office, the John Howard Society of Edmonton and the Alberta Alcohol and Drug Abuse Commission (AADAC). The EDTC has also formed partnerships with community agencies. Unlike some DTCs which offer services such as counselling, housing and education “in-house”, the EDTC uses a “brokerage model” by making referrals to community services. This is done partly because of funding considerations, but EDTC staff also feel that this approach offers participants some choices with regard to which organizations they will access for treatment, housing, employment and other services. In addition, the use of existing community organizations helps the EDTC and its

participants to be more integrated into the broader community, which is one of the main goals of the program. The EDTC has operated since 2005 and currently serves 20-25 participants per year. The EDTC has been designed to meet the needs of non-violent provincial and federal offenders who are addicted to cocaine, heroin or opiates, and offenders must go through a screening process in order to qualify for the program. In addition to a designated judge and prosecuting and defence attorneys, EDTC staff members include an Executive Director, case managers, and administrative staff. A full time probation case manager provides services similar to a probation officer, acting as a liaison with the criminal justice system. A full-time treatment case manager has knowledge and experience with addiction and recovery, and completes tasks such as urine testing. Both case managers, however, play a role akin to social workers and counsellors for the participants. Figure 1 provides an overview of the enrolment process and participation in the EDTC.

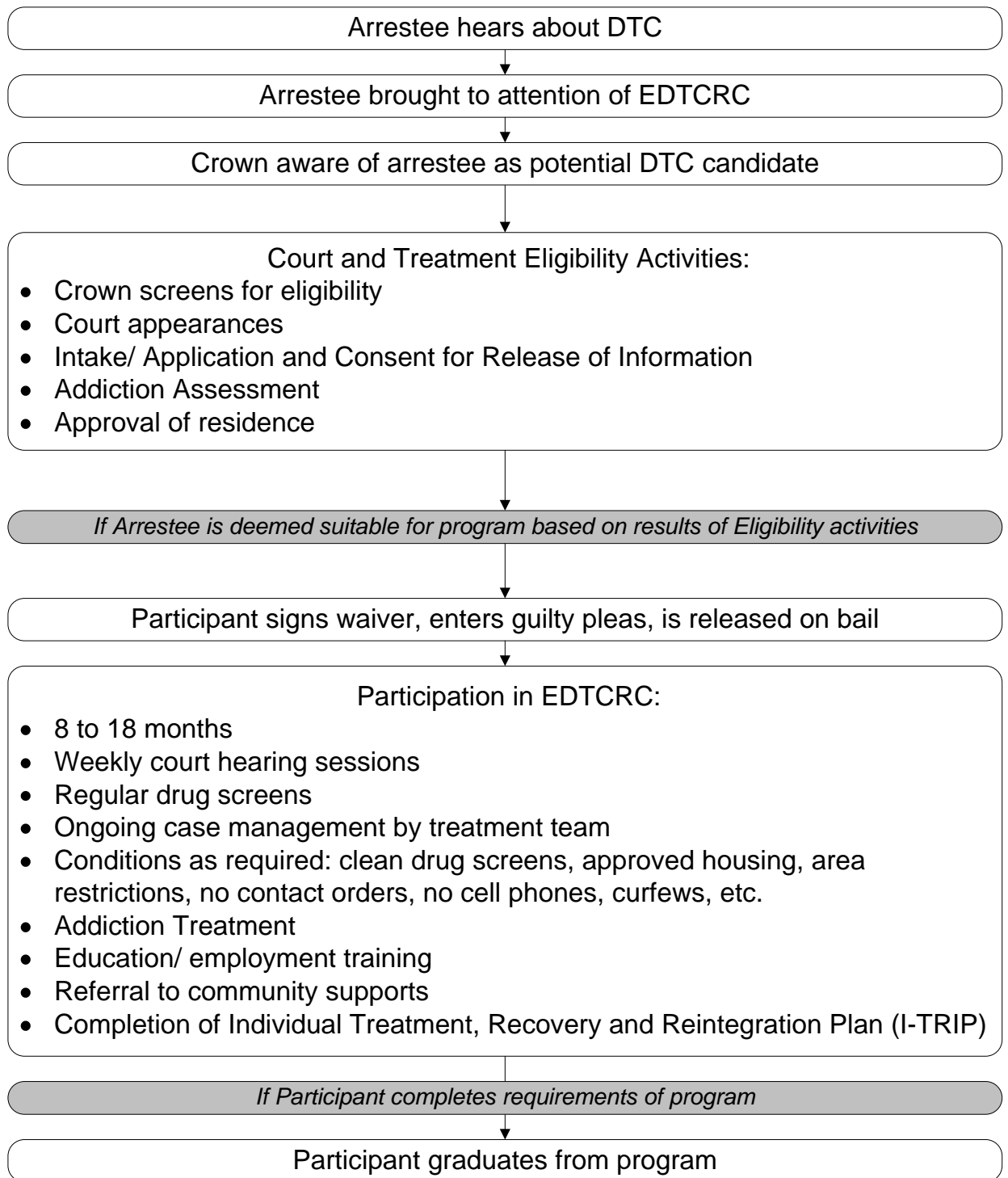


Figure 1. Flowchart of participation

Eligibility and Program Entry

Once an individual has been identified as a potential participant, federal and/or provincial Crown Prosecutors review current charges and criminal history to determine eligibility for the program. According to the process evaluation carried out for the EDTC by the Addiction and Mental Health Research Laboratory (2008b), among 82 offenders screened between December 2005 and July 2007 for whom reasons for ineligibility were noted on file, more than half (52.4%) were deemed ineligible due to their previous criminal record or history, in particular because of a history of violence (19.3%) or compliance issues (18.3%). Others were deemed denied entry because of specific circumstances of the current offence (11.0%), because the current offence was judged as being committed for commercial gain, because the charge involved violence (3.7%) or because of evidence of gang involvement (2.4%). The remainder (17.1%) were noted as “other”, and were not granted entry into EDTC due to reasons such language barriers, showing no apparent drug addiction, or because the EDTC was judged to be at capacity.

If the offender is deemed as eligible based on Crown screening, she or he takes part in intake and assessment interviews. The intake interview is usually done by the EDTC probation case manager, and addresses the potential participant’s current living and family situation, charges, mental health concerns, and participant motivation. The probation case manager also works with the participant to ensure that they are or will be living in a residence that has been approved by the court (i.e., a residence that is stable and does not house any individuals who might be using drugs or engaging in criminal activity). An addiction assessment is completed by the treatment or addictions case manager, and attempts to establish that a participant actually does have a drug addiction. The addictions assessment also involves an in-depth examination of past and current drug behaviour, and effects of drug use on different areas of the individual’s life (including family, leisure, employment and criminal activity).

During the eligibility process, participants in custody are usually brought into the courtroom every Wednesday to watch EDTC hearing sessions from the custody box. Other participants are not in custody, either because they were not in custody when they began the process of enrolment or because they were released from custody into an approved residence once they had been deemed

as eligible. Outcome evaluation results³ (Addiction and Mental Health Research Laboratory, 2008a) on EDTC data collected from January 2007 to December 2008 indicated that the average wait time between crown screening and entering guilty pleas was 40 days, with 26.1% waiting 21 days or less, 50% waiting 22-42 days and 23.9% waiting 43 days or more (Addiction and Mental Health Research Laboratory, 2008a). Process evaluation data, indicated that wait times were dependent on scheduling of intake and assessment interviews, as well as availability of treatment beds (Addiction and Mental Health Research Laboratory, 2008b).

Program Participation

Once an arrestee has completed all eligibility activities and has been deemed eligible for the program, they sign a waiver, enter guilty pleas and, if in custody, are released on bail. Entering guilty pleas and is generally regarded as the first step required in becoming an official participant of the EDTC.

Participation in the EDTC requires participation in addiction treatment, typically in both residential and outpatient³ drug treatment programs, and completion of random drug screening. Case managers work closely with participants on a full-time basis to help participants develop and meet goals related to addictions and other needs. The expected time to completion of the EDTC is between eight to eighteen months, and is dependent on the progress of the participant.

Participants attend weekly court hearing sessions throughout participation in the EDTC, unless there are extenuating circumstances or the participant has been allowed reduced attendance as a reward for continued good behaviour. These are presided over by the DTC judge, with input from the program's Executive Director and Prosecuting Attorney (Provincial or Federal Crown attorneys). During court hearing sessions, participants receive sanctions or rewards based on behaviour. Sanctions³ can include verbal reprimands, restrictions of freedoms, jail time or expulsion from the program, while rewards include praise from the judge, applause, weekend passes, coffee cards or other small gifts, and reduced attendance at hearing sessions. Provision of rewards

³ Available for 46 of the 51 participants who had ended their participation as of September 24, 2008.

and sanctions are decided on a consensus basis by the EDTC team⁴, with no specific algorithm or standardized procedure being used for determining sanctions or rewards.

Addiction Treatment. Most participants complete long-term residential inpatient treatment as one of the first requirements of the EDTC. However, some participants are not expected to complete a residential treatment program, some complete this requirement before being enrolled into the court, and some complete more than one long-term residential treatment program. Process evaluation data⁵ indicated that 84.3% of all EDTC participants entered at least one addiction treatment program, with 66.7% initiating at least one residential treatment program, and 52.9% initiating at least one day treatment program (Addiction and Mental Health Research Lab, 2008b). Because the EDTC uses a brokerage model, not every participant attends the same treatment centre. Process evaluation data indicated that participants have been referred to eight different addiction treatment facilities, but that about 75% are referred to one of two facilities, with the majority (60.4%) being referred to one particular facility at which the EDTC purchases bed space (Addiction and Mental Health Research Lab, 2008b).

After residential treatment (or instead of residential treatment in cases where it was not completed), participants attend day treatment, relapse prevention and/ or follow-up treatment as required by treatment plans. The EDTC also uses a 12-step model derived from Alcoholics Anonymous⁶ to augment the treatment aspect of the EDTC.

⁴ “EDTC team” refers to the team of the judge, prosecuting and defence attorneys, Executive Director and Treatment and Probation Case Manager. The “Treatment team” refers to the Executive Director and Treatment and Probation Case Manager only.

⁵ Completed with data collected prior to July 25, 2007.

⁶ The 12 steps:

1. We admitted that we were powerless over alcohol – that our lives had become unmanageable.
2. We came to believe that a Power greater than ourselves could restore us to sanity.
3. Made a decision to turn our will and our lives over to the care of God as we *understood him*.
4. Made a searching and fearless moral inventory of ourselves.
5. Admitted to God, to ourselves, and to another human being the exact nature of our wrongs.
6. Were entirely ready to have God remove all these defects of character.
7. Humbly asked Him to remove our shortcomings.

Many of the treatment programs operate on a 12-step model, for example, having participants complete step-work⁷ as part of their recovery process. When not in treatment, participants are generally expected to attend several 12-step meetings on a weekly basis, to obtain a sponsor, and to complete step-work.

Conditions of Participation. A number of general conditions (usually around 15-20) are typically listed on a participant's bail order, including completion of randomly-scheduled urine screens, attending weekly court status hearings and weekly appointments with case managers, not using drugs, committing criminal acts, or possessing firearms while in the court, not being rude or confrontational to drug court staff⁸, as well as conditions specific to participants such as no-contact orders or area restrictions. Conditions may be added if required (i.e. if participant uses drugs and staff members believe that a change in conditions would help to remove temptation or prevent use in the future). Conditions may be removed if a participant is doing well.

Conditions also require that participants complete treatment and other programming as needed, complete community service. The EDTC makes these conditions more personalized by working with participants to develop an Individual Treatment, Recovery and Reintegration Plan (I-TRIP). With input from staff, EDTC participants develop goals pertaining to managing addiction, as well as factors that bear on addiction, such as health, counselling, community capacity, life skills, education, employment and community service.

Sanctions and Rewards. As in some DTCs described in the literature (Lindquist, Krebs, & Lattimore, 2006), the EDTC does not use a specific

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8. Made a list of all persons we had harmed, and became willing to make amends to them all.
 9. Made direct amends to such people whenever possible, except when to do so would injure them or others.
 10. Continued to take personal inventory and when we were wrong promptly admitted it.
 11. Sought through prayer and meditation to improve our conscious contact with God *as we understood Him*, praying only for knowledge of His will for us and the power to carry that out.
 12. Having had a spiritual awakening as the result of these steps, we tried to carry this message to alcoholics and to practice these principles in all our affairs.

⁷ Working through the 12 steps individually, often with the help of worksheets or workbooks.

⁸ This condition was added during the data collection period for this study because EDTC staff had noted repeatedly that confrontation and rude attitudes were becoming a problem.

algorithm for delivering sanctions and rewards. Instead, tailored delivery of rewards and sanctions is applied to individuals based on specific situations. For example, rewards can be given for meeting conditions, making significant progress, and engaging in positive behaviour, and include praise, applause, gifts, more lenient bail conditions, and attending court less often or being able to leave court early. Sanctions can be delivered for not meeting conditions or obligations (such as attending meetings or making appointments), or for being dishonest. Program evaluation data⁹ indicated that participants received an average number of 3.3 sanctions (17.4% of participants received 10 or more sanctions). Participants received an average number of 26.4 rewards (50% of participants received 10 or more rewards; Addiction and Mental Health Research Lab, 2008a).

Graduation and Non-completion. Participants are eligible to graduate from the EDTC if they have been in the program for a minimum of eight months, have (according to urine screening) not used illicit substances except cannabis¹⁰ and have met a minimum level of goals set out by their I-TRIP. “Honours graduation” involves not using any illicit substances and meeting all I-TRIP goals. Participants who do not fulfill the requirements of the program do not graduate from the program. Participants may choose to withdraw from the program, and those who do so within a 60-day probationary period have the option of withdrawing their guilty pleas. Staff may ask a participant to withdraw from the program if they repeatedly abscond, fail to comply with bail conditions and treatment obligations, or are charged with new offences that would make them ineligible for the program. Those who have not withdrawn their guilty pleas within this probationary period are sentenced in accordance with their original charges, but their participation in court and any progress they made may be taken into consideration when determining their sentence.

As of the evaluation period ending September 24, 2008, 51 participants had exited the program, including 14 graduates 37 who had withdrawn. The average time spent across all who had exited the program to date was just under

⁹ Data collected between January 2007 and September 2008.

¹⁰ All participants who graduated prior to September 24, 2008 were also clean from cannabis use in their final four months of participation.

nine months (258.6 days); graduates spent an average of about 13 months and those who withdrew spent about six and a half months.

Graduates made up 27.5% of 51 participants who had exited the program by this date (i.e. who had graduated, withdrew or been asked to withdraw, and were no longer active in the program). Eleven of the graduations were with honours (Addiction and Mental Health Research Lab, 2008a). As discussed earlier, meta-analyses have demonstrated substantial variation of graduation rates, the greatest variation seen being 15.6% and 91% with a mean of 45.2%. This graduation rate falls on the low side of these rates; however, it should be considered that the EDTC is a fairly new program, that they may have different eligibility and graduation criteria, and that the vast majority of studies reviewed were in an American context, which may be different than that of Canada.

Many graduates keep in touch with the program staff after completing the program, by visiting weekly court sessions, attending graduation ceremonies of other participants, or phoning or meeting with staff. The graduates, with support from staff, have also formed an alumni group that meets once per month on a social basis and to plan events such as potluck dinners for graduates, current participants, staff, and other affiliates of the court. For full program descriptions, see Edmonton Drug Court Steering Committee (2004), Addiction and Mental Health Research Lab, 2008a and 2008b, or www.edtcrc.ca.

Data Sources

Access to the EDTC

The Addiction and Mental Health Research Laboratory coordinated the program evaluation of the EDTC from January 2007 to December 2008. As a result, I had considerable access to the study setting prior to beginning data collection. During my first year as a graduate student, I identified the EDTC as a potential setting for my thesis project and completed several assignments related to the drug court. I accompanied the evaluation assistant for the EDTC evaluation being conducted by Dr. Wild to several court hearing sessions and pre-court meetings, and visited the EDTC offices to interview the probation and treatment case managers for one of my assignments during my coursework. This helped me to learn about the EDTC, which in turn helped with planning the study and identifying the research question, and provided the opportunity for me

to introduce myself to the EDTC staff and obtain their support to complete the study. Included in Appendix A is a letter of support from the Executive Director of the EDTC.

Sampling

Grounded theory uses theoretical sampling, wherein “the process of data collection is controlled by the emerging theory” (Glaser, 1978, p. 37). Thus, sampling decisions were made based on leads or hypotheses arising from data analysis. Grounded theory studies typically include 20-30 data units (which would include interviews and observations), but the exact number depends on the verification and saturation of emerging categories (Creswell, 1998, p. 56-7). Theoretical saturation of a category “occurs when in coding and analyzing both no new properties emerge and the same properties continually emerge as one goes through the full extent of the data” (Glaser, 1978, p. 53).

On the other hand, it is important to note that because sampling in grounded theory necessarily has to begin before any data collection, and therefore any hypotheses have emerged, it begins with purposive sampling as opposed to theoretical sampling of participants who demonstrate a broad understanding of the subject area (Cutcliffe, 2000). On that note, most of the individuals I interviewed were selected based on purposive sampling related to their level of external engagement (as described in the “individual interviews” section below). However, theoretical sampling was applied in formulating interview questions, as well as what I focused on during observation of court hearing sessions and pre-court meetings. As an illustration, the first few interviews I conducted suggested that it might be important to look at whether changes in engagement were sudden or were a more slow process, and I continued to explore this line of thought in subsequent interviews and observations. Though I had intended to complete data collection for the initial five month period, getting deeper into data analysis led to a realization that saturation had not been reached. For this reason, I continued to collect data in order to get more information about selected aspects of my emerging theory. For example, a struggle I was having with differentiating between internal engagement and the process of engagement became a particular focus of the graduate focus group, and a desire to get more information about the screening

and enrolment process led to sampling of the staff member who had the most knowledge of that area. I also continued to attend several court hearing sessions during this period, in order to follow-up with participants in my interview sample and address any other questions emerging in the data around that time. This additional data collection helped me to achieve saturation by March of 2009.

Observational data. I observed a total of 18 pre-court meetings and 20 court hearing sessions between November 7, 2007 and April 7, 2008, and an additional 7 court sessions between October 2008 and March 2009. I collected observational data at an EDTC Evaluation Retreat, a meeting held by Dr. Wild and other evaluation staff to discuss results from the process evaluation with EDTC staff and stakeholders. I attended (but did not collect formal observational data at) other EDTC events including an Anniversary Celebration, a potluck Christmas dinner, and two graduate alumni meetings.

Individual interviews. While completing direct observation in the initial two months of the study, I became more familiar with the participants and staff, which aided with the sampling of interviewees. Between January 7 and April 7, I interviewed a total of eight EDTC participants. Four participants were purposefully sampled for because they varied with respect to engagement. One participant seemed to be a good example of being engaged, in that this participant was praised by staff for working hard on his recovery every week, and seemed to be very enthusiastic about how much the court had helped him change his life. Another participant appeared to demonstrate a progression from not engaging to engaging, with repeated relapses and a confrontational attitude being displayed in the early part of the program changing to complying with conditions and speaking more openly during court hearing sessions in later stages of participation. Two participants showed signs of not being engaged; one had been put in jail as a sanction for not following orders, and another demonstrated a negative attitude toward the EDTC and its staff. Finally, I approached four participants (two males who began around the same time and two females who began around the same time) who had been recently enrolled in the program. This allowed me to examine impressions of the EDTC while these participants were still in the early stages of participating. I was also able to link their interview data to what happened over the course of their participation, which allowed for some powerful insights into the process of engagement over time.

Table 1 presents demographic, engagement, and completion status of participants in sample.

Table 1. Demographic, engagement and completion status of participants in study sample.

Participant¹¹	Demographics	Point of EDTC participation at time of study interview¹²	Completion Status for EDTC program
Wayne	Non-aboriginal ¹³ , male, 37	10 months	Graduated
Graham	Non-aboriginal, male, 23	1 month	Graduated
Tom	Aboriginal male, 26	1 month	Graduated
Celia	Non-aboriginal, female, 30	14 months	Still in program at termination of study
Grace	Non-aboriginal, female, 42	1.5 months	Did not graduate.
Faye	Aboriginal, female, 39	1 month	Graduated
Lisa	Aboriginal, female, 21	11 months	Did not graduate
Jill	Aboriginal female, 30	1.5 months	Did not graduate

I also interviewed four EDTC staff members; including two case managers, the executive director, and one crown prosecutor. I felt that case managers and executive director would provide insight into early experiences of the participants, including intake and assessment procedures, as well as insights into such processes as gaining trust and becoming comfortable with the court. I interviewed the crown prosecutor to find out more about the screening and eligibility processes, and I also identified this individual as being especially insightful about the role of staff in increasing participant engagement through such means as communication. I interviewed the EDTC Executive Director, and Treatment and Probation Case Managers in order to gain insight into how EDTC participants were brought into the program, their role as staff in engaging

¹¹ Pseudonyms have been used to protect identity of participants.

¹² Approximate time between guilty pleas and study interview, as reported by participant. Information regarding residential treatment is included, as an important element of participation and participant engagement.

¹³ As reported by participant when asked if they self-identify as Aboriginal.

participants, as well as their opinions about what happens for participants internally when they become involved in the program. I interviewed one of the Crown Prosecutors in order to obtain specific information about the screening and eligibility process, as well as information on engagement from the point of view of prosecutor, is a role that in the traditional justice system is generally viewed as being adversarial toward an offender.

Group interview. I held one focus group with graduates of the program, with the purpose of 1) verifying and saturating main categories; 2) identifying any new categories; 3) getting insight into the engagement process, including what elements of the EDTC was most important in affecting the process; and 4) helping to resolve any confusion or bias in the data. Four graduates attended the focus group. One of the graduates wished to be interviewed one-on-one prior to attending the focus group. I used the same semi-structured guide as was used for the focus group with this interviewee, but have included this discussion as a graduate interview.

Supplementary data. Supplementary sources of data included use of program documentation, including descriptions of the program written prior to its inception, process and outcome evaluation reports, and the program website (www.edtcrc.ca).

Study Inclusion Criteria

To be included in the sample for this study, participants had to: (1) be current participants of the EDTC, drop-outs of the EDTC, participants who were expelled from the EDTC, or Staff or other affiliate of the EDTC; (2) be 18 years of age or older; (3) be able to speak and understand English; and (4) provide written informed consent.

Ethical Considerations

This study was approved by the Health Panel of the Health Research Ethics Board at the University of Alberta.

Informed Consent was obtained from all participants (Appendices B through D). I gave all interviewees an information letter and consent form. In order to make sure that the requirements of the study were well understood, I also gave participants a verbal description of the study and its requirements, asked if they

had any questions, and addressed any question on the consent form that was not answered as “yes”. After they read the consent form, I made sure that participants and staff understood that participation involved giving permission for (1) completion of one interview approximately 1 hour long, which would be recorded using a Dictaphone, and (2) collection of data during observation of court hearing sessions that will be linked to interview data (except in the case of graduates and staff).

This consent procedure was conducted in a similar way for the graduate focus group, except that the consent procedure was explained and consent was obtained with the attendees as a group rather than individually. See appendices B, C, and D for the staff, participant, and graduate focus group consent forms.

There were several ethical considerations to be considered with regard to the focus group specifically. Firstly, though I could ensure the anonymity and confidentiality of those in attendance, I could not guarantee that other members would not share what was discussed in the focus group with individuals outside of the room. Secondly, asking to provide responses in writing may be difficult for some participants who may not have sufficient literacy skills, and may invoke feelings of shame or embarrassment. However, this did not appear to be a problem amongst the participants in this particular focus group, as all appeared to write without a problem.

Recruitment

Most interview recruitment was done by approaching participants and staff in the courtroom or just outside of the courtroom, either before, during, or immediately after court hearing sessions. I introduced myself as a graduate student from the University of Alberta, working with Dr. Cameron Wild who was in charge of the program evaluation of the EDTC. I said that I was hoping to interview them in order to find out more about what it is like to participate in the EDTC, sometimes going into more detail (for example letting them know that I would like to know what types of things motivated them to do well in court). If the participant/ staff member was interested in completing an interview, I scheduled a time for us to meet at the EDTC office. At the time of this meeting, the study was explained in greater detail, and consent was sought.

Two participants were attending a residential treatment facility at the time they were recruited. I sought permission from the EDTC treatment team to complete interviews in this facility. I telephoned the counsellor of one of the participants, introduced myself as a graduate student from the University of Alberta completing research with the EDTC, and asked whether I could complete an interview with this participant. The counsellor advised me to come to the treatment facility with the evaluation assistant from my supervisor's laboratory, who visited the facility to collect data for the EDTC program evaluation. Prior to my visit to the facility, this participant phoned me to talk about the interview and ask me to bring her something when I attended¹⁴. At this time, she mentioned that another participant was interested in being interviewed, and gave this participant the phone so I could speak to her. Purely by coincidence, I had already identified this participant as someone I would be interested in interviewing. I introduced myself to this individual and made sure she was in fact interested in being interviewed when I visited the treatment facility to interview the other participant. She did give her verbal permission at this time. Unlike other participants, both participants were present when I gave them more information about the study and obtained their written consent. However, the interviews themselves were conducted one-on-one.

One focus group discussion was completed with graduates of the EDTC. I recruited these graduates by attending two EDTC graduate alumni meetings, introducing myself to the graduates in attendance and giving a short summary of the study, and asking them if they would be interested in attending a focus group scheduled at the EDTC offices. Attendance of the alumni meetings was approved by the EDTC Executive Director, who was also present at both meetings. One graduate asked to come to the focus group early and speak with me one-on-one, and an earlier appointment time on the same day was set for this purpose. Though there were eight graduates at the second alumni meeting who were asked to attend the focus group, only four attended on the day of the focus group.

¹⁴ This was somewhat of an ethical issue. She asked me to bring her a coffee, which I later found out was not allowed in the treatment facility. I did not bring it for her, and told her when I arrived that I had found out it was not allowed.

Procedures

Interviews and Focus Group

I completed interviews with EDTC participants in an EDTC staff program office, located in a downtown office building in Edmonton. EDTC participants visit this office often to meet with case managers, and complete process interviews for the University of Alberta program evaluation in these offices, therefore the location was convenient and familiar to them. The interviews were half an hour to one hour long and were recorded using a Dictaphone.

Both participant interviews and staff interviews were semi-structured. Broad, open-ended questions were used, followed by more specific probes if needed. Participants were first asked to describe what it has been like for them to participate in the court, from hearing about it until now, while staff were asked to describe how this process happens for participants in general, from their point of view. Both participants and staff were also asked about what evidence was used to judge whether participants were doing well. Appendices E and F provide participant and staff semi-structured interview guides, and Appendix G for the demographic interview given to participants as part of their interview.

EDTC program graduates participating in the focus group were asked about the emerging definition of engagement and evidence of “faking” engagement. The remainder of the focus group asked participants to first write down the factors they felt were important in becoming an active participant, and then to compare their list with a list prepared by the researcher¹⁵. I spent some time with graduates time adding to the categories, talking about how they might

¹⁵ This was a list of categories that were emerging in the research at the time of the focus group, reworded to suggest having come from the point of view of the participant. Much of this list changed in the final theory presented here; in particular, at the time of the focus group, the list was presented as part of the process of engagement. These included:

1. I realize that drug court staff care about me/ I realize that drug court staff care what happens to me
2. I learn to face difficult things and work through them
3. I learn to trust drug court staff
4. I become willing to listen to and try what drug court staff expect of me
5. I realize that it is possible to change my lifestyle
6. I have the right attitude
7. I learn to be accountable for my actions
8. I learn to be honest with people around me
9. I become committed to changing my lifestyle/ recovery
10. I realize that I have to work hard

be grouped, and talking about the potential order, or sequencing, of some of the categories. Appendix H provides the graduate focus group guide.

Transcription for interviews and the graduate focus group was completed by the researcher. Interviews and the focus group were transcribed verbatim, though in later interviews utterances such as “um” or “uh” or repeating of words within single sentences that did not affect meaning were removed and replaced by ellipses (...). Transcriptions included some symbols indicating pauses and changes in intonation where I felt it affected meaning of the phrase. A transcription key is included in Appendix I for a transcription key; however, I removed many of these symbols in references included in the results section to make it as easy as possible to read. Notes were written before and after participant interviews, in order to record the setting of the interview, impressions of the participant and of the interview process. Verbatim quotes of transcriptions will be included to support findings reported in the results section.

Observational Data

Field notes were recorded during pre-court meetings and court hearing sessions. These notes included accounts of conversations about and sessions of participants not interviewed for this study. I recorded some informal contact with participants and staff in the field attending weekly court hearing sessions and pre-court meetings and other EDTC events. Field notes included only a direct account of what was going on in terms of what could be seen and heard, and included a mix of dialogue, paraphrased accounts of conversations, and descriptions of action. As the study progressed, note-taking focused more on emerging issues and themes related to participant engagement and I also made more attempts to capture dialogue, rather than paraphrased accounts of conversations. Dialogue accounts were word for word where possible, but to save time I generally simplified sentence structures and concentrated on the content (e.g., “how many meetings did you attend this week?” would be recorded as “meetings this week?”). To capture thoughts and impressions while in the field, theoretical memos were “linked” to the data by marking a number next to the specific instances that led to the memo, and writing the corresponding number and resulting memo in a different place in the notes. I referred to staff according to their role in the court (prosecutor, treatment case manager, judge,

etc), I referred to all participants who were not in my interview or focus group samples as “C”¹⁶, and did not to reveal participant identity or link participants’ behaviour from week to week except at times in my own theoretical memos. Participants who were in my interview sample (i.e. study participants who had completed an interview and given their consent to have interview data linked to observation of court hearing sessions) were identified in field notes through use of their participant identification number, and were later assigned a pseudonym when results were written up. I concentrated more on participants in my sample, attempting to capture their court hearing sessions word for word.

All notes were typed into Microsoft Word and managed using QSR International’s NVivo 7 software; no space was left for coding on the original field notes. Verbatim quotes and notes regarding context collected during observation will be included to support findings reported in the results section.

Data Analysis

QSR NVivo 7 was used to manage qualitative data, for ease of sorting and coding. Data management also involved the creation of “participant profiles”. This involved charting participant characteristics and emerging data in order to make comparisons among participants and to identify factors that seem most pertinent for describing participant engagement and possible stages of engagement. Finally, I also managed data using Microsoft Word and paper coding.

Data analyses were conducted using the grounded theory method outlined by Glaser and Strauss (1967) and Glaser (1978). In this approach, the collection, coding and analysis of data is completed simultaneously so that there is a constant interplay of deductive and inductive reasoning in the development of theory. The use of “constant comparison” dictates that while the analyst is coding a data source for a category, he or she should “compare it with the previous incidents in the same and different groups coded in the same category” (Glaser & Strauss, 1967, p. 106). The three main stages of grounded theory

¹⁶ I originally referred to participants as clients to differentiate those who were “participants” of this study and those who were participating in the EDTC. I decided to use participants, because it is the term used by EDTC. Furthermore, I interviewed only a small number of participants and staff compared to the total number I observed in the EDTC. These will simply be referred to as “interviewees”.

analysis are substantive coding, selective coding and theoretical coding, though the stages often overlap. The next three sections outlines how I completed data analysis in relation to these steps.

Substantive coding. The first phase of analysis was substantive coding. I began with open coding, which involves looking at each data source line by line in order to identify codes that can be used to characterize raw data. Glaser (1978) refers to this as “coding the data in every way possible” or “running the data open” (p. 56), and outlines that the goal of this stage is to generate an emergent set of codes and their properties that fit with the data and are relevant for integrating into a grouping the data using a number of simple codes such as “addiction/ drug”, “social interaction”, “hard/ easy” and “motivations”. I usually coded interviews or observations on paper first and then entered the resulting codes into NVivo. This allowed me to code everything that was going on in the data, often using multiple codes to characterize the same excerpt. In order to make sure my analysis was grounded in the data, I did not code data in relation to engagement at this stage, apart from creating a code for engagement to ensure that especially relevant material was captured for further analyses. Thoughts arising from the paper coding were either entered into NVivo as an annotation (a short memo or thought linked to a specific piece of data), or written up as a full memo.

Selective coding. Selective coding attempts to code all data sources in relation to one’s core variable, or main variable of interest (in this case, engagement). Though constant comparison is still used in this stage, pieces of data (indicators) were constantly compared both to each other and to the core variable. I began this stage in October 2008, after five months of observation and completion of eight participant and three staff interviews. In order to begin this stage, I began paring down my codes from a list of approximately 40 separate codes (most of which were “free nodes” in NVivo), into groups of codes (“tree nodes” in NVivo), each related to the core variable of interest. Four main groups of codes were produced at this stage, including:

1. EDTC participation, which included codes describing different components of the EDTC, including stages of the enrolment and eligibility process. This group of codes helped me to get a clearer sense of what engagement looked like along the process of enrolment and in relation to

different components of EDTC participation, and also aided in locating pertinent quotes during the writing process.

2. Characterizing engagement, which included codes capturing language referring to engagement, external and internal aspects of engagement, and evidence of how engagement was judged by EDTC stakeholders.
3. The engagement process, which included the main themes I would be working with to describe the process of engagement such as trust, confronting difficult issues, motivations and perceptions.
4. Barriers and facilitators to engagement. Most barriers and facilitators were simply negative or positive aspects of the factors coded as part of the process of engagement; however, coding them separately allowed me get an overall sense of what facilitated or got in the way of engagement, to ensure that nothing was missed, and to categorize barriers and facilitators in terms of different ecological levels.

This coding scheme was created after closely examining and grouping the list of codes generating the open coding stage, as well as drawing on any memos written while completing this stage. The coding scheme also reflected results of preliminary data analyses completed for a poster that I prepared for a conference in September 2008¹⁷, which drew on Boyatzis' (2001) process for identifying and characterizing themes. This involved writing a label, definition, examples, and exclusions and qualifications, which helped to ensure that I was as explicit and clear as possible when defining codes and beginning to work with them. I kept an audit trail of all major changes to my coding scheme during the transition from open to selective coding, noting what changes were made and the justification for making them. The practice of keeping an audit trail improved the

¹⁷ This analysis was completed in NVivo, by grouping data into intra-personal, inter-personal, organizational, community and societal levels, based on the Ecological perspective of health promotion programs (McLeroy, Bibeau, Steckler, & Glanz, 1988). Using 5 participant interviews and 2 staff interviews, and about half of the observational and additional field notes, I went through codes used in the open coding stage of analysis and listed emerging conceptual themes related to participation in the EDTC. I then grouped these themes according to how I saw them fitting into the levels of the ecological model. Though the analysis for this poster was looking at participation in the EDTC more generally, some of the codes were similar to the emerging themes for the process of engagement. Thus, many of the codes pertaining to the intra-personal and inter-personal levels of the ecological model were adapted for use in the analysis for the process of engagement. Specifically, I often used the codes from this analysis as starting points for creating the Boyatzis structure.

consistency of my analyses, and helped me to be sure that I could track my own coding decisions so that I was not making any unfounded conceptual leaps (see Rigour section below; Morse & Richards, 2007; Guba and Lincoln, 1983). These groups were created mainly by combining existing codes from the open coding stage, or creating new NVivo nodes based on what I learned from these codes. I kept the original codes I had been using in the open coding stage intact, and often drew on them as the codes as the selective coding stage evolved.

