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LEGAL SERVICES, PRISONERS' ATTITUDES AND "REHABILITATION"*

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The increasing role of law in human affairs has become the subject of intense political and scholarly debate. Much of this debate has focused on "overcriminalization" of behavior and on the mobilization of power to influence lawmaking and its enforcement.[1]

However, experience has shown that power is not limited to these aspects of the law. There is also power in the knowledge of law and in the access to its employment. This is demonstrated by the success of legal services to the poor and to other groups historically denied such access.

Upon considering legal services, more is at stake than the principle of equality before the law. At issue are ancient sociological questions about the forces which constitute the social fabric. These are questions, for example, as to the effectiveness of social control by means of law, the extent to which legitimacy is granted those who enforce it and the legitimacy of the law itself.

Issues such as these are especially pertinent to one of the last groups to whom legal access has been granted: incarcerated felons. The questions become more urgent as public concern over crime rises and demands for action increase, and as the failure of efforts to "rehabilitate" delinquents and criminals is convincingly demonstrated.[2] As a result, there is a great need to study systematically the effects of programs designed to make legal aid available to this group. This article focuses on one such program.

THE WASHINGTON STATE PRISONERS' LEGAL SERVICES PROJECT

In 1972, the Washington State Department of Social and Health Services contracted with the Seattle-King County Legal Services Center to provide civil legal assistance to eligible adult residents of all Washington state correctional institutions and their families. The goal of the Prisoners' Legal Services Project was to provide for the legal rights of prisoners and to reduce recidivism.

At the time this research was conducted, six attorneys, three paralegals and a supportive secreterial staff served more than two thousand three-hundred inmates incarcerated in the Washington prison system. Formal services offered by the project staff included the provision of civil legal assistance, such as the preparation of writs of habeas corpus. The project staff also offered legal assistance to groups within the institutions. For example, legal aid was available to the Resident Governance Council, as well as to groups of prisoners wanting to unionize. Legal aid was also available to prisoners in pre-release classes on topics such as consumer protection, landlord-tenant law and other problem areas that ex-convicts and parolees might face. No legal assistance could be provided in matters that generated a fee or that included strictly criminal matters.[3]

Recourse to the Legal Services Project was completely voluntary. All prisoners were told about the project at an initial orientation session at the Reception Center. Prisoners who wanted legal assistance then had to file with the project for an interview. A request for legal assistance could be made any time an inmate was under the supervi-

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[1] *See* H. PACKER, THE LIMITS OF THE CRIMINAL SANCTION (1968); Chambliss, *The State, the Law, and the Definition of Behavior as Criminal* in HANDBOOK OF CRIMINOLOGY 7 (D. Glaser ed. 1974).

[2] For an important discussion on rehabilitation, see R. MARTINSON, T. PALMER & S. ADAMS, REHABILITATION, RECIDIVISM, AND RESEARCH (1977).

[3] For a more detailed description of the Washington Legal Services Project, see G. ALPERT, LEGAL RIGHTS OF PRISONERS (1978).

sion of the Department of Corrections. During the period studied, prisoners made approximately 1,000 requests to see attorneys. Most of these requests concerned civil cases, family problems and problems created by incarceration.[4]

The goal of this research was to explore factors associated with the use of the Legal Services Project, its short-term consequences and the rationale for more long-term impact.[5]

The Study

Findings reported in this paper concern prisoners' attitudes toward police, the judicial system and the law and lawyers because these issues are related to use of the Legal Services Project. Also studied were such issues as the prisoners' adherence to prison norms, changes brought about by the project and subsequent infractions of institutional rules.[6]

It is well known that most convicted offenders have unfavorable attitudes toward law and the criminal justice system.[7] Little is known, however, about possible changes in prisoners' attitudes or behavior as a result of exposure to a legal services program. Finkelstein reports that prisoners' attitudes toward judges and lawyers were more favorable after exposure to Boston University's Legal Services Project, but he did not obtain any behavioral measures.[8]

[4] For a discussion of requests made by our cohort of prisoners to the Legal Services Project, see Alpert, *Prisoners' Right of Access to Courts: Planning for Legal Aid,* 51 WASH. L. REV. 653, 672 (1976).

[5] Research on this topic is scant, but observations of persons associated with legal aid programs suggest that they have the effect of removing "festering doubts in cases and may help set a man's sight on rehabilitation rather than revenge." Silverberg, *Law School and Legal Aid Clinics,* 117 U. PA. L. REV. 970, 976 (1969). Legal intervention on both the formal and informal aspects of prison life are discussed in J. JACOBS, STATESVILLE: A NATURAL HISTORY OF A MAXIMUM SECURITY PRISON (1977). Legal aid for prisoners has most recently been suggested as an appropriate goal for all states. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, COURTS (1973); NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS, CORRECTIONS (1973).

[6] The rule infractions include all those offenses defined in Chapter 275-88 WAC, STATE OF WASHINGTON, DISCIPLINE IN ADULT CORRECTIONAL INSTITUTIONS (1974).

