

Common Exceptions: Understanding the U.S. Legal System's Differential Treatment of Sexual Violence Cases¹

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Abstract

Academics and activists have long decried the state's poor legal treatment of sexual violence cases. However, academic literature has struggled to attribute this poor legal treatment to the decisions of state actors, rather than factors outside the state's control. I present evidence that U.S. chief prosecutors dismiss sexual violence cases at substantively higher rates than commensurate violent crimes, despite sufficient legal evidence for prosecution and a collaborative victim. Given that most chief prosecutors are democratically elected, I theorize that public preferences drive this disproportionately high dismissal of sexual violence cases. Particularly, I propose that (1) men and women possess heterogeneous crime prosecution preferences and (2) the cross-cutting nature of gender and the relatively higher social and economic power of men draw women's preferences closer to men's. I test this theory using a survey on public violent crime perceptions and a paired profile conjoint experiment. Contrary to expectations, I find respondents prefer to prosecute sexual violence cases at high rates relative to other violent crimes. This relationship holds both when I analyze direct questions about prosecution preferences and when I experimentally control for other variables that may influence prosecution allocation decisions. This finding suggests increased public information on chief prosecutor performance and democratic accountability may increase sexual violence prosecution.

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I. Introduction

Incumbent chief prosecutor Margaret Moore’s record on handling sexual violence cases became the focus of the 2020 primary election in Travis County, Texas (Marloff 2019; Autullo 2020). After years of low prosecution of violent sexual crimes in the county, survivors approached the media with accusations that Moore had inappropriately dismissed their sexual violence cases. Some cases involved extreme levels of violence, abduction, perpetrators with previous records of committing violent crimes, DNA evidence, and—according to police—probable cause for arrest. Tensions escalated when Moore offered a plea deal of five years probation to an Austin firefighter who recorded his colleague showering without her consent, despite video evidence of him committing the crime. Outraged at the light sentence, the Austin Firefighters Association (AFA) launched a campaign to remove Moore from office. On their website nodamoore.org, the AFA states:

“We are the 1000+ men and women of the Austin Firefighters Association. We are the well trained, caring, public servants who show up at your doors as quickly as possible every day to help you on the worst day of your life, whether it be a heart attack, structure fire or a sexual assault. When we respond to a sexual assault scene and treat the target of the assault, we always thought that after the victim left our care they would be treated fairly by the justice system. Sadly we have found out this is not usually the case. Our goal is to educate the public on the abysmal record of our current Travis County [chief prosecutor] Margaret Moore.”

The accusations culminated in a class-action lawsuit against Moore. The suit filings reference rape myths Moore forwarded during a recorded 2018 Circle C Area Democrats meeting, including, to quote the suit filing, Moore’s belief that “nonconsensual sexual ‘incidents’ involving acquaintances of female victims² are really better characterized as ‘traumatic occurrences’ that do not rise to the level of sexual assault” and that “cases involving victims who consumed drugs or alcohol were generally not possible to prosecute” (Marloff 2019). Moore lost in the primary by a 32 to 68 margin, marking the first time in over 40 years that an incumbent chief prosecutor lost reelection in Travis County (Copelin 2007; Walsh 2016).

Though anecdotal, Moore’s treatment of violent sexual crimes reported in Travis County is consistent with the budding literature on chief prosecutor mishandling of sexual violence cases (Spohn and Tellis 2012; Morabito et al. 2019; Yeung et al. 2018; Battiste 2020; Federal Bureau of Investigation 2004). The voters’ strong negative response to reports that the incumbent chief prosecutor was not prioritizing violent sexual crime prosecution—even in the face of sufficient legal

²In recent years, there has been a trend towards replacing the term “victim” with “survivor” in order to confer power on those who have experienced sexual violence. Though I support the sentiment behind this trend, I use the term victim in certain portions of this paper 1) for the sake of clarity, as this is the term used by the legal system and 2) because not all individuals survive encounters in which they experience sexual violence. Using “survivor” as a term of empowerment can imply the power derives from the fact of survival; however, those who do not survive sexual violence encounters are no less worthy of empowerment than those who do. In places where I use the term “survivor” in this paper, I am specifically referencing the actions of individuals who remained alive after a sexual violence experience.

evidence