I set out to describe engagement both as a social process involving interactions between staff and participants, as well as from the internal point of view of participants, or what Glaser refers to as a “basic social structural process” and a “basic social psychological process”. As outlined by Glaser (1978), selective coding may include both in vivo codes (drawing on language used by study participants) and “sociological constructs” (created by researcher based on scholarly knowledge and knowledge of research in the substantive field). Most codes were in vivo codes, based on language used by EDTC participants and staff, for example, “confronting difficult issues”; “how I am” or “how others are”; “attitude”. Several groups were based more on my own knowledge, such as “motivation” and “perceptions”.

This coding scheme involved several levels of codes, including broad concepts outlined above (engagement definition, engagement process), and the sub-codes within those (e.g., motivation and perceptions within process of engagement). I also completed third or fourth level coding in many cases, for example, dividing “perceptions” into “perceptions of EDTC”, “how I am” and “how others are”. This was usually done when there were a substantial number of references within a code, and was done by reading through the references within a code, grouping references that were similar, and attaching an appropriate label. The grounded theory method requires that collection, coding and analysis of data be completed in a joint manner, so that there is a constant interplay of deductive and inductive reasoning. To this end, I completed data analysis through much of my initial five month observation period. I also continued to collect data, though to a lesser extent, once I began selective and theoretical coding. In particular, I observed several additional court hearing sessions between October 2008 and March 2009, completed an additional staff interview in November 2008, and completed the EDTC graduate focus group in December 2008. This phase of

data collection was more directed than the previous one and was aimed at answering major questions arising in my analysis. I make an effort in my results section to note some of these questions and how I used additional data collection to help me answer them.

Theoretical coding. Theoretical coding involved conceptualizing how the substantive codes might relate to each other, and forming hypotheses about how the codes might become integrated into a theory. To facilitate this process, I wrote memos about codes and the relationships between them (Glaser, 1978, p. 83), and completed memo sorting. Memo writing and memo sorting is an essential method of building theory that is grounded in the data (see Rigour section below, Glaser, 1978; Guba & Lincoln, 1983). I began memo writing quite early in the process, including making notes while writing field notes and writing down any ideas or hypotheses I had in detail (usually while coding, but I also kept a notebook with me most of the time in case any ideas struck me “out of the blue”).

Memo sorting can be seen as performing constant comparison of the memos so that “the analyst is constantly moving back and forth between memos and a potential outline, working with it so everything fits” (Glaser, 1978, p. 118). Sorting of memos helps analysis to yield a “rich multi-relation, multi-variate theory” that has “internal integration of connections among a great many categories” (p. 116). I began memo sorting in March of 2009. I used Microsoft Word rather than NVivo to sort memos, sorting according to the substantive codes I was working with in NVivo, with anything that did not fit with a particular code being noted and dealt with separately. I largely sorted memos in conjunction with writing up my study results, for example by cutting and pasting all similar thoughts into a Microsoft Word document, grouping ideas that were similar, and using what had been grouped as an initial writing outline for that particular code. This allowed me to ensure that any major ideas or hypotheses that I had noted along the process were being captured and represented in my writing and in the final theory. It also ensured careful and systematic thinking about the relationships among the codes, making sure that these, too, were more grounded. Memos often contained questions or things to be explored, and these could be answered either by other memos or through a process of investigating in the data.

I used additional methods to supplement this analysis process. Many of the memos I wrote throughout the process of data collection and analysis included working models showing how substantive codes describing the process of engagement related to each other. Once I was farther along with memo sorting and writing my results, I used Microsoft Visio to help me visualize my current thinking about how codes related to each other, as well as to identify the most important codes and links and simplify the writing about the engagement process where possible.

As suggested by Charmaz (2000), both the substantive and theoretical phases were supplemented by writing initial drafts of my study results, which I began in November and December 2008. Writing proved to be an iterative process that promoted deeper and more solid understanding of the codes, and I found that as a result the codes continued to evolve as I began writing. I consistently had NVivo or the raw data open while I wrote, which ensured that my writing was grounded in data or memos, and allowed me to resolve any confusion or conflict that arose was resolved or make a note to resolve it in the future. I very often made changes to the coding scheme based on conflicts or deeper understanding that arose while writing.

Rigour

Though there are a number of different methods of assessing rigour of qualitative research, perhaps most common is the use of Guba and Lincoln's (1983) criteria of credibility, transferability, reliability and dependability (Whittemore, Chase, & Mandle 2001).

Credibility

Credibility corresponds to the scientific concept of internal validity, i.e., the idea that study results accurately reflect the phenomenon under investigation. Qualitative researchers refer to the "truthfulness" (Whittemore, Chase & Mandle 2001) or "truth value" (Guba & Lincoln, 1983) of research findings, which means that data, as opposed to preconceived notions about the phenomena of interest, guide the process of inquiry. Guba and Lincoln (1983) assert that the two truth value questions that need attention are how to produce findings that are most likely to be found credible by sources, and how credibility can be tested by these

sources (p.105). Several techniques were used in this study to address credibility of the findings.

Constant comparative method of data analysis. One way to ensure that findings would be judged as credible by sources is to minimize the distortions arising from bias on the part of the researcher (Guba & Lincoln, 1983, p.105). Glaser (1978) emphasized that in order to avoid forcing categories to fit one's data or using preconceived notions or pet theories, the researcher should analyze data line by line, code for as many categories as might fit, and ensure that *all* data is coded (p. 56). I coded all sources line by line, and also made use of Glaser's suggestions that researchers question themselves regularly to remain grounded in the data, asking themselves what the data is a study of, what category the incidents indicate, and what is actually happening in the data. The use of a constant comparative approach also helped to address Guba and Lincoln's (1983) concern with distortions that might arise from the data as a result of how data is gathered, in that it ensured I carefully scrutinized the data for internal and external consistency.

Theoretical sampling. Cutcliffe (2000) asserts that theoretical sampling is an important means of determining credibility: "if the hunch belongs solely to the researcher and is not a part of the world being investigated, this will have no meaning for the interviewees and can be discarded in due course" (p. 1480). Sampling was dictated by the categories emerging from the data, including ensuring saturation (when the data replicates and no new information is emerging from the data being collected, Morse, Barrett, Mayan, Olsen & Spiers, 2002) and seeking out negative cases pertaining to a category (i.e. cases which are not representatives of the category or show the opposite phenomenon to what is observed in the category).

Memos. The use of memos in grounded theory helps to ensure that the conceptualizations and connections developed in one's theory are grounded in the data. Grounded theory methods recommend that memos are written next to the data that are interpreted. This helps to ensure that the researcher is taking small conceptual steps based on the data rather than large conceptual leaps. I made sure that memos were attached to the data that led to them; I linked shorter memos to field notes or interviews, or quoted text in longer memos. I also made sure to note where I felt that points I was making were more

conjecture and less grounded in the analysis of the data. These memos were later examined and sorted as a major part of the analysis that led to the formation of the full theory. Integrating individual memos that were grounded in the data was a method of ensuring structural corroboration, or ensuring that pieces of evidence validate each other and is consistent (Guba and Lincoln, 1983, p. 106).

Fieldwork considerations. I visited the field regularly over the course of more than one year, which may have minimized effects of my presence on participant's responses and reactions (Guba and Lincoln, 1983; p.105). The fact that EDTC staff and participants were accustomed to the presence of an assistant from the evaluation team may have also reduced the likelihood of respondent effects. In general, there were a variety of people present in court each week whose role was likely not known to participants, and I likely blended in. This length of time also allowed me to establish rapport with staff and selected participants, while not getting so involved with them that my objectivity was threatened (Guba and Lincoln, 1983; p.105). Finally, my frequent visits to the field over a sizeable length of time increased credibility of claims made about the EDTC as made up of fluid processes that change over time, allowing me to distinguish atypical situations from situations that really defined the context (Guba & Lincoln, 1983).

Investigator responsiveness. Morse et al. (2002) assert that investigator responsiveness is of utmost importance in ensuring both validity and reliability in research, stating that "it is essential that the investigator remain open, use sensitivity, creativity and insight, and be willing to relinquish any ideas that are poorly supported regardless of the excitement and the potential that they first appear to provide" (p.11). To increase my level of responsiveness and minimize the level of distortion of my own preconceptions on the data, I made several journal entries documenting my biases and assumptions prior to beginning this project, and made use of theoretical memos (see above) to ensure that hypotheses were emerging from the data itself and evolving with the analyses. I also engaged in simultaneous collection and analysis of data, which also increases investigator responsiveness (Morse et al., 2002). I also subscribed to several of Guba and Lincoln's suggestions for reducing distortions arising from data collection methods, including careful recoding of data, and continual scrutiny for external and internal consistency (constant comparison).

Triangulation. Triangulation is another method of ensuring structural corroboration. Denzin (1971) asserted that “[t]riangulation forces the observer to combine multiple data sources, research methods, and theoretical schemes in the inspection and analysis of behavioural specimens” (as cited in Guba and Lincoln, 1983; p. 107). This theory integrated multiple types of data, including observation of court sessions and pre-court meetings, interviews with both participants and staff, and focus groups with graduates.

Member checks. In order to determine whether data and interpretations are found credible, Guba and Lincoln (1983) state that it is necessary to present results to the sources from which they were drawn and assess whether these sources find them plausible and believable. However, Morse et al. (2002) assert that member checks should not be used as a verification strategy. In this analysis, member checks were not used to verify coded categories but as an extra check that I had not made unfounded conceptual leaps (i.e. to minimize the effects of my own bias on the analysis). Since their understanding of the phenomena may be highly personal, these participant checks did not have the final word in analysis, but helped me to revisit my data and look at it through new eyes. Specifically, the focus group conducted with graduates of the EDTC in December of 2008, was explicitly viewed as a member-checking opportunity in which I presented them with emerging hypotheses and analyses in order to assess how much my results resonated with them, whether they had any points of confusion with my analysis, and whether they had any important insights to add to the data analyses¹⁸. The results of this focus group have been weaved in with the other results and discussion. Although not solicited, feedback on the study results was also obtained from an EDTC graduate who attended a public presentation of preliminary findings at the University of Alberta in January of 2009, who indicated that I had “nailed it”.

Auditability

Reliability refers to the concept that same results would be obtained if the study were replicated. This can be a problematic concept in qualitative research, due to the importance of context (Richards & Morse, 2007, p.190). Guba and

¹⁸ It should be noted that a limitation of using graduates was that they were successful in the drug court, so may have a different perspective than someone who was not successful.

Lincoln (1983) argue that many researchers undertaking naturalistic inquiry may in fact be more interested in differences than similarities, and also assert that shoring up validity or credibility results in an increase of reliability (p. 120). However, they also argue that many researchers may choose to demonstrate that a study would be able to be replicated in other settings, which is a form of consistency similar to the traditional quantitative notion of reliability. In naturalistic observation *auditability* is a more suitable test of consistency than is reliability, meaning that a second evaluator should be able to test one's work for consistency and be able to conclude that they would probably have reached the same conclusions (p.123-4). Auditability was ensured through the use of an audit trail and peer debriefing.

Audit Trail. In addition to the use of memos, I used an audit trail to keep track of research events and decisions so that they could be assessed by an outside party if needed (Richards & Morse, 2007; Guba & Lincoln, 1983). This included logging all sampling decisions and major decisions with regard to theory development, as well as keeping track of all correspondence with supervisors.

Peer debriefing. The coding process also included gaining insight from colleagues, particularly those who were familiar with the EDTC. In addition to discussing my analysis in regular meetings with my supervisor and with other members of the Addiction and Mental Health Research lab (in which the EDTC evaluation was being carried out). I also prepared a presentation with preliminary findings and received feedback from my supervisor and his lab, as well as students and faculty from the school of public health, and a graduate of the EDTC. These debriefings helped me to ensure that my conceptualizations were well founded and that all factors had been considered. Peer debriefings were also useful for discussing and helping to resolve points of bias and confusion in the analysis.

Fittingness

Guba and Lincoln argue (1983) that the concept of external validity, or generalizability, is of limited use in naturalistic inquiry, for it requires context-free statements and human behaviour is rarely, if ever, context free. They assert that "it seems useful not in terms of generalizations but in terms of working hypotheses that fit more or less well into a context other than the one in which

they were derived” (p. 118). Glaser (1968) maintains that generalizing beyond one’s substantive area (in this case, DTCs) is not appropriate in a grounded theory unless steps are taken to ensure that steps have been taken to bring the findings to a higher conceptual level (such as replicating the study in a slightly different substantive area). It is important, however, to address the issue of generalizing findings to other DTCs, a question that can be addressed by examining the extent to which the context of the EDTC is similar to that of other DTCs to which the findings might be applied. As discussed in the introduction section above, there is great variability among the operation of DTCs in terms of operating principles, end goals, and operations such as how reward and sanction delivery is decided, how drug treatment and other social services are offered, the screening, enrolment and graduation processes. In the results section to follow (Chapter 3), I discuss how the EDTC compares to DTCs as a whole, and how the definition and process engagement might change as a result of these differences.

Confirmability

Confirmability is the name Guba and Lincoln (1983) give to the measure of rigour corresponding to neutrality, the value underlying “objectivity” in scientific research. It may not be possible or desirable for qualitative inquiry to be “objective”, given the fact that qualitative research is subjective in the sense that “there exist multiple realities capable of being plumbed to at different depths at different times by different investigators” (p.124). However, it is possible and desirable for all research to be factual and confirmable, and free from bias. Many of the methods used to ensure that the data have “truth value” (p.126) also ensure confirmability and thus were already mentioned. In addition, confirmability “shifts the burden of proof from the investigator to the information itself” (p. 126). For this reason, numerous references and quotes from the data are provided in order to support claims made about the study results and their interpretation.

Chapter 4: Results – Characterizing Engagement

This section describes engagement from three different, yet complementary perspectives: (1) from an external perspective; i.e., how engagement was *judged* by EDTC stakeholders; (2) from an internal perspective, or how EDTC stakeholders described what it *felt like* to be engaged; and (3) as a *dynamic* concept, including different levels of engagement and the relationship between external and internal characteristics of engagement.

External Judgements about Participant Engagement

One important aspect of the engagement process revealed by the data analyses involved describing engagement from an external point of view. To answer this question, I examined material under several pertinent codes, including evidence of engagement, and language pertaining to engagement used by staff and participants, then broke down references according to similarities. The next two sections will discuss the result of this analysis, including: 1) Evidence used to judge engagement; and 2) How evidence was combined to assess level of engagement.

Evidence Used to Judge Engagement

External criteria used to judge whether participants were engaged or not included: 1) meeting EDTC expectations; 2) communicating with others in an open and honest manner; and 3) forming bonds/ becoming involved. These criteria can be demonstrated in the following excerpts describing higher levels of engagement with the EDTC:

Mona: I think that we can see different signs, working with them. That something's changed. We may not be able to exactly pinpoint what that change is, but we can tell by their attitudes, their behaviours, their involvement- I think it's a number of different things.

(Staff interview, 489-92¹⁹)

Researcher: How can you tell whether someone's committed?

Wayne: By their actions. ... Actions speak louder than words. It's what they do, it's very simple.

¹⁹ Verbatim quotes are included using the pseudonym assigned to the interviewee. Brackets after references include whether it was a staff, participant or graduate interview, and the transcript line number. I have used square brackets to indicate where I have inserted text to provide context or where a paraphrase has been inserted. Punctuation has been included, but not symbols used to denote intonation.

[Researcher asks what actions participant would use to judge whether someone is committed]

Wayne: See if they're doing their thing, whatever they need to do. If they're going to their appointments, if they're going to meetings, if trying to better themselves ... see how they treat people in the program ... or the team. If they treat them with respect or not.

(Participant interview, 331-9)

In contrast, the following excerpt describes external criteria used to infer lower levels of engagement with the EDTC:

[Researcher asks what kind of evidence participant would use to judge whether someone is doing well in the program or not]

Tom: [T]here are a lot of things that you could tell ... You know, body language is a big key... if they're sluggish, if they're sway-ey and stuff like that and they're not standing attentive, with confidence, you know you can tell that something has changed. The attitude, definitely... an addict especially will display a lot of change ... before they even realize it... they'll become really aggressive or really annoyed with everything and... just unreceptive to anybody's advice, or anything like that, you know what I mean? ... [A]nother thing is, it's like, if they're not bringing proof of what they're supposed to be doing then that's a big sign that they're not doing good, you know? Things aren't happening ...for them...like the meetings or they're not following through with certain things they're supposed to do every week, and stuff like that...

(Participant interview, 242-58)

As suggested by these quotes, there was overlap across different types of behaviour used to make external inferences about engagement, and they often happened in conjunction with each other. In the discussion that follows, I examined each of these aspects in turn and demonstrated how they combined to form the definition of engagement.

Meeting Expectations. Perhaps the most obvious way that participants engaged with the court was by completing what was expected of them, or complying with conditions. This included attending weekly court hearing sessions, completing weekly urine screens, and meeting other bail conditions such as non-contact orders or area restrictions. It also involved attending treatment and programming as required (such as taking part in addiction treatment, meeting medical or dental needs, taking life skills training, or seeing a counsellor), as well as attending appointments with EDTC staff. Those participants who were completing these requirements could be said to be engaging with the court:

Researcher: What do you think the staff of the court expect from participants to consider that they're doing well in the court?

Graham: Mm, they expect stuff to be done when it's supposed to be done. ... They want clean piss tests, they expect us to make it to meetings, to programs.

(Participant interview, 131-4)

Director: Attended 8 meetings as of Monday ... Working on step 5. ... Meeting with [a counsellor] weekly. Continue these activities, parenting class.

Participant: We're looking at April to graduate

Prosecutor: Always good to hear how much you're working your program each week. And in recognition of that, I understand that you would like some conditions removed...

(Wayne court field notes, January 30, 2008²⁰)

In contrast, some participants who were less engaged were judged to put less effort into doing things that would help them change their lifestyle. In more extreme cases, this included absconding from the program altogether:

[Discussion of a participant who has run away – she was released from residential treatment, was traveling by bus to get to another long term residential treatment facility. She had a 1.5 hour layover in Edmonton. Case manager offered to meet her, she refused, said she'd call. She didn't call. Case Managers decided to look for her, tracked her down 2min away from office. Called police, gave them enough info to charge her.]
Case manager: that's the second time she's run from treatment.

...

Prosecutor: Yes, we are looking at sentencing.

(Pre-Court meeting field notes, February 20, 2008)

For those who were still in the program, lower levels of engagement were inferred by attending fewer meetings or treatment-related sessions than other participants, missing appointments with EDTC staff, or repeatedly not fulfilling goals set out by them or staff the previous week.

Case manager: We haven't gotten much out of [participant] since he started. ... he hasn't even connected with [addiction case manager] – the smallest thing.

(Pre-court meeting field notes, January 2, 2008)

Participants who were not yet part of the program were also judged on their level of engagement, since as described above, there may be meetings or appointments to attend in order to assess their eligibility and suitability for the program:

²⁰ Quotes from field notes will be included as I recorded them while in the field, using square brackets to indicate where I have inserted text to provide context or where a paraphrase has been inserted.

Defence: I told [potential participant] that she was to come this afternoon... she is not here and I've been told by treatment team that she is not [welcome] to program.

Prosecutor: [Send participant] back into regular court stream.

(Court field notes, March 19, 2008)

This level of engagement was also seen among participants who had previously been doing well, suggesting that EDTC stakeholders made changes in their inferences about participant engagement, depending on behaviour:

[Treatment team wants to sanction participant because of missed appointments. They decided on a four hour appointment to write what's going on with her, what she is going to do, her I-TRIP]

Judge: She should be going to more meetings

Prosecutor: And community service work

...

Case manager: Just want to keep her on a path. At one point she was doing well, and she is gradually declining.

(Pre-court meeting field notes, January 9, 2008)

Finally, results suggested that though completing treatment and other programming are part of the conditions of participating, the EDTC wanted to see that participants complete these conditions as part of a larger effort to change their lifestyle, rather than just as a means of staying in the program or staying out of jail:

Bruce: [S]omeone could be succeeding in the sense that they keep getting clear screens, but as far as being engaged or having really hauled out all those inner demons, they haven't done that yet, so they're succeeding in the sense that they're staying drug free... but engaged to me means more than just succeeding, it means you are trying to get those things off the shelf and dust them off and put them away forever, versus just waiting out those months until you've got the required number of months drug free. And I think our program tries to stop that from happening, because it's not just enough to have clean screens, you do have to complete a lot of other stuff that's in your I-TRIP, it... I think the whole point of having the I-TRIP rather than just clean screens is to get you engaged instead of just playing good for a little while.

(Staff interview, 574-83)

Honest and Open Communication. Another important external aspect of engagement identified in the analysis was communicating in an honest and open manner. As emphasized by one staff member, this was a very important method of judging whether a participant is engaged:

Bruce: It... just boils down to just- the more communication, the better. Because you more you [communicate], the less you get away with faking it, it's pretty obvious if you communicate a whole lot, it's bullshit. But if you only have to spit out a couple words, it's hard to tell. The more you have to dialogue, the more you have to reveal, the more you have to

communicate, the more it's apparent to yourself and to others whether you're really engaged or not.

(Staff interview; 750-5)

There were two main elements to open and honest communication as an external sign of engagement. First of all, EDTC staff showed evidence of valuing a *style* of communication from participants that was open and honest.

Participants and staff sometimes used the colloquial term "attitude" when referring to a style of communication with staff that was associated with low levels of engagement, characterized by acting unwilling, hostile or aggressive:

Lisa: [E]very time I went up after that, I'd be cracking my knuckles in front of her, I'd be popping my gum, I'd be tapping my fingernails, I'd be like- I don't have anything to say, whatever- you know? And I'd ... use like- I don't know. Maybe. I don't know. Like I'd be like- just really short sentences and really snobby, too? Like rolling my eyes and stuff.

(Participant interview, 201-5)

In contrast, those judged to be more engaged were more likely to accept advice or direction, and displayed lower levels of hostility or resistance, and showed higher levels of respect towards staff. In fact, staff began to recognize that respect toward staff as such an important issue that they added it as a condition of participation:

[Discussion of a participant who several staff find to be confrontational. Judge wants policy on confrontational behaviour for the court. Judge addresses case manager.]

Judge: we're hearing of this happening to you more and more [mentioned a few participants who had been confrontational.]

Prosecutor: We'll look into adding these conditions to bail [order] – also adding this to waiver.

(Pre-court field notes, January 23, 2007)

A second element to open and honest communication as a sign of engagement was talking about difficulties they were facing, including asking for help about those difficulties:

[Researcher asks whether it is easy for staff to determine when a participant has gone from showing resistance to doing well in the program]
Mona: ...[T]hey are opening up, that they are asking for more help or ... their honesty about when they're struggling and what's going on in their lives and a lot of times we don't get that from people.

(Staff interview, 486-500)

Asking for help was not just about being honest during expected appointments with EDTC staff or during court hearing sessions, but also by "reaching out", or making a proactive attempt to ask for help when in need:

Mona: [T]hey are asking for more help ... perhaps they call us more or- you know, them reaching out when they never used to before.
(Staff Interview, 486-9)

Aside from asking for help, EDTC stakeholders felt it was a sign that the participant was engaging if they demonstrated how they were working through the difficulties they faced. Given the EDTC's emphasis on the 12-step model, which stresses the importance of working through internal issues and problems, evidence of working through difficulties was often demonstrated in terms of communicating about working through the 12 steps:

Bruce: [The 12 steps] involve reaching into yourself and finding out what's going on inside of you and the- ones that just seem to glide through that and... you know, they're on step five- just to zoom through them, and it's like- you haven't really looked inside at all and you're just skipping over the surface again and all that stuff is still gonna be there, cause you haven't hauled it out on the table to have a look at it. So the ones ... you can be most convinced are [engaged] is the ones that tell you about what they're going through, and the difficulty of it and how they're dealing with it.
(Staff interview, 545-56)

Forming bonds and becoming involved. Finally, engaging also seemed to entail becoming "involved" with the EDTC in terms of interacting with participants during court or attending events in which one could interact with EDTC staff and participants.

[Prosecutor said they could consider a "gentle suggestion" to current participants that they welcome new participants and help them become part of the group. Staff mentioned a participant who had said "I can't wait to become friends with all of those guys".]
(Pre-court meeting field notes, January 23, 2008)

Bruce: People [who] are not as engaged tend not to relate very much to the other people and I think people who sit off by themselves and don't get engaged with the rest of the group are less likely to succeed than the ones that eventually do start connecting or accepting help or comments from other people in the group.
(Staff interview, 719-23)

Forming bonds was strong evidence of engagement, because forming new social networks was an important aspect of the recovery process, and one offered by the EDTC community:

Robert: You as a group are ... stronger than you by yourself. The unity is what it is, that's what they create here in the court. This is about unity. What I can't do alone, we're gonna do together.
(Graduate interview, 93-5)

[Researcher asks participant what the court expects]

Grace: The court expects me to restore my life.

Researcher: ... Can you give me a bit more detail about what that means?

Grace: Um... well, basically become a productive member of society.

Educate myself, employ myself, establish a support system... and then I'll have the friendships, family relationships, relationships. And for me to do this for myself, nobody else can do it for me.

(Participant interview, 450-6)

How Evidence was Combined to Assess Level of Engagement

One of the most crucial factors that I noticed when I began to study participant engagement with the EDTC was the extent to which it varied. Firstly, participants varied in terms their level of engagement. I will discuss this in the levels of engagement section, below, but suffice to say that the combination of all of these factors made it a difficult thing to tell whether somebody was putting in sufficient effort:

Eve: [Refers to what might motivate a participant to make a change to their life] And what does that change look like? [Laughs, then pauses]. That one's hard because it's different for everybody.

(Staff interview, 95-6)

Despite this variation, staff and participants reported that it was possible to judge whether or not a participant was engaged:

Helen: I've seen [manipulation and faking it] happen in the program. But - they can be that way, but it doesn't last long. Like if you don't change, you don't last long in the program. You know what I mean, if you're being that way, you get noticed.

(Graduate focus group, 41-3)

Researcher: What do you think the biggest differences are between you and some other participants that maybe haven't made that commitment-

Mona: I think it's to the point where they realize- you know what? I can do this, and there is an opportunity for me to change. And perhaps I never thought that this could be- or could happen. So I should take this opportunity and roll with it. Yeah, so that's kind of that.

Researcher: Is it fairly easy for you to pick up on that difference, when a participant moves into that? From a little bit of resistance, to yes I can do this.

Mona: I think so. Not only is it their drive, but their attitudes, their behaviours.

(Staff interview, 480-5)

I found that staff and fellow participants of the EDTC seemed to judge participants' level of engagement based on the aspects of evidence described above (i.e., meeting expectations; communicating with others in an open and honest manner; and forming bonds/becoming involved). Part of this judgment

involved looking at a participants' *pattern* of behaviour, to ascertain whether they were not just making genuine efforts, but were making sustained efforts to change their lifestyle:

Researcher: [Can you tell me how] you and how you and other staff would judge someone as being engaged in the program, or being an active participant?

Bruce: Well, I guess the obvious thing is people that are doing something in the program. People that are making an effort to go to meetings, people who are having clean screens, people who express it and articulate it and look for help when they're having trouble, those are the ones that clearly are engaged. ...[Y]ou know, someone who's engaged... there may be ten things that they're trying to do, and if they fail at one or bugger one up, it doesn't seem nearly as important as someone who's only doing two things, and they did them successfully, it just doesn't match. It's like- so what? You only- yeah, you didn't fail at anything, but you only tried to do two things. This other guy tried to do ten and failed at one, and he's way ahead of you. He's engaged, he's... sort of involved his whole life in that.

(Staff interview, 510-22)

[Evaluator asks participants and graduates what helps those who are not doing well. There was agreement among participants/ graduates that sanctions are for dishonesty, not for a drug test showing that the participant used drugs. General agreement that sanctions should not be given based on a slip, but on a "pattern" of behaviour]

(Field notes evaluation meeting, January 10, 2008)

Results also suggested that the requirement of attending treatment and fulfilling treatment and rehabilitation programming as required was perhaps not as clear cut as judging fulfillment of conditions like court attendance and abstinence. In particular, it was not always easy for staff to judge whether participants were in fact meeting these expectations, or whether efforts to meet the EDTC's expectations were sufficient. This was partially because behaviour may have been judged in relation to a participant's past behaviour, or which stage of the program they are in:

Judge: is [participant] keeping busy enough?

Case manager1: I don't know... does everything we tell him to do

Case manager2: Doing lots of meetings, I'll give him that. Hangs out with [other Participant, goes to] sweats and stuff. Doing lots of good. Could be doing more.

Judge: Wondering where he's heading...

Case manger2: Probably doing more than he ever has. [Lists several things participant is doing, including relapse prevention counselling and medical and dental follow-ups]

(Pre-Court meeting field notes, April 9, 2008)

It was perhaps for this reason that it seemed necessary for participants to be observed over time in order to ascertain whether they were genuinely engaged:

Researcher: Have you compared yourself to other participants in the court and do you think that you are any different than any other people you see? And if so, how?

Tom: ... Well, as an individual everybody's different from each other, you know what I mean? But as far as... motives and agendas go... I know why I'm here, you know what I mean? And I know a couple other people personally and they're kind of ... playing a role, I guess you could say, so to speak? ... And you can see it in other participants when you go to court and stuff... you can see whose attitude's slipping and whose attitude's not slipping, and you know what kind of work's being done and it just basically shows itself in time.

(Participant interview, 158-72)

One example of this was seen in this DTC's policy of not sanctioning for drug use as long as participants admitted that they had used before being screened.

Despite the potential benefits to participants in terms of learning to be honest and work through inevitable slips, there was some criticism of this policy:

Tom: Basically there's like a small loophole in this program and it's... been plaguing my mind since I learned about it... and that is if – cause say you used, and you go for your drug screen and you say you used... they're not gonna sanction you. So essentially like a person could just get away with you know, using ... and saying, okay, well as long as I'm honest, I'll never go back to jail... what good is that, really? And the sanctions aren't really anything, like, bad – you know what I mean?

(Participant interview, 380-5)

There was evidence that concern about this policy may have been well-founded, in that there may have been participants who took advantage of it:

[Discussion of a participant who had used - participant went to counsellor Tuesday with bad attitude, laughing about using, that she will only get a few hours of community service. Counsellor asked participant about her apartment, participant freaked out, yelled. Counsellor asked her to leave.]

(Additional field notes, Pre-Court Meeting January 16, 2008)

Importantly, however, EDTC stakeholders did not judge specific actions in isolation of other aspects of the participants' lives or EDTC participation. A participant might get away with using if he or she was honest, in terms of not receiving a sanction in that instance, but staff looked at several aspects of the participant's behaviour to judge whether participants were truly putting in effort to avoid use, and would use that evidence to decide how to proceed. In this example of a fairly new participant who had used, staff discussed ways of

ensuring that he was being more honest and upfront about his life in general (i.e. not talking in circles):

[Discussion of a participant who is “not doing so well”. He came in admitting that he had used. Also used last week – took pill from brother’s apartment.]

Prosecutor: Is community service appropriate? That’s what we give for dirty screens without lying.

Judge: Is he doing any meetings?

Case manager1: If he has, it’s been limited – did say he went after he used but didn’t have proof.

Prosecutor: We’ve heard this before...

Case manager2: They have heard often that they need proof of meetings.

Judge: How sincere is he?

Case manager1: He talks in circles – it’s everyone’s fault but his own. His health, his mother’s fault, etc. Going into day program soon – hard to get to, so will be good indication of his sincerity. This participant has also claimed sickness a few times, it’s kind of suspicious.

Prosecutor: Well, it’s his rope.

Case manager2: We’re going to try to take away all his excuses and see what he’s left with.

[Case manager1 suggested a time frame to tell his mother, who had said he would have to move out if he used – will have to turn himself in, wait for residential treatment]

(Pre-court meeting field notes, January 16, 2008)

The next example shows discussion about a participant who had been involved in the program for a longer time and had used several times after having a long period of doing well. Staff acknowledged that this participant did some things right; i.e. by coming to the office and admitting drug use up front. However, they felt that she could have put more effort in to avoid use by reaching out. It is possible that staff expected more from this participant because she had been involved in the EDTC for a longer time.

[Discussion of a participant who had a slip. She came to the EDTC office and admitted it.]

Case manager: she didn’t reach out – called someone from AADAC, but it was Saturday. [We] talked a lot about reaching out and she will make a conscious effort. it was Saturday. They talked a lot about reaching out and she will make a conscious effort. ...She realized she needs to go to meetings on weekends. Treatment team has warned her that if she continues to use she will have to go to residential treatment.

(Pre-court meeting field notes, February 6, 2008)

To summarize, analyses in this section show that DTC staff used a variety of sources of external evidence to make judgements about whether participants were engaged, including whether they were meeting expectations, communicating openly and honestly, and whether they were forming bonds or

becoming involved with the EDTC. Usually, these external judgements were based on patterns of behaviour and conduct observed over time, rather than single episodes or instances.

Feeling Engaged: Descriptions of Engagement from an Internal Perspective

Although external judgements were crucial in understanding engagement as a social process and therefore participants' future in the program, they were only half the story. The other half of the story was about what participants were thinking and feeling in relation to engagement with the EDTC. Exploring engagement from an internal point of view proved to be a highly iterative process, in that it was often difficult to separate both the external aspects of engagement and the process of becoming engaged. Drawing on language used by EDTC stakeholders, I began with a code called "attitude", which was then broken down into sub-themes of "choice"; "willingness"; "openness"; "control and power" and "try". I also spent time teasing out aspects that had originally been coded and written as part of the "process" section (Chapter 5).

In general, internal engagement could be described in terms of 1) attitude and perceptions 2) motivation; 3) openness to trust; 4) openness to socialization and 5) confronting. The relationship of these different factors can be seen in Figure 2. I will discuss each of these factors in turn, also demonstrated how they seemed to relate to each other, combining to form the feelings of engagement.