[7] *See* J. CASPER, AMERICAN CRIMINAL JUSTICE: THE DEFENDANT'S PERSPECTIVE (1972); J. CASPER, CRIMINAL COURTS: THE DEFENDANT'S PERSPECTIVE (1978).

[8] The one empirical study of legal services to prisoners presents data indicating pro-social changes in those prisoners seeking legal assistance. *See* M. FINKELSTEIN, PERSPECTIVES ON PRISON LEGAL SERVICES (1971).

Adherence to the prison normative system is referred to as "degree of prisonization." Wheeler has suggested that inmates scoring highly on this variable serve "as representatives of a rejecting society beyond the walls."[9] Since the provision of legal aid is strictly voluntary, we expected highly prisonized subjects to make less frequent use of the legal aid project than less prisonized subjects. In addition, the legal aid experience was expected to lead to lower levels of prisonization, regardless of pre-legal aid prisonization scores.

Data Collection

Data were gathered in two stages.[10] Socio-demographic data and "pretreatment" attitudinal items were collected during the summer of 1974 (Time 1) from male prisoners committed by Washington superior courts to the Department of Social and Health Services. In February, 1975 (Time 2) subjects were again contacted and interviewed concerning their experience with the legal aid project. "Post-treatment" attitudinal data were also gathered at this time. Official records of institutional infractions later became available.

Every male committed to the Department of Social and Health Services by a Washington superior court is received initially at the Washington Corrections Reception Center at Shelton, Washington. During the months of June, July and August 1974, 292 men were incarcerated in the Washington Corrections Reception Center. From this group, 241 voluntary interviews were secured. As each new set of prisoners was admitted, the senior author would go over the list with the Deputy Superintendent in charge of the Reception Center. A total of twenty-seven prisoners were taken off the list by the Deputy Superintendent. These administrative rejections related to one or more of the following conditions: 1) the prisoners were in solitary confinement as a result of disciplinary action or for protective custody; 2) they were awaiting psychiatric evaluation; or 3) they were in transit

[9] Wheeler, *Socialization in Correctional Communities,* 26 AM. SOC. REV. 697 (1961).

[10] A Washington Department of Social and Health Services (D.S.H.S.) committee reviews all research proposals requiring access to prisoners or their files. This committee is comprised of professionals who review proposals for 1) methodological competence, 2) significance, 3) scope of the study and 4) benefits versus costs. Each institution at which research is proposed must be willing to cooperate, including provision of requested facilities. Once a research proposal is approved by the institution, it is necessary to obtain voluntary consent from each prisoner who is to participate.

from one prison to another (in which case they were not really new prisoners). An additional twenty-four prisoners, after being asked to participate, absolutely refused. Sixteen of these men were black, eight were white. Because they would not sign permission statements, access was not permitted to information concerning these prisoners.

Correctional officers commented on the twenty-four voluntary rejections, noting that seventeen of them were generally non-cooperative and "probably had mental problems." The other seven who would not participate simply wanted nothing to do with the project.

By February 1975, the 241 Time 1 respondents had been dispersed throughout the Washington State correctional system at Walla Walla, Monroe, Shelton, Indian Ridge, and Larch Mountain prisons. Time 2 interviews with 198 (82%) of the original 241 men were completed during February 1975. Five of the original 241 men were on parole, and one of these five was interviewed. Three were on work release, one of these men was interviewed. Four of the 241 men had been unconditionally released, and these were not contacted at Time 2. Another thirty-three men either refused to participate or could not be reached for other reasons.[11]

A Model of Legal Aid Participation Among Male Prisoners

Figure 1 outlines the Model of Legal Aid Participation implied by the discussion so far. Time 1 (summer 1974) scores on prisonization and attitudes toward police, lawyers, law and justice, are causally prior to any legal aid experience which may occur. Legal aid experience, in turn, is causally prior to Time 2 (February 1975) scores on the preceeding four variables. Two exogenous variables, social integration (as measured by achieved social characteristics) and age, are causally prior to Time 1 measurements. X_b, X_c, X_d, X_e, and X_u, X_v, X_w, X_y refer to variables associated with components of the model but are not included in it.

While Figure 1 contains only those causal linkages hypothesized to be empirically non-zero, the magnitude of all possible unidirectional (from left to right) causal linkages were computed and reported (see Table 3). For example, Figure 1 implies that the total effect of social integration on legal aid participation is indirect, but we report the direct effect as well.

Since participation in the Legal Services Project was voluntary, rather than randomly assigned, we cannot be certain of the causal linkages in the model. The fact that, as will be reported below, social integration and age did not differentiate between those who did and did not participate in the project increases our confidence in the hypothesized causal linkages. We did not obtain measures of other characteristics which might have affected project participation and the later adjustments to prison attitudes and behavior, including personality variables.