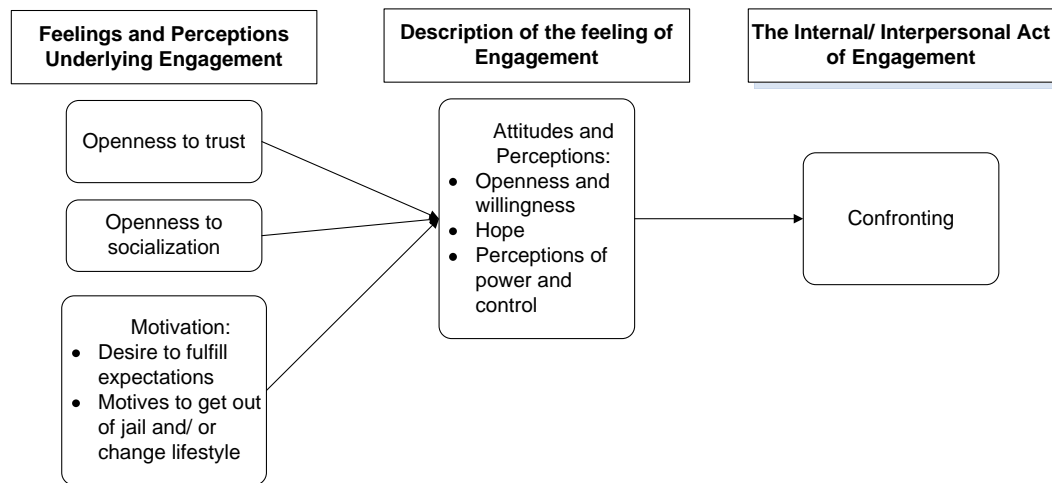


Figure 2. Relationship among factors of internal engagement.

Attitude and Perceptions

Recall that one of the pieces of evidence used to judge engagement was a particular style of interaction, which many participants and staff referred to as a participants’ “attitude”, particularly when referring to participants who were engaging at lower levels. This seemed to relate to an internal aspect of attitude, in the sense of the participants’ perceptions of the EDTC and all it involved, as well as their underlying general outlook on life. This attitude related to participants’ perceptions of the EDTC, including staff and expectations, but also related to their outlook or disposition towards themselves and the world in general.

In general, the attitude underlying in engagement was one that showed more positivity and openness towards the expectations of the EDTC. Two dominant ways that EDTC stakeholders described this attitude was using terms relating to “willingness” and “openness”. In general, those that were engaging at higher levels were described as having an attitude that showed willingness to listen and willingness to try, as well as a general open-mindedness to what was around them:

Mona:[T]hey want change in their life and they’re willing to do whatever it takes to make that change. And because this program is very involved, lots of meetings, lots of meetings with the staff, going to court every Wednesday, just knowing that they’re willing to take ... that step, and that hard work to actually follow through and do something to make the changes that they need to need to make.

(Staff interview, 235-9)

Participant: [S]ure they want [to get into the program] – they are sitting in jail. But what are they willing to [do]. It's the willingness to accept something they may not be comfortable with.

(Field notes from Evaluation Meeting, January 10, 2008)

In contrast, those who were not engaging were described as having a more closed or resistant attitude (as was shown in the evidence section above). This included finding it difficult to take instruction, as well as resistance to making efforts in general:

Researcher: Do you think there's some participants who do well in the court and others who don't, and do you have any ideas of what the differences might be?

Celia: [pause] I guess maybe a willingness to do things their way, maybe? I don't know, I'm one of the people who, uh, didn't do so well, and... I guess it was just hard for me to be told what to do, and... maybe just not a willingness to make all the changes and do all the things that are suggested to stay clean...

(Participant interview, 303-14)

I found that this "attitude", or feelings of engagement, could be described in terms of several interrelated factors, including:

Feelings of engagement seemed to be highly related to participants' perceptions of the expectations, as well as participants' perceptions of themselves and those around them. For example, participants who felt less engaged were more likely to perceive expectations as something forced on them, and were more likely to perceive EDTC staff as trying to control them rather than help them:

Jill: Basically for drug court, they're saying- you know what? We're gonna help you get everything you need, we're gonna help you ... Well that's a stupid way to put [it], when it's the government SFI²¹ taking care of you. Not the drug court team. It doesn't make sense to me how they can do this. And it feels like an entrapment. Is what it feels like. Yeah, I got outta jail, but it still feels like an entrapment there. I coulda done all this, you know, on my own, with SFI, and still had the same standard coverage and this and that. So what are the benefits of this?

(Participant interview, 72-8)

Furthermore, the feelings underlying the closed or resistant attitudes of those who were engaging at lower levels of engagement was that these participants

²¹ Supports for independence, formerly known as social assistance, and currently known as income support. See <http://employment.alberta.ca/FCH/689.html>

seemed to feel more of a the need to assert their will, or to exert power or control over a situation:

Robert: You see attitude in behaviours. People thinking they know best. And that thought – “I know best” – that’s taking your will back. “I know what I should be doing, I know this”.

(Graduate focus group, 58-9)

[Judge asked a participant if he is thinking of doing meetings.]

Participant: You mean 12-step?

Judge: yes

Participant: Then no.

[Judge said that the participant is doing well, but the court wants reintegration with society. Judge asked a graduate what they should do. The graduate suggested meetings are important for helping the participant not to use in the future - “sooner or later you will think it’s okay”]

Graduate: It’s up to him to deal with it”.

Participant: Thank you... I will stick to my convictions...I’m an adult.

Judge: It doesn’t hurt to open our mind sometimes.

(Court field notes, November 7, 2007)

In contrast, I noticed quite often during observation and interviews that participants with higher feelings of engagement seemed to perceive that fulfilling EDTC expectations was their own choice, and to see them as an opportunity, as help for them, or as support. This can be seen in the following references from Wayne and Faye, both of whom demonstrated high levels of engagement overall:

Researcher: You said you couldn’t [make changes to your life] without drug court so what is it about drug court [that helps]

Wayne: It’s the structure. I’m still institutionalized, I know I am. I need that structure in my life. ...

Researcher: But structure that’s different than jail?

Wayne: Yeah, but it’s a more .. structure, it’s still structure... You have to be here, you have to be there, you gotta do this, you gotta meet with this person, that person. And we’re told what to do, or shown where we should go ... and if we go to it, that’s our choice, but you know what I mean?

(Participant interview, 441-52)

Faye: I don’t know, it’s really good. I actually do feel like I’m taking advantage because it’s so good... because they got so much to offer... and it’s all free, you just gotta do your part and they do the rest, you know what I mean?

(Participant interview, 126-131)

Participants with higher levels of engagement also seemed to have a higher sense of accountability, both in terms of feeling a need to be honest with those around them, and themselves:

Helen: You said honesty, eh? That was a big part of it too, was the honesty. If you can’t be honest with yourself, you’re not gonna succeed...in the drug court.

Robert: It came down to [accountability] - they held us accountable.

Helen: It taught me how to be accountable to myself, for sure.

(Graduate focus group, December 1, 2008)

Underlying these more positive perceptions were perceptions about what it meant to ask for help. In that regard, several participants used the language of “surrendering” to describe the feeling of engaging at a higher level, likely drawing on the type of language seen in the first few steps of the 12-step recovery process:

Researcher: What was the process of being in treatment like for you, especially once you decided that you would actually work the program?

Wayne: They do things a little differently which I didn't agree with... but what do I know since it was my first time in treatment. Like I wanted things my way but I can't. ...So I just let their program work me, you know?

Whatever they wanted, I did. ...

Researcher: Was that different for you?

Wayne: Well, I always went against the grain.

Researcher: Before that.

Wayne: Yeah, always. I wouldn't let anybody control my life.

...Researcher: So what was that like, to let people...?

Wayne: ... Well, I guess it was surrendering to my addiction ...

(Participant interview, 102-11)

On the other hand, what seemed to be important was that participants were able to do some level of “surrendering” without losing a sense of themselves, which was again why it may have been so important for them to perceive that it was their choice to fulfill expectations. Participants who had a harder time with this idea seemed to have a harder time fully making that choice to do what the court expected of them. Related to this was the finding that some stakeholders described engagement as not giving over one's will so much as feeling positive and hopeful. For example, Mona emphasized the importance of participants acknowledging that it was possible for them to change their lives for the better:

Mona: I think when that person gets to the point where they're ready and they- not give up their will, but are- open themselves up to what's out there and what can be. I think that's the key...

(Staff interview, 651-3)

Stakeholders also emphasized the importance of more positive perceptions in relation to feelings of engagement. In particular, many stakeholders emphasized that engaging was about having hope that change was possible:

Researcher: Can you describe what an engaged or active participant looks like, for you, or how you and other staff judge that.

Bruce: They're positive, they're proud of their successes, they have hope ... they work hard, they have a vision of ... how things could be.

(Staff interview, 489-93)

Feelings of engagement also involved positive self-perceptions. This included feelings of self-respect and self-worth, or believing that one was worth making an effort for. It also involved self-esteem, self-confidence and courage, or a belief that one was capable of successfully making that effort to change:

[Researcher presents a list of things she has identified as important in the process of becoming an active participant in the EDTC, then asks graduates if she has missed anything]

Katie: Courage... Courage is a big thing

...

Rodney: Without hope you don't have courage

Helen: ... All of that takes courage to do.

Katie: I put in here too- like you put respect, you also have to have self-respect. ... like you have to respect other people but you also have to respect yourself enough to want to do all that. ... Like, you need to respect yourself to respect other people.

Robert: Cause that's about loving yourself.

(Graduate focus group, 337-48)

It also seemed that in many cases perceiving that someone cared may have changed a participants' self-perception; in particular, perceptions of self-worth and hope:

Researcher: [Is there] anything else you'd like me to know about your experience or about the drug court?

Bruce: [pause] I think the caring thing is at the root of all this, that people have to- ultimately, you want somebody to care about themselves, and care about their relationships, and so if you have caring relationships, I think- you know, whether you like it or not, your body physiologically reacts to positive relationships and your body probably produces drugs that make you feel better, so I think at the heart of all of this, in our society, the caring part is the most important of all- that motivates people to care about themselves, that other people care about them, and they might not understand, well- why would you care about me, why- just, why would you care about me? You've got your life, I've got my life, why do you care? And when they see someone who does without any particular need or remuneration, they're getting something back ... that enables them to sort of have a wider look about caring and their own self-worth and to care about themselves, and make the effort to do what they can for their short little span on earth, to enjoy, make meaning in life. ... I think that caring is the success part, is the most important single thing.

(Staff interview, 774-90)

Researcher: Do you think that the court can take somebody who maybe ... kind of wants sobriety or maybe doesn't even want sobriety and turn that around-

Wayne: [Interrupts researcher] Change their life? Yes

Researcher: ... What kinds of things does the court do or the staff of the court, that might be able to change people's minds towards-

Wayne: [Interrupts researcher] They care, basically- that's what they do, they care about you.

Researcher: And how does that caring change-

Wayne: ...[I]t gives you self-worth. That you are somebody, that you're not just something else, or nothing. Looked over. They treat you as an individual. ... It gives me confidence. That I am somebody, that I am worth something.

(Participant interview, 267-81)

Motivation

A crucial aspect underlying feelings of engagement was participants' motivation. Motivation related to what participants wanted to do (desires), why they wanted to do it (motives), and just how much they wanted to do it (level of motivation). First and foremost, this included feeling a desire to fulfill the expectations of the EDTC. The higher the level of motivation to fulfill the expectations, the more one might describe the participant as feeling engaged. However, it also proved to be very important to take characterize a participant's motive for *why* they wanted to fulfill expectations. On one hand, participants felt desire to fulfill expectations because it was expected and enforced as part of taking part of the program. Those that were engaged wanted to fulfill expectations, at least in part because they would get in trouble if they did not and/ or because they had a desire to stay in the program. Tom described feeling a desire to comply with the abstinence condition of the EDTC, partly because he knew that he would be tested as part of EDTC participation:

Tom: The drug test helps me, in a huge way. Like, when all else, when there's no other reasoning in my head to deny myself when I get a craving or something like that at least I know that I'm gonna get screened once a week... you're like, okay, well you're gonna get in some trouble if you make this choice, and that helps... it's a deterrent.

(Participant interview, 286-96)

Those who less engaged, in contrast, felt less of a desire to fulfill expectations, presumably because they felt they could get away with it or would not get in trouble, or because they had less of a desire to stay in the program.

[Discussion of a participant who used the previous weekend. Missed appointments with case managers and with her counsellor].

Case manager: Without prompting, she admitted use. On the plus side, she knows that she isn't ready to graduate. Went to Patty [her counsellor] Tuesday with bad attitude, laughing about using, that she will only get a few

hours of community service. Patty asked about her apartment, participant freaked out, yelled. Patty asked her to leave. Patty still willing to work with her. [Participant's] thinking is that if she's not working, who cares because social services will pay rent.

(Pre-court field notes, January 16, 2008)

Another way of describing the motivation of those who were less engaged was that they were not prioritizing EDTC expectations over other activities. In other words, the desire to do other things with their time was stronger than the desire to fulfill expectations:

[Discussion of a participant who "talks a great story but doesn't do much".]

Case manager: We haven't gotten much out of him since he started.

Judge: He's enjoying all these things he couldn't do before. ...

(Pre-court field notes, January 2, 2008)

Not surprisingly, feelings of engagement seemed to be more associated with feelings of wanting to make changes to one's lifestyle, including wanting to stay out of jail in the longer term, as opposed to only feelings of wanting to get out of jail. For example, in Wayne's description of other participants of the EDTC, he seemed to differentiate those who were engaged as being those who "wanted it" or were committed, in contrast to those who "did not want it" or were not committed:

Researcher: What kind of things do you look for [to see whether -

Wayne: To see how] committed they are. To see if I see 'em places where they need to be. ... To see what happens in court... where there direction is. You can see where it goes.

(Participant interview, 325-30)

Looking deeper into Wayne's description of participants who "wanted it" or "didn't want it", it is revealed that this is related to their desire to change their life, or their desire for sobriety:

Researcher: Okay, let's talk a bit more about what it's been like to be in the program.

Wayne: It's been great. Do I agree with everything they do? No. At first, no. Now I do... It's a simple program, it really is.

Researcher: From your point of view, how would you describe it?

Wayne: The program? It's simple. ... You either want it or you don't. And if you want sobriety it'll show you how to achieve it, and if you don't, then that's your problem.

(Participant interview, 257-66)

This revealed an important distinction was made by EDTC stakeholders between those had a desire to change their lives and those who were in the program more as a way to get out of jail. The more participants felt a desire to

change their lifestyle, the more they would be described as engaged with the program:

[Researcher asks staff member about how motivation is judged as part of the assessment of suitability to enter the program]

Mona: [It sends up red flags if] their urge is to get out and that's what they're focusing on is getting out. so that's something that we're very cautious about. And for the most part, if somebody knows they have a chance of getting in a program like this... sometimes they tell us what we wanna hear. So sometimes that's not the only thing that we work on... it's processing what is it that you wanna do, what have you tried before, and where do you wanna go?

Researcher: ... What's the alternative, what do you want to hear them say [in order to judge them as suitable to enter the program]

Staff: Well... that they- that they want change in their life and they're willing to do whatever it takes to make that change.

(Staff interview, 226-36)

It was also important to look at participants' level of motivation to fulfill expectations when considering feelings of engagement. Feeling more of a desire to fulfill expectations seemed to demonstrate that a participant had more energy available for fulfilling the expectations. For example, this participant showed some enthusiasm for talking to the judge about how she had been fulfilling requirements over the past week:

[Participant told judge that she was very eager to talk to her. Told what she did every day, including shopping, anger management classes, 22 hours put in for fine options²². Doing a forklift operating course starting next week.]

Participant: Got a key for my home [12-step] group – I go in early and [make] coffee – got some responsibility...

(Court field notes, February 20, 2008)

Some participants who went beyond the idea of fulfilling requirements because they were expected, but who seemed to embrace the goals and processes of the EDTC and to invest their full selves in the process of taking part. In those participants there seemed to be a sense of heightened energy and passion for the work they were doing for their recovery. One graduate described it in this way, linking it to those feelings of willingness and openness:

Robert: It's almost like a high, I know in the beginning of recovery, I just- I mean, the more change, the more things- you know, I never had much good in my life, I never earned it. I never did anything for myself. ... There are natural highs where one thing happens, it just snowballs, and then the

²² Completing community work at minimum wage rates in lieu of or in supplement to paying criminal code fines (except for traffic tickets/ fines), see https://www.solgps.alberta.ca/programs_and_services/correctional_services/Publications/Guide%20to%20sentencing%20resources.pdf

willingness to accept things the way they are, you know, willingness to have an open mind, not give attitude and judgment and criticism and just be negative.

(Graduate interview, 66-71)

Openness to Trust

Another important aspect of being able to accept help and not view it as being controlled was being able to trust those who were communicating expectations. Since EDTC staff were the “face” of the EDTC in terms of being responsible for communicating the requirements, they seemed to act as representatives for EDTC processes. In that way, participants’ relationship with those processes were highly dependent on their relationships with staff. Feeling trust seemed to be about learning to feel comfortable with staff, such that being honest and confronting problems was less difficult:

Grace: Well... a lot of parole officers are there just waiting to send you back to jail. Some of them that’s their- not everyone knows how to work with people. You know, you’re in the profession, that doesn’t mean that they’re good at their job. ... I feel really comfortable with [staff member], I feel like I know her forever You know and I don’t have a problem telling her things, I don’t have a problem being honest with her.

(Participant interview, 157-62)

[Researcher asks if any of the staff are more helpful to the participant than other staff, and participant names one of the case managers]

Tom: I talk with her more, she talks with me more, she just knows me more personally, I wouldn’t say she knows everything about me but she knows a lot more than other people cause we just have that... those conversations... and I trust her... and that’s good.

(Participant interview, 312-5)

Feelings of trust also meant being comfortable with the act of reaching out for help, or being more proactive about asking for help when in need:

Researcher: You said that you’ve had some change. So what does your life look like... how is your life different now than it was before?

Celia: That I ask for help when I need it, or that I let people know that I’m going through a hard time, rather than blowing up and having temper tantrums or whatever you wanna call it. Um... yeah, I’m just- by reaching out and asking people for help, that’s what’s different. That I’m able to do that now, and I wasn’t before.

(Participant interview, 273-8)

A major aspect of feeling trust involved perceptions of staff, such as perceiving them as non-judgmental:

Mona: [W]orking with them once they get in and they know the expectations and they’ve agreed that they think they can- they’d like to give it a try, and

knowing that we're gonna be non-judgemental, perhaps this is the first time in their lives... you know, especially connected to the legal system in a roundabout way... that perhaps they haven't always felt... respected or as equal as someone else, and that, you know, they might be bringing forward a history of prostitution or... you know, a multiple charges in their past and been judged.

(Staff interview, 111-7)

Trust also seemed to include perceptions of whether staff would be helpful in participants' process of recovery:

Eve: So they start to trust that- okay, she's gonna help me get into treatment and she's gonna help me find a place to live, and when it gets really hard, they're not just gonna say- well, too bad for you. So, I think that's another big part of that change. And if they become sick in custody and we can help them in any way we do, even while they're still a serving prisoner, so I think they get to develop that bond.

(Staff interview, 87-91)

In turn, feelings of trust were also associated with participants' assessments of staff's motivations; namely, participants believing that staff actually wanted to help the participant to make changes to their lives. Many of the participants reported having a perception that staff cared or showed compassion:

Tom: [The EDTC is] a lot more personal than I expected. [Staff are more interested in] how I'm doing and what I'm up to and stuff, rather than your traditional probation officer who really just ... there's either two types of probation officers, and that's- they really just pry into your business for the sake of prying into your business... they must like paperwork or something... and then the other kind is the kind that you go and you say hi are you still alive yes and then they tell you to get out cause they got a hundred people to see you know what I mean? Whereas the drug court people are actually... they actually show compassion, and...that's a nice change from the other professionals that I've dealt with in my life.

(Participant interview, 120-8)

Openness to Socialization

Another factor underlying feelings of engagement was the idea of participants becoming socialized to completing the expectations of the EDTC. This was about participants feeling increasingly more *comfortable* with fulfilling expectations, such that these expectations met with their goals, values and how they viewed themselves. For example, Faye seemed less comfortable, or socialized, to the idea of fulfilling the expectation of participating in court hearing sessions when she first observed the EDTC:

Faye: At first, I just thought it was a pile of crap, and it's like, oh- corny and whatever. It's like oh my god, you know? Who the hell in their right mind

[*laughs*] you know, would sit there and actually enjoy bein' in that room, clappin' for piss tests and stuff.

(Participant interview, 172-4)

Though socialization was often associated with feelings of motivation, and may have been influenced by factors such as motivation to succeed, it was distinct in the sense that having a desire to make changes to one's life did not necessarily mean that one would buy in to the methods being presented by which to do so.

There also appeared to be a level of skill-building with regard to aspects of participation such as open communication, indicating that it may have taken time for participants to become comfortable with it:

Eve: [E]specially for the young males- it often is really intimidating for them at the beginning of court. Mostly because they don't know how to talk to people.

(Staff interview, 385-7)

Lisa: I had trouble talking to the judge. Like my first couple times I went there.

(Participant interview, 190-1)

As mentioned above, the EDTC and many of the programs with which it worked seemed to ascribe to a 12-step model of recovery, therefore socialization may have also included some aspect of getting used to language and beliefs put forward as part of the 12-step culture.

Stan: In the [EDTC], you see the participants who are very [focused on 12-step programs such as AA and NA] ... they're very focused that route, because they know it's helping them. And you see the people that are in the NA groups and stuff like that... you know, there's- this is the way, and there's no other way. Because it's worked for them.

(Staff interview, 303-7)

Openness to Confronting

If attitude described what engagement *felt* like, then confronting was about describing the *act* of engaging from an internal point of view. I use the term "confronting" mainly to refer to the act of facing something (usually something difficult or a potential barrier), which very often included the next step of beginning to work through that issue. Confronting in this way was about doing things that were difficult from an internal point of view, going a step beyond feeling a desire to make a change to one's life and going about making those changes. Other aspects of feeling engaged, such as attitude, perceptions, and

level of motivation, and was often a predictor of whether or not one would face those difficult issues. Furthermore, though there seemed to be some value to participants thinking and working through difficult factors on their own, it was often imperative for them to talk about them with someone else in order to truly work through them. In that way, confronting was very often an interpersonal process, involving not only internal resources, such as participants' motivation, attitude and self-worth, but also their perceptions and sense of trust for those around them.

As suggested in the external judgment of engagement section above, there was evidence that recovery involved participants not just meeting expectations, but communicating about working through barriers while doing so. It is not surprising, then, that confronting barriers would be an important aspect of the act of engaging with the EDTC. One participant suggested that his own reasons for working through difficult issues were that he has experienced clean time and times when he was not in jail, but these have not led to any changes in his lifestyle:

[Participant called pre-court meeting from residential treatment centre]
Participant: All of the stuff that's kept me sick so far, I want it out. I'm sick of getting out and [continuing to use], period of being clean [or being out of jail] getting smaller and smaller. Could have got pen²³ time – getting out of control. Worked on stepwork for 20 hours on the weekend.

(Pre-court meeting field notes, April 9, 2008)

This is also related to the fact that participants (as well as others trying to change their lifestyle) could fulfill expectations, but not be putting in an honest internal effort:

Stan: Just because you're attending twenty meetings and everything else, you're pleasing everybody else but you're really not working the program. ... It depends what they're doing it for... [whether they are] really getting anything out of it.

(Staff interview, 314-5)

[Participant just had one year anniversary of sobriety. Everyone keeps asking her when she will graduate, but she said she is not ready to face world without the "protection" of the EDTC]
Participant: Some people can be recovered and not recovered. Need to learn how to deal with challenges. Not just drugs and alcohol, it's the things you do - criminal behaviour.

(Court field notes, March 19, 2008)

²³ Time in a penitentiary, or prison.

What were the barriers to be confronted as part of engagement with the EDTC? First of all, an important element to becoming motivated to make changes to one's lifestyle was facing the fact that change might be required:

Helen: [A]dmitting that you're an addict was the frickin' hardest step I ever had to take... you know, because I'd been fighting with it for years- I fought it for years.

(Graduate focus group, 429-30)

Other issues faced as part of EDTC involvement were painful thoughts or memories, such as coming to terms with past traumas or hurts. As shown by this reference from an interview with staff member Eve, past trauma or life difficulty was often at the root of addiction. This highlighted the importance of facing and dealing with these factors if one hopes to change addictive behaviour in the long run:

Researcher: What do you think- what are some of the main reasons for participants dropping out or not doing well?

Eve: Sometimes I think that we miss something, and I don't know... everybody has that underlying problem that causes their substance use... if you can't find that underlying problem, or if they're not willing to share that underlying problem, I think that your chances for success decrease. ... [S]ometimes without knowing it, I think ... that we lose participants because they feel like, either they can't share that problem with us, or that we wouldn't understand it if they could. I think that even when you do know what that root cause is, sometimes that issue is just too scary to face.

(Staff interview, 562-5)

Confronting also seemed to include facing difficult things that may have happened while living a criminal/addictive lifestyle, including things that the individual themselves might have done:

[Participant calls into pre-court meeting from residential treatment facility]
Participant: I have some things I'm ashamed about, haven't been able to deal with them yet – "proverbial look in the mirror".

(Pre-court meeting field notes, March 12, 2008)

In addition to working through difficult issues from one's past, another issue to be confronted as part of EDTC participation was that of simply dealing with difficulties and barriers as part of the process of making changes to one's life. This may include difficulties with one's housing situation, difficulties with one's family or friends (including being around people who are using), all of which could lead to feelings of temptation or craving for using drugs:

[Researcher asks what things might lead to a participant "dis-engaging" from the EDTC]

Bruce: [W]hen people have a traumatic event, you know, like they get into the program thinking things are going to go well, and say a spouse leaves... a spouse commits suicide, a family member commits suicide, a sibling is murdered, children are apprehended by child welfare, children die... the other thing could be if you re-engage with your nasty support group, your street family.

(Staff interview, 474-81)

Another important aspect to addressing and working through barriers were facing factors in one's life that might contribute to one's lifestyle. These factors included such things as not having a stable place to live, not having money, difficulty accessing treatment, medical or psychological support and having a negative social group. Mona, a staff member, emphasized how these external barriers can help maintain a negative cycle, over and above the cycle of active addiction itself:

Mona: I think a lot of our participants, why they got to this point is that they've fallen through the cracks. There is no rehabilitation in jail, so the cycle continues. Somebody gets put in jail for selling drugs or trafficking drugs- or whatever that may look like- theft, or whatever that may look like. They do their time and for many they can do their time standing on their head they've been in and out of the jail system for many years. But they get released from jail with no rehabilitation and then they get placed right back into the same lifestyle that they came from. Well is it no wonder that it ends up being a vicious cycle, that they end up living in a crack house or living with the same friends and family where they have to rob and steal or whatever that may look like to survive. And unsafe housing- or no housing. And if- if people are going back to that, it's no wonder that people re-offend, or come back into the system. So I think it's stopping that cycle and showing them that there is other ways to survive.

(Staff interview, 320-31)

A final issue to be confronted is that of having made a mistake in the present situation, such as having a relapse while participating in the EDTC, and having to deal with it. Grace emphasized the difficulty of confronting and dealing with relapses:

Grace: [How I respond to relapses] is I just isolate and I just- I don't go around so I don't have to face [people] ... Instead of pickin' myself up, dustin' myself off, and getting back on to the right track. I just run, cause I'm afraid of confrontation,

(Participant interview, 488-93)

Relationships between Internal and External Features of Engagement

One of the findings of this study was that engagement was a complex continuum, as opposed to an all-or-nothing state. This was true in the sense that there were varying levels of both external and internal engagement, but

especially that there was a constant interplay between the external and internal aspects of engagement.

Levels of Engagement: External

Fairly early in the process of conducting this research, I started to notice different levels of external engagement, implicitly categorized participants, and made several sampling decisions based on these categorizations (see methods chapter). This characterization included: 1) no engagement; 2) low engagement; 2) mixed engagement; or 3) high engagement. These levels were similar to three levels of demonstrating commitment to recovery suggested by Burns and Peyrot's (2003) qualitative examination of drug court participation: 1) Not making it in the program; 2) Being "on your way," but not as good you could be; and 3) Demonstrating acceptable recovery (p.431). Burns and Peyrot (2003) discuss these levels as pertaining to the extent to which participants demonstrated acceptable recovery in the DTC, while I discuss them in terms of the aspects of engagement described above (meeting requirements and expectations, communicating openly and honestly and forming relationships and becoming involved). This categorization of levels of engagement should be seen not as a way to categorize a given participant, but instead as a way to talk about a participant's level of engagement at a given point in time. See Table 3 for a summary and description of these levels.

Table 2. Descriptions of the levels of external engagement

Label	Description – External	Examples	References/ Examples
No engagement	Individual not currently involved in program	<ul style="list-style-type: none"> - Participants are not enrolling in program - Participants have dropped out of or absconded from the program 	<p><i>Judge: Suggested [offender] stay here and watch for afternoon. I don't think she stayed. (Court 03-05-08)</i></p> <p><i>Judge: we did not hear from Grace – execute warrant (Court 03-26-08)</i></p>
Low engagement	Individual is involved with EDTC on some level but showing little or no engaging behaviour	<ul style="list-style-type: none"> - Offenders on waiting list who are not completing screening/ eligibility requirements - Participants repeatedly using drugs, missing appointments or drug court hearing sessions; repeatedly not completing actions they have promised to complete 	<p><i>Defence: I told [potential participant] that she was to come this afternoon... she is not here and I've been told by treatment team that she is not [welcome] to program. (Court 03-19-08)</i></p> <p><i>Case manager: We haven't gotten much out of [participant] since he started. ... he hasn't even connected with [addiction case manager] – the smallest thing. (Pre-court 01-02-08)</i></p>
Mixed Engagement	Individual demonstrating some engaging behaviour, but not engaging at a full level	<ul style="list-style-type: none"> Participants demonstrating a negative, defiant, or aggressive attitude (with little or no meeting of expectations) Participants meeting many expectations/ requirements (such as demonstrating clean drug screens), but not meeting all requirements Participants fulfilling many requirements, but demonstrating an unwilling or closed-minded attitude 	<p><i>Lisa participant interview: I'd be like- just really short sentences and really snobby, too? Like rolling my eyes and stuff. (203-4)</i></p> <p><i>Judge: Is [participant] keeping busy enough?</i></p> <p><i>Case manager: ... Doing lots of good. Could be doing more. (Pre-court 04-09-08)</i></p> <p><i>[Judge said participant is doing well, but there was a suggestion he should go to meetings to help him keep from using.] Participant: I will stick to my convictions ... I'm an adult" (Court 11-07-07)</i></p>
High engagement	Individual meeting requirements, communicating, forming relationships	<ul style="list-style-type: none"> Participants and offenders on waiting list meeting requirements proactively, above and beyond what is asked of them Participants and offenders on waiting list communicating openly and honestly, becoming involved and forming relationships 	<p><i>Case manager: Participant who is [on waiting list] could go into treatment and start on her own before entering program. (Pre-court, 01-02-08)</i></p> <p><i>Bruce staff interview: [P]eople clearly are engaged [if they] communicate. They're honest, they're open, they're making an effort, they're following directions (514-6)</i></p>

Levels of Engagement: Internal

As discussed earlier, the EDTC was designed to serve offenders who want to change their lifestyle, rather than participants with only a desire to get out of jail. In that way, motivation to change lifestyle was a particularly important aspect of feeling engaged. The level of desire to change varied greatly among participants, and I found that participants could be arranged on a continuum according to the relationship between the motive to get out of jail and the motive to change one's lifestyle. At one end of this continuum, there was a suggestion that there were participants who joined with the sole intent of running from the program.

Case manager1: From what we've heard, this participant is planning to run, because he is facing so much time in jail. ... It's not usual that the guards of an institution are aware that an individual intends to run – [he must have been quite vocal about it]. ... we intend to wait at door of [the jail when he is released].

...

Judge: I don't know if there's any point saying [we know he wants to run]. We've had flight risks before.

Prosecutor: We've never had this information available to us

(Pre-court meeting field notes, March 5, 2008)

There was evidence that other participants may join the program because of a perception that there was a way to "cheat" or "manipulate" through the program in order to stay out of jail.

Some of them are there to- they see drug court as a get out of jail free card ... we've seen that from experience that where people are thinking at first that I'm just gonna... fake it through and get through it. Some that I've seen, like [participant's name] for example, who said that.

(Staff interview, 26-30)

Others may have joined the EDTC with some motivation to change their lifestyle, but with getting out of jail in the short term as a more dominant reason.

Jill: I wanted to get [into EDTC] so that I can have a chance to help my son- who's in the child welfare system. If I didn't get out in drug court, I would've ... missed his court and they would've PGO²⁴d him... to have him permanently, that's the only reason why I did that. Considering the fact that I had sixteen months in [jail]. ... [Researcher asks if participant feels motivated to do well in court]

Participant: I do feel motivated to do well in the court and am going to.

(Participant interview, 6-16)

²⁴ PGO: Permanent Guardianship order, wherein the government determines that the survival, security and development of a child will not be adequately protected if the child either remains with, or is returned to, his/her guardian, the Court will grant a permanent guardianship order (PGO). It is granted in situations where the Court has determined that the possibility of the child being returned to the custody of his/her guardian within a reasonable time is unlikely. (<http://www.slsedmonton.com/family/children-at-risk/>)

Eve: I think everybody, even people who come out of custody very motivated to change, when I go to do their intake, everybody wants that meeting because they know that I'm there to decide if they're eligible for bail or not. And everybody wants to get out of jail. So even somebody who does very well in the program, usually will feed me a load of crap in the ... in the intake. ... it's rare that I say they're not appropriate after intake.

(Staff interview, 48-54)

And finally, at the other end of the continuum were participants who reported wanting to change their life as a more dominant reason for entering the program. Even though staying out of jail may be part of this desire to change, it could be interpreted as being a more long-term change; instead of seeing the program as a way to get out of jail in the immediate future, it was seen as a way to avoid going to jail in the near future.

Researcher: Can you tell me why you wanted to become part of the court?

Faye: The success rate. ... I wanna be straight, I wanna do good.

(Participant interview, 144-6)

However, level of desire to change was not the only factor that varied with regard to internal levels of engagement. In fact, a major reason for some of complexity of defining and describing the process of engagement was that participants also experienced different types of attitudes and perceptions, and different levels of trust and socialization with regard to the EDTC and its staff. Participants differed in these areas based on their personality, their past experiences, and their current circumstances.

There was also variation with regard to the relationship among the other elements of internal motivation, including level of desire to change, hope, willingness, and so on. Some participants seemed to experience changes in level of engagement as soon as they experienced a shift in their level of motivation; others may have had barriers in areas such as trust or ability to communicate, that held back their level of engagement. This included a consideration that participants had different personalities; for example, some participants seemed more private, and others naturally more stubborn or less willing to take direction. It was more difficult to distinguish whether participants with these personality traits were actually different from other participants, whether they simply did not have fully developed motivation to follow expectations and/or motivation to change their life, or whether it was a combination of these things.

[Participant describes taking part in a long-term residential treatment program]

Celia: I took two six week programs, and then half of their long term program and then I got kicked out. Cause I have a anger- whatever, yeah- anger problem. I have problems following instructions sometimes and being polite about it. So ... they asked me to leave. They said I could come back, but they just wanted me leave right then, so. ... You know, it was a good program, I learned a lot. And I was able to stay... clean for another month and a half [after being in residential treatment],

so I had five and a half months clean before I used, so... no, it was helpful. I would recommend anybody to go, just not to be angry while they were there.

(Participant interview, 239-49)

[Discussion of a participant who staff describe as argumentative, negative and private. Staff wonder if this participant has more privileges, such as not having to share what is going on in his treatment. Prosecutor mentioned that it comes down to him not wanting to go to meetings – “the wrong attitude”. Prosecutor suggested that since this participant has been clean for 8 months, maybe they should let him go – maybe court isn’t helping.]

Prosecutor: “Maybe we’re making things worse by trying to do things our way. We have high standards beyond being clean. But that’s the most important one.

[Discussion of whether this participant might be just beating the tests, “playing the game”. Prosecutor suggests they respect participant’s differences – his private nature, and suggested giving him less attention – like a “horse whisperer” (the more attention you pay, the less they want to do what you want them to do).]

(Pre-court meeting field notes, November 14, 2007)

Interplay Between External and Internal Engagement

There were times when a participant’s level of internal engagement seemed to match their level of external engagement; in other words, many participants who felt engaged also showed evidence of engagement, and many participants who did not feel engaged showed evidence of not feeling engaged. However, this was not always the case; Table 3 and Figure 3 show different categories of engagement based on the relationship between internal and external engagement.

Table 3. Descriptions of categories of engagement based on relationship between external and internal engagement.

Label	Relation of external engagement and internal engagement	Description	References/ Examples
Low engagement	Both internal and external engagement are at a low level.	Participant feels a low desire to make changes to their lifestyle, and shows a low level of engagement with the program.	<i>Faye: One chick there... I think she was talking about it, like more negative- as a way to get out... And obviously, that's what she was thinking. And she's on the run, I guess. Yeah, she went to treatment, and went to drug court that day, and didn't go back.</i> (Participant interview, 71-4)
Fakers	Internal engagement is lower than external engagement would suggest.	Participant attempting to appear more engaged with the court than they are, generally due to a high desire to get out of jail but a low desire to change their lifestyle.	<i>Celia: And I chose to [enrol in the EDTC] just because I was gonna end up in jail and I didn't want to be in jail, I thought I could find a way to manipulate through this program and still be doing what I was doing, and using and whatever</i> (Participant interview, 38-41)
Coasters	External engagement is higher than internal engagement, but there is some level of desire to change.	Participant is fulfilling some expectations, but does not do everything possible to change their life. Participant may feel ambivalent about making changes to their life.	<i>Tom: I just know that's what they're here for, to jump through hoops and try to survive through this program so they don't have to go to jail</i> (Participant interview, 188-90)
Strugglers	Internal engagement is higher than external engagement	Participant feels a desire to change, but there may be elements in their environment that stand in the way.	<i>Robert: [Most participants I have seen] truly wanted it at the time, but just they got into it I think and found out what it takes, and they kind of- it's the old habits and behaviours that [stall us]. It's not as easy as saying 'I wanna change'. (Graduate interview, 13-15)</i>
High engagement	Both internal and external engagement are at a high level	Participants and offenders on waiting list meeting requirements proactively, above and beyond what is asked of them.	<i>Case manager: Participant who is [on waiting list] could go into treatment and start on her own before entering program.</i> (Pre-court, 02-Jan-08)

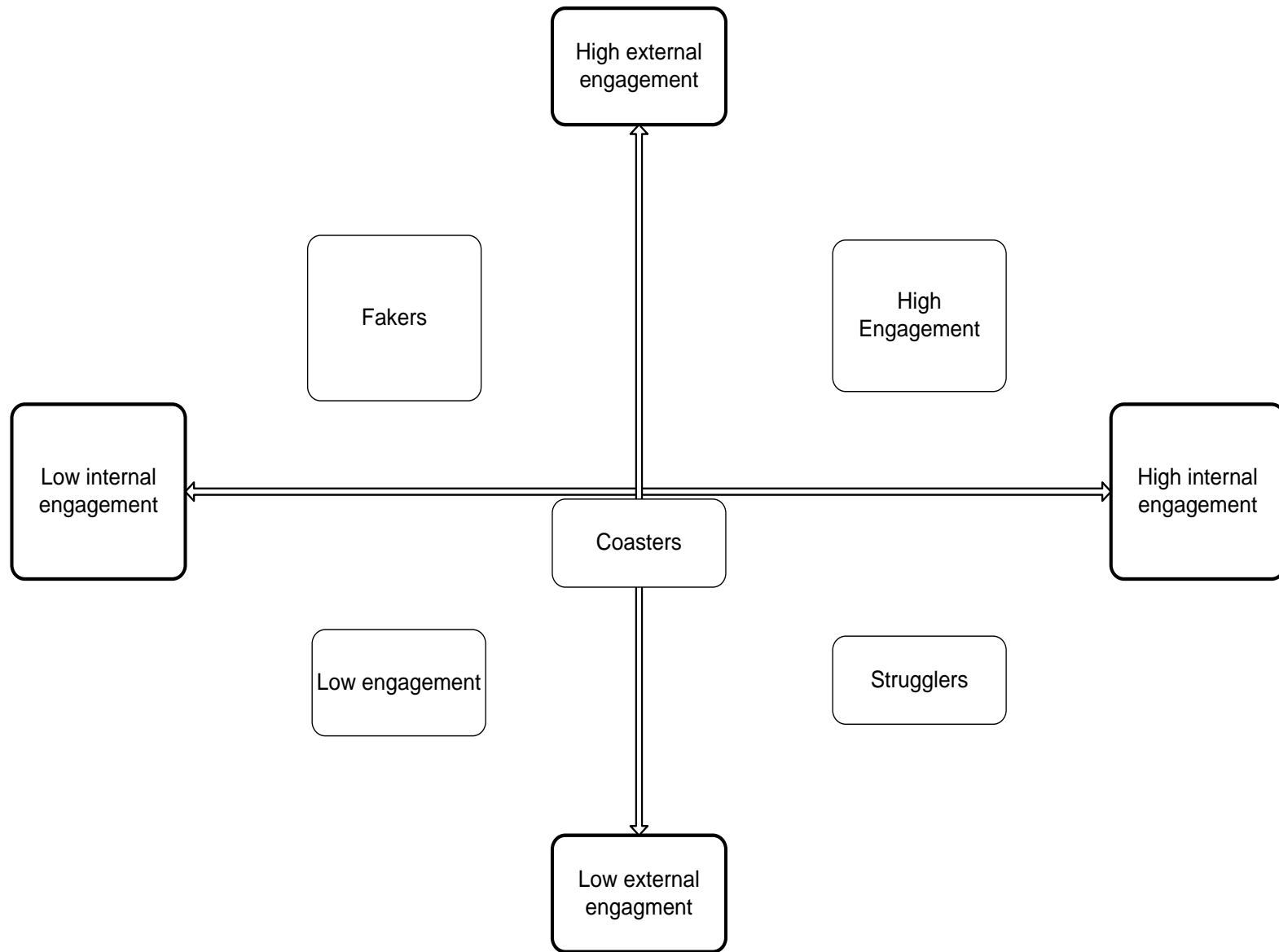


Figure 3. Categories of participants based on the relationship between external and internal engagement.

There were several reasons that internal engagement did not always match external engagement. First of all, it was expected that the process of change would be a difficult one for participants. The EDTC Program Description (2005) explicitly acknowledges that not all participants will not perform perfectly, noting that “[i]t is inevitable that Participants will stumble, and experience moments of struggle and/or failure, during their progress. It is the intent of the Program to ensure that each Participant who wants to succeed is given every reasonable opportunity to do so.” (p. 51).

Celia: I don't think change happens immediately... it's something that- you need to work on and practice... I think if the first time that I screwed up if they gave up on me I wouldn't be part of this program, but- you know, there's room for screw-up and as long as you keep trying ... to do things the right way, or- you know, learn from what you've done or whatever...

(Participant interview, 179-83)

[Participant admitted drug use]

Judge: anything could have done differently?

Participant: think it was best thing that could have happened.

Judge: ... [Addresses staff] did you know about this?

Director: had clean screen Monday.

Judge: so used after?

...

Director: slips can be part of the process, not always. Not a step in the right direction, but a part of the process.

(Court field notes, October 22, 2008)

Furthermore, participants varied with regard to how they approached recovery.

Helen: Everybody's recovery is different. ... not everyone takes recovery the same way... Like you said- the person he mentioned- he's totally changed... everybody is different, everyone has a different personality. That's what I've learned. You can't judge them- I've never walked in his shoes.

(Graduate focus group, 80-2)

Another reason that it was expected that external and internal engagement did not always correspond was that, as has been touched on in earlier sections, there were accounts of participants who attempted to appear more engaged than they actually were. This was commonly talked about as taking part in the program more due to a desire to get out of jail, while feigning an interest in making changes to one's lifestyle. Given the existence of these “fakers”, it would be seen as an important job of EDTC staff to distinguish between those who were “genuinely struggling” and really wanted to do well, with those who were “fakers” and were trying to manipulate or trick those around them.

Faking drug tests was one of the main ways that participants would attempt to remain in the program, while still continuing the drug-using behaviour that was forbidden:

[Participant reports that she is not ready to graduate]

Judge: ... How was this detected?

Participant: A saliva test... and I tried to fake my urine test because of old behaviours and I thought I could cheat the system

(Celia court field notes, February 4, 2009)

However, faking was not always as extreme as in the example of faking drug tests, and I found that it was in practice extremely difficult to differentiate between some of the categories that were discussed and have been described in Table 3 and Figure 3. In particular, fakers, coasters and strugglers appeared very similar. There was not always a clear line between participants who joined the program wanting to get out of jail and those who joined wanting to change their lifestyle, nor was there a clear line between participants who were honestly struggling and those who were ‘fakers’. As this discussion from graduates indicates, all participants had a strong desire to get out of jail, and that this might mean that many, if not all, participants enter with somewhat “dishonest” motivations:

Rodney: There’s only one thing- it’s willingness

Katie: No there isn’t there’s lots of things.

Rodney: No there isn’t, because each and every one of us gets into the program on one assumption – that we’re gonna run. You can’t tell me that it’s never crossed your mind.

Katie: No, it did, obviously. But when you get into-

Rodney: It crossed my mind- it crossed your mind probably...

Katie: But when you get into the program, you need to be willing, you need to be honest, you need to be attentive-

Rodney: You’re not honest if you’re gonna run

Katie: Kay- yeah, but you still need to be honest to a point.

(Graduate focus group, 96-105)

This idea was echoed in this staff member’s description of the intake interview:

Staff²⁵: I think everybody, even people who come out of custody very motivated to change, when I go to do their intake, everybody wants that meeting because they know that I’m there to decide if they’re eligible for bail or not. And everybody wants to get out of jail. So even somebody who does very well in the program, usually will feed me a load of crap in the ... in the intake.

(Staff interview, 48-54)

²⁵ Withheld pseudonym so this staff member cannot be linked to other quotes.

A debate emerged about this issue during the graduate focus group:

[Researcher asks graduates to talk about participants who are “phoney” or who are just “jumping through hoops”.]

Robert: You see attitude in behaviours. People thinking they know best. And that thought – “I know best” – that’s taking your will back. “I know what I should be doing, I know this”. That attitude shows unwillingness, and, too, they may not be using, but it’s not a healthy thought process. It’s not a healthy behaviour. ...

Researcher: That’s one of the biggest questions I’ve come to. ...[C]an someone have that attitude and- would you still call them engaged? Would you call them active? Or what would you call them? Or does it depend?

...

Katie: If they’re taking all the right steps for the program, yeah...

Robert: Is it like a dry high? A dry drunk? I’ve changed my behaviours but I haven’t changed my attitude.

Katie: Yeah, exactly- but they’re still active.

Robert: They’re still... technically clean, but they are they changed enough to stay changed?

Helen: And what I noticed about people that come in like that? Things happen to them in there, they get punished for their attitude. ...

Robert: You hang yourself.

Helen:... Everybody’s recovery is different. ... not everyone takes recovery the same way...

(Graduate focus group, 58-81)

One of the factors that added to this confusion was that participants presented the attitude associated with addictive behaviour, the same attitude associated with lower levels of engagement, as “habits”. This to me suggested that changing these behaviours, though it could be achieved through willingness, should be looked at as overcoming barriers or achieving skills.

Researcher: I have the right attitude

...

Robert: I put become teachable

Helen: Not being so hostile

Researcher: Okay, do you think that fits under [being willing], or do you think it’s something different? This is one of the biggest things I’m struggling with?

Helen: I think it’s something totally different ... cause it’s goes under behaviour, it’s more a behaviour.

Researcher: Okay... so this is about behaviour in terms of how I act with people?

Helen: ... [T]he big thing when I took criminal addictive thinking – that program we have to take – that’s where I learned that I had to change my attitude, because my attitude was criminal still. My criminal mind was still in control and I didn’t even realize that- here I was doing- I was an active participant, but I wasn’t actively changing, right? So the behaviour was still there.

(Graduate focus group, 197-215)

[Participant reports that she used to have a problem shoplifting, but that this has changed since being in the program. Researcher asks why this has changed]

Celia: ... I'm trying to change and those are old addictive behaviours and I understand that... but if I continue those behaviours it's just gonna bring me back to using or whatever, so. I guess that's what I learned while I was [in residential treatment] is that it's just addictive behaviours- hiding and sneaking and stealing and lying, and whatever. It's just not healthy.

(Participant interview, 268-72)

At least part of these habits was that of coasting, which seemed to happen in varying levels among many, if not all, participants. This can be seen as the idea of doing as little as possible to meet the goal of staying in the program, but with somewhat less dishonest intentions than outright faking. In other words, even among those who felt a desire for change, at least some ambivalence was expected to continue throughout participation, and even into recovery, as can be seen by this description from graduate Robert:

Robert: We're lazy, we're always looking for- as an addict, even as a recovering addict... I still look for an easier, a softer way- I think that's human nature, of course.

(Graduate interview, 138-44)

I make the point that it was difficult to tell the difference between coasters, fakers and strugglers to emphasize that it was difficult to tell whether a participant was truly engaging or not, unless they were at the extreme ends of the continuum. I also make this point to emphasize how difficult it was to pin down just what was and was not in direct control of a participant's level of motivation or willingness. I will continue to explore this idea in the final chapters.

Chapter 5: Results - The Process of Engagement

Results presented in Chapter 4 indicate that the concept of engagement refers to (a) how engagement looked and was judged (i.e., external engagement), (b) what engagement felt like (i.e., internal engagement), and (c) matches and mismatches between these external and internal characteristics (i.e., a typology of engaged, coasters, fakers, strugglers, and disengaged forms of participation in the DTC).

This section examines how participants' internal processes interacted with the activities of the EDTC (including interactions with staff, as well as EDTC strategies and policies) over time. I will first demonstrate this concept by walking the reader through the steps of becoming involved with the EDTC, demonstrating strategies to engage participants and barriers and facilitators to engagement. I will then present the main factors involved in the process of engagement concentrating on EDTC participation more generally. I present information that I have collected from interviews and observations in a more general sense, and also present some more in-depth examples from participants I interviewed that demonstrate interaction between internal factors of engagement and external factors such as EDTC strategies and life circumstances. At the end of the chapter, I will provide a grounded theory that demonstrates how the main factors related to engagement, both internal and external, relate to one another.

Engagement in the Enrolment Process

Results regarding the screening and eligibility process demonstrated just how important interaction with the program was, even before participants officially became participants. With that in mind, this section will include a description of initial interactions between participants and the EDTC, including some discussion of the enrolment and eligibility activities and their effect on whether participants became part of the EDTC, as well as whether it affected later engagement.

How Participants Heard About the Program

Results suggested that many participants entered the enrolment stage on a proactive basis. Especially in the early stages of the program, it was generally in the hands of defence lawyers to be the point of contact between participants and the EDTC heard about the program, both in terms of informing participants about the program and making the initial contact to get the participant on the

waiting list for eligibility. In that way, whether participants heard about the program often depended on who their defence counsel was:

However, over time, increased awareness about the program throughout the criminal justice system resulted in arrestees hearing about the program in a number of different ways. This included hearing about it through word of mouth, the newspaper, from jail staff, or in particular, from other prisoners:

Eve: I think that at the beginning... most of the participants heard about the court from their defence lawyers, but now there is a lot more sharing among inmates in the jail so they talk to each other about the court.

(Staff interview, 20-22)

Many of the participants I interviewed indicated that they heard about the program from several different sources before they actually tried to become a participant; for example, they may have heard about it before being arrested or while dealing with different, often lesser, charges.

Grace: Okay, I read about it in the paper, and I heard police officers talk about it. Then I got arrested, and ... [my lawyer's assistant] suggested that I come here, she got me into it.

(Participant interview, 28-37)

On the other hand, there was also evidence to suggest that one of the obstacles to a participant becoming engaged with the program was that offenders may not have the opportunity to hear about the program.

In fact, it was difficult to get a sense of whether a large proportion of the target population was aware of the EDTC. For example, one EDTC staff member indicated that files being screened for eligibility would not mention a link of drugs or alcohol at time of arrest, and even if the file noted a link of drugs and alcohol, this would require action on the part of the docket²⁶ court:

Staff²⁷: I have a really hard time knowing how many files might have some indicators about addiction that are just bypassed and- [many] not my issue to divert it- you defence counsel, you accused person, if you want it, you gotta look for it.

(Staff interview, 224-26)

This same staff member also mentioned the reason that more efforts were not made to systematically increase awareness of the EDTC program among offenders and members of the justice system:

²⁶ Docket: the court's schedule or list of cases to be heard
(<http://www.legalglossary.ca/dictionary/>)

²⁷ Withheld pseudonym so this staff member cannot be linked to other quotes.

Staff: One of the things that keeps me from pushing hard at that is [that]... there is a limit to how many people our type of drug treatment court can handle, and personally I think we're at the limit. I don't think you can give the amount of attention and care- individual care- to many more people in an afternoon than 30. And we're up to about 30 now, so.

(Staff interview, 246-50)

In addition to the obstacle of not hearing about the court, there was also an indication that participants and may not receive accurate information when they did hear about it.

Mona: ... I think for the most part, they come in either through their lawyer or somebody they know... I know that we've had a lot of participants read a message on the wall in the jail, and that's how they find out about the program. So I think being a pilot... not everybody hears about it the same way, and it depends what your legal counsel is. ... [S]ome of the lawyers who have already had participants in the program and they're working with new participants who are eligible to join, they know more about the program and are able to inform the participants about exactly what the drug court's about, where some of the legal counsel perhaps are not even familiar with what drug court is.

(Staff interview, 78-87)

In this regard, some participants indicated that there was a lack of understanding about the EDTC and how it worked:

Faye: I heard about it first with a friend of mine at the court, she mentioned that she was at the drug court. ... She didn't really tell me anything about it. My lawyer is the one [who] suggested I do it.

...

Researcher: So at that point, what did you hear about the court?

Participant: I didn't understand it at all

(Participant interview, 22-30)

These data indicate that there may have been a lack of understanding about the EDTC, and that those that did hear about the program may not have had a full understanding of how it worked. This affects the process of engagement, in that it suggests that there may be individuals in the justice system that could use the services of the EDTC but did not have access to it due to a lack of awareness.

Deciding to Enter the EDTC

There were a number of points along the enrolment process that participants would have been given a choice to pursue participation or not. As shown in Figure 1 (in methods, Chapter 3), participants could decide not to contact the EDTC upon first hearing about the program, they could decide not to

fulfill the requirements of the screening and eligibility stage, they could decide not to sign the waiver, et cetera. While it is difficult to know how many participants heard about the program and did not decide to contact the EDTC, the EDTC Outcome Evaluation data (AMHRL, 2008a) indicated that 18 participants out of 223 screened (8.1%) were not interested in participating.

One limitation of my data was that I did not interview any participants before they were officially participants of the drug court, i.e. prior to or while taking part in the eligibility activities, which limited my ability to get a sense of why participants would choose not to take part in the EDTC. However, I did get insight into reasons for choosing not to enter the program from observation and staff interviews. In addition, participant interviews gave insight into why people might choose not to participate, either through reporting reasons that they did not take part in the court the first time they heard about it, or sharing their initial impressions of the EDTC.

As mentioned above, becoming engaged is in part about becoming “socialized”, or buying in to the specific manner in which the EDTC runs, and that participants like Faye may have had difficulty getting used to it at first. There were also several indications that participants may have thought jail would be easier than taking part in the EDTC:

Mona: And so once we do that initial engagement with them, through the intake and assessment process, I think then we [get a] better idea of what exactly... their expectations are and they in turn have an idea of what our expectations are. And some like it and stay and continue through the program, others say you know what this is too much, I could do a short stint of time rather than 18 months of your program.

(Staff interview, 94-98)

Celia: They had gave me the option of drug court once before and I – because it was only a possession charge I chose not to take it. And– then I got charged a couple months later with trafficking and– and the drug court was offered to me and that’s when I chose to take it because I’d be going to jail... [the first time] I got a \$500 fine, and that wasn’t enough motivation for me to want to [join the program] because it’s a lot of work, it’s not just something that you can... you know- they expect you to change.

(Participant interview, 28-35)

There was also considerable evidence to suggest that participants had to fight barriers during the process of getting into the program. This included accounts by several participants that their defence counsels may have attempted to convince participants not to pursue the program:

Tom: I heard about it like a couple years about it right when I first came out [when a friend told me about it], and I ended up in jail and I asked my lawyer if we could apply to go to the drug court program and my lawyer was like... advised me that I didn't have that much time so he didn't know why I was gonna go to drug court so I was like 'okay', I just sort of let it be at that. Even though I really wanted to go to it.

(Participant interview, 26-34)

Grace: [My lawyer] said to me- you don't graduate from being an alcoholic or a drug addict so he really is against, kind of- he's not really for the program which is this graduation business, right? [T]he girl that works with him ... suggested that I come here, she got me into it.

(Participant interview, 34-7)

Barriers to enrolling in the program also included dealing with others' perceptions of the EDTC:

Faye: [And I was] tortured in the holding cells [*laughs*]. ... The guards are creeps sometimes. Make fun of drug court, like it's a- whatever? A hokey kinda thing? So you gotta put up with that, too- there's a lot of prejudice. Yeah... it's like- don't talk too much about it, you know what I mean. That's why I didn't hear too much the first time I heard about it. ... So there's another battle there, you know?

(Participant interview, 175-83)

[Discussion of a participant on the waiting list – will be waiting one to two more months to get into residential treatment. Discussion of need for treatment beds – lots of waiting. Defence mentioned that participants transported from prison outside of town aren't allowed to have jackets, and cells are cold – asked case manager to look into allowing coats. Defence also said participant has been talking to people that are telling participant that his sentence would be shorter than if he joined the EDTC.]

Defence: He's in an environment where he's being told he's being stupid. He's impressionable. Let's get moving.

(Pre-court meeting field notes, February 6)

Some of the participants who did make it into the EDTC seemed to do so as a result of strong motivation to change their lifestyle, such as in the example of

Tom:

Tom: So I ended up in jail, in custody, and I was in pretty bad shape.... but this time, I was like, I didn't... no matter what, like, this time no matter the amount of time that I was gonna get or nothin' like that I was like, I was set on going to drug court... I knew that the drug court was 12 months and that was ... more like the amount of time I needed, the extra help, the guidance, the supports and I applied for it, waited in jail, and got accepted and released.

(Participant interview, 49-58)

Other participants like Wayne got through the barriers of enrolment because of a strong desire to get out of jail:

Wayne: I mentioned it to my lawyer and he went about the process of getting me in and the first time they denied me... cause I had too many charges and stuff so he had four charges dropped...

Researcher: Right. So when you heard about it in jail what made you wanna become part of it?

Tom: It was a way out [of jail]. And I sorta wanted to clean up. ... Ah, I was gonna use it and run.

(Participant interview, 30-42)

Many of the participants who did make it into the program may have required considerable facilitation from those around them, such as with the example of Grace. This was particularly salient for Grace, who reported a high level of confusion from being in active addiction through the enrolment stage:

Researcher: So you heard about the court before you were arrested, is that right? About how long before?

Grace: Probably about a year. I read about it in the papers and stuff like that, so.

Researcher: so was it you that mentioned it to your lawyer, then?

Grace: No, they suggested it. I mean, Bernice, [the] counsel that appears for [my lawyer] sometimes, she made the suggestion. Yeah, and I didn't really realize she was sending me into drug court, I thought I was going through the court system, I thought I was going through the court system, I didn't realize I was being processed for drug court at first, but I'm really glad that she [did]- because my lawyer would never have suggested it.

(Participant interview, 57-66)

It was not until she had gone through some detoxification, about six weeks later, that Grace showed awareness of her situation. She was told at this point that they were not sure whether she would be accepted to the program, and at this point she demonstrated a desire to become part of the EDTC:

Grace: [W]hat I said to them was- shouldn't I be coming every week, I'm gonna be part of this program, shouldn't I be here, you know- I spoke for myself because I felt that it would look better for me, and I also felt that if I was gonna be part of this program then I wanted to be involved in it.

(Participant interview, 133-7)

A final point, as indicated by Mona, was that it may have been important for some participants to be ready to enter the program, and that this may not be the case when they first hear about the EDTC. This emphasizes how important participant awareness of the program was, so that participants knew to make that contact when they were ready to make changes:

Mona: You know, sometimes it's not either the right time or for some it's just they're not ready. And I think- we had one particular women who her lawyer kept saying you need to get into the drug court, you need to get into the drug court, and... this particular young lady said I'm not ready, I'm not done using yet, I'm still need to do what I need to do. And it came to a point

where she called her lawyer and said- okay, I'm ready. And she's been- she's done very well in the program.

(Staff interview, 722-8)

Eligibility Activities

Recall that the crown screening process was not simply a matter of following pre-determined eligibility criteria. Rather, screening involved some judgement, and the Crown often examined the nature or circumstances of the offence. In general, there seemed to be more of an emphasis on ensuring that participants coming into the program would not be a risk to others:

Staff: Really, I think what we're trying to avoid is taking a big risk on someone who fails in the program not by taking some drugs that they shouldn't, or failing to appear, or missing appointments, but by going and really harming someone in the course of a robbery, or even robbing a participant or being violent towards the staff. So it does require lots of judgment, and it is the top reason why people are excluded from the program.

(Staff interview, 35-40)

Use of judgments to determine whether a participant was *suitable* for the program, i.e. that they were motivated to make changes to their lifestyle, were less clear. There were some cases in which criteria such as a history of charges of failing to appear in court or failure to comply with conditions were noted as the reason for ineligibility; however, feedback from one staff member indicated that these were more likely to be used in combination with other evidence rather than as a sole reason for excluding an arrestee.

Staff: I would very rarely reject somebody because of failure to comply. Because I just see that as a symptom of... the traditional court system wasn't the right route for them, and so they either failed to appear or comply with conditions.

(Staff interview, 84-6)

The intake and assessment interviews were at times framed to be another method of determining suitability for the program, yet the EDTC process evaluation indicated that only 3 out of 49 participants who completed an intake interview were deemed not suitable (AMHRL, 2008b). There was a perception that attempting to judge whether a participant would do well or would engage during these early stages was not appropriate:

[Researcher asks whether assessment of motivation helps judgment of suitability for program. Case manager said it does. An external stakeholder said what is being judged is whether there is "reasonable

prospect for rehabilitation”. This is not just about motivation, but factors like housing, family being together, mental.]

Case manager: No easy way to make that judgment. [For example], someone might have a slip, but be remorseful for that.

Case manager/ Intern: Some people surprise you and do well – some surprise you and don’t - can’t always [make judgments based on assessment].

(Evaluation meeting field notes, January 10, 2008)

Staff²⁸: I think everybody, even people who come out of custody very motivated to change, when I go to do their intake, everybody wants that meeting because they know that I’m there to decide if they’re eligible for bail or not. And everybody wants to get out of jail. So even somebody who does very well in the program, usually will feed me a load of crap in the ... in the intake ... it’s rare that I say they’re not appropriate after intake.

(Staff interview, 48-54)

For those participants that did make it to the intake and screening stage, eligibility activities could be seen as an important *strategy* for engaging participants rather than a method of judging who would do well. First of all, for some, the screening process may have been the thing that really helped them to admit that their lifestyle was problematic.

[Researcher asks what kind of things help people to become engaged]
Bruce: ... I suspect the intake interview helps because in that- maybe for the first time they’re sitting down and giving their history- and perhaps sometimes when people actually sit down and think about- well, when did I start taking drugs, what was the drugs I took, how does this play into my life story, they might kinda surprise themselves as they list it out, that- oh my god, every time that my life has gone sour it has had drug involvement, so that might help them just to see the fuller picture of their lives as they go through answering the questions in the intake assessment

(Staff interview, 365-72)

Participant: The assessment opened my eyes. If I hadn’t had to admit I was an addict to get out of jail, I wouldn’t have succeeded.

(Evaluation meeting field notes, January 10, 2008)

The intake and addiction assessment interviews were opportunities for the participants to interact with EDTC staff, which allowed participants to gain rapport with staff, and to learn more about the program:

Staff: So then I will do my intake and explain to them a little bit about the program. Oftentimes because they’re still so... foggy from all their drug use, even if their lawyer and everybody else has explained to them what the program’s about, they still don’t get it. So... spend more time going over with them what we do and how it works. When they enter guilty pleas and all that kinda stuff.

(Staff interview, 55-60)

²⁸ Withheld pseudonym so this staff member cannot be linked to other quotes.

The intake and addiction assessment also allowed staff to gain more understanding of the participants, which in turn may have helped engagement both in terms of making sure that participants received the help they needed and in terms of showing understanding and support.

Staff: It is an in-depth assessment. ... We look in all the different life areas... how has drugs affected their family life, their social life, their employment history, their leisure activities.... Have they had any abuse in the past, is that why or what has led them to [their] use. I mean, a lot of people use drugs to mask... traumatic events in their life... and I think it can give us a [good] picture of...what kind of resources they then require in the future, but as well... how can we work with them effectively.
[Staff lists many different services that the EDTC might help participants to connect with, including medical, psychological and financial, education or employment resources]

Researcher: All of that programming- is that getting the participant engaged in the program or is it part of their recovery or a bit of both?

Staff: I think it's a bit of both... but really I think it's showing that there's care. That there's people out there to support them. Perhaps they may not have known that they could access those services. There's so much out there for people. A lot of people aren't aware of what's there. ... Especially in the throes of addiction, the main thing people care about is feeding their addiction, and everything else goes by the wayside. So that there are things that we can help them... access. That perhaps they weren't aware of.

(Staff interview, 387-91)

All of these things seemed to help participants to build trust toward staff members:

Grace: I didn't know if I was accepted or not, but then [case manager] came and seen me, and... she was very, very open to me. I really liked [her] right from the beginning. See, and it's not often that I can work with authority figures. Usually you don't click with them. Well, where I come from you don't usually click with an authority figure, but. Last time I was on parole I had a really good parole officer, and she was one of the best supports I ever had in the community. So it worked out well. When you get along and you can establish a rapport with somebody that's an authority figure in your life, it makes things much easier.

(Participant interview, 146-53)

Researcher: You trust them?

Faye: I do. At first I didn't though.

Researcher: Right, what changed that?

Faye: [Case manager] changed it... it's just understanding the program, like drug court, what they want and stuff, that changed it.

(Participant interview, 293-7)

A potential barrier to this stage was that, unlike those in custody, who were visited by staff, participants who were not in custody had to make the effort to

visit the EDTC office. This may have been more difficult because of a higher tendency to be in active addiction or to be facing barriers in one's living situation:

Celia: I was out on bail, I wasn't in jail when they came to do their intake, I came to them to do the intake. And... I was probably high when I came to do the intake and could only stay for a little while, or- yeah, I don't really remember but I was still using an awful lot back then.

And...[the probation officer] didn't really want me to be part of the program, cause I lived out of town, and- I don't know, I don't know why I was able to be part of the program, or why I didn't get kicked out sooner, but ... they gave me a couple chances, and... you know, things turned around for me
(Participant interview, 128-35)

Grace: [T]here's a girl that was ... waiting to be accepted into drug court right now, but she's on the street. And she's still in active, active addiction... And I see what's happening for her. She doesn't have- she's homeless, all that stuff. And she's late for court, and she comes in there smelling of alcohol. And you can tell she's been up all night doing drugs, and I see that. And I- I just hope that she can make it through long enough to get herself some help. I hope that they don't just get fed up with her before she gets to treatment and all that, and accepted into the program and all that. But [the case manager] did give her her number and offered to get her a place to live all that stuff. So she just has to take that step- make the appointment and stuff.

(Participant interview, 383-95)

In summary, many of the processes leading to higher levels of engagement began as soon as participants have any level of interaction with the EDTC, and thus begin before they were officially part of the program. However, there were a number of barriers to engagement in the early stages, and participants seemed more likely to get past these if they had some level of internal engagement.

Time before Entry

As stated above, the average wait time before getting into the program was slightly more than a month, with about half of participants waiting around one month, and just about 25% of participants waiting 43 days or more. This waiting time included time required for crown screening, and completion of the addictions assessment and intake interview, and oftentimes there was a list of participants waiting to go through these procedures. However, there was also evidence that much of this time was spent waiting for space in treatment or housing facilities:

Prosecutor: If someone has approved housing and is custody, [they are quicker] ... a big backlog in terms of treatment.

(Pre-court meeting field notes, February 20, 2008)

Many of the participants waiting to get into the program were in custody; however, some were not in custody when applying for the program, and some were released on bail at some point in the process. Participants and staff alike emphasized that this waiting time itself was an important aspect of engagement, in that this period included 1) observing peers; 2) interaction with staff; and 3) detoxification.

Observing Peers. As mentioned above, hope was a crucial aspect of feelings of engagement. Feeling hope included realizing that it was possible to make changes to one's life (self-confidence), but also that change was worth striving for (self-worth). One aspect of interaction with the EDTC that helped participants and potential participants experience feelings of hope was by observing their peers participate while attending weekly court hearing sessions:

Eve: I think that it's really positive for them to come to court every week. Because they get to see other people in situations very similar to themselves who are showing so much positive change now. ... When you live on the street, you have your whole network of street people you associate with, so most of the participants know the people that are sitting in the prisoner's box. And know each other in some capacity. So they get to watch their peers progress and do well. And that's very motivational for them, so even ... if they start out thinking- 'kay, awesome, I'm just gonna get released and I'm just gonna run away and who cares, ha ha.... I think that as they watch that process, they start to realize that they could make the same changes. So I think that's kinda the first step that happens with them.