The addition of social integration and age to the model means that our estimates of the effects of prisonization and Time 1 attitudes on legal aid participation will be *net of* (i.e., will *control for*) the effects of social integration and age. The literature suggests that convicted offenders have negative attitudes toward the law and the criminal justice system. Just how negative, it is hypothesized, depends on the levels of social integration and age. We expected recourse to the Legal Services Project to be inversely related to prisonization and positively related to social integration. Also, we thought that those who sought recourse to legal aid would begin to have more positive attitudes toward the law and the components of justice. These hypotheses are embodied in the model presented in Figure 1. In addition, we expected Time 2 attitudes and degree of prisonization to be *more* dependent on legal aid experience than on Time 1 scores. This expectation is in line with our earlier hypothesis that legal aid projects have important consequences for post-prison criminal records by leading to a restructuring of the intermediate attitudes relevant to such behavior.

Operationalization of Variables

Responses to seventy-five items measuring "attitudes toward law" were obtained at Time 1 and were factor analyzed. Three unambiguous factors emerged, which we defined as: (1) attitude toward the police; (2) attitude toward lawyers; and (3) attitude toward law and the judicial system. Three scales were created by summing the unit-weighted responses to the five items loading highest on each of the three factors. Scores on these scales were then used in the analysis of the model in Figure 1. Scores

[11] A comparison of Time 2 respondents and non-respondents was made on the basis of Time 1 scores on social integration, age, prisonization and attitudes toward the law, police, lawyers and the judicial system. No significant differences were found. We conclude from this that Time 2 non-respondents would not have differed significantly at Time 2 from Time 2 respondents.

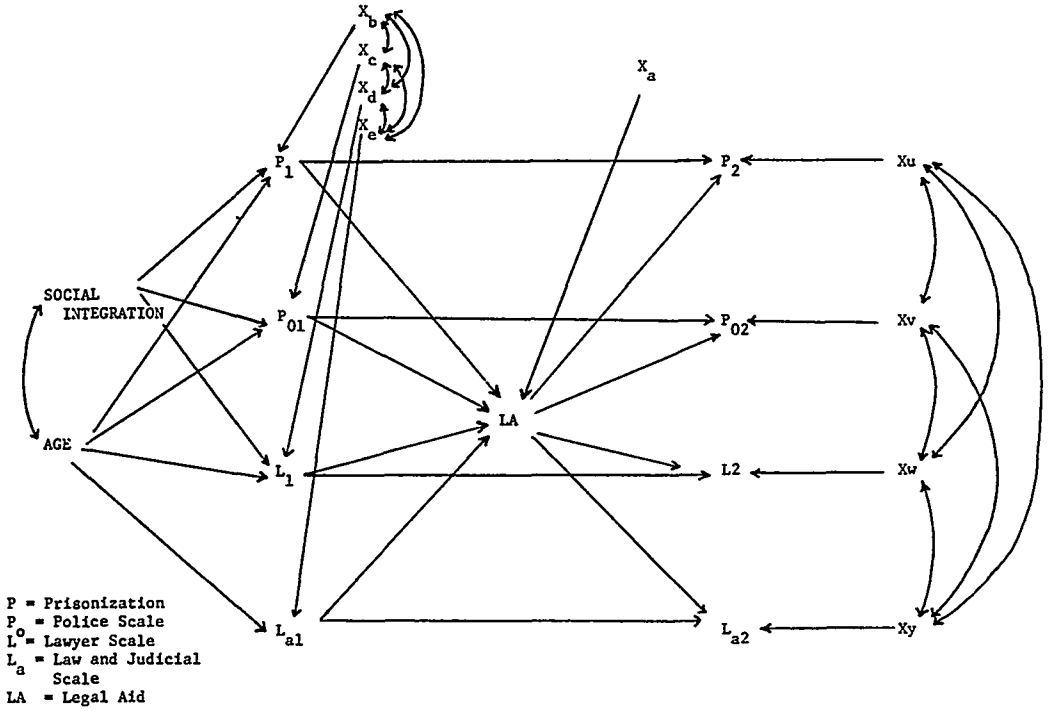

FIGURE 1
MODEL OF LEGAL AID PARTICIPATION AMONG MALE PRISONERS.

on these same fifteen items were obtained at Time 2.[12]

[12] For a discussion of the formation of the attitude scales, and their interpretation, see Alpert & Hicks, *Prisoners' Attitudes Toward Components of the Legal and Judicial Systems*, 14 CRIMINOLOGY 461 (1977). A listing of the attitudinal items and their factor loadings includes:

	Factor Loading
Factor 1: Police	
Policemen are more loyal to the police than to the citizens.	.81
Cops often carry a grudge against men who get in trouble with the law and treat them cruelly.	.70
Police hound ex-convicts.	.68
Policemen are just as crooked as the people they arrest.	.66
Police put on a show by arresting people.	.66
Factor 2: Law and the Judicial System	
I believe in the use of force to overthrow the law.	.64
Law is the enemy of freedom.	.56
Many of the people in prison are actually innocent of the crimes for which they were convicted.	.54
Laws are so often made for the benefit of small selfish groups that a man cannot respect the law.	.54
On the whole, judges are honest.	.54
Factor 3: Lawyers	
You can generally trust a lawyer.	.70
Most of the lawyers who have worked for me have done a good job.	.64
Lawyers have made things worse for me.	.61
When a lawyer is appointed by the court, he is generally on your side.	.60
Lawyers are basically honest.	.60

Prisonization was measured by updating Garabedian's items.[13] Six hypothetical situations were constructed, to which prisoners and custody staff gave responses ranging from strongly agree to strongly disagree (1–5).[14] These items were unit weighted

[13] Garabedian, *Social Roles and Processes of Socialization in the Prison Community*, 11 SOCIAL PROBLEMS 139, 141 (1963).