(Staff interview, 73-80)

As described in the *Deciding to enter the EDTC* section above, Faye had described barriers to joining the program both in terms of socialization, and in terms of others' perceptions of the EDTC. Watching others participate was a crucial aspect in increasing her motivation to join the program:

[Participant describes what it was like to attend court hearing sessions prior to becoming an EDTC participant, including some of the difficulties she faced.]

Faye: You watch, and it's like- good they're still [clean], you know what I mean, it's encouraging. ... I like to see people, you know, progress, see what's available, and what they're doing, you know? Like, they're kind of paving the way, you know what I mean?

(Participant interview, 52-66)

There was also some level of interaction between current participants and participants who were waiting for entry, which may have helped manage participants' perceptions and expectations of the program:

[Participant addresses judge]

Participant: When I was in the [custody] box, you asked [another participant] to talk to me about [going to specific residential treatment facility] and that was really important to me.

(February 18, 2009)

Interaction with Staff. The time before entry was also an important period for participants to continue to interact with staff. As Eve described, in this stage, the support given by staff helped participants to build trust by increasing their perception that staff cared for them. Seeing the staff's bonds with other participants was also believed to help motivate participants:

Staff: I also think that that time where they sit in custody... is really important, because they- they'll call me and [other staff] often, and they start to build... kind of a bonded, trusted relationship with us. They start to realize that even though I'm going to be their probation officer, I'm not trying to set them up to fail so that they'll go back to jail. And usually that's their perception of probation officers, that you get five minutes, I will not do anything to help you, I will supervise the conditions of you order, and get the hell out of my office, I don't have time to deal with your life. So they start to trust that- okay, she's gonna help me get into treatment and she's gonna help me find a place to live, and when it gets really hard, they're not just gonna say- well, too bad for you. So, I think that's another big part of that change. And if they become sick in custody and we can help them in any way we do, even while they're still a serving prisoner, so I think they get to develop that bond, and again from watching court they get to see the bond that we have with the other participants.

(Staff interview, 91-5)

Participants were also able to begin to interact with the judge, director and prosecutor when they began to attend weekly court hearing sessions. This was an important aspect of engagement, because staff would often make efforts to address participants in the custody box to teach them about the program. Staff would often try to manage participants' expectations, such as that the wait in custody would be worth it, thus emphasizing that participation in the EDTC would help make change possible:

[Defence counsel in court representing participant on waiting list.]

Defence: I expect 4 weeks on waiting list... this is her first time watching.

...

Judge: Good for you to come to court before treatment – learn about what we do here ... 4 weeks may seem like a long time – but if you [ask those in program], a number had to wait that long or longer, and would say it was worth it. [Researcher notices a participant nodding in front of her].

(Court field notes, October 22, 2008)

Another important element of interaction with staff was that staff made efforts to ensure that participants understood that the program would require work, but that support was offered as well:

[Discussion with a potential participant who is in the custody box]

Judge: you've been in system for a long time.

Participant: Yes... first time seeing drug court. It's scary.

[Judge assured him that it's different and that it takes a lot of work. Said she is glad that he'll get the treatment and recovery that he needs.]

(Court field notes, January 2, 2008)

Detoxification. Active addiction acted as one of the main barriers to engagement with the EDTC. This seemed to be largely a result of clouded perceptions which blocked many of the important processes required for engagement to occur. Firstly, clouded perceptions blocked individuals' perception of a need to change. Without perceiving the need to change, participants lacked either sufficient motivation or ability to do anything to make changes to their lifestyle:

Mona: [The people that are majorly in the throes of addiction] may not realize how deep they actually are or how much they've actually disassociated or separated themselves from other people. And how deep they really are in their addiction, cause every day and all their thoughts are focused on- how am I gonna get my next hoot, how am I gonna get my next fix.

(Staff interview, 579-83)

In contrast, Faye described how much her perception of her lifestyle had changed after she had had a period of time away from it and without drugs. This change in perception, in turn, seemed to help increase her internal motivation to make efforts to change (such as avoiding the area in which she used to use):

Researcher: Do you think your attitude towards your drug use and your criminal behaviour has changed?

Faye: Yeah, I'm not interested in it. You know what I mean? It's crossed my mind, I'm not gonna lie or do whatever you know. ... You know, I went back to the ... the area I did all my shit in... [a]nd to me it was dirty, grungy, yuck. You know what I mean? I couldn't believe I was in that ... and it was all normal to me. You know, I'm not saying I'm better than anybody, you know, there's still a lot of people I care about. But I can't be around it anymore. I don't want to be around it. There's a restriction there, you know, but even if there wasn't I wouldn't be there.

(Participant interview, 205-26)

Grace also described how perceptions of herself and those around her were affected by being in active addiction. This was important both in terms of making comparisons to others and realizing that one's use was problematic.

Grace: Go back to your drug use, your active addiction, your attitudes completely change. Like- I don't look at people the same way that I did now that I'm sober. And I was more fucked up than I can- I didn't know I was that fucked up [laughs]. But now that I'm straight, I do. I know I was just gone. I know I had a really bad attitude.

Researcher: So what do you mean when you didn't look at people in the same way?

Grace: Well... people looked at me in a certain manner because ... I was a crack head. And I was angry with them for that. And I thought that they thought they were better than me. Now that I understand them not wanting me to be around in their neighbourhood or in their stores or anything like that. Cause- quite frankly, I don't want those kinda people around me, now that I'm sober. And you can't blame people for looking down upon [me]. ... And I was telling myself, the more screwed up that I got, that I was okay, and I wasn't.

(Participant interview, 332-5)

Eve, a staff member, also described how being in active addiction might impair even the ability to really notice those around you, thus making one less able to perceive seeing peers succeed. As shown above, this was a crucial aspect to gaining motivation to fulfill expectations and make changes to one's life, as a result of realizing that change was possible:

Eve: Most people, when they're very involved in their addiction, when that's your whole life focus, I don't think they really notice what other people are doing, because everything's about me right now and feeding that habit. I think as... as you start to move away from that addiction, even a little bit, you start to notice other people's successes, and you want those same successes for themselves. Because no matter who you are, no matter how much you love the drug that you're doing, nobody wants to live on the street. Nobody wants to be constantly scared that somebody's gonna shoot them in the back of the head for their drugs. Nobody, no matter how tough they are, wants that life. So when they can see other people's successes, that's what they want for their life, too.

(Staff interview, 117-26)

Because of the effects of active addiction on participants' perceptions, and the corresponding negative effects this had on motivation, a crucial aspect of engagement was to help participants to get out of active addiction. Time spent in jail while waiting for entry into the EDTC emerged as a key time for detoxification, in the sense of getting through both the short-term physical aspects and the longer-term psychological aspects of detoxification.

Stan: I think it's a very beneficial thing for them to stay in [jail] for six weeks ... as a detox, type of thing. And when they do that, then they're seeing clearer.

(Staff interview, 45-50)

Grace demonstrated that her detoxification period in jail was quite important for her, and that it also included recovering from the lifestyle she led during active addiction:

Grace: [I]t was an awfully long wait. Three and a half months. ... I hated it, that waiting part. But at the same time, it was a good detox period. Like, some people, they go right into treatment after two weeks of detoxing, and I don't think I could have done that. Cause ... I was really sick. I needed a lot of rest. I was homeless for two years, I didn't sleep most of the time. I think I went almost a month one time without sleeping.

(Participant interview, 37-43)

The interesting thing about this detoxification period in jail was that it was not an intentional part of the process on the part of EDTC staff, but rather arose from the fact that there was a shortage of residential treatment facilities and participants had to wait for treatment. Though this ended up as a facilitator for those in jail, the lack of both treatment facilities and detoxification facilities acted as a barrier for potential participants who were not in jail:

Prosecutor: My understanding is that there's no place for [participants to detoxify] except in jail. Especially meth²⁹ addicts, who need more than 5 days to detox.

Case manager1: Detox isn't only about drugs – also time to think, [and for participants to figure out what they want]. Why time in [custody before entering the program] is important – not always good to rush to get people into residential treatment.

Case manager2: Detox is medical, physiological withdrawal – [detox facility] helps minimize medical risk of withdrawal. 6 weeks before a drug user can function, but only 5,6,7 days clean needed before entering treatment facility – [there is a] gap in services. Transitional services [are] needed between detox and residential treatment.

(Evaluation meeting field notes, January 10, 2008)

It was also important to note it was still possible to obtain drugs in jail. In that way, this opportunity for engagement may have been less effective for participants with lower levels of motivation:

[A new participant currently in custody had complained that she had a seizure and that remand treated her badly. Case manager said they visited her the next day and found out that remand "wasn't so bad" – the participant had used speed and they'd thrown her in a dry cell.]

Case manager: We had a little talk about the fact that it's her responsibility – if she wants to be treated better, she shouldn't use drugs".

(Pre-court meeting field notes, February 20, 2008)

²⁹ Methamphetamine

Graham: You can still do drugs in jail, just as much. ...[Y]ou're sitting in jail and you can sit there smokin' drugs all day and not even care, cause there's nothin' better, there's nothin' else to do.

(Participant interview, 47-53)

In summary, the enrolment stage of the EDTC offered many opportunities to engage participants, including opportunities that helped instigate change among some participants, and further develop the engagement level of participants with low levels of engagement. In particular, participants' level of engagement may have been affected by beginning to interact with staff, observing peers, and detoxifying. Barriers to engagement in the enrolment stage included not being in custody and/ or not being able to receive detoxification treatment. It also seemed to be a barrier to have a low level of engagement at this stage, because one would not be able to capitalize on the opportunity to build engagement (such as not detoxifying in jail).

Engagement during Residential Treatment

Once participants entered the program, the EDTC seemed to prefer residential treatment as a next step in helping participants get through their early phases of recovery from their addiction³⁰. This was an important aspect to engagement, because residential treatment was a more structured living environment, thus reducing temptation in the early phases of recovery. It was also generally more intensive, helping participants to begin to confront internal barriers:

[Discussion between staff and evaluator about drug treatment programming. Though there is more emphasis on day programming in other DTCs, EDTC staff and participants believe that longer residential treatment is better, and that lots of follow-up treatment is also important] Director: We feel better with residential treatment. Safe housing, part of a slow transition into society, [and] reduces temptation. Can use day programming afterward.

(Evaluation Team, January 10, 2008)

Mona: For the most part, we like our participants to be in residential treatment. And for long-term treatment. We've heard from participants and studies have shown that ... the longer the treatment, not the better people do, the more things they can work on while they're there in a safe

³⁰ Evaluation data indicated that 84.3% of all EDTCRC participants to date entered at least one addiction treatment program, with 66.7% initiating at least one residential treatment program. I did not observe any cases in which participants did not enter residential treatment at the beginning of their program, except for Lisa, who reported that she completed residential treatment immediately before entering the program.

environment. And that they get more connected and work on things that perhaps they weren't even aware that they needed to take a look at.

(Staff interview, 437-442)

Confronting barriers in residential treatment may have been particularly important in the process of engagement, because it helped participants to feel that it was possible to overcome barriers and thus helped them increase feelings of hope and self-confidence:

Faye: It's good to see how free- you know, attitudes and spirits, the way they heal, the way they project themselves. Like I watched [participant before he completed residential treatment]- and now he's just, like- light, you know what I mean? And like he's more free- and he's not apprehensive, he's not, you know, withdrawn or anything. You know what I mean? Now that has gotta be nice. ... because when you deal with issues, you get rid of them and I'm sure it's gonna feel good once they're gone, you don't have to- they're not gone, but I mean like, I can deal with it, you know? Instead of just bottling it up and just- feeling like, emotionally, just cut... off. You know what I mean? I want it all done and dealt with.

(Participant interview, 317-27)

Bruce: They've got a supportive environment, and what seemed like enormous unsurmountable [sic] bag of barriers can be picked apart one by one and overcome with assistance... It's gotta be helpful with the buy-in that, you know, bit by bit you see that by having made this effort to meet and do these interviews that you're now gonna get bail and by having stayed [in residential treatment] for 42 days and... things are taught [in residential treatment that] make you realize- yeah, you do have things in your life that may have been why you got into the drugs, and- yes, there's a procedure to sort of deal with them in a way that doesn't involve drug use. And I can sort of see a route through all of it, and coming back to yourself that you can have fun, and you can laugh without being high... I just- I guess it must be- they all must be sort of confidence builders, that you sort of have more faith in yourself.

(Staff interview, 410-21)

Time in residential treatment also provided some opportunities to continue to learn about drug court and to connect with drug court staff. Participants in residential treatment were expected to call into the pre-court meeting every week and talk about their experience in treatment, giving staff a chance to offer support, encouragement and positive affirmations, and allowing an opportunity to address any arising concerns. The judge also consistently asked participants if they had any messages to pass along to other participants:

[A participant called into pre-court meeting for the first time since entering residential treatment. Judge asked how things were, he said better than expected, finding out things that he hadn't expected. Judge asked if he had

anything to tell the others – he said that for him, if people are thinking of going anywhere else they should wait to attend treatment at this facility – he was going to go wherever took him, but is glad he’s there. He said he’s working on step 1 – talked to a counsellor. Mentioned a letter he had written to the Judge.]

Participant: I was able to talk to my counsellor about the things in there. I only told you that and [case manager], but counsellor helped me open up... getting things off my chest takes a lot of weight off my shoulders.

Judge: and emotions aren’t bad.

Participant: Yeah for sure... experiencing a lot of rush of emotion.

(Pre-court meeting field notes, March 12, 2008)

One of the key barriers to engagement at this stage was that travelling to and from treatment provided an opportunity for participants to run away. The EDTC attempted to provide some external support to reduce participants’ chances to run, but many participants succeeded in doing so.

[A participant has run away – she was released from residential treatment, was traveling by bus to get to long term residential treatment. She had 1.5 hour layover in Edmonton. Case manager offered to meet her, she refused said she’d call. She didn’t call. Case managers tracked her down near EDTC office, called police, got her arrested, gave them enough info to charge her.]

Case manager: that’s the second time she’s run from treatment.

(Pre-court meeting field notes, February 20, 2008)

In order to deal with this barrier, staff implemented a rule that participants would not be able to have passes to leave residential treatment facilities. This created some problems, because others attending treatment at the same time as participants were able to receive passes, and it was known that past participants were able to receive passes. This made participants feel that this rule was unfair.

[Participant phones from residential treatment, asks for a day pass to leave treatment facility]

Director: No passes in treatment. That goes for everyone.

Participant: Even if I worked really hard for it?

Prosecutor: It’s across the board – we don’t want you to think we’re picking on you. Want people to concentrate on their recovery.

Participant: I’ve been doing that.

Prosecutor: Keep up the good work.

[Participant said she’s very upset about not being able to get passes. Feels like old participants got passes, “got chances”.]

Judge: And you saw what trouble we got into.

Participant: Yeah... they messed it up for the rest of us.

Judge: Yes, they did.

(Pre-court meeting field notes, March 19, 2008)

Another barrier to engagement at this stage was that, because EDTC used a brokerage approach, they did not always have control over the conditions of the

facilities participants were sent to. Approaches such as a concentration on a religious approach may have hindered socialization. Programming may have undermined the participants' perceptions of fairness by being too strict, or their perceptions of discipline, by not being strict enough:

[Staff discuss a participant who has decided to leave residential treatment centre]

Case manager: May have burned a bridge there. No one likes it.

Mandatory lock down for 30 days – no calls, no visitors. If programming not started, they have nothing to do. This is an important time when just clean.

This participant was also excited about exploring Native spirituality, wasn't even allowed to have a dream catcher in his room.

(Pre-court field notes, April 9, 2008)

On the other hand, certain treatment centres seemed to be key facilitators to engagement. For example, Grace reported that she waited longer in custody before entering the program because, though not Aboriginal, she followed the culture and wanted to attend treatment with that focus:

Grace: [Residential treatment facility] was excellent. Like I said, yeah. Like recovery is a spiritual process, it's a spiritual program, and there's a lot of the Native way, the spirituality, their healing lodges, their medicines, everything. It was amazing. It works, you know. Cause we are spiritual beings. Yeah. So like I really enjoyed it, I did a lot of healing there.

(Participant interview, 177-80)

Residential treatment offered a chance for participants to increase their level of motivation, and thus capitalize on the opportunity to further increase their level of engagement. A striking example of this was seen with Wayne, a participant who reported feeling a very low level of engagement upon entering the program, perceiving the EDTC merely as a means to get out of jail and intending to run from treatment. While in residential treatment, he met a person who helped convince him not to run. This person emphasized some of the specific reasons for making changes, which instigated his desire to change his life, and, in turn, his desire to fulfill expectations:

Wayne: [A]nd then in treatment ... I was gonna run. I was out on that Friday night. Everybody went swimming and, uh ... the whole place was empty.... There was just a few of us left in treatment and then a friend of mine there he talked me out of it.

Researcher: Someone that was in treatment with you?

Wayne: Yep. And then I decided... you know what? I'll stay. And it just sort of clicked in right after that. I just sort of woke up and decided I wanted to give it a shot... To work it, you know what I mean? So then I did.

Researcher: So what kinds of things did your friend in treatment say to you that-

Wayne: Ah, [well just that it would be] foolish to run. ... Just going back to running again. And the jail time and whatnot. and [he] brought up the fact that I got a little boy too ... So .. yeah, then I decided not to.

(Participant interview, 49-60)

As Wayne continued with residential treatment, he also made contact with his family, which seemed to facilitate his engagement by further increasing his motivation to succeed:

Wayne: And then I made contact too with my family. Not the first week in there, but maybe at the end of the first week, I can't really remember that far back, but.... And then they were really happy that I was there too.

(Participant interview, 64-6)

Engagement during EDTC Participation

The final portion of this chapter will discuss the process of participant engagement once they were enrolled and began participation. As described in the methods chapter, once participants entered the EDTC, there was a variety of things expected of them. These included weekly court hearing sessions, regular drug screens, regular appointments with case managers, and creation and fulfillment of an Individual Treatment, Recovery and Reintegration plan (which included factors such as continued addiction treatment, employment, education, counseling, and volunteer activities). I noticed similar trends to what was seen in the enrolment stage, the time before entry, and during residential treatment; overall, participants were exposed to a variety of factors that could help them either develop their engagement, or even instigate a higher level of engagement. Participants were less able to capitalize on these factors, however, if they had a lower level of engagement. This section will concentrate on the main factors that affected participant engagement that were *different* from the preceding stages: 1) interacting with expectations and discipline; 2) experiencing specific reasons to change; and 3) forming trust and 3) addressing barriers. Because this aspect of participation was more lengthy, and because I was able to observe a greater proportion of it, I will go into greater detail about some of the process aspects than I did with the enrolment and residential treatment portions of participation.

Interacting with Expectations and Discipline

One of the processes that affected a participant's level of engagement during EDTC participation interacting with expectations and discipline. As

described in the methods chapter above, the expectations that the EDTC set out were largely detailed in the bail conditions, as well as in a participants individualized treatment and integration plan (I-TRIP), and included such things not using drugs, completing treatment, meeting education and employment goals, completing community restoration activities such as volunteering, and attending EDTC court hearing sessions and regular appointments with EDTC staff. The EDTC applied discipline to ensure that participants followed these expectations, for example, by supervising their activities through drug monitoring and requiring proof of meeting attendance:

Researcher: What do you think keeps participants in the court, meeting the expectations of the court?

Stan: ...Well, I think the urinalysis ... is a key thing. Random urinalysis. ... So as people know they're gonna be tested, it can't be dirty.

(Staff interview, 164-9)

Judge: We're gonna have to go to meeting[s].

Graham: I've been going to 6 meetings a week.

Judge: We need the proof.

Graham: That makes me angry... I'll bring the proof...

Judge: When you started this program, you knew there were expectations.

Organization required in recovery – that's been lacking...

Prosecutor: Don't take it as mistrust – we need proof for funding.

Judge: We need it, others in program need it.

(Graham court field notes, April 9, 2008)

The EDTC also applied discipline through provision of sanctions and rewards. If a participant filled expectations, they generally received rewards, if they did not fulfill expectations, they generally received a sanction.

Prosecutor: We are allowing you to keep cell phone as a reward for doing well recently. We will review this monthly, we think it will be a motivator for you.

(Court field notes, January 23, 2008)

[Participant phones into pre-court meeting from residential treatment centre.

Tells staff that he was given a day pass and left the facility.]

Judge: there are no passes [allowed at residential treatment]

...

Case manager: Your order was very clear – I told you.

Participant: What does this mean?

Judge: 16 hours community service.

(Pre-court field notes, March 19, 2008)

An important aspect of enforcing discipline was to provide a clear link between actions and consequences; in particular, making it clear that not doing what it takes to remain in the program would result in jail. Tom felt that jail

sanctions could be one way to emphasize the consequences of not fulfilling EDTC expectations.

Tom: What [participants] have in common is the fact that we ended up in jail and the threat of our freedom being taken away was very real and very serious. Right there. The moment that people step into this program, they start to move away [from that]... it makes it easier for them maybe to screw up, you know what I mean? And... I just think honestly if a person starts to mess up and stuff like that, if the mistake is serious enough, I think a week in jail would just bring them back to that beginning point, the realization of why you're actually in this program and what you're actually facing, and your alternative.

(Participant interview, 410-419)

However, unlike many of the DTCs in the literature, the EDTC seemed to place more emphasis on rewards than they did on sanctions, and it was fairly rare for the EDTC to use jail sanctions. In fact, there were only four cases in which I saw it considered in the period in which I was observing the court, and only in two of these cases was a participant sent to jail. Stan pointed out that jail sanctions might in fact be a barrier to engagement, stating that in his experience he has found that "coming down hard" on people does not work, and what works better is making them feel good about themselves:

Stan: [We have] at least four times [as many rewards as] sanctions. We have to make sure that we're in that mentality ... [I have found in my experience that] finding the other methods of coming down hard on them [does not work]. ... So you praise them on the little things and you build on that. These things are really good, you're doing a great job on this, these things need a little improvement, how do we go from there?

Researcher: ... Do you have any guesses on why that works better than just coming down hard on them?

Stan: Well... it's probably the same reason they get into drugs in the first place... feels good. Feels a lot better than getting put down all the time.

(Staff interview, 189-213)

In this regard, there was evidence that emphasizing the link between actions and consequences did not always require a formal sanction, and that staff often used communication to make their point instead:

Participant: [What is the role of staff of the court] in helping clients to become more engaged?

Bruce: Well ... speaking for myself- I can help them to become engaged by occasionally threatening them about what the punishment's gonna be if they're not.

[Staff talks about several other roles of staff in helping participants become more engaged]

Researcher: Is there anything else that you think is going on in their head that you're actively trying to effect by the punishment...?

Bruce: Well, I guess that's... you know, people make choices in their lives, and if I make it pretty clear- look, you know, one choice- the route you're going, if you... won't do this or if you won't stop being rude, or if you ever intimidate another client again, this is what you're looking at, you know it's thirty months, buddy- thirty months.... So when I say don't ever intimidate another [participant]- cause I'll tell you, I have a big vote here, and I'll vote you off the ship, real fast. And you'll go to jail. ... the choices really haven't got like that very often, but the odd time, someone needs a very clear reminder, and if I take the harsh tone and they know I'm serious, and that I'm a person too, and they can engage the wrong side of me, and it's not gonna help them.

(Staff interview, 668-714)

Mona also gave an example of a participant for whom communication seemed to make the biggest difference in a participant's process of engagement. In this example, it was sufficient to mention the possibility of not remaining in the program, and not necessary to mention the idea of jail:

[Researcher asks what types of things can lead to a shift in a participants' level of engagement. Staff lists several examples.]

Mona: For one particular woman it was pretty much demanding... giving her an ultimatum. And generally we don't do that in the program- but after somebody's been in the program for about eight months and they're not willing to go to meetings, they're not willing go to treatment, we've tried connecting them with resources and that type of thing to kind of get them support in other areas. When you've pretty much- not giving them an ultimatum- for lack of a better word... either you do this treatment or we've tried everything that we know we can do to help and we don't know what else to do, so if you're not willing to do this, perhaps there's something out there that you are willing to... or you'd rather be doing. And that made the difference ... [now] she's [graduated and is] in the alumni.

(Staff interview, 682-688)

This model of contingency for fulfilling behaviours was based on the idea that by enhancing participants' motivation to fulfill more short-term goals, this would help them fulfill these goals on their own in the long-term. In that regard, there was evidence that staff did not always feel the need to sanction or exert discipline if participants showed evidence of internal motivation:

[Participant confesses that he drank alcohol while out with friends]

Judge: You've learned from this to deal with it next time?

Participant: Of course... have to learn. Love myself too much to put myself through that, don't wanna put people around me through that.

Judge: Sanction?

Crown: No... if you want to do extra, you will. You have a strong conscience. Glad you felt bad about it. Tell us about the positive things.

Participant: Spending time more productively. Reading. Couple courses at work, volunteered.

Crown: I don't have anything to add – appreciate the thought [participant has] done, think it shows he's in this seriously.

(Court field notes, April 9, 2008)

Increasing motivation to change lifestyle through confronting. The overall goal of the expectations, and the discipline used to ensure they were followed was to move participants toward the desire to fulfill expectations because they genuinely wanted to make changes to their lives. I saw the role of the expectation and discipline aspects of EDTC as being a way to continually test a participant's level of motivation, consistently challenging participants to commit to making changes to their lives, and to demonstrate that commitment in a concrete way. This seemed to be related to confrontation as part of internal engagement. For example, Faye discussed how “faking it till you make it”, or fulfilling expectations until you feel strong enough to make changes on your own, forced participants to continually examine whether they wanted a change in their life:

Faye: It's a stepping stone, kinda thing. ... You'd be stupid not to- or you could not be ready- but then, that's where that fake it till you make it comes in...till you're strong.... It makes you look at yourself, it gives you a chance to look at yourself. To see what you really want, if you want [to change your lifestyle], you can have it. You know what I mean?

(Participant interview, 197-204)

Similarly, Tom demonstrated how fulfilling EDTC expectations could lead to having to confront the fact that it was not possible to continue to use drugs and remain in the program. In turn, this could lead to an increase in motivation to fulfill expectations:

[Researcher asks what types of things might happen in order for a participant to go from simply “jumping through hoops” to being more sincere about wanting to change their lifestyle.]

Tom: ... I know for a fact, like if ... they're not sincere about quitting or staying sober that they're gonna get themselves into a tight spot, and they're gonna have dirty screens, for example... and once you're standing in front of the judge and you got a dirty screen and you're like, 'uh oh'... that's the point in one person's program that you can't actually do drugs anymore - you can't live the same way anymore and live this way, you know? Like, you can't have both? And I think that's the point in time when people seriously consider, okay, well what am I here for? And then what-they're gonna have to start changing ... I already witnessed a person [who] came to that exact [situation] and they started doing something about their situation, and I started to see them at meetings, and I started to see them with a sponsor, and I started to see them at programs.

(Participant interview, 198-209)

There was substantial evidence that though participants often recognized their own role in doing the work of confronting as part of making changes to their lives, participants also felt that discipline and fulfilling expectations gave them structure in which to do so:

Graham: doing it on your own isn't as easy, there's not the support... stuff like that... there's not somebody tellin' you, you gotta do this, you gotta do that, you gotta go here, you gotta go there

(Participant interview, 144-6)

[Participant who had relapsed last week said that he did some journaling, and talked about finding a sponsor.³¹]

Participant: Don't want someone who will [gloss] over everything – want them to tell me if I'm doing something stupid.

Participant in gallery: it took me a while because I knew they'll make me look at my stuff. I avoided that like the plague. But you'll find someone, and if they don't work, you'll find someone else.

Judge: keep on your journal, I think it's a good idea.

(Court field notes, February 11, 2009)

Celia showed strong evidence that jail as a consequence was a strong element in increasing her motivation to fulfill expectations of the EDTC, and that fulfilling expectations helped her move toward developing the desire to change her life. It was not until she faced jail as a sentence that she considered becoming part of the EDTC, and once she joined, she intended to continue using drugs. The fact that she would not be able to get away with this was demonstrated to her in a few ways, but one of them was through putting her in jail:

Celia: I chose to take [the option of joining the EDTC] the second time [it was offered] just because I was gonna end up in jail and I didn't want to be in jail. I thought I could find a way to manipulate through this program and still be doing what I was doing, and using and whatever, and ... after a while I realized that wasn't gonna happen – they put me in jail in February because ... they wanted to make sure I had my five clean days before [sending me to another residential treatment facility] because I couldn't piss clean for them.

(Participant interview, 38-43)

Celia demonstrated a link among desire to stay in the program to stay out of jail, desire to fulfill expectations, and the desire to make changes to her life. On one hand, she fulfilled expectations such as not stealing and attending treatment because of a desire to stay out of jail. On the other hand, by fulfilling

³¹ A strategy used as part of a 12-step model, whereby an individual who has been in recovery for a longer amount of time acts as a mentor and a source of social support for someone just entering treatment.

these expectations, she learned ways to succeed in making changes to her life in the long term:

Celia: I used to steal every time I was in a store, I haven't since, I don't know, since maybe this summer, so.

Researcher: Do you have any idea why that is, why that's different?

Celia: Fear, maybe... a little bit of fear of being caught while I'm in the drug court and being sent back to jail. You know... because you'd end up getting kicked out, I'm pretty sure. ... You know, I'm trying to change and those are old addictive behaviours and I understand that... but if I continue those behaviours it's just gonna bring me back to using or whatever, so. I guess that's what I learned while I was [in residential treatment] is that it's just addictive behaviours- hiding and sneaking and stealing and lying, and whatever. It's just not healthy.

(Participant interview, 262-70)

Perceptions of power and control as mediator. A particular barrier to the potential role of interaction with expectations and discipline was perceptions of power and control. As mentioned in the internal engagement section of Chapter 4, feelings of engagement involved perceiving that expectations were given and enforced by EDTC staff as a means of help rather than a means of control. This was an important mediator in the link between the enforcement of these expectations and the participants' desire to fulfill them. For example, though Celia showed evidence of an increasing desire to make changes to her life, she also demonstrated that she had a particularly difficult time following through with those changes due to a difficulty with taking direction from others:

Researcher: Do you think there's some participants who do well in the court and others who don't, and do you have any ideas of what the differences might be?

Celia: [pause] I guess maybe a willingness to do things their way, maybe? I don't know, I'm one of the people who, uh, didn't do so well, and... I guess it was just hard for me to be told what to do... I don't know why there's some people who have been able to succeed and not use- and cause I've seen enough of them start after me and graduate after me- and it might be a little bit of a- I don't know, not a sore spot, but I wish that I wasn't the longest person in the program, or seen so many people who haven't had to screw up, and... I don't know why some people do screw up... and maybe just not a willingness to make all the changes and do all the things that are suggested to stay clean

(Participant interview, 303-14)

Robert, a graduate, presented the case that though it was these expectations and discipline that participants were fighting against, being faced

with expectations was also an important way for participants to confront their own tendency to “assert their will”:

Robert: I don't know- to be honest, I learned how to play the game too. In the end, I was doing what I was asked, I was doing more. I set goals and I went after them. but I was still doing the things- I still had the control of my life, I took my will back a bit, and that got me nowhere, you know- as soon as I do that, I found myself in trouble with the court, not [playing] by their rules. And I got caught on a few little things. So I wasn't a perfect student. [laughs] But that's by trial and error, I don't think- we all fight, when we're told, I think- what to do and you know... we're not good with authority.

(Graduate interview, 48-54)

He described the EDTC's role in his engagement process as one of “keeping him in check”:

Robert: My will and my way never got me anywhere. Maybe that's what they did... they kept me in check so I wouldn't do it my way. That's when I got in trouble, I'd try to do it my way, I'd get in trouble by [a case manager] or somebody.

(Graduate interview, 106-8)

I saw a striking example of this in one participant I observed but did not interview, who had coasted in the sense of asserting his will for a substantial portion of his participation. In particular, this participant resisted attending 12-step meetings. After being expected to complete additional treatment due to a relapse, this participant demonstrated a very different attitude, indicating that his view of those around him had shifted. One of the results was that he began to attend meetings.

[Judge addresses participant]

Judge: [A]fter [attending more residential treatment, you] started going to meetings – what changed your mind?

Participant: My whole perspective has changed – a lot more grateful for things.

Judge: [Was it residential treatment] or something else?

Participant: Everything... a flood of things.

(Court field notes, October 22, 2008)

Perceptions of discipline as mediator. However, it was not possible for expectations and discipline to have any effect on participants' motivation unless they perceived a sufficient amount of discipline. In particular, if a participant had a perception that they could remain in the program without following a particular expectation or making a particular change to their life, then they would not undergo that act of confronting, and their level of motivation would not be affected. Instead, participants would instead continue to “coast” at their current

level of motivation or “fake” a higher level of motivation than they were feeling. What I saw as the main barrier to perceiving a sufficient level of discipline was that EDTC staff had to balance their role of holding individual participants accountable with their role helping them to make changes to the lives. Since making an effort to make changes very often involved difficulty and relapse, as well as gaining life skills, it was judged as not always being appropriate to sanction for behaviour. Staff also wanted to acknowledge when participants were doing well, even when there was a belief that the participant could be doing better, at least in part as a way to increase participants’ level of internal engagement:

[Judge addresses a participant’s defence counsel, saying that the participant has done well, but treatment team is concerned that he may not have supports when he finishes. He does not want to go to meetings. Participant said he would be glad to have an open discussion rather than being told what to do. Judge said court is not all about open discussion – though she is open to it.]

(Court field notes, November 22, 2007)

Perhaps because of the EDTC’s desire to avoid “coming down hard” on participants, they did not show as much emphasis on sanctions. Unfortunately, there were some indications that the sanctions being given by the EDTC were not always sufficient to effectively deter behaviour, and would therefore not have an effect on participant’s level of motivation:

Tom: [T]o be honest with you... the sanctions are pretty light... they’re not gonna deter a person from messing up. Cause ... if someone tells me I gotta do eight community hours, eight community hours is nothing, like I chuckle at that. I actually witnessed someone chuckle in court when he got sanctioned, like he laughed about it. I’m not gonna purposely do anything to get sanctioned, but again I think they just need to review that and sort of look at a different approach... I went through hell on the streets, I went through all kinds of things, you know what I mean? And I can withstand anything basically... and, so for me to do community hours, it’s not a punishment. For me to write an essay, it’s not a punishment. You know? I can do that stuff. But take away my freedom for a week [by giving me a jail sanction] and it becomes a different story.

(Participant interview, 385-408)

The following conversation participants and graduates during an evaluation meeting demonstrated not only the complexity of balancing discipline with wanting to support participants with making changes to their lives, but also the need to consider the EDTC also had the job of managing the expectations of other participants. There was a clear message from these individuals regarding

the importance of holding participants accountable and delivering appropriate sanctions when expectations are not being met.