[14] The hypothetical prisonization items were:

1. Convict Hill is out on a furlough release and walks away from the supervising officer. Collins, an ex-con and old friend of Hill, pleads through the newspapers and radio for Hill to turn himself in. Hill should turn himself in.
2. Convict Johnson on work release gets busted and sent back to prison. Another con in the work release center, Dager, breaks into Johnson's room, takes his stereo and sells it. Dager is a sharp operator.

and scale scores were computed by summing raw scores. A scale score of 6 indicates a very high degree of prisonization or a negative attitude. A score of 30 demonstrates a very high degree of normative consensus with staff or a positive attitude.[15]

Social integration was determined by combining measures of the following variables:

1. Marital Status	0 = not married 1 = married
2. Paternity	0 = no children 1 = children
3. Education	0 = did not complete high school 1 = completed high school
4. Employment	0 = not employed at time of arrest 1 = employed at time of arrest
5. Family Integration	0 = living without family (wife or parents) 1 = living with family (wife or parents)

A score of 5 is defined as a high degree of social integration, while lower scores define a low degree of social integration.

Age is scored in years.

Legal aid participation is a dummy variable, scored "1" if the subject requested legal aid between summer 1974 and February 1975, and scored "0" if he did not request legal aid. We checked all files to see whether the inmates who reported using the project in fact did so, and whether those who reported not using it, in fact, did not. Prisoners' responses corresponded exactly with the data on file in this respect. Ninety-one of the 198 Time 2 subjects used the legal aid project.

Findings

Table 1 presents means and standard deviations on all variables included in the model for the 198 subjects on whom Time 1 and Time 2 data were collected, and for users and non-users of legal aid.

Table 2 contains zero-order correlation coefficients between all variables in the model.

Several attitude means changed from Time 1 to Time 2. Consistent with the theories of Wheeler[16] and Garabedian,[17] prisoners took on more of the prison culture during their first six months of confinement. Our data reveal mean changes from 18.85 at Time 1 to 17.77 at Time 2. Wheeler suggests that by a process of "negative selection" prisoners come to agree among themselves to oppose the conventional norms during the first few months of incarceration. Reinforcement of such selection leads to acquisition of prison culture. Incarceration poses many problems of adjustment.

The easiest way to adapt to prison is to conform to the norms of other prisoners, solving problems in ways which do not threaten the prisoners' infrastructure. Our data reveal a trend similar to those reported by Wheeler and Garabedian, but the change is slightly modified by exposure to the Legal Services Project, which somewhat curtails prisonization. The mean prisonization scores for those who did not take advantage of the Legal Services Project reveal a greater degree of change from Time 1 to Time 2. Users and non-users have similar means at Time 1, but scores differ slightly at Time 2.

3. A con in the cafeteria picks up his dinner, takes several bites, figures it's unfit to eat, and dumps the rest of the tray in the garbage. An officer on duty views that as disruptive behavior and writes him up. The officer was only doing his job.
4. Johnson, a civilian, is friendly with Ellis, a parolee. Johnson notices that Ellis is rather upset and has been talking about pulling some robberies. Johnson figures that if Ellis doesn't get some help right away, he is likely to do something that will result in his return to the prison, so Johnson talks to Ellis' parole officer about the whole situation. Johnson was really doing the right thing.
5. Correctional officer Brown discovers Officer Green is carrying some reds into the prison and receiving money from some of the convicts. Officer Brown immediately reports all of his information to the captain. Officer Brown did the right thing.
6. Two convicts, Smith and Jones, are very good friends. Smith has a small amount of dope that was brought in by a visitor. Smith tells Jones he thinks the officers are suspicious and asks Jones to keep the dope for a few days. Jones takes the dope and carefully hides it. Jones simply did what any friend should do.

[15] The distribution of custody staff responses was skewed in the direction of the lower end of the scale indicating a very high degree of normative consensus.

Scale Score	Percentage of Consensus	N	%
26–30	83–100	94	77
21–25	63–79	19	16
16–20	42–58	7	6
11–15	21–38	2	1
00–10	0–17	0	0
Total		122	100

[16] Wheeler, *supra* note 9.
[17] Garabedian, *supra* note 13.

TABLE 1

MEANS AND STANDARD DEVIATIONS FOR TIME 2 RESPONDENTS AND FOR LEGAL AID USER AND NON-USER SUB-GROUPINGS.*

Variable	Means			Standard Deviations		
	All	Users of Legal Aid	Non-users	All	Users of Legal Aid	Non-users
Social integration	2.24			1.21		
Age	27.87			9.90		
Legal aid	.46			.37		
Prisonization—Time 1	18.85	18.65	19.01	4.11	3.89	4.29
Prisonization—Time 2	17.77	17.17	18.65	4.07	4.16	4.02
Police scale—Time 1	12.49	12.51	12.38	2.54	2.22	2.79
Police scale—Time 2	15.75	16.77	15.44	4.40	4.91	4.02
Lawyer scale—Time 1	15.57	15.21	15.89	3.44	3.38	3.48
Lawyer scale—Time 2	12.23	13.81	11.69	3.49	3.50	3.48
Law and judicial system scale—Time 1	15.42	15.33	15.52	2.70	3.18	3.33
Law and judicial system scale—Time 2	15.88	17.84	15.80	3.28	2.65	2.73

* Data bases on 91 users of legal aid, 107 non-users, 198 total cases.

Attitudes toward the police are less negative after six months of incarceration than after the first few weeks (means shift from 12.490 to 15.747). However, prisoners who used the legal aid project were more positive in their attitudes toward police (4.252 points) than those who did not participate (3.059 points). Legal aid staff members who were interviewed suggested that this difference may reflect the fact that users of legal aid were told by project staff that they received fairer treatment from the police.

Consistent with increased prisonization, attitudes toward lawyers move in a negative direction from Time 1 to Time 2 (mean shift from 15.567 to 12.227). Informal observation suggests that an element in prison culture is the widely shared belief that prisoners do not receive adequate counsel. All prisoners in the study had benefit of counsel, but all were nonetheless imprisoned.

Prisoners relate stories of having received a "rotten deal" and of having realized that their lawyers were not as committed to their defense as they had originally thought. Prisoners who had used the project were reacting to their experience with lawyers prior to incarceration as well as to the Legal Services Project lawyers. After only six months, very few cases brought to the project had been settled or even brought to court. Many prisoners indicated that the lawyers told them that their problems could not be solved by the project. Others reported that the lawyers told them that only letters could be sent on their behalf. In spite of these limitations, users of legal aid were less embittered toward lawyers than were non-users at Time 2.

Table 1 also reveals that attitudes toward law and the judicial system became very slightly more positive at Time 2, and considerably more so among users than non-users of legal aid. The legal aid project attempted to dispel rumors, particularly with reference to law and the judicial system, and prisoners often were told about mistakes on the part of the police or prosecutor which might have won an acquittal. They were also made aware of the possible serious consequences of their criminal acts, extending beyond sentences actually received. At Time 1, minimum sentences had not yet been set; they were, however, set by Time 2. Some, of course, received a greater sentence than they had expected and this was an embittering experience. Others received lighter sentences and this was a source of great relief and possible increased confidence in the system. On the one hand, prisoners felt that their lawyers, whom they had thought to be their advocates, failed because they were all convicted of serious offenses and incarcerated. On the other hand, most realized that the judicial system, including the Board of Prison Terms and Parole (which sets minimum sentences), could have been more harsh and that it still retained power over them. The legal aid lawyers apparently were able to inculcate somewhat more positive attitudes toward law and the legal system than was the case among prisoners who did not choose to use their services.

Table 3 presents path coefficients estimating the

TABLE 2

ZERO ORDER CORRELATIONS BETWEEN ALL VARIABLES IN A LEGAL AID PARTICIPATION AMONG MALE PRISONERS

	Social Integration	Age	Legal Aid	Prisonization Time 1	Prisonization Time 2	Police Scale Time 1	Police Scale Time 2	Lawyer Scale Time 1	Lawyer Scale Time 2	Law & Judicial System Scale Time 1	Law & Judicial System Scale Time 2
Social integration	1.0000	.0656	−.0453	.1189	.0127	.0932	.0710	.1240	.0771	.2003	.0431
Age		1.0000	.0592	.2309	−.0042	.1205	−.0319	.1083	.0314	.2024	−.0119
Legal Aid			1.0000	.0281	.3722	.0203	.3471	.0162	.4059	.0807	.4197
Prisonization—Time 1				1.0000	.1111	.3195	.0167	.3235	.0551	.4574	.0023
Prisonization—Time 2					1.0000	.0877	.7549	−.0267	.8740	.0308	.8587
Police scale—Time 1						1.000	.1292	.3637	.1703	.5000	.1142
Police scale—Time 2							1.0000	.1588	.8740	.0308	.8550
Lawyer scale—Time 1								1.0000	.0234	.4806	.0109
Lawyer scale—Time 2									1.0000	.0875	.9326
Law & judicial system scale—Time 1										1.0000	.7660
Law & judicial system scale—Time 2											1.0000

TABLE 3

COEFFICIENTS OF VARIABLES IN STANDARD FORM, IN REDUCED FORM AND STRUCTURAL EQUATIONS OF A MODEL OF LEGAL AID PARTICIPATION AMONG MALE PRISONERS