[Evaluator asks participants (including some graduates) what helps those who are not doing well]

Participant³²: Rules – if you don't have them you won't listen - that's what straightened me out - knowing consequences.

Participant: Also – helpful for participants to understand why a given sanction is delivered to another participant.

Participant: Not just anger when someone gets away with something, but also that it tempts me to do something because I might get away with it.

Participant: I don't want treatment team to share my personal business with the court, I don't want to lost the trust of treatment team.

Participant: Also this is a life lesson on dealing with unjust things.

Participant: I think it's important for us to know there are consequences for our actions. Don't wait a week [to sanction us]. We're not in jail for a crime we've committed [and we should be reminded of that].

...

[Evaluator asks about rewards and sanctions]

Participant: If someone is missing appointments, leaving court early, [there] should be more severe sanctions- being accountable for your actions.

[Indication that participants believe there is inconsistency in sanctioning – measures of success should be different, and sanctions themselves should be different, but the same things should be sanctioned. There was feedback given that inconsistency in sanctioning led to perceived unfairness.]

(Field notes evaluation meeting, January 10, 2008)

Socialization as mediator to perceiving discipline. Another complicating factor with regard to the relationship between discipline, confronting and increasing levels of participant motivation, was that of socialization to the particular method and culture of recovery adopted by the EDTC. As mentioned above, many of the programs to which the EDTC referred participants were based on the 12-step model, and the EDTC itself emphasized attending 12-step meetings and completing step-work as part of recovery. However, the relationship of the 12-step model to the expectations of the EDTC was not always clear, and as a result, this may have undermined participants' perception of discipline.

When I asked staff member Stan about the specific phrase "working the program", he indicated that it was a term associated with 12-step programs like Alcoholics Anonymous and Narcotics anonymous, and usually referred to

³² Some of the individuals taking part in this discussion were graduates, but this conversation happened very quickly, and it was difficult to keep track.

completing step-work. He indicated that not all participants made use of 12-step models, and that he did not believe that they had to in order to succeed:

Researcher: Do you think that [participants have to be following a 12-step model] for them to be doing well in the court?

Stan: No. ...I know the research on it, and the research says that most people quit on their own. And are successful. That's a huge motivational thing. ... In the [EDTC], you see the participants who are ... very focused [on] that route, because they know it's helping them. And you see the people that are in the NA groups and stuff like that... you know, there's- this is the way, and there's no other way. Because it's worked for them.

(Staff interview, 303-7)

Indeed, there seemed to be resistance among some participants with regard to going to meetings, and some argued that it did not fit into their model of recovery:

[Participant reported that she didn't go to meetings this week. Doesn't like meetings. Likes one-on-one better. Judge asks Executive Director if she should go – Executive Director said she should go to meetings when possible. Judge said that means AA or AA. Executive Director said they will discuss it with Probation and Treatment Case Managers. Participant reported that she does the step work on her own. Another Participant does SMART³³ meetings online – likes these. Other Participants recommended that she try other meetings, try to listen during mtgs. Judge advised that she “listen to experience”. Participant said she doesn't feel comfortable talking and has a hard time paying attention. Doesn't feel like it helps. She was told at one meeting when she felt overwhelmed that she had too much going on – stopped going and hasn't felt overwhelmed since.]

Judge: This is a talking point, we won't solve it today, will talk next week.

(Court field notes, December 5, 2007)

This conversation between graduates during a focus group shows that the 12-step model was fairly controversial. As emphasized here by Katie and Helen, not everyone ascribed to a 12-step model in their recovery:

[Researcher presents a list of factors involved in an individual becomes an active participant. One, graduate, Robert mentions that the list is very similar to what is seen in the 12-steps.]

Katie: We're not talking about the 12 steps right now...

Robert: But it's all about the 12 steps...

Katie: I know, but that's not what we're talking about right now.

[Robert and the researcher begin a conversation related to what order the factors leading to becoming an active participant, with Robert often drawing on the order of the 12-steps. Katie makes an exasperated sound]

Researcher [to Katie]: You don't like the steps?

Katie: It's not that, we're not talking about AA right now. We're talking about drug court.

³³ SMART Recovery (Self-Management and Recovery Training), a website offering face to face and online mutual help groups. See www.smartrecovery.org.

Robert: She's asking for a way to put it together
Researcher: ... The steps describe something that seems to fit somehow with the drug court, [but] it's not everything.
Helen: No
Robert: No, it's not. ...
Helen: Like some ... active participants didn't even do meetings and they're fine. They graduated fine and they didn't do the 12-step program. ... and they're living life, right? ... For myself, yeah the programs are out there- but I don't go to a lot of meetings.
Katie: Everyone's individual.
...
Katie: Robert's turned it into an AA meeting!
Robert: It's turning itself into one!

(Graduate focus group, 375-98)

Another conversation among participants and graduates demonstrated a few interesting aspects with regard to 12-step programs: 1) that the religious aspects of 12-step programs may have served as a barrier for the socialization process among some participants; 2) that aside from the importance of meetings themselves in the treatment process, they were a central aspect of demonstrating to the EDTC that one was engaged.

[Evaluator and EDTC staff obtain feedback from current participants and graduates about various aspects of EDTC programming]
Prosecutor: What about meetings?
Participant: Not fair that some participants don't do meetings to those of us who do. I have kids and I make it to meetings.
Participant: Meetings show commitment, helps recovery
Participant: Not going to meetings should lead to sanction. Should not be a choice.
Graduate: I have a year clean, don't do meetings now [indicates that she attends church instead]
[Other participants mention that this graduate did go to meetings while a participant of the court].
Graduate: No, they understood my situation. The program is not about fairness – not everyone is on the same path.
Participant: People in AA know what works.
Participant: I used to have problems with meetings – had problem with [religion]. There are alternatives. Need counselling or support of some kind. Church [could provide this] – not just attending church, but volunteering.

(Field notes evaluation meeting, January 10, 2008)

This conversation also demonstrated that though on the one hand the religious aspect of 12-step meetings may have been a barrier, on the other hand church served a similar function of involving participants in sober pro-social activity, an argument put forward by some participants:

[Judge asks participant about his week.]

Tom: [I have] only been to a couple meetings - really finding my place in church, with fellow Christians. Volunteered at soup kitchen the other night. I liked it – something that will continue. Like people, same beliefs, really connected.

(Tom court field notes, March 26, 2008)

This aspect of socialization with the 12-step model demonstrates that there was a fair amount of complexity with the EDTC providing discipline and structure, while also trying to balance providing individualized care and support for participants.

In summary, interacting with expectations and discipline as part of EDTC participation seemed to be way for participants to helped participants improve both their desire to fulfill expectations and their desire to change their lifestyle, through the internal act of confronting. However, this was mediated by both participants' desire to assert their will and participants' perceptions of accountability. The perception of discipline was further mediated by socialization to such aspects as 12-step programming.

Experiencing Specific Reasons to Change

In this section, I will demonstrate how continued engagement with the EDTC could help participants to realize and/ or experience reasons to make changes or to fulfill expectations aside from the discipline and contingencies provided by the EDTC. This helped to perpetuate participants' engagement, by strengthening their motivation to change their life and making it more of an enjoyable experience rather than simply following rules.

I mentioned several of these specific reasons to change in earlier sections; for example, one of the key roles of the EDTC during the enrolment process was to help participants to experience hope by exposing them to care from staff:

Eve: for all these people who have never in their life had anybody care about them, I think that the potential to have somebody care about you is a strong motivator to want to change.

(Staff interview, 93-5)

There was also evidence that beginning to experience bonds with others was another specific reason to change that participants were able to experience while part of the EDTC.

Celia: when I was first in the program, I used to sit in the corner of the program by myself, and now I can sit with everybody else, and I've made some friendships, and- I don't know, there's some good friends in the court, so.

Researcher: Is that- how does that relate to changes in yourself, or does it?

Celia: Yeah, I guess... just, I never really had many friends, so it's good to feel a part of something, and I don't know- being able to count on people, or being able to phone somebody when you need to.

(Participant interview, 167-73)

The EDTC also helped participants to discover reasons to change that went beyond the court itself, including wanting to improve one's employment, education, or living situation, wanting to re-connect with family or be a good mother to an unborn child, or simply wanting to enjoy one's life through having friends or taking part in positive activities. Though the EDTC did not necessarily have as much direct control over whether a participant had these specific reasons to change, they seemed to help create conditions for participants to connect with these factors and to realize that they were important. To illustrate this idea, I will present a comparison between participants Grace and Celia. During her interview, Grace indicated a high level of motivation to change her lifestyle, demonstrating a desire to get out of jail and to leave her current lifestyle:

Grace: I did not want to go back to jail for three years. So this was ... perfect. And it wasn't just the fact that I didn't want to go to jail, I wanted- I needed the help. I needed- I was homeless, I was addicted, I was mentally unstable, I was suicidal... all that stuff. So I needed some structure and I needed some support.

(Participant interview, 4-12)

She also showed some evidence of engagement in the early stages of participating. For example, she asked if she could start attending court while still in custody because she wanted to be more involved. She indicated that she struggled at times while in treatment, but seemed to be putting effort into getting through it:

Grace: I started to do some spiritual healing, and those fears and negative thoughts are slowly going away. They don't happen overnight, but since I've gotten out of there, a lot of us- I've only been out a few days, but- I was back at [residential treatment facility] last night for a meeting. It was one of the best meetings I've ever been to in my life, it turned out really really good.

(Participant interview, 191-9)

Grace did not present any concrete reasons for making changes beyond wanting to get out of that lifestyle. In fact, she mentioned that being in jail did not necessarily bother her:

Grace: And being in jail all the time, I was always in jail. So I was actually quite- it doesn't make me uncomfortable to be there so much, because I can fit in, I can adapt to it. But I'd rather not. Like my life has changed over the last 15 years. ... I don't want to be there. And I don't like living my life

this way- but the fact is that I'm an addict. And... I don't want to have to go out and continue doing what I'm doing just to survive just because it's the only way I know how to cope.

(Participant interview, 470-6)

Though Celia began EDTC participation with a seemingly lower level of engagement (for example, reporting that she intended to fake through the program and keep using), there was evidence that she discovered several concrete reasons for making changes in the course of taking part in the program. One of these was her family:

Celia: [M]y mom being a part- coming to court every Wednesday has been really helpful for me, it's helped me build a relationship with her. We hadn't – I moved out of my house when I was 12, and I haven't, you know- there was a time back in 2000 when I came back from Vancouver that I was seeing her cause I was relatively clean ... and then I started using hard again, so... we just didn't have any contact, but since the drug court and her coming to court every Wednesday, we've been able to build a relationship so it's been- you know, I guess that's one of the reasons why I stayed clean, it's just, you know- having the contact with my family and support of my family...

(Participant interview, 48-56)

Though Grace did not mention her family during her interview, it emerged during observations of her first few weeks in court that she was living with her sister, and that the relationship may not have been perceived as being very positive:

[Participant reported that she had gone out and had missed her curfew. She said she fell asleep, and was angry at her sister for not calling her until two in the morning]

Grace: [Crying] It really bothered me that she didn't call. Why call at 2 in the morning... Do you understand what I'm saying?

[Discussion of the importance of complying with conditions, Director gave a report of participant activities over the past week. Prosecutor discussed giving participant a curfew as sanction for not meeting conditions]

Judge: Would being at home cause problems with your sister?

Grace: Being there to help out would help. When I get home the house is in chaos – not dirty, but messy. Sometimes I feel like she saves it for me. I don't mind helping, but I am getting resentful. She is a good person, but...

(Court field notes, March 12, 2008)

In addition to reconnecting with family, Celia also mentioned several other reasons to make changes in her life. In her interview and the court hearings I observed afterward, Celia also talked about living in an apartment by herself, spending time with her mother and grandfather, going to plays and operas, and playing volleyball. She also talked about getting her first job, which emerged as particularly important for motivating her and giving her a sense of self-worth:

[Researcher asks participant how her life has changed since beginning the EDTC program]

Celia: Well, I was working and, you know- that's different, I never worked before in my life. I felt good about it.

(Participant interview, 280-1)

After a particularly tough period, in which Celia relapsed right before a graduation date that she had set with EDTC staff, she reported the following that these concrete reasons acted as motivators for her to stay in the program and keep making efforts to make changes to her lifestyle:

Celia: I like how my life is today – I'm in touch with my family, I'm taking a math class, I want to take social 30 to learn about our government.

(Celia court field notes, February 4, 2009)

Grace, on the other hand, had a low sense of self-confidence in her own ability to keep up with all the steps required to successfully make changes:

Researcher: [Do you think] that there's anyone that's following the program that's struggling?

Grace: Me. [Grace and Researcher laugh] ... I'm not really struggling, I'm just unsure footed right now, I'm not sure footed. ... I'm just- I'm new at this, it's been a long time since I've had my life together, and it's not together yet, I've still got places to go, people to see, and it's... overwhelming for me to get thinking about it.

(Participant interview, 427-34)

Her story made me wonder whether she was similar to what is described here by staff member Bruce, in terms of a problem picturing "the good life":

Bruce: There may be some people that just cannot picture the good life, because they've never had it. So someone who has had- you know, a fine life, family, good job, and they get into cocaine and they can just see their life go downhill in a period of six months. There's a pretty clear reason as to why things have gone bad, and there's a big history of a picture of things being good. But for ones that- you know, this downward line has been for as far back as they can remember, I think it must be hard for them to- motivate themselves for the good life, cause they can't really picture what that would be - what the good life is.

(Staff interview, 430-7)

Perception of discipline as a mediator. One of the complexities involved with helping participants to explore specific reasons to change was in trying to balance it with promoting discipline and concentrating on recovery. Bruce discussed this as something that EDTC staff wrestled with at first:

Bruce: I think initially there [was] a temptation to say- look, you can't be employed and be looking after your recovery, your recovery has to be number one to the exclusion of everything else- and we've backed away from that a little bit, but you could be very much engaged and still have

employment or still be spending a fair bit of your time working on a relationship or looking after your children.

(Staff interview, 522-7)

In the above example with Celia, she was given a sanction of a 7pm curfew and community services as a punishment for trying to fake her drug test after this relapse. She expressed concern that she would not be able to attend school, showing that this perception of discipline might get in the way of some of the headway that she was making in learning to enjoy her life:

Judge: Need a strong sanction here – not for the use, but for the deception. What you did required thought and planning. You know this – but your life would be much easier if you said before the test that it was going to be positive. 20 hours community service before February 10, in residence before 7pm.

Participant: I don't know how I can fit in 20 hours and school and a meeting.

Judge: Maybe need to miss school? [Asks case manager if it is possible for participant to miss school] Yes, it's possible... you'll need to be creative – you figured out how to deceive us, I'm sure you can figure this out.

(Celia court field notes, February 4, 2009)

Observation of Celia's court session the next week revealed that the judge's approach turned this experience into an opportunity both to increase Celia's sense of self-worth and her perception of discipline (in this case, making sure that she managed her time in a way that she was able to both follow the rules and attend school):

Judge: ... Much more light to your step

Participant: Because I'm not in trouble...

Judge: How [did you manage it]?

Participant: Much more time management ... Having 7pm curfew, still wanting to attend school – very busy. Up at 5am to attend meetings...

...

Judge: I was sure you would be creative enough to make it work – didn't think you'd be able to fit in school... it wasn't an easy task, but it wasn't intended to be.

(Celia court field notes, February 11, 2009)

Unfortunately, Grace relapsed only several weeks after completing our first interview, and did not return to the EDTC. I will present several factors that may have led to her dropping out later in this section, but one consequence of her not returning to the program was that she was not able to build on her motivation by discovering reasons to change in the same way that Celia did. This comparison between Grace and Celia demonstrates that helping participants to maintain engagement for a base level of time could help them to discover their own

reasons for changing. In turn, this helped participants deepen their motivation to fulfill expectations, beginning to fulfill them for their own reasons rather than because they were trying to avoid trouble or getting kicked out of the program.

Forming Trust

The functions of providing discipline and helping participants experience reasons to change described a large portion of the process of engagement, but one of the main factors that could help to make the connection between the strategies employed by the EDTC and participants' level of engagement was trust. As I demonstrated earlier, a crucial aspect of participant engagement during the enrolment stage was participant experiencing feelings of hope due to a perception that staff cared. However, it was not possible for participants to experience these feelings of hope unless participants actually *perceived* this care. Though many participants seemed to perceive this during the enrolment stages, others joined the program with lower levels of trust:

Mona: So I think that once they get in, they might be a little stand-offish at first, perhaps they might not want to share as much.

(Staff interview, 456-7)

As mentioned above, perceiving that staff cared proved to be a crucial element in increasing participants' desire to change their life, in that it helped increase their perception that change was both possible and worth it. Believing that staff cared also seemed to help increase participants' perception of discipline; if participants perceived trust from staff, they seemed more likely to believe that an expectation being given to them was something they should do.

[Researcher asks what kinds of things help participants to become engaged]

Bruce: You know, it's a matter of establishing the trust- that you can trust these people in this program are really motivated by nothing other than to help you get over the addiction, there's no personal reward to anyone on the team for succeeding or not succeeding with you, other than that they want you to succeed. So trust I think in the process... would help lots.

(Staff interview, 386-90)

Grace: [The Judge] asks questions and you have to be honest with her and tell the truth and stuff like that, and there's no way of getting out of it- because she's trying to help us. There's a big difference there [compared to other corrections staff I have dealt with].

(Participant Interview, 281-3)

Alternatively, if participants did not feel a sense of trust for a staff member, they seemed more likely to perceive that the staff member or the EDTC was controlling:

Jill: I've seen what she's about, and I see how she tried to help me. And I don't appreciate it. I had to take other steps to ensure my own recovery and my own safety, by going to another recovery house after this. Which she coulda helped me do. Yeah and she didn't - she didn't help me- I had to do things on my own. ... It doesn't make sense to me how they can do this. And it feels like an entrapment. Is what it feels like. Yeah, I got outta jail, but it still feels like an entrapment there.

(Participant interview, 66-75)

I will argue that trust was a crucial factor in a positive and self-perpetuating cycle: if a participant felt trust, they would open up to staff about what bothered them. In turn, staff could help them address what was bothering them, which would help them to further realize that they could go to staff for help when in need. Furthermore, since trust helped participants increase the sense of discipline to fulfill expectations, this in turn helped them to begin the positive cycle mentioned in the *Specific reasons to change* section.

With that in mind, this section will concentrate on what factors were involved in building trust. Bruce emphasized the role of communication in helping participants to increase their perception that staff members cared about them; in particular, by communicating why they were being asked to fulfill expectations or to change their behaviour.

Researcher: What do you see as the role of let's say yourself, as a staff of the court, as well as the other staff of the court, in helping participants to become more engaged?

Bruce: ... Trying to persuade the participants to trust why things are being done to them or for them... sometimes it helps if you can give an example of something that you personally had that you overcome or how you followed the path that's being suggested and it was helpful to you. Or... you can explain things perhaps in different words that you think they might better understand than the way the last person said it to them... you can- yeah, I think- I think what this is all boiling down to is you help them become engaged by communicating with them and... helping them to trust what your motivation is, and to maybe even make them think that you care about whether they succeed or not.

(Staff interview, 668-80)

Mona gave an example of a participant for whom this type of communication seemed to make the biggest difference in a participant's process of engagement:

[Researcher asks what types of things can lead to a shift in a participants' level of engagement. Staff lists several examples.]

Mona: [For another participant,] it was a battle for months. She'd come in and she'd be defensive and she'd be argumentative ... and finally [it was] that sit-down saying we're not doing this for our benefit. Anything you do will benefit you. We're trying to show that we truly do care. You know, as corny as that kinda may sound. But we do truly care that- you know, if you even just give it a try. Then it can make a difference.

(Staff interview, 682-688)

Another aspect of trust was learning that being honest about problems would not get one in trouble, but instead would be met with compassion and support. This emphasized how important it was for the EDTC to have a policy of not sanctioning for use; it would be very difficult for participants to communicate openly and honestly if they had a major barrier such as punishment standing in the way of their trust.

Mona: You know... it opens up over time. As they see they can trust us, and as they meet with us and know that we're not- if they say something we're not gonna say- oh, that's it, you're gonna get in trouble for that. We'll work with them and work through how can we deal with this if this comes up again... how is it gonna be different next time? So I think it's a process...

(Staff interview, 363-8)

Tom: The drug court people ... actually show compassion ... that's a nice change from the other professionals that I've dealt with in my life.

Researcher: you said you think that that is a good thing... does that mean you think it's helpful for you?

Participant: Oh yeah, definitely... it builds up trust between me and them, I know if I'm going through a problem or if I'm going through some stress and stuff I'm gonna be able to phone them and I have confidence in the fact that I'm they're not gonna, you know... sanction me or punish me for, you know, going through a hard time or they're not gonna look at me like that... it's not trouble for them to... it's not troubling them for me to phone them for help, it's actually what they encourage, and that kind of support is actually helpful.

(Participant interview, 127-40)

Barriers to trust. In addition to staff's actions being a facilitator to engagement, there were also cases in which staff's actions were a barrier to trust rather than a facilitator. In this example, Lisa described a low level of engagement when she began participation, which was not helped by her perception that the judge was not keeping a promise that she had made:

Lisa: I had trouble talking to the judge. Like my first couple times I went there ... I'd tell duty counsel- yeah, I got an appointment, I gotta go, right? ... And they'd be like- okay, so they'd get me up there right away and I was out. So I did that the first couple of times so I didn't really have to sit around in there. And then when I was there ... I remember I had a really big problem with [the] Judge because she'd always be calling me last. And I'd be like the last- the very last one... and I was gettin' frustrated. She's like-

oh, don't worry, Lisa, next week we'll try to get you up sooner, and I'm like, yeah okay, and then the next week I'd be last again, and then the next week- I did that for about four or five weeks straight, I was last. And I was like- fuck this, like, like I was so mad at them. ... I was like, why would she say something and not do it? Right, she's supposed to be a judge. You know, that's how I felt, that's the way I looked at things.

(Participant interview, 190-216)

She reported that the Judge eventually keeping her promise did help her to change her attitude, which helped Lisa to gain a sense of trust:

Lisa: I had really- like, bad attitude for the first two or three months I think? And then I started to change and stuff like that. And things started to get a little bit better.

Researcher: ... What changed?

Lisa: I don't know... I just decided to quit fighting with them- oh, and she called me first, too [laughs]

...

Researcher: so once she called you first...

Lisa: I was like, happy- I was like- oh, cool. [laughs] And it didn't seem so bad, but I was just getting pissed off, right?

(Participant interview, 207-219)

Barriers to building trust also included evidence that participant's past experiences with people around them may have affected their inclination to build trusting relationships:

Mona: And their background I think has a lot to do with it, too. Their family background, the supports they've had in the past. As an example, you know, some people are put on the street at 11 years old by their parent to work in prostitution. If that's all they know, then how can we expect them to change overnight? ... I think it makes a difference with regard to their trust level. Cause I think- and this is me personally from experience in the past is that- if somebody's own mother or father, or whoever you know family member has put them at risk or have done them harm... if they can't even trust the people from their own family, how are they gonna trust some stranger that knows nothing about the past? Except for what they've been able to share. So I think that that's... that's a lot of time a very big struggle... for us. ... a lot of times that's a safety mechanism or a survival mechanism that people use that have been traumatized in a number of different ways.

(Staff interview, 247-70)

Finally, another barrier to trust may have been a need to build skills and become socialized to the EDTC. One of the particular aspects socialization was learning to communicate openly and honestly, particularly with authority figures:

Lisa: I had a really... bad attitude for the first two or three months I think? And then I started to change and stuff like that. And things started to get a little bit better.

Researcher: ... [W]hat changed?

Participant: [Describes process of gaining trust for Judge] Plus I had trouble talking to ... like, authority figures and stuff like that and telling them, how I've been, and then I'm supposed to go up there all happy and stuff like that and be like- oh yeah, yeah- this is what's going on. ... [I]t was really hard for me. But I learned how to deal with it.

(Participant interview, 207-224)

Staff member Eve indicated that watching peers might be another way for participants to become more comfortable with speaking in court:

Eve: [Older participants] tend to be more articulate.... So when [younger participants] watch them articulate ... their week, their successes and even their struggles ... [they] get a better idea of what they can say when it's their turn to stand at the podium and address the court, right? So they can kind of feed off the energy from the older ones. Otherwise- especially for the young males- it often is really intimidating for them at the beginning of court. Mostly because they don't know how to talk to people. But when they can watch older peers do it, it makes a big difference.

(Staff interview, 380-88)

Forming trust takes time. A crucial factor in the process of engagement was that it very often took time, particularly with participants with significant barriers to forming trust. I will again compare Grace and Celia to demonstrate the importance of time.

As shown above, Celia reported that she joined with the intention of trying to manipulate her way through the program, that she had a very difficult time stay drug free for the initial period of the program, and that she spent a great deal of time "fighting" against EDTC staff. These perceptions of power and control were a major factor standing in the way of trust toward staff, and, in turn, her level of engagement with the EDTC. She indicated that one of the reasons may have been a willingness to do things "their way", indicating that she struggled with trusting that staff were in fact looking out for her own best interests. Celia did report that she had made strides in making changes to her life, and that her attitude toward EDTC requirements and EDTC staff had changed since she began participation. A big part of this process was learning that she could be honest about her problems:

Celia: I don't know, it's took me a long time to change, change doesn't happen overnight, and ... sometimes... it's always a couple steps forward, some back, you know. And I guess just them being supportive- and teaching me to be honest about what's going on, rather than- I'm used to going to court and lying and it just gets you in trouble if they find out you lied here, and it's taught me how to be honest, and it's okay if things aren't good and to still be honest, and... you won't be sanctioned or reprimanded...

(Participant interview, 84-9)

Another part of this process was in realizing why staff were asking her to fulfill expectations, presumably because they wanted to help her change:

Researcher: Has there been any changes since you've been involved, in how you think about [staff]...?

Celia: Yeah, definitely. ... I tried to work against them, or, you know, butt heads with them. And now it's not so much like that, you know what I mean? I know they're just doing what's asked of them, or what they need to do.... It's not really a fight against them anymore, you know?

Celia: I don't know, [I have] just become more willing to- and accepting to... what's expected of me.

Researcher: Okay. Do you have any idea ... why that change happened in terms of what you think?

Celia: [pause] No, I don't. I don't know, maybe being clean? Or, uh... You know, I don't know. It was a long- it took a while for that to happen, and I guess maybe trust to be built, and, uh... you know, that they're not out to get me, or whatever- or you know, don't wanna see bad things happen or whatever- that they're just doing what they need to do.

(Participant interview, 152-60)

However, I observed that even as Celia made some great strides in her lifestyle, it seemed that certain aspects of trust seemed to hold her back. When Celia was very close to graduating, she relapsed, and tried to fake her test. As shown in these field notes, Celia showed evidence of a lack of trust before her relapse in terms of not reaching out to others, as well as after her relapse in terms of not feeling she could be honest with the EDTC staff about what happened.

Judge: Everyone be quiet and listen to what [participant] has to say

Celia: I'm not ready to graduate... I think I set myself up... I don't think I think very hard about consequences. I sit alone in my apartment, and don't call people. Maybe because I'm so close to being done. I remember when I said I wanted to graduate, [case manager] asked if I was ready... think that I wanted to graduate not because I was ready but because of a condition I didn't want to deal with ... I think I should appreciate the support the team is giving me. I think I need support.

Judge: Anybody perfect in this room? Nobody raised their hand, Celia. How was this detected?

Celia: A saliva test... and I tried to fake my urine test because of old behaviours and I thought I could cheat the system... they wanted to do another saliva test. I left the office and walked up and down Jasper trying to decide what to do. [Said that a lady came up to her and asked if she needed help because she looked troubled]

Judge: You knew Celia that you would be-

Celia: [Interrupts Judge] found out...

Judge: [Speaks at the same time as Celia] ...received warmly

(Celia court field notes, February 4, 2009)

For Celia, the process of forming trust was greatly affected by her level of internal engagement, particular with regard to her perceptions of power and

control. Gaining trust toward staff was not an easy process, and it seemed to happen gradually over time as a result of repeated exposure to care and compassion from staff.

Grace also seemed to struggle with trust; as revealed in her interview that she had a fear of confronting factors such as relapse, particularly if the outcome might involve jail. Grace had emphasized the importance of having someone to help pull her out of a potential cycle of active addiction if she used.

Grace: Before when I was in this situation - on parole and stuff - if I used... I was always hiding it, which made me continue to keep on going. Cause once you start on that stuff, if you don't have something to pull you out of it, you just continue it and it just goes downhill. And myself- I was one to just run all the time. I was afraid of authority.

(Participant interview, 464-7)

Though Grace felt that the EDTC staff might be able to help her in this way, she recognized going to them for help as a skill for her to work on:

Grace: I don't wanna have to run. If I get into trouble I want to be able to ask for help.

Researcher: Do you think that you can here?

Grace: I know that I can. But I'm still afraid. ... Cause I'm not used to it yet.

(Participant interview, 476-80)

Grace said that what would help her in being able to ask for help was being offered support rather than perception of not being judged, and that it was her own feelings of failure that kept her from facing her mistakes:

Researcher: What kind of things would help you [be able to ask for help to pull you out of the cycle after using]?

Grace: Well, just support from people. Like, you know- they won't judge me, they won't [just say] you're going back to jail and they won't talk to me like I'm just some drug addict criminal. Cause I'm a person, and it's- when you do screw up, you feel like such a frickin' failure ... and you know that you're letting people down. And when I do those things, what I do is I just isolate and I just- I don't go around so I don't have to face them, and that's how I respond to relapses. Instead of pickin' myself up, dustin' myself off, and getting back down to it.

(Participant interview, 481-91)

As mentioned earlier, Grace did not return to the EDTC after experiencing a relapse. This might have been different if she had felt more comfortable with facing staff after having made this mistake. Since she relapsed so early in the process, it may be that she simply did not have the time to build that trust. On the other hand, another crucial difference between Grace and Celia was that Celia was highly motivated to stay out of jail, while Grace demonstrated that,

though she did not want to be in jail, she was used to it. This may have been a key reason that Celia continued to return to the court, despite the difficulties she faced along the way. In other words, though trust was a crucial aspect to engagement in both cases, Celia may have had more of a chance to develop that trust simply as a function of a desire to stay out of jail.

In summary, trust was a crucial aspect of engagement, because it helped to increase both the perception of hope that would come from receiving care and support from staff, and also helped to increase participants' perceptions of discipline. Trust was increased by communication from staff, as well as realizing that one would be met by compassion and support rather than punishment if one relapsed or made a mistake. However, trust took time to develop, and not all participants remained in court long enough or had sufficient engagement in order for that process to occur.

Life Circumstances and External Barriers

Another important component to the process of engagement was that of dealing with life circumstances and external barriers. Factors outside of the control of the EDTC had a large effect on participant's engagement process, and external barriers to engagement were inevitable; what was important to examine was *how* different barriers affected a participants' engagement process, and how participants were and were not able to overcome them. Similar to building motivation, participants and other life circumstances often determined both what barriers participants faced and whether the participant was able to work through those barriers; however, the EDTC played an important role in helping to address barriers and to help participants to increase access to these internal and life resources. Barriers were another key link between the other aspects of engagement, and another link in a positive cycle of engagement. If participants were able to overcome barriers, it put them in a place where they were more able to both learn how to continue to overcome barriers and to feel able to handle barriers.

The EDTC both made it a requirement and offered concrete structural support to help participants address external barriers. Especially in the early stages, this meant helping to ensure that participants' basic needs were met. For example, the EDTC required that participants have stable housing while taking

part in the program. They spent a great deal of time working with participants on the often very difficult task of ensuring that they had a place to live:

Case manager1: Have made contact with [transitional housing facility] – we're working on housing for when you get out.

Participant: The day I get out.

Judge: We're working on it.

(Graham pre-court meeting field notes, January 16, 2008)

At times, staff provided support to participants that could not be provided by other people in the participants' lives:

[Participant had an abscessed tooth. Came to office and Case manager brought him to the emergency dental clinic, and was there with him the whole time. Case manager going to clinic with participant again that night. Directors said the infection could have spread and killed him - case manager saved his life.]

(Additional field notes, December 12, 2007)

The EDTC also worked with participants to ensure that they had stability in their life in a longer-term sense, to ensure that they could maintain the changes they had made to their life. This included working with them to identify and meet employment and education goals. The EDTC formed a close relationship with government agencies responsible for providing income support and employment and education counseling, and several employees of these agencies became members of the extended EDTC team. Participants reported that this support was helpful:

Celia: They're willing to be helpful and you know- just to help you find things to do that can keep- if you wanna go to school, they'll help you get into school, if you wanna work, they'll help you, you know, find work, and... any funding for programs or whatever- you know, it's been- being able to find resources- it's been easy being part of the drug court.

(Participant interview, 68-72)

This also demonstrates a link between addressing barriers and providing discipline, since many participants may not have done the sometimes difficult or undesirable work to address their barriers if they had not been required to by the EDTC. In this example by Celia, not only did a transitional housing facility provide external support to help her stay clean, but the EDTC also required her to stay in that facility:

[Researcher asks participant what it was like to live in a transitional housing facility after being released from residential treatment]

Celia: [It is] not something that I prefer, but- I guess it's needed in maybe early recovery just because ... it's those extra external forces tryin' to help

you stay clean or whatever. Maybe if I was living in my own place it would have been easier to use.

(Participant interview, 234-6)

There were two main ways that this support from the EDTC helped participants to address barriers. First of all, the EDTC's support in addressing barriers helped to ensure that participants remained out of active addiction and avoided temptation to get out of active addiction. This was because it helped them achieve some level of stability in their life, helped them to reduce temptation to use because it removed them from potentially risky environments, and helped alleviate stress, which could lead to temptation to use. This was exceedingly important for engagement, given the finding that active addiction was one of the biggest barriers to engagement.

Wayne: [A] big thing in my recovery, is not to move around.... And that, because I lived in hotels, one week I was at this hotel, that hotel, it was like a vicious circle..

Researcher: How is it different to be in the same place in terms of helping recovery?

Wayne: It shows me stability. ... [I could have moved] but it's just- it's not worth it. Cause it's moving again and I hate moving. I just want that stability where I can show myself, you know what I can stay here for a year and be done with it? You know. That's a very big part of my sobriety... is my own life.

(Participant Interview, 411-31)

On the other hand, it was important to recognize that the EDTC was not able to address all barriers. The program was faced with constraints such as a shortage of facilities such as housing and residential treatment and the fact that many transitional housing facilities were located in what were considered to be high-risk neighbourhoods for most participants. Despite this finding, there was still an important place for the EDTC in helping participants to get through barriers in their external environment. In particular, it was precisely through encouraging engagement that participants were more able to handle the barriers that they faced. This was true both in the sense of increasing internal aspects of hope, positive attitude and desire to change lifestyle, as well as in the sense of encouraging external aspects of fulfilling expectations, open and honest communication, and forming bonds.