	P_1	P_{01}	L_1	L_{a1}	LA	LA	P_2	P_2	P_2	P_{02}	P_{02}	P_{02}	L_2	L_2	L_2	L_{a2}	L_{a2}	L_{a2}
SI	.1042	.0856	.1174	.1878	−.0494	−.0645	.0130	.0072	.0315	.0734	.0591	.0811	.0754	.0647	.0911	.0440	.0330	.0603
Age	.2241	.1148	.1006	.1901	.0625	.0429	−.0050	−.0304	−.0489	−.0367	−.0471	−.0646	.0264	.0093	−.0107	−.0148	−.0247	−.0454
P_1						−.0118		.1281	.1326		−.0460	−.0418		.0020	.0069		−.0453	−.0403
P_{01}						−.0235		.0959	.1048		.1072	.1156		.1780	.1876		.1153	.1252
L_1						−.0224		−.0865	−.0780		.1493	.1573		−.0555	−.0463		−.0469	−.0374
L_{a1}						.1116		−.0294	−.0716		.0348	−.0746		.0094	−.0364		.0606	.0134
LA									.3777			.3568			.4104			.4232
Residual paths	.9674	.9390	.9892	.9612	.9970	.9931	.9998	.9877	.9138	.9967	.9798	.9135	.9966	.9822	.8937	.9989	.9905	.8969
R^2	.0641	.0218	.0255	.0761	.0059	.0137	.0002	.0243	.1650	.0064	.0399	.1655	.0066	.0352	.2013	.0021	.0189	.1956

P = Prisonization.
P_0 = Police scale.
L = Lawyer scale.
L_a = Law and judicial system scale.
LA = Legal aid.

TABLE 4

INTERPRETATIONS OF EFFECTS IN A MODEL OF LEGAL AID PARTICIPATION AMONG MALE PRISONERS

Dependent Variable	Predetermined Variable	Total Effect	Indirect Effects Via					Direct Effects
			P_1	P_{01}	L_1	L_{a1}	LA	
P_1	SI	.1042	—	—	—	—	—	.1042
	Age	.2241	—	—	—	—	—	.2241
P_{01}	SI	.0856	—	—	—	—	—	.0856
	Age	.1148	—	—	—	—	—	.1148
L_1	SI	.1174	—	—	—	—	—	.1174
	Age	.1006	—	—	—	—	—	.1006
L_{a1}	SI	.1878	—	—	—	—	—	.1878
	Age	.1901	—	—	—	—	—	.1901
LA	SI	−.0494	−.0012	−.0020	−.0027	.0210	—	−.0645
	Age	.0625	−.0026	−.0027	−.0023	.0212	—	.0489
	P_1	−.0118	—	—	—	—	—	−.0118
	P_{01}	−.0235	—	—	—	—	—	−.0235
	L_1		—	—	—	—	—	−.0224
	L_{a1}	−.0224	—	—	—	—	—	.1116
		.1116						
P_2	SI	.0130	.0138	.0090	−.0092	−.0135	−.0244	.0315
	Age	−.0050	.0297	.0120	−.0078	−.0136	.0185	−.0489
	P_1	.1281	—	—	—	—	−.0045	.1326
	P_{01}	.0959	—	—	—	—	−.0089	.1048
	L_1	−.0865	—	—	—	—	−.0085	−.0780
	L_{a1}	−.0294	—	—	—	—	.0422	−.0716
	LA	.3777	—	—	—	—	—	.3777
P_{02}	SI	.0734*	−.0044	.0099	.0185	−.0140	−.0230	.0811
	Age	−.0367*	−.0094	.0133	.0158	−.0142	.0174	−.0646
	P_1	−.0460	—	—	—	—	−.0042	−.0418
	P_{01}	.1072	—	—	—	—	−.0084	.1156
	L_1	.1493	—	—	—	—	−.0080	.1573
	L_{a1}	−.0348	—	—	—	—	.0398	−.0746
	LA	.3568	—	—	—	—	—	.3568
L_2	SI	.0754*	.0007	.0161	−.0054	−.0068	−.0265	.0911
	Age	.0264*	.0015	.0215	−.0047	−.0069	.0201	−.0107
	P_1	.0020	—	—	—	—	−.0049	.0069
	P_{01}	.1780	—	—	—	—	−.0096	.1876
	L_1	−.0555	—	—	—	—	−.0092	−.0463
	L_{a1}	.0094	—	—	—	—	.0458	−.0364
	LA	.4104	—	—	—	—	—	.4104
L_{a2}	SI	.0440*	−.0042	.0107	−.0044	.0025	−.0273	.0603
	Age	−.0148*	−.0090	.0144	−.0038	.0025	.0207	−.0454
	P_1	−.0453	—	—	—	—	−.0050	−.0403
	P_{01}	.1153	—	—	—	—	−.0099	.1252
	L_1	−.0469	—	—	—	—	−.0095	−.0374
	L_{a1}	.0606	—	—	—	—	.0472	.0134
	LA	.4232	—	—	—	—	—	.4232

* Direct effects and indirect effects do not equal total effects due to rounding error (<.007).

P = Prisonization.

P_0 = Police scale.

L = Lawyer scale.

L_a = Law and judicial system scale.

LA = Legal aid.

parameters of the structural equations of our model of legal aid participation among male prisoners.[18] Table 4 aids in interpretation of these coefficients by rearranging them so that total effects are decomposed into component direct and indirect effects.[19]

The major conclusion to be reached from Tables 3 and 4 regarding legal aid participation among male prisoners is that the model does not explain which prisoners used the project, but that it is successful in explaining certain attitudinal consequences for those who did. As Tables 3 and 4 reveal, only 1.37% of the variance in legal aid use is explained by the model. None of the six antecedent variables has a significant effect on legal aid. That is, knowing a prisoner's age, level of social integration, degree of prisonization and attitudes toward police, lawyers, law and the judicial system does not enable prediction of who will eventually make use of the legal aid project. Contrary to our expectations, most of the small total effects of age and social integration on legal aid are direct, rather than indirect, as Figure 1 hypothesizes. One variable, the effect of which might merit substantive interpretation, is attitude toward law and the judicial system (total effect = .1116). As small as this coefficient is, it is our best predictor of legal aid participation. Not surprisingly, holding other variables constant, prisoners who enter the prison system with favorable attitudes toward the law and judicial system are slightly more likely than other prisoners to make use of the legal aid project.

The lack of association between social integration and Time 1 variables is perplexing. However, we are dealing with a "low integration" group in general, and at a time (just after trial and facing a period of incarceration) which is especially traumatic. It may be the case that these and other situational variables are overwhelming.

The more important conclusion is that participation in the legal aid project is a significant factor in producing positive changes in prisonization and in prisoners' attitudes toward police, lawyers, law and the judicial system.[20] The effect of legal aid on prisonization (.3777) is almost three times as great as the effect of Time 1 prisonization levels (.1326). This means that we are much better able to predict adherence to prison norms six months after incarceration by knowing whether a prisoner participated in the legal aid project than we are by knowing how prisonized he was upon entering the institutional system.

Clearly, adherence to prison culture was affected by participation in the legal aid project. Informal observations and interviews suggest that prisoners who availed themselves of the project not only obtained advice on legal problems, but on other matters as well. As one prisoner stated:

> Man, them lawyers they not only solved a beef, but they really talked to me and told me what was happening. No one came right out and told me how to act or what to do, but I sure got the feeling that just going along with everyone else in here is just about as bad as doing what I was doing on the streets. They didn't say so, but I realized that to make it in here I got to get along with guards too. And some of them ain't all bad. They just got a job to do.[21]

The mere fact that a prisoner feels his legal problems are being dealt with reduces pressures and enhances non-prisonized adaptation to incarceration. This finding is consistent with data reported by Finkelstein[22] and with arguments of

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[18] For a discussion on simple recursive causal path models see Finney, *Indirect Effects in Path Analysis*, in SOCIOLOGICAL METHODS & RESEARCH 175 (1972); Heise, *Problems in Path Analysis and Causal Inference*, in SOCIOLOGICAL METHODOLOGY 38 (E. Borgatta ed. 1969); Land, *Principals of Path Analysis* in SOCIOLOGICAL METHODOLOGY 3 (E. Borgatta ed. 1969).

[19] Table 4 is based on a presentation format suggested by Alwin & Houses, *The Decomposition of Effects in Path Analysis*, 40 AM. SOC. REV. 37 (1975).

[20] This is so despite the fact that for legal aid users mean prisonization scores are slightly higher at Time 2 than at Time 1 and mean attitude toward lawyers is less favorable at Time 2 than at Time 1. The value of the structural coefficient (and our interpretation of legal aid's effects) is determined by *user—non-user* differences rather than *Time 1—Time 2* differences. We thus find that legal aid's effect on prisonization is positive because users are less prisonized at Time 2 than are non-users. Similarly, we find that legal aid's effects on attitude toward lawyers is positive because users are more favorable at Time 2 toward lawyers than are non-users. In addition it must be noted that the structural coefficients presented in Tables 3 and 4 define net effects, so that Time 1 levels of prisonization and attitude toward lawyers, for example, are *held constant*. This means we interpret the coefficient as follows: Assuming all respondents had the *same level* of prisonization at Time 1, what is the effect of legal aid on prisonization at Time 2? The positive coefficient means that users have higher scores (*i.e.*, are less prisonized) than non-users, and does not reflect mean Time 1—Time 2 changes. In fact, *all* antecedent variables, not just prisonization or attitude toward lawyers are held constant.

[21] Recorded interview with a prisoner, February 27, 1975.

[22] M. FINKELSTEIN, PERSPECTIVES ON PRISON LEGAL SERVICES (1971).