To illustrate this point, I will use several examples of participants in my interview sample. One crucial finding with regard to addressing barriers was that family and friends, including other EDTC participants, were significant facilitators

to helping participants address external barriers. As mentioned above, the waiting period in jail prior to entering the program seemed to be an important opportunity to detoxify, but that the length of waiting periods was often a result of housing and residential treatment shortages. In some cases, it seemed that this waiting period may have been enough to dissuade a participant from continuing with the program. In some cases, the EDTC was able to intervene and offer alternatives, but these alternatives may have taken the form of family or friends:

Faye: So my date was set to go to treatment right after that. But then because [my ex-boyfriend] was out there, they were going to try to hold me for another week to go to a different treatment centre. I was gonna- I'm serious, man, I was gonna lose it.

Faye: So he was at the same treatment centre you were supposed to go to?

Participant: Yeah, so... either that, or they were gonna keep me for another month in the Fort. And I already stayed here an extra month. I said- no fucking way. You know, I was frustrated by then... and I told her no- I can't do it, you know. I just don't want- like, there's gotta be [another way]. She said- well, how 'bout this? How 'bout we release you to your mom. And it's like- oh my god- you can do that? [Laughs] So they did, and now I'm scheduled to go to treatment [in about one month] and I'm staying at my mom's now.

(Participant interview, 102-114)

Wayne also received help from family and friends when dealing with barriers in his external environment. As I described in the Building Motivation section, Wayne reported a very low level of engagement when he began the EDTC, including using it purely as a way to get out of jail in the short term and a corresponding intention to run from treatment. He decided to "work the program", after being convinced by a fellow client in treatment that he should give it a try. It also appeared that family and friends may have been crucial for helping Wayne to get through barriers in his early stages of recovery; namely, lack of finances and lack of access to stable housing. His mother gave him money for housing after his release from treatment:

Researcher: Can you tell me what it was like when you came out of treatment and started the – started the drug court program?

Wayne: What it was like was hard. I had to borrow money off my mom cause I didn't have any money to... to live. That's one thing that it was really- the whole setting up the finances there was horrible. ... [C]ause when I left [residential treatment] I didn't have a place to go and then eventually at the very end I did [but they] wanted the money right up front and I never had it and the whole nine yards, so. But... my mom lent me the money to stay there.

(Participant interview, 152-9)

Wayne reported staying in two different transitional housing facilities after residential treatment, and indicated experiencing problems with both of them. When he was kicked out of the second facility, he was able to stay with the family of another participant, which kept him from having to go to jail:

[Participant describes negative conditions in a transitional housing facility, and describes getting kicked out after confronting those running the facility about encouraging clients to hide their drug use from others.]

Wayne: They threw me out. I came home at 6 [o'clock and] I had to leave by 6:30... They didn't - they didn't - notify the team, they didn't notify anybody, they just told me I had to leave and that was it - and I was supposed to turn myself in that night.

Participant: Right. Turn yourself into-...

Wayne: ... Jail. Cause I didn't have a stable, like, approved residence, it's one of my bail conditions. ... fortunate enough, another one of the participants - her parents let me stay at their house for two days.

(Participant interview, 209-18)

A point to make in Wayne's case was that he received help with his barriers in part because of his level of engagement. He had made contact with his family while in treatment, and had also begun to make friends in the court, suggesting that he both felt a sense of internal engagement and had begun to express that by forming bonds both inside and outside the EDTC. If this engagement had not occurred, he may have been less able to cope with the Wayne's level of internal engagement could be seen in his description of how he coped with this incident:

[Participant describes housing situation upon being released from treatment. Participants left one treatment facility after only one to two months due to unclean conditions. At the second treatment facility, he got kicked out after confronting staff for letting people use but not kicking them out, which he interpreted as encouraging them to hide their drug use.]

Researcher: How did that affect your, let's say, your attitude about the court and about your recovery?

Participant: I was angry, but I wasn't angry at the drug court. I was just angry at [the staff at the transitional housing facility]. ... it's just terrible, you know? ... If that was somebody else, that would have been enough for them to use, and I know it would have been.

Researcher: ... How come you didn't use in that situation, do you think?

Wayne: Because I'm done with the shit. Really I am. ... It's a cop out in my eyes.

(Participant interview, 220-32)

Grace was an example of someone for whom external barriers had a negative effect on her level of engagement. As mentioned in the sections above, Grace seemed to gain some headway in the initial stages of her program. She

reported that she experienced some level of healing while in treatment, and that she had gained rapport with the EDTC staff. The first week I observed Grace after her interview, she received a sanction for being in an area that had been designated as restricted and missing a curfew. She reported having problems with the sister with whom she was living, but there was an indication that there might not be an alternative housing arrangement for her:

Grace: Fell asleep [while visiting a gentlemen friend]. My sister didn't call me until 2am. I'm very upset. I'm sorry. [Crying] It really bothered me that she didn't call. Why call at 2 in the morning... Do you understand what I'm saying?

Judge: I understand what you're saying-

Participant: I take responsibility

Judge: That's what I'd rather hear... That being the case, you say it's not gonna happen again. Director, what are we going to do?

Director: She was in a restricted area. There's a reason for curfew and restricted area, she needs more clean time...

[Participant given a sanction of increased curfew to acknowledge breach of bail conditions. Participant discusses other things that she did during the week.]

Grace: I just have to go and face [my sister]. I can't wait to get out of there.

Judge: Probably not the best place for you to live... but safe affordable housing is at a premium. You have the tools to deal with it and people to reach out to.

(Grace court field notes, March 12, 2008)

What I saw in this exchange was the EDTC staff's intention to hold Grace accountable for her actions, and to apply sanctions that would help her follow conditions, concentrate on her treatment, and get some clean time under her belt. Over time, this may have helped Grace to increase her confidence in, as well as her actual ability to, stay out of risky situations and avoid using drugs. Unfortunately, the second week I observed, she called into the pre-court meeting and reported that she used:

Grace: I relapsed this morning.

Judge: Coming to court today?

Grace: Yes.

Judge: Does your lawyer know?

Grace: No ... I need to know if I'm going to jail.

[Case manager nods whispers: She has nowhere to live]

Judge: We'll see you in court.

Grace: I'm sorry.

[After participant hangs up, staff continue to discuss her situation]

Case manager1: Sister called and said Grace has not made 6pm curfew once. She has had a bad attitude about appointments, about drug tests.

Case manager2: Other participants said she'd asked how to "beat" drug screens

Prosecutor: Does participant understand we're putting her in custody [to help her]?

Case manager: We don't want her out of program... just until we find housing or treatment.

(Grace pre-court meeting field notes, March 19, 2008)

Grace unfortunately did not show up for court that day, and the court was not able to track her down until several months later. What struck me in Grace's case was that a variety of factors contributed to her running from the program. On one hand, she was early in her program, and had not yet had the chance to turn her desire to leave her current lifestyle into a full commitment to make changes. She had not had the time to develop a full sense of discipline in terms of fulfilling expectations. Though some might feel suspicion toward Grace because there was evidence she had intended to fake her drug tests, I think it was also important to remember that this was fairly normal behaviour for many participants who were in the early stages of participating, including those who were eventually successful. She was still participating in higher-risk behaviours that may have allowed her to be tempted to use drugs, and had recently experienced some thoughts and temptations to use while she was in treatment. All of these things might be expected of someone in the early stages of participating, and certainly she may have had a chance to work on all of these things if she had continued in the program.

There were several other factors to consider in Grace's situation. First of all, as mentioned in the *Specific Reasons to Change* section above, Grace had a low sense of self-confidence in her own ability to keep up with all the steps required to successfully make changes, and may have had a difficult time picturing "the good life". Grace mentioned a fear of confronting other people if she had made mistakes. Finally, Grace also mentioned that she would perceive being thrown in jail as a sign of not getting support:

Grace: If I relapse, that's part of recovery. And I hope that they don't turn their back, and put me in jail. ... Like I hope they try to help me. Because I'm not planning on relapsing or anything like that, that's the last thing I want for myself. But if it does happen, it's nice to know that if I'm doing what I'm supposed to be doing, they're gonna be there for me.

(Participant interview, 296-300)

These quotes from Grace's interview help to put her situation in context, as well as to imagine a very different outcome if only her housing situation had been different. Though the EDTC staff's intention was to put Grace in jail, it was purely

because she had no other place to go in the immediate future. If this had not been the case, Grace's story might have looked quite different. She may have been able to work through her initial problems and continue to work on her motivation. On the other hand, if Grace had began her EDTC participation with a higher level of motivation, greater self-confidence and a better ability to face difficult situations interpersonally, she may have been able to get through the situation even if she did have to go back to jail temporarily. Increased motivation may have been a particularly important factor in her process of engagement, given that she had already identified the skill that she needed to work on, namely confronting people after relapsing.

Lisa's case was somewhat similar to Grace's, except that she had been an EDTC participant for almost one year, and had relapsed after not using drugs for nine months. In this example, Lisa described how she ended up relapsing.

Lisa: I was working two jobs to keep my own place, and then I was under a lot of stress- like my hair was fallin' out and stuff- and I wasn't eating properly, I wasn't sleeping properly, and then I was like- it was like one thing after another- plus there was a lot going on with my family- a lot of stressful issues - a lot of stressful issues, like- well, my sister got beat up, so she was staying with me, then my dad was in the hospital cause he was drinking too much, my mom has bad health, and so I was always trying to look after them, plus take on my own responsibilities, and then I just ended up not caring anymore and giving up ... and I moved right to the border of my area restriction. And everything was just felt like around the corner. So I gave up- and then it was easy access to everything. So ... that's what I know I did wrong.

(Participant interview, 28-43)

Lisa reported that her drug use immediately affected her level of engagement was affected in a major way:

Researcher: Do you think that your attitude towards your lifestyle... your drug use and your criminal behaviour and that kind of thing- has changed since being in drug court?

Lisa: Yeah it has... but then when I relapsed my attitude just went back to the way it was before, when I was running around doing dope and getting drunk and high and stuff, like... my attitude- like you know when they say you quit doing- the point you were at in your addiction when you quit, and then when you relapse you're right back there ... you go back and it's right at the extreme? That's how I was again. ...And when I went to court my attitude showed too, right? So, yeah... everybody knew. Plus I was hanging around old friends and stuff like that. ... [E]ven when I was in jail I had like a bad attitude. I was like- well, fuck this, fuck this.

(Participant interview, 285-98)

What I found interesting about Lisa's description was that she described a number of external factors which were genuinely stressful, and which she could perhaps not be blamed for letting get to her. However, she also framed the situation in terms of "what she did wrong", demonstrating that even though these factors were difficult, she played a role in addressing them and working through them. Lisa also showed evidence of struggling with her own role in the situation, including accepting expectations that the EDTC was attempting to put in place to help her get through her relapse successfully. She mentioned consistently throughout her interview that she was unhappy with not being given a pass while in treatment and being given a 7pm curfew upon her release from residential treatment:

Lisa: I don't like that seven o'clock curfew either. And then- I'm gonna have trouble with it, right?

Researcher: What is it about it that you think you'll have trouble with?

Lisa: well because I'm gonna be cooped up and it's gonna be summertime. Like it's gonna be spring and I'm gonna be- and I'm gonna be cooped up- seven o'clock and it's still gonna be daylight out? Like, it's really gonna bother me. It's gonna- for like, I don't know. I just- I can't stand it. Like why seven o'clock, right? Like why couldn't it be maybe nine o'clock on the weekends, too?

Researcher: Do you feel like you understand why they gave you that curfew?

Lisa: Yeah, but, I do but I don't, right? They gave me that seven o'clock curfew for weekends because I was messing up every weekend, I know that. But... like, I'm here in treatment, and I'm dealing with a lot of things, and I'm trying- I know what I did wrong, and I know why I relapsed, and I looked at those issues, and I'm learning new ways to prevent that. Cause I don't wanna have nine months clean and then fuck up. ... I've been doing the steps, and before I never did the steps. And, you know... and I'm like, you know, participating and stuff like that. So I'm trying my best and I feel that- I don't deserve a seven o'clock curfew. But I know I'll have to work on that. Like to earn their trust. But... it's just... it makes me resent them a little bit. Because of the seven o'clock curfew and then not being able to get passes. I feel kind of kinda trapped? And it's hard.

(Participant interview, 79-101)

Unfortunately, Lisa did end up relapsing again after being released to a transitional housing facility, and did not graduate from the program. Both Lisa and Grace's case underscores the complex interactions among such factors as barriers, motivation and discipline and support as offered by the EDTC. Though the EDTC could help participants address barriers, they were constrained by external forces, and they were limited by the participants' own sense of motivation to address their barriers.

This underscores a final role for the EDTC in helping participants to address barriers – emphasizing the participants’ own place in addressing them through confronting and external engagement (including fulfilling expectations, communicating, and forming bonds). As demonstrated in this section, this was largely achieved by addressing some of the other factors of engagement; in particular, motivation to fulfill expectations and to change lifestyle and trust. This role was also about continually working with participants to remind them of their role in situations, which seemed to be about both recognizing that participants did face genuine barriers in their life, while also ensuring that the participant did not turn this barrier into an excuse for not making healthy or proactive choices. This was put in very clear terms by Eve, who emphasized the importance of making proactive choices to work through things rather than making excuses:

Eve: The bottom line is that everybody has a different problem, which- whether the rest of the world sees it as big or small- is huge... most of us could pick a fairly traumatic time in our lives where if we wanted to blame that for all of our problems, forever, we could. And that’s what you do. You fixate on that point in your life where something really crappy- and some are certainly more crappy than others- but where something crappy happened, and you can use that as rationale for all of your poor behaviour. Even if it was 45 years ago... their choices will lead to success or failure. Because even with all these problems that they may have. And all of this garbage that has happened to them in the past, there are proactive ways to deal with it now. And if they make the choice to be honest about those problems, and make the choice to confront it, then we will certainly be there for them while they confront it.

(Staff interview, 145-60)

In summary, barriers were an important element to the process engagement, in that they were at risk of seriously undermining the process. In particular, as seen in the case of Grace, barriers such as lack of access to housing could get in the way of keeping participants in the program long enough for them to begin addressing other barriers. Another key aim was to work with participants to recognize their own place in addressing and avoiding barriers, an aim which could only happen if participants remained in the program for a sufficient time and were sufficiently engaged. In general, it was the process of encouraging and increasing engagement itself that helped participants to get through these barriers.

Summary of Process of Engagement

The process of engagement was a complex interaction between factors internal to participants, external factors and strategies employed by the EDTC, and life circumstances and external barriers. All of these factors interacted when EDTC stakeholders made judgements about how 'engaged' a participant was in the program. The main relationships have been summarized in Figure 4. In general, engagement was affected by the general context of the EDTC, as well as by factors such as discipline by enforcing EDTC expectations, and care and support from staff. However, these external factors were mediated by such things as forming trust and perceptions of discipline, and were especially affected by a participants' level of engagement. For example, if a participant had a higher level of external engagement in terms of fulfilling expectations, they were more likely to stay out of active addiction, more likely to draw on support from friends, family, or EDTC staff, more likely to have discovered reasons to change, and more likely to have factors of internal engagement such as motivation and a positive attitude. All of these things helped them to address external barriers, which threatened to get in the way of their engagement process.

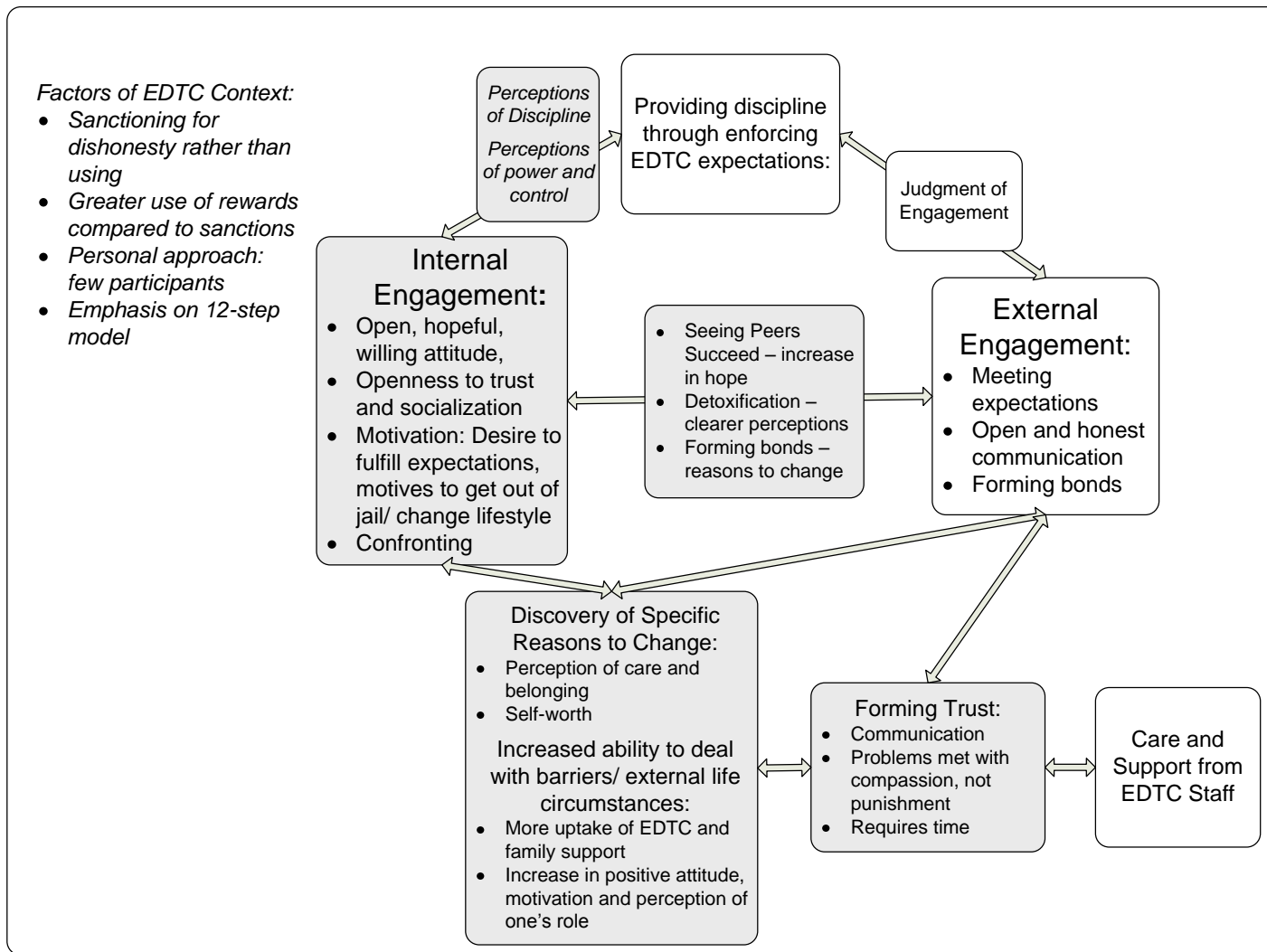


Figure 4. Conceptual model of the theory of the process of engagement.

Chapter 6: Discussion

I pursued this qualitative examination of participant engagement with the EDTC as a means increasing understanding how drug treatment courts exert their effects on participants. In particular, engagement is a concept that is highly linked to retention of participants in DTCs, and, in turn, an important factor to study in relation to participant success. Unfortunately, much of the current research focuses on outcomes such as graduation and recidivism, ignoring the important question of how drug courts can better engage participants and increase their chances of success in the short and long-term. The objectives of the study were to provide a description of engagement in this context, as well as to provide a description of the process of engagement as a result of interaction between factors internal and external to participants.

In the simplest sense, being engaged in a DTC program is about becoming involved in that program. However, not every program defines “involvement” in the same way, and it is not clear what that means in an internal sense. As I demonstrated in Chapter 3, engagement partly refers to how EDTC stakeholders define engagement from an external point of view (i.e., fulfilling expectations, communicating openly and honestly, and forming bonds and becoming involved with the program). In addition, engagement refers to what it means for participants to feel engaged with the EDTC (i.e., their overall attitude or perceptions of the expectations, their level of motivation toward both fulfilling expectations and making changes to their life, their level of trust and socialization, and the extent to which they were actively confronting and working through difficult issues). Furthermore, the external and internal aspects of engagement interacted with each other, particularly in the sense that participants knew that they needed to appear engaged to stay in the program and thus were managing the perceptions of those around them.

This research also examined the process by which engagement came about, treating it as an interaction between internal processes of the participant and the processes undertaken by the EDTC. The main factors involved with engagement could be seen as a positive feedback cycle. In general, if a participant began to undergo external engagement, this would increase their level of internal engagement, which in turn further increased their level of external engagement. External factors, in particular support and care from EDTC staff

and discipline exerted through enforcement of EDTC expectations affected a participants' level of engagement. Overall, engagement also affected a participants' formation of trust with EDTC staff, as well as their ability to cope with external barriers and life circumstances.

Relevance of the Present Findings to Existing Literature

The findings of this study helps to increase understanding of what engagement means in the context of DTCs, in addition to shedding light on how engagement comes about. This adds to scholarship and practice not just in the context of drug treatment courts, but also in terms of engagement in drug treatment contexts more generally. Current understanding of engagement demonstrates that a number of factors, both internal and external to participants, affect engagement. For example, engagement literature draws heavily on the concept of motivation, recognizing that those with higher levels of motivation are more likely to do well in treatment (Simpson, 2004), and that practices such as adding motivational enhancement prior to drug treatment increases participants' engagement and retention (Czuchry, Sia & Dansereau, 2006). However, as emphasized by Miller (2006), there are at least nine different ways that are commonly used to measure motivational constructs in the addictions field, including temptation, decisional balance, desire or willingness, perceived need for change, recognition of problem, efficacy for change, and stages of change, stating that "[t]hese are far from interchangeable dimensions that load on a single latent factor of motivation. Knowing an individual's position on one of these scales reveals relatively little about his or her position on the others" (p. 135). As suggested by this study, "extrinsic" motivational factors such as wanting to get out of jail were key for engagement in the sense of keeping people involved, but that feelings of engagement can become more "intrinsic" factors as the feelings brought about by finding a job, re-connecting with family or getting a sense of belonging from forming relationships with other participants takes place during program participation. Consistent with these findings, Knight, Hiller, Broom, & Simpson (2000) found that both extrinsic and intrinsic factors predicted retention in treatment, but that intrinsic factors accounted for larger improvements in retention, and only intrinsic factors predicted therapeutic engagement. With findings such as this in mind, there needs to be clarity about which aspects of

motivation are most pertinent to engagement, how different aspects of motivation interact with each other and, especially, how the different facets of motivation interact with strategies employed by treatment programs and with other internal factors. Though motivation to change was one of the most crucial factors for engagement, it was exceedingly common for participants to enter the EDTC with ambivalence about making changes. The EDTC played a large role in both instigating motivation to change among those with very low initial levels, as well as developing the commitment to make continuous efforts to change among all participants. This process demonstrated considerable and complex links among participants' internal factors and the strategies being employed by the EDTC. Some of the findings are in line with what has been observed before; for example, Young (2002) found that providing information to clients about conditions and contingencies of treatment participation, including convincing them conditions would be enforced, was more effective in increasing retention than was tight monitoring and use of severe punishment for failure were less effective.

Unfortunately, I would argue that the current understanding of engagement is somewhat piecemeal. There is evidence that certain factors, including participant characteristics and characteristics of treatment centres or therapeutic agents affect engagement. However, there is very little understanding of exactly how these factors are involved in the process of engagement, how different factors interact to form or affect engagement, and, especially, how one might affect them to increase engagement. I found that self-determination theory (SDT) provided a helpful framework to use for providing a conceptual understanding for both the concept and the process of engagement, which could help researchers and practitioners in the area of drug treatment courts and drug treatment more generally get a sense of what it is they are trying to achieve and the best ways to achieve it. Overall, this theory suggests that people have a desire to feel autonomous, and that an environment can provide conditions that either help or hinder their feelings of autonomy. One of the main concepts of study within SDT literature is that of internalization, which can be seen as "a constructive process aimed at allowing one to be more competently self-determining in the social world, even though the goals of the specific behaviours are extrinsic" (Deci and Ryan, 1985, p.131). It involves integration of

a value or regulation, in which an individual “further [transforms a] regulation into their own so that, subsequently, it will emanate from their sense of self.” (Ryan & Deci, 2000, p. 71). In other words, SDT acknowledges that our social world provides many values and expectations that are external to our own, and that the conditions in which we live can help us to undergo a process that makes those values feel like our own. From the point of view of self-determination theory, the task of people who are attempting to bring out behaviour change in others is to foster higher levels of self-determination in relation to that activity. In other words, rather than relying on controls, whether internal or external, to ensure that a person continues to the behaviour, a socializing agent should aim for the goals of that behaviour to be integrated into the individuals’ sense of self. Drawing on these ideas, then, the concept of engagement could be seen as the process of participants internalizing the goals and cultural values of the EDTC. These goals included not only the desire to change their lifestyle, but also the particular methods and culture of the EDTC as a means of fulfilling that goal.

One of the key debates in the treatment literature, which quite often draws on SDT, centres on the idea of coercion into treatment. Some argue that being forced into treatment may undermine autonomy, while others cite research indicating that those mandated to treatment seem to show higher retention (see Darbro, 2009). Research demonstrates mixed results and confusion around whether and how coercion should be used, and there has been some indication that confusion around the use of coercion may be due to a tendency to ignore both concepts of participant autonomy (Wild, 2006) and *perceptions* of coercion (Wild, 1998). Drug courts, though technically voluntary, involve a form of coercion in 1) that the alternative is incarceration and is therefore generally undesirable; and 2) programs use the threat of punishment, including jail as a consequence for not finishing the program, as a form of coercion throughout participation. On the other hand, they are also rehabilitative in nature, offering support to help participants overcome their addiction.

I began this study with the expectation that there would be somewhat of a conflict between the EDTC’s disciplinary or punitive functions and its rehabilitative role. Indeed, there is literature which represents a prevailing belief that punishment and rehabilitation are incompatible in philosophy and method (Gumz, 2004; Fischer, 2004). However, other literature, quite often coming from

judges themselves, which presents the case that DTCs strength is in being able to blend discipline with help and support:

Drug courts dispense justice as a distinctive form of “tough love,” conveying the dual message to defendants that while the criminal justice system cares about helping them overcome their addiction problems, it also requires defendants to be responsible and accountable. (Burns & Peyrot, 2003, p. 433)

I would argue that this blending of discipline and rehabilitation functions, in addition to helping participants’ recovery and change process, is also crucial for a participant’s engagement process. In particular, discipline in the form of coercion provided the extrinsic motivation that participants may have needed in order to keep doing the things that helped increase their level of intrinsic motivation. Participants particularly required this discipline in the early stages of participation, in order to help them get out of active addiction and begin to address the barriers that they faced in relation to engagement and recovery more generally. Participants who were engaged in the early stages reported that discipline and structure were a key reason for them having joined the program, and those that became engaged later in the process expressed a recognition that the discipline may have been needed to help them get through. Furthermore, if participants did not perceive a sufficient level of discipline, this undermined engagement either by encouraging faking or coasting. This demonstrates that not only was coercion in the form of discipline was acceptable in this context, it also seemed to be required for engagement to occur.

Considerations for Enhancing Engagement in DTC Programs

These research findings allow for several considerations with regard to how engagement might be enhanced in the context of DTCs. Given the exploratory and interpretive nature of the current study, I present these as considerations rather than recommendations, which may require further research or evaluation.

Increasing Awareness about the EDTC

Though participants and staff reported that there awareness of the EDTC had increased since the program started, and increasing numbers of participants heard about the program through such means as the newspaper or from guards

or other prisoners in jail, this seemed to arise without sufficient understanding of, or support for, the program. There was evidence that the EDTC carried out a number of activities to raise awareness, including community action days, joining coalitions with community agencies addressing social problems, working with a well-known radio station to create a and producing pamphlets and a website. However, there was also an indication that EDTC staff may not have made increasing awareness for the EDTC a priority, given a belief that handling a smaller amount of cases was important for maintaining the personal feel of the court and the fact that the program generally operated at capacity with a waiting list. Based on the results of this research, however, I would suggest that increasing awareness would help to address engagement by helping to ensure that a greater proportion of those entering the EDTC were engaging with the program. This recommendation works on several different levels.

First of all, I make this suggestion in terms of increasing the level of awareness of and about the EDTC among potential participants. These results suggested that change came from within a participant, that change would not happen until a participant was ready, and that a sense of choice for fulfilling requirements greatly enhanced a participant's internal engagement. Participants most often felt the greatest sense of choice for fulfilling requirements when they recognized that requirements were needed to fulfill *their own* goals of making changes to their lives. One thing that stood out with regard to the initial stages of engagement or interaction with the EDTC was just how many participants reported that they had heard about the program from a number of sources or had even turned down participation before becoming an official participant at that point in time. It emphasized to me that it may have taken time for participants to get used to the idea of taking part in such a program, including getting used to the idea of going about making changes to their life. In at least a few cases, it seemed that participants chose to take part when they had a higher level of motivation, either because of a strong will for their life to be different (as in the case of Tom) or externally because of the possibility of facing jail time (as in the case of Celia). There was also ample evidence that just being exposed to the program during the waiting period increased participant's level of motivation; through greater understanding of how the program worked, participants experienced an increase in their sense of hope and a greater understanding of

how their choices affect their life. These findings are supported by drug treatment literature. As described by Miller (2006):

Instigation appears to be a highly significant process, and one that is often ignored or assumed in substance abuse interventions. Several lines of evidence indicate that the instigation process is a necessary and often sufficient condition for change". (p. 148)

Miller goes on to describe that brief interventions often trigger behaviour change similar in magnitude and duration than that from longer interventions, and that longitudinal studies of change show that the majority of change occurs within the first few weeks of intervention. Reisinger, Bush, Colom, Agar, and Battjes (2003) found that drug treatment counsellors saw their job as "planting seeds" and held the view that "change may be an incremental process resulting from the accumulation of treatment and other life experiences" (p. 792). Learning about the program could be one such important life experience that could help individuals increase their level of motivation to change.

Based on these findings, I would argue that increasing the number of participants who were aware of the EDTC, and especially who have a good understanding of how it works, would increase the number of offenders who have had the "seed planted" that there is a program out there that can truly help them to change their lifestyle. It could increase the chance of participants seeking out the EDTC when they were ready to take action and change their life, thus diminishing the reliance on chance that those that hear about the program at the time of their arrest have also gone through those steps required to get to a place where they are ready to make changes to their life. However, it would be extremely important to ensure that it was very clear to potential participants that the program is strict in addition to being helpful, that real work is required and that faking and manipulation are found out and not tolerated. Otherwise, this increase in awareness about the program could have the opposite effect, by increasing the number of participants who enter just wanting a way out of jail.

I also make this suggestion in terms of increasing the level of awareness of and about the program among members of the justice system and the community at large. This is in light of evidence that participants often faced barriers when it came to getting into the program; members of the justice system who did not know or understand the program may have been less likely to tell potential participants about it, some lawyers attempted to talk participants out of attending,

and prison guards and inmates made fun of the program or participants for wanting to attend. Increasing awareness among these groups would ensure that more participants hear about the program and get support for enrolling. Participants also faced barriers in the community external to EDTC when they began participation. On one hand, they faced a shortage of appropriate services required to help support them in making changes to their lives, including, but not limited to, detoxification services, treatment beds, and affordable housing. These shortages were sometimes the deciding factor in whether or not they began meaningful engagement with the program. In particular, the fact that detoxification emerged as such an important aspect of engagement suggests that until participants are able to detoxify, they may not be able to get to that stage where they would be judged as ready to enter the court. Yet they may not have access to detoxification services without something like the EDTC program.

On the other hand, it was fairly common that even those services that were available presented challenges to participant engagement, in that not all agencies presented the same non-judgmental, supportive yet disciplined approach to helping participants make changes to their lives as did the EDTC. This spoke to the larger issue of the role that the stigma faced by substance-addicted offenders had on their ability to make changes to their lives. Cooper (2007) made a similar argument with regard to policy areas on which DTC participants in the US are reliant on, including welfare benefits, education loans, and public housing, asserting that:

Until these other sectors of public policy revisit their current punitive orientation for dealing with persons who have been involved with drugs, and adopt, as appropriate, a more therapeutic approach... the penalties which these public sectors impose upon drug offenders- regardless of their efforts at rehabilitation- may well create barriers that undo the benefits reaped from successful drug court participation" (p. 245)³⁴.

It was certainly beyond the scope of the EDTC to single-handedly solve housing shortages, change mandates of the organizations to which they referred participants, or to reduce the stigma faced by participants at a societal level. However, increasing awareness of the program, and particularly understanding of how and why it works, could play a part in helping to address some of these

³⁴ This article shows that the situation for individuals in the US may face far more systematic discrimination than those in Canada, as several of these key policy areas are denied access if they have a previous drug charge.

issues. For example, by increasing awareness about the EDTC could help more agencies to understand this method of offering support and attempt it for themselves. Moreover, the more that people understand and buy-in to the message that substance-addicted offenders can make changes to their lives but need help to do so, the more support and advocacy there might be for this approach and the EDTC itself. The more that policy-makers and funding agencies and other decision-makers are able to hear this type of message, the more support may be seen for the supportive facilities required to help make the program work. Again, it would be exceedingly important to make sure that the message demonstrates that participants who participate in the program are required to work hard. This would help in achieving buy-in from those who want to address the problem of substance-related crime but are nervous about “letting criminals off easy”.

Here are some specific considerations that might help increase awareness about the EDTC:

- ◆ Attempting to increase awareness and understanding of the program among defence lawyers, including investigating and addressing why some defence lawyers counsel against taking part in the EDTC. Methods of communicating with these lawyers could include snowball sampling with lawyers already known to the EDTC, making an effort to talk to individuals at the courthouse, or going through professional organizations.
- ◆ Attempting to make more direct contact with prisons in order to increase the number of offenders who are aware of the EDTC and understand how it works. One way to do this might be to make use of graduates/ alumni group as ambassadors for the EDTC.
- ◆ Where possible given resource constraints³⁵, allowing more individuals to observe court hearing sessions.
- ◆ Screening a larger number of offenders and proactively approaching defence counsels to see whether offenders would like to learn about the

³⁵ It was noted during some court hearing sessions that there was a limited number of individuals able to be brought into the courtroom, due to the capacity of sheriffs in charge of bringing them in and supervising them.

program, rather than waiting for referrals from defence counsel or participants.

- ♦ Expanding on actions already being taken to reduce awareness about the EDTC, particularly those attempting to increase understanding of the EDTC. This can be achieved by focusing on aspects of how and why the program works, the success rate, and especially that participants are given a high amount of discipline in addition to receiving support.
- ♦ Seeking out resources to hire a community coordinator such as that seen in the Toronto DTC. This individual is responsible for bridging the Toronto DTC program with the community at large and enhancing the relationship between the criminal justice system and treatment community, including tasks of “getting resources, building connections with both internal and external agencies, sitting on various committees within the community... and engaging in public relations.” (Edwards, 2005)

Instigating and Enhancing Internal Engagement and Internalization of DTC Goals

One of the ways that the EDTC helped to instigate change was by simply providing participants the time and space for them to increase their level of engagement over time. For example, despite there being some evidence that the waiting period was difficult for participants, there seemed to be more evidence that this period was important in terms of increasing engagement. In particular, this was a time for participants to learn about the court, including the crucial understanding that the program required work, including being open and honest and to confront and work through barriers, and that significant efforts were made to address “faking” and “coasting”. Perhaps even more importantly, it helped participants to gain hope and increase their perception that change was possible as a result of seeing other participants succeed, to make the link between choices, actions and consequences from watching others participate, and to form perceptions of staff as compassionate sources of help and support. Hora, Schma and Rosenthal (1999) argued for the importance of almost-immediate enrolment of participants after their arrest, claiming that this helps participants immediately confront their drug and criminal behaviour problems and break down

denial. My findings showed a different side to this argument related to timing: though it may have been important to have some initial engagement with participants as soon as possible, it seemed that the more time the participant has to engage with the program before actually becoming an official participant, the better. Observing the court prior to becoming an official participant may allow participants time to become well-informed about the program, to get used to the idea of taking the steps required to take part, and to make the choice to participate based on all of those things. In addition, waiting before enrolment also allowed for a significant detoxification period, which seemed critical in order to allow for the participants' mind to clear in such a way that aids this process of awareness. Finally, this period also allowed for some aspects of socialization and trust-building to occur. On the other hand, it is important to emphasize that in most cases the EDTC did not choose participants length of waiting period; rather, it was a result of the shortage of residential treatment and housing facilities. For those participants who were not in custody and did not have access to safe housing, it appeared that time before entry was actually a barrier to engagement in that it made it less likely for participants to enrol.

Once the participant entered the EDTC and began to participate, the engagement process became slightly more complex. Firstly, participants were judged as to their level of engagement. Secondly, though participants had made the choice to participate in the EDTC, not all participants had the perception that it was their choice to fulfill all of the program requirements. To enhance engagement, the EDTC had to forge a difficult balance between attempting to keep participants motivated to stay in the program, while also making sure that they fulfilled the necessary requirements. Ensuring that participants fulfilled requirements involved perceptions of trust, in that it related to participants beliefs that requirements were expected as a means of help rather than control. Furthermore, desire to fulfill requirements included the added complexity of socialization, in terms of buying into beliefs and practices being put forward by the EDTC. As demonstrated by the findings of Cloud, Rowan, Wulff, and Golder (2007), who explored affiliation with 12-step programming after treatment, socialization goes beyond motivation to change and may include ambivalence about the beliefs and values being put forth by the programming, social aspects, and competing demands such as a desire to spend one's time doing other things.

Though the EDTC made efforts to take individual differences into account, there was evidence that more work may need to be done to address different values of participants while not undermining their perceptions of discipline.

The following are some specific considerations with regard to increasing participants' internal motivation to change their lifestyle:

- ◆ Prioritizing finding detoxification services for participants who are not in custody when commencing enrolment stage
- ◆ Making more intentional use of the time before entry period as a time to learn about the DTC by observing and interacting with staff and peers, in order to increase feeling of hope and perceptions of discipline by watching peers, increase socialization, begin building trust.
- ◆ Though the policy of sanctioning for honesty was a very effective facilitator in helping participants build trust and begin to reach out for help, there was some inconsistency in that participants may have felt a need to play up their own motivation to change, particularly while being screened for eligibility. It may increase engagement by talking to participants openly about their desire to get out of jail, and their ambivalence about changing their life, and draw on it as a source of motivation. It may help to remind participants that their responsibility is to fulfill the expectations of the program, and that internal motivation to change will grow as they do so. Motivational interviewing (Miller & Rollnick, 2002) has been presented as a concrete method of communicating with participants to explore their ambivalence and roll with their resistance to change, thus helping to bring out their internal inclination to change. Motivational interviewing may also be a way to explore ambivalence about fulfilling specific requirements such as 12-step meetings (Cloud, Rowan, Wulff, Golder, 2007; Simpson, 2004).
- ◆ Reframing eligibility and enrolment activities as a strategy for engaging potential participants. Methods of engaging at this stage could include teaching participants about the requirements of the court to build trust, to explore ambivalence and increase motivation, and to manage their perceptions (including that they will be held accountable, and that staff care about them, perception of lifestyle as a problem, and reasons to change).

- ◆ Considering the inclusion of phases or stages within the drug court, that participants can "graduate" to based on meeting given criteria, and with different expectations of participants depending on which stage they are at (for example, more choice in how they want to approach their recovery, fewer bail conditions). This could help achieve a few different goals related to participant engagement: 1) increasing participants' perception of fairness if some participants have different expectations than others; 2) providing short-term goals and a sense of accomplishment for participants in the course of their participation, including a greater sense of accomplishment among those who did not complete all stages of the program; 3) providing a clear cut and systematic way of differentiating among different levels of engagement. Though the judgments of whether a participant passes on to the next stage would be based on subjective assessments of engagement, the number of participants in each stage could provide a straight-forward measure of the proportion of participants in the program who are engaged (for example, for the purposes of studying engagement in a quantitative research study, such as in Reisinger, Bush, Colom, Agar, & Battjes, 2003). Considering whether a participant is ready to move on to the next stage might also necessitate detailed discussion among staff, and between staff and participants with regard to participants' progress and areas for improvement, which would be positive in the engagement process.
- ◆ Allow participants to have room to enjoy their life while DTC participants, by promoting such healthy activities as getting a job, going to the gym, social interaction with other EDTC participants or other individuals leading clean lifestyles, and taking part in cultural activities.
- ◆ Constant, repetitive messaging: welcoming, caring and compassionate, but sending a message of discipline and a lack of tolerance for dishonesty.
- ◆ Communicating recommendations and directions in a way that helps to facilitate internalization of the task or activity (Deci, Eghrari, Patrick, and Leone, 1994), by:

- Providing a meaningful rationale for why the requirement is expected, for example, explaining why a sanction was delivered or why an activity is required
- Acknowledging the participant's feelings, for example, showing understanding that an activity is not desirable or that a participant might not have fully developed motivation to change.
- Conveying a sense of choice. Though at times this might mean giving some choice in terms of what activities can fulfill DTC expectations, in order to uphold the discipline aspect of the program this includes emphasizing that rules are expected to be followed as part of program participation, but that the participant has a choice of whether or not to be in the program.
- ◆ Assisting participants with finding meetings that are consistent with their preferences and comfort may help to address potential barriers to socialization. This is because meetings differ on numerous cultural dimensions (such as the demographic and addiction-related characteristics of group members) and group format (type of discussion, literature study, smoking/ non-smoking, etc) (Cloud, Rowan, Wulff, and Golder, 2007).
- ◆ Ensure that staff understand the importance of being non-judgmental, compassionate, and conscientious about keeping promises made to participants.

The following are some specific considerations with regard to increasing participants' extrinsic motivation to fulfill recommendations, which may in turn increase intrinsic motivation to change lifestyle:

- ◆ Providing clear guidance with regard to expectations such as meetings could help to ensure perceptions of discipline. This could include a minimum requirement for number of meetings, particularly during the early stages of participation or until the participant demonstrates sufficient stability.
- ◆ Allowing individualized treatment options where possible – but requiring: 1) a significant trial period; 2) a high level of communication about reasoning for not choosing the expectation originally mandated, 3)

working with staff to find alternatives that would achieve the same goals; 4) a proof that the alternative expectation was completed.

- ◆ Continuing to emphasize on rewards over sanctions, but attempting to ensure perceptions of discipline by providing sanctions as swiftly as possible and making sanctions as consistent or predictable as possible. As suggested by Marlowe (2008), sanctions are most effective in the moderate range, since those at the lower magnitude may lead participants to become accustomed to punishment, and those at higher magnitudes may produce anger and interfere with the relationship with staff (p. 111).

Limitations

A key limitation of this study was that it was conducted with only one drug court. This may limit the ability to generalize the findings to other DTCs. I believe that many of the findings apply to the DTC model in general; however, to the extent that DTCs differ, particularly with regard to definitions of success, method of defining engagement, and method of bringing about or ensuring engagement, there may be limited applicability of the present results in some contexts. From what I have seen, the EDTC may be quite unique in its particular approach to bringing about change, including its emphasis on bringing about intrinsic motivation through their attempts to make the program as personal and individualized as possible, their clear focus on rewards rather than sanctions, and their attempts to foster genuine relationships among participants and between participants and staff. However, it is difficult for me to say how this model of offering support compares to other models (for example, those that are less personal and more punishment-focused), because it is the only drug court I have observed. I provide a thorough description of the EDTC in the methods chapter, so that readers might put the results in context. I also make a suggestion in the following section that these issues continue to be explored in a variety of different contexts.

Another limitation of this study was the relatively small number of participants that I interviewed. However, I observed a great many other participants over time, and was also able to capture the stories of additional participants through interviewing staff. I attempted, and believe I succeeded in,

getting a fairly cross-section of participants, particularly with regard to their process of engagement at the level at which they engaged. I also noted the extent to which there was corroboration among participants and staff, a finding I found spoke volumes about just how engaged and tight-knit this group really was. On the other hand, I was not able to interview any participants who had dropped out of the program, nor any individuals who were thinking about joining the program or who were in the process of enrolment. The major barrier to this was getting access to these participants; I approached most of the participants myself, and would have had to seek out the contact information for any participants who were not in the program. Furthermore, many individuals were in custody in the period just before entering EDTC or just after dropping out or being expelled and I did not have ethics approval to interview participants who were in custody. To mitigate this limitation, I gathered as much information as I could about participants in these stages by asking participants about their own experience, asking participants and staff what they had observed, and taking notes from what I observed during court hearing sessions.

Another limitation to this data was that the main source of watching participant interaction with EDTC staff was through observation of court hearing sessions. These were public, and concentrated on participants' interactions with the judge, prosecutors, and executive director or case managers. There was evidence that the relationship between participants and the case managers was key for building trust and gaining understanding of the program, as well as hearing and understanding key messages with regard to both the care/ support and discipline functions of the program. I did gain insight to these processes through reports from participants and staff, as well as any informal interaction I observed in and around court or while I was in the EDTC office. This limited observation of these interactions were quite similar to what was suggested by both staff and participant reports.

Implications for Future Research and Practice

This study provides an in-depth understanding for the process of engagement. However, it should be considered a starting point for studying engagement with drug treatment courts.

First of all, it is important to reiterate just how much variation exists among drug treatment courts. In particular, the EDTC differs from many DTCs in the literature in its emphasis on rewards over punishment, its explicit attempts to be individualized in how they offer treatment, its small size and otherwise personal approach, and its goal of integrating participants with society. This makes for a very different context for engagement than would a larger, more standardized and punishment-focused drug court with goals only of reducing recidivism. Similarly, the perspective I brought as a student of health promotion and my emphasis on concepts as self-determination theory is only one lens to look at with regard to engagement. Completing studies in a variety of DTCs and from researchers with a variety of perspectives and methods of studying the question would offer a more comprehensive understanding of engagement and how to bring it about. This includes a suggestion to use quantitative approaches to inductively test the concepts being put forward by this and other qualitative research, since this would allow for larger sample sizes, and greater generalization across settings.

Aside from offering different perspectives of engagement, future research could build on this study by looking further into some of the main factors identified as important to engagement. A particular finding that could benefit from more in-depth and directed explorations is interaction between staff and participants, for example: 1) the importance, but inherent difficulty, of balancing the disciplinary and caring aspects of the therapeutic relationship; 2) looking more closely into how different staff roles work together to bring about engagement; and 3) the process of staff-participant interaction outside of the public setting of the DTC (for example, the work with case managers). Given the finding that interactions and supportive structures outside of the DTC environment were often crucial for engagement, this field would also benefit from research looking at whether and how family or friends could be more involved in participants' DTC process.

Another important area to pursue would be to increase understanding of the link between engagement and outcomes. On one hand, future research could explore the link between engagement and drop out versus graduation of the program, using more comprehensive understandings of engagement such as is seen in this study rather than simply compliance with conditions. DTCs would benefit from research looking more closely into when participants are most likely

to drop out, in conjunction with looking at how best to increase engagement prior to these critical points. Future research could also examine the link between engagement and longer-term outcomes. This was especially important given the idea that all treatment could be seen as having the role of planting the seed for participants, whether or not the treatment is completed. It may be that participation in such comprehensive programs as DTCs increase the chances that participants are able to make changes to their lives in the long term, or might increase the chance that they enter and become engaged with treatment in the future.

Aside from research considerations, I feel that this study served to deepen my own belief in the crucial importance of balanced and intentional approaches to addressing complex problems such as substance use and abuse within a criminal justice context. In particular, I feel these results emphasize that one can protect public safety and provide discipline, while still treating participants with respect and compassion. Similarly, programs like the EDTC demonstrate that individuals coming from seemingly different paradigms and experiences can learn from each other and work together to help people change their lives. Unfortunately, I also feel these results emphasized that the effectiveness of the EDTC may have been constrained by the fact that the community at large did not always share these viewpoints. Outside of the EDTC itself, participants faced significant barriers that affected their engagement, in particular, shortages in housing and treatment services, and stigma from those in the justice and treatment system alike. This emphasizes how important it is not only for organizations such as the EDTC to continue the work they are doing to change systems, but to increase buy-in and support from the community at large.

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**Appendix A: Letter of Support from Edmonton Drug Treatment and
Community Restoration Court**

**EDMONTON
DRUG TREATMENT AND
COMMUNITY RESTORATION COURT**

Phone: (780) 428-7590
Fax: (780) 425-1549

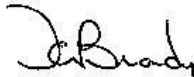
#101, 10010 - 105 Street
Edmonton, Alberta T5J 1C4

To whom it may concern,

I am writing to show the support of the Edmonton Drug Treatment and Community Restoration Court for Robyn Sachs' research study entitled "Processes of Client Engagement with the Edmonton Drug Treatment Court: A Grounded Theory

I understand that the study will examine how clients become involved with and committed to participation in the court, and that methods will involve observation of pre-court meetings and court proceedings, interviews with clients and staff, and analysis of program evaluation data already being collected by Dr. Cam Wild and the evaluation team. I believe that this study will be a valuable contribution to the evaluation of this court and to drug treatment court research.

Thank you,



Doug Brady, Executive Director
Edmonton Drug Treatment and Community Restoration Court

Appendix B: Information Letter and Consent Form for EDTC

Participants

Title of Project: Processes of Client Engagement in the Edmonton
Drug Treatment Court
Investigators: Robyn Sachs; Dr. Cameron Wild

Background and Purpose: I am a student at the University of Alberta who is completing a study with the Edmonton Drug Treatment and Community Restoration Court (EDTCRC). My supervisor is Dr. Cameron Wild, who is in charge of the evaluation of the EDTCRC. My study is not part of the evaluation, but I may use some information from the evaluation in this study.

Drug Treatment Courts can be helpful for criminal offenders who have a substance addiction. However, the reason that these courts are helpful is not well understood.

I am doing this study to help answer the question of why some people do well in the drug court and others do not. I would like to find out how what makes people interested or not interested in taking part in the EDTCRC. I would like to find out what things help people do well. I would also like to find out what things keep people from doing well.

Procedures: If you participate in the study, I will:

1. Ask you to complete one interview that will last up to one hour. These interviews would be tape recorded. You will be paid \$20 to participate in this study. This will be paid to you no matter when the interview stops. You will also be paid back for the cost of traveling to the interview. I will not share what happens in these interviews with anybody else. No one from the court will know what you say during these interviews. With your permission, I will audio-tape this interview so that I do not miss anything. If you do not want me to tape record, I will take notes instead.
2. Watch and take notes during your court hearing sessions. This will include taking notes about your interactions with the EDTCRC staff during the court hearings. I may also take notes about conversations we have.
3. Link what you say during our interview with what I observe during your court hearings.

Risks: Interviews might discuss things that you find difficult to talk about. However, you do not have to talk about anything that makes you uncomfortable. You can quit the study at any time.

Benefits: Being in this study might provide information for drug treatment courts to help participants with their recovery.

Confidentiality: I will not share these observations with anybody else except my supervisors at the University. No one from the court will see my notes or will have access to our interview. I will ensure that all information remains private. After my study is finished, I won't present the results in a way that could ever identify you by name. All paper data will be kept in a locked cabinet which only Robyn Sachs and Dr. Cameron Wild have access to. All computer data will be protected with a password that only the researcher has access to. Data will be destroyed after five years.

Freedom to withdraw: You are free to withdraw from this research study at any time. You are also free to refuse any part of the study, including answering specific questions during interviews. Your participation in the EDTCRC or the program evaluation will not be affected in any way. If you decide to stop in an interview, you will still receive your payment.

You are free to ask any questions about this study at any time.

Please contact:

**Robyn Sachs at 492-6753 or rsachs@ualberta.ca
Dr. Cameron Wild at 492-6752 or cam.wild@ualberta.ca.**

Title of Project: Processes of Client Engagement in the Edmonton Drug Treatment Court: A Grounded Theory

Investigators: Robyn Sachs, Dr. C. Wild

- | | | |
|--|-----|----|
| Do you understand that you have been asked to be in a research study? | Yes | No |
| Have you read and received a copy of the attached Information Letter? | Yes | No |
| Do you understand the benefits and risks involved in you taking part in this research study? | Yes | No |
| Have you had an opportunity to ask questions and discuss this study to your satisfaction? | Yes | No |
| Do you understand that you are free to refuse to participate or withdraw from the study at any time? You do not have to give a reason and it will not affect your participation in the EDTCRC. | Yes | No |
| Has the issue of confidentiality been explained to you? | Yes | No |
| Do you give me permission to take notes during court hearing sessions? | Yes | No |
| Do you agree for your data to be used in future studies of the EDTCRC? | Yes | No |

I agree to take part in this study.

Signature of Participant Printed name Date

I believe that the participant understands the study and voluntarily agrees to participate.

Signature of Investigator or Designee Date

Signature of Witness Date

Robyn Sachs 492-6753 or rsachs@ualberta.ca, Dr. Cameron Wild 492-6752 or cam.wild@ualberta.ca.

Appendix C: Information Letter and Consent Form for EDTC Staff

Title of Project: Processes of Client Engagement in the Edmonton Drug Treatment Court

Investigators: Robyn Sachs; Dr. C Wild

Background and Purpose: I am a student at the University of Alberta who is completing a study with the Edmonton Drug Treatment and Community Restoration Court (EDTCRC). My supervisor is Dr. Cameron Wild, who is in charge of the evaluation of the EDTCRC. My study is not part of the evaluation, but I may use some information from the evaluation in this study.

Drug Treatment Courts can be helpful for criminal offenders who have a substance addiction. However, the reason that these courts are helpful is not well understood.

I am doing this study to help answer the question of why some people do well in the drug court and others do not. I would like to find out how what makes people interested or not interested in taking part in the EDTCRC. I would like to find out what things help people do well. I would also like to find out what things keep people from doing well.

Procedures: If you participate in the study, I would ask you to complete one or two interviews that would last up to one hour each. With your permission, I will audio-tape this interview so that I do not miss anything. If you do not want me to tape record, I will take notes instead.

Risks: Interviews might discuss things that you find difficult to talk about. However, you do not have to talk about anything that makes you uncomfortable. You can quit the study at any time.

Benefits: Being in this study might help provide information about which parts of drug court are most helpful for participants to make changes in their drug use and criminal behaviour. Findings from this study will be shared with the EDTCRC, other drug courts, and drug court researchers.

Confidentiality: I will ensure that all information remains private. Robyn Sachs and Dr. Cameron Wild will be the only people who will look at your information. Information such as quotes will be shared in a way that does not identify you by name. If there is anything that will be shared that I think may be able to identify you, I will ask your permission and/or alter the information in a way that keeps it private. All paper data will be kept in a locked cabinet which only Robyn Sachs and Dr. Cameron Wild have access to. All computer data will be protected with a password that only the researcher has access to. Data will be destroyed after five years.

Freedom to withdraw: You are free to withdraw from this research study at any time. You are also free to refuse any part of the study, including answering specific questions during interviews. Your participation in the EDTCRC or the program evaluation will not be affected in any way.

You are free to ask any questions about this study at any time.

Please contact:

Robyn Sachs at 492-6753 or rsachs@ualberta.ca

Dr. Cameron Wild at 492-6752 or cam.wild@ualberta.ca.

Title of Project: Processes of Client Engagement in the Edmonton Drug Treatment Court: A Grounded Theory

Investigators: Robyn Sachs, Dr. C. Wild

Do you understand that you have been asked to be in a research study?	Yes	No
Have you read and received a copy of the attached Information Letter?	Yes	No
Do you understand the benefits and risks involved in you taking part in this research study?	Yes	No
Have you had an opportunity to ask questions and discuss this study to your satisfaction?	Yes	No
Do you understand that you are free to refuse to participate or withdraw from the study at any time? You do not have to give a reason and it will not affect your participation in the EDTCRC.	Yes	No
Has the issue of confidentiality been explained to you?	Yes	No
<i>Do you agree to take part in interviews?</i>	Yes	No ³⁶
<i>Do you agree to have the interview tape recorded?</i>	Yes	No ³⁷
Do you agree for your data to be used in future studies of the EDTCRC?	Yes	No

I agree to take part in this study.

Signature of Participant Printed name Date

I believe that the participant understands the study and voluntarily agrees to participate.

Signature of Investigator or Designee Date

Signature of Witness Date

Robyn Sachs 492-6753 or rsachs@ualberta.ca, Dr. Cameron Wild 492-6752 or cam.wild@ualberta.ca.

³⁶ Ethics approval to add this question was received during the data collection phase. They were included for only one staff interview.

³⁷ Ethics approval to add this question was received during the data collection phase. They were included for only one staff interview.

Appendix D: Information Letter and Consent Form for EDTC

Graduate Focus Group

Title of Project: Processes of Client Engagement in the Edmonton Drug Treatment Court

Investigators: Robyn Sachs; Dr. Cameron Wild

Background and Purpose: I am a student at the University of Alberta who is completing a study with the Edmonton Drug Treatment and Community Restoration Court (EDTCRC). My supervisor is Dr. Cameron Wild, who is in charge of the evaluation of the EDTCRC. My study is not part of the evaluation, but I may use some information from the evaluation in this study.

Drug Treatment Courts can be helpful for criminal offenders who have a substance addiction. However, the reason that these courts are helpful is not well understood.

I am doing this study to help answer the question of why some people do well in the drug court and others do not. I would like to find out how what makes people interested or not interested in taking part in the EDTCRC. I would like to find out what things help people do well. I would also like to find out what things keep people from doing well.

Procedures: This form will get your permission to participate in a focus group. In this meeting, I will present what I have found in my research project so far and ask you to provide feedback. You have the choice whether you want to share personal information. You also have the choice whether you want to give me permission to use quotes from what you say in reports of this research.

Risks: Interviews might discuss things that you find difficult to talk about. However, you do not have to talk about anything that makes you uncomfortable. You can quit the study at any time.

Benefits: Being in this study might provide information for drug treatment courts to help participants with their recovery.

Confidentiality: I will not share these observations with anybody else except my supervisors at the University. No one from the court will see my notes or will have access to our interview. I will ensure that all information remains private. After my study is finished, I won't present the results in a way that could ever identify you by name. If you have already completed an interview with me and agreed to be observed in court, I will not link what you have said in the past to what you say today.

All paper data will be kept in a locked cabinet which only Robyn Sachs and Dr. Cameron Wild have access to. All computer data will be protected with a password that only the researcher has access to. Data will be destroyed after five years.

Freedom to withdraw: You are free to withdraw from this research study at any time. You are also free to refuse any part of the study, including answering specific questions during interviews. Your participation in the EDTCRC or the program evaluation will not be affected in any way. If you decide to stop in an interview, you will still receive your payment.

You are free to ask any questions about this study at any time.

Please contact:

**Robyn Sachs at 492-6753 or rsachs@ualberta.ca
Dr. Cameron Wild at 492-6752 or cam.wild@ualberta.ca.**

Title of Project: Processes of Client Engagement in the Edmonton Drug Treatment Court: A Grounded Theory
Investigators: Robyn Sachs, Dr. C. Wild

Do you understand that you have been asked to be in a research study?	Yes	No
Have you read and received a copy of the attached Information Letter?	Yes	No
Do you understand the benefits and risks involved in you taking part in this research study?	Yes	No
Have you had an opportunity to ask questions and discuss this study to your satisfaction?	Yes	No
Do you understand that you are free to refuse to participate or withdraw from the study at any time? You do not have to give a reason and it will not affect your participation in the EDTCRC.	Yes	No
Has the issue of confidentiality been explained to you?	Yes	No
Do you give me permission to take notes during court hearing sessions?	Yes	No
<i>Do you agree to take part in interviews?</i>	Yes	No ³⁸
<i>Do you agree to have the interview tape recorded?</i>	Yes	No ³⁹
Do you agree for your data to be used in future studies of the EDTCRC?	Yes	No

I agree to take part in this focus group.

_____ Signature of Participant	_____ Printed name	_____ Date
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I believe that the participant understands the study and voluntarily agrees to participate.

_____ Signature of Investigator or Designee	_____ Date
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_____ Signature of Witness	_____ Date
-------------------------------	---------------

Robyn Sachs 492-6753 or rsachs@ualberta.ca, Dr. Cameron Wild 492-6752 or cam.wild@ualberta.ca.

³⁸ Ethics approval to add this question was received during the data collection phase. They were included for only one staff interview.
³⁹ Ethics approval to add this question was received during the data collection phase. They were included for only one staff interview.

Appendix E: Semi-Structured Guide for EDTC Participant Interviews

I would like to interview you today to find out what it is like for you to participate in the Edmonton Drug Treatment court. I am especially interested in the things that motivate you to meet the expectations of the court, like not using drugs, not committing crimes, and making changes to your employment, education and living situations. I would also like to know what types of things make it difficult for you to meet these expectations and what types of things make you not want to meet them. This includes both things that are happening in the court itself and in your life as a whole. I would also like to hear your input on some of the other participants; however, it might be better if you don't mention the other participants' name if you talk about them.

Delineation of Engagement

Are there some participants of the EDTCRC who do well and others who don't? Tell me about the differences between these participants.

Probes: What does the judge expect to consider someone is doing well? The defence lawyers? The prosecutors? The case managers? What do you think of these expectations? What kinds of things make judges and staff give rewards to participants? What about sanctions? What kinds of things do they expect to see before you are on your way to graduation? Are there different levels of doing well (i.e. different levels of commitment)?

Process of Engagement

Next, I'd like you to tell me about your experience with the court from the beginning of the experience up to now, in as much detail as you can. Start with how you heard about the court and how you came to be a participant.

Examples of additional prompts:

[If participant is not sure where to start]: Start at the beginning. How did you hear about the EDTCRC? How did you end up joining the program? [Later] And tell me about what happened when you first joined the program.

What did you think of the EDTCRC when you first enrolled? What was your attitude toward your drug use and criminal behaviour? Have these changed? If so, how?

I would also like to get your opinion about what happens with other participants in the court. Can you describe the process of a participant going from someone who is just learning about the court, to the point where they are enrolled in the court and doing well? What kinds of things happen during this progression? What do you think happens in cases when participants are not doing well or not meeting the expectations of the court?

[At the end of every interview] Is there anything else you would like me to know about your experience or about the drug court?

Thank you for taking the time to meet with me today.

Appendix F: Semi-Structured Interview Guide for EDTC Staff

Interviews

I would like to interview you today to find out what you think about what it is like for clients to participate in the EDTCRC. In particular, I am curious about your perceptions of why clients want to become involved in the court, and what motivates them to meet the expectations of the court (e.g. drug use, criminal behaviour, employment, education, housing situation, etc.). I am also wanting to get an idea of what kinds of things facilitate or act as a barrier to clients being able to meet the expectations of the court.

Delineation of Engagement

What does the EDTCRC expect of a client to consider that they are doing well in this court?

Probes: What do you think of these expectations? Are there different levels of doing well (i.e. different levels of commitment)? In what situations are rewards given? What about sanctions?

Process of Engagement

In your opinion, and in as much detail as possible, can you describe the process of a participant going from someone who is just learning about the court, to the point where they are enrolled in the court and doing well by your and the other staff's standards? What kinds of things happen during this progression?

Probes:

Think of some examples of participants who have done well. What was it like when they first visited the court, in the early days of them being a participant? Did you see changes as they were involved in the court for a longer time? If so, what do you think the reasons for these changes were?

Think of some examples of participants who have not done well. What did the process look like for some of these participants? Did you see changes as they were involved in the court for a longer time? If not, why do you think you did not see changes in these participants?

General questions: What do you think makes participants want to enter the court?

What do you think keeps them in the court? What do you think some of the main reasons are for participants dropping out or being expelled from the court?

[At the end of every interview] Is there anything else you would like me to know about your experience or about the drug court?

Thank you for taking the time to meet with me today.

Appendix G: Demographic Questionnaire for Participant Interviews

I want to ask you a few personal questions. These may help me to better understand what you have said during your interview. However, you are free not to answer the questions if you are uncomfortable with them.

How old are you? _____

What is your highest level of education? _____

Client gender _____

Do you self-identify as aboriginal? _____

Appendix H: Moderator Guide for Graduate Focus Group

I'm going to give each of you a card with a number and write down which number everyone has, so that I don't have to use your names in my notes. This sheet with the numbers on it will be the only thing that links your name to your number, and I will be the only one that sees this sheet.

So I am trying to describe the process of people becoming what I call an "active participant" of the drug court. I have been watching drug court off and on for more than a year now, and have interviewed some participants and staff, and I want to check that what I have found out is on the right track, and make sure I have the opinions of people who have experienced the court firsthand and succeeded. I have a lot I want to find out from you guys today, so I am going to try to spend only a limited amount of time on each question. But if there's time, we can talk more at the end about anything you think is really important. We will spend lots of time talking as a group, but I will also ask you to do some things on your own so I make sure to get each of your opinions.

1. To make sure we are on the same page, tell me what you think I mean by "active participant".
 - ◆ *Probes: Active participant= someone you would describe as being involved in, engaged with, committed to the program.*
 - ◆ *What words would you use for it?*
 - ◆ *How is it judged by staff or other participants?*
 - ◆ *How is the term related to doing well/ succeeding? Following all the conditions? Committed to recovery?*

What do you think of my definition:

Participating in the Edmonton Drug Treatment Court in an active way. This includes:

1. Complying with conditions of the court
 2. Being open and honest with staff
 3. Showing evidence of "reaching out" for help?
 4. Demonstrating evidence of sustained efforts to make changes to their lifestyle
2. I have heard people talk about participants who are "phony", who just "jump through hoops", or who are "manipulative".
 - ◆ *Probes: What kinds of things do people do to look like they are more involved than they are? How would staff know if people are faking it or not?*
3. In one interview I did, someone mentioned that they did not think a lot of people getting arrested would admit that they were using drugs, or that drugs were involved in the crime they committed because it would not help their case, or would not help them get bail. What do you think of that idea? What about for crimes that actually involve drugs – would they be likely to admit drug addiction?

4. Next, I am going to give each of you a blank piece of paper, and I want you to write down everything you can think of that is important in the process of a person becoming an active participant in the drug court, starting from when a participant first hears about the drug court. Make a star by the thing you think is MOST important in this process.

Probe: Another way to think of it – write down things that you think are the biggest differences between those who do become an active participant and those who do not?

5. So I told you that I have been studying this question for more than a year now, so I have some ideas of what things might be important in the process. I have some post-it notes with things that I think are the most important, based on watching the court and doing interviews with staff and participants. I will put these up on the wall, and let's decide as a group if we need to add any more post-it notes based on what you have written down, or whether this covers the most important points.

Probes- Questions about categories:

- ◆ Can some be grouped together?
 - ◆ Are some more important than others?
 - ◆ What order do they have to happen in? does this vary?
 - ◆ What kinds of things have to happen for these processes to happen?
 - Motivation
 - Attitude
 - Learning to be honest
6. These questions are related to my question of figuring out how people become active participants. We talked about how people who are active versus not active participants might be different, but how do these groups differ:
 - a. Those who are in the drug court and those who are still in jail or on the street [using drugs and committing crimes]?
 - b. Those who graduate and those who drop out or get expelled?
 7. Is there anything else you want to say about the drug court or about becoming an active participant? [any big issues that have arisen that we didn't have time for]

Appendix I: Interview Transcription Key

SYMBOL	MEANING
[<i>A single left bracket</i> , indicates the point of overlap
]	<i>A single right bracket</i> , indicates the point at which an utterance terminates another utterance
(10.8)	<i>Number in brackets</i> , indicates a long silence or pause (of ten seconds and eight tenth of a second)
...	<i>Ellipsis</i> , indicates a short pause
(.)	<i>A dot in brackets</i> , indicates a tiny gap between utterances
<u>word</u>	<i>Underlined word</i> , indicates some form of stress
→	<i>Horizontal line</i> , indicates prolongation of sound
-	<i>A dash</i> , indicates a cut-off
.	<i>A period</i> , indicates a stopping fall in tone
,	<i>A comma</i> , indicates a continuing intonation, like when you are enumerating things
?	<i>A question mark</i> , indicates a rising intonation
↑↓	<i>Arrows</i> , indicate a shift into a higher or a lower pitch in the utterance-part immediately following the arrow
WORD	<i>Upper case</i> , indicates especially loud sounds relative to the surrounding talk
<>	<i>Right/left carets</i> , indicate speeding up
><	<i>Left/right carets</i> , indicate slowing down
.hhh	<i>A dot plus a row of hs</i> , indicates an inbreath
{ }	<i>Curly brackets</i> , contain sounds additional to dialogue, description of action of expression, additional notes, or indicate uncertainty with regard to something someone said
\$word\$	Crying voice
#word#	Laughing voice
<i>[italics]</i>	Paraphrase by researcher, including replacing names with “Grad” or “other C”. [Note – for simplicity,]

Abbreviated terms

C – client (participant)
 J – judge
 DC – defence counsel/ lawyer
 TCM – treatment case manager
 PCM – probation case manager
 FP – federal prosecutor
 PP – provincial prosecutor
 ED – executive director
 Para – Paralegal
 PI – psych intern
 EA – evaluation assistant