TABLE 5

OFFICIAL INSTITUTIONAL INFRACTIONS AND USE OF THE LEGAL AID PROJECT DURING THE FIRST SIX MONTHS OF INCARCERATION

	Prisoners N	Infractions	
		N	Per Prisoner Average
Prisoners who used the Legal Aid Project	91	36	.40
Prisoners who did not use the Legal Aid Project	107	61	.63
Total	198	97	.49

others who have written on the topic.[23] Once in prison, the ability to discuss legal matters with a knowledgeable person serves to mitigate the alienation from the institutions of justice so often found among prisoners. As another prisoner maintained:

> When I first got to Shelton I was down on everything. I blamed the police for my problem, my lawyers for not defending me, and the whole fucking system for not being fair. Then I started hearing everybody else's problems and how they are all innocent and everyone outside has screwed them. I started thinking, how come all us innocent people are in here. When I met Mr. _____ .... (of the Legal Services Project) he made me start thinking. Cops are people, lawyers and judges, too. They got jobs to do. Some are all fucked up and will cheat you all day. But most, I guess, are like me: somewhat honest, somewhat dishonest. I guess that's what life is all about. Don't get me wrong. I still think I got the shaft, but not quite as far up as I did when I saw you last (six months ago).[24]

As suggested by this interview excerpt, the effects of legal aid on attitude toward police ($p = .3568$), attitude toward lawyers ($p = .4104$) and attitude toward law and the judicial system ($p = .4232$) also are substantial. Legal aid is directly responsible for explaining 12.73% of the variance in attitude toward police, which is 76.9% of the explainable variance.[25] Eighty-three and seven-tenths per cent of the variance in attitude toward police explained by the model is attributable directly to legal aid ($p^2 = .1684$), as is 91.6% of the variance in attitudes toward law and the judicial system ($p^2 = .1791$).

The main features of the project stand out in their relationship to the formation of more positive attitudes: 1) attorneys or paralegals helped to remove legal problems or settled disputes; and 2) they disseminated correct information to prisoners who were unsure of their rights or how to secure them. As one prisoner phrased it:

> I learned a lot, from these legal aiders. He was straight with me. One problem I had really bothered me. He told me what was needed so I could solve it. When I asked him about a situation involving my belongings, he suggested that I forget it—it would cause more trouble than it was worth. I should just check it as a bad deal. Even that made me feel better—to finally know the outcome. Ya, it's a good project. I think he made me see more than my side to my beefs.[26]

Thus, in a variety of ways prisoners who participated in the Legal Services Project increased their identification with conventional attitudes and values. The impact of the prison experience, as such, is suggested by the higher correlations among the attitudinal measures at Time 2 (Table 2) than at Time 1. When first incarcerated, prisoners' attitudes toward prison situations, police, lawyers, law and the judicial system were only moderately correlated with one another. At Time 2, however, correlations among these scales were much higher. Legal aid emerges from this study as a major factor differentiating prisoners' attitudes in these areas.

Subsequent to testing of the model, data were obtained concerning infractions of institutional rules, including behavior which would be considered criminal outside the prison. We obtained official institutional records which revealed whether or not inmates had been convicted by a due process disciplinary hearing of misconduct punishable by institutional means including denial of good time, loss of privileges, extra work duty, reconsideration of custody classification, etc., or the filing of charges

[23] Jacob & Sharma, *Justice After Trial,* 18 U. KAN. L. REV. 493 (1970); Goldfarb & Singer, *Redressing Prisoners' Grievances,* 39 GEO. WASH. L. REV. 175 (1970); Walsh, *Jailhouse Lawyers: The Texas Department of Corrections Revokes Their License,* 1 CAP. U. L. REV. 41 (1972).

[24] Recorded interview with a prisoner, February 28, 1975, Monroe Reformatory, Monroe, Washington.

[25] $.1273 - p^2 = (.3568)^2 \times 76.9\% = (.1273 - .1655) \times 100$.

[26] Recorded interview with a prisoner, February 27, 1975, Washington State Penitentiary, Walla Walla, Washington.

with appropriate law enforcement agencies. Table 5 reveals that the number of institutional infractions committed by inmates in our cohort during the first six months of imprisonment was lower for those who sought legal aid than for those who did not. Inmates who utilized legal assistance were guilty of an average of .4 infractions per inmate, while those who did not use the services of the Project were guilty of .63 infractions per inmate.

Conclusion

The legal aid variable dominates the model in terms of its effects on Time 2 attitudes, including prisonization. Virtually all of these effects are direct. Legal aid does not transmit the indirect effects of prior variables in the model. This finding is valuable because it identifies an effort over which the prisoner has control, in contrast with effects of past ascribed and achieved statuses which have loomed too large in the criminological literature. Long-term effects on attitudes or on behavior of the type that are involved in seeking recourse to legal aid or on recidivism cannot be determined at this point. Discovery of an institutional behavior effect subsequent to the attitudinal measures obtained directly from inmates is encouraging, but hardly conclusive of behavior effects like those involved in recidivism.[27] Because the legal order is central to so many aspects of life, learning to cope with problems with the aid of legal counsel becomes increasingly important. In the long term, this, rather than the protection of specific civil rights or the solution to particular problems, may be the outcome of greatest importance in legal aid to prisoners and in other programs which bring legal aid to minorities, the poor, and others whose lives have been subject to a legal order which they neither made nor could cope with legally.

[27] These data were reanalyzed using analysis of covariance and compared to a similar study conducted in the Texas prison system. All results were in a pro-social direction leading us to conclude that legal services to prisoners is a beneficial tool to change attitudes and prison behavior. *See* G. Alpert, *supra* note 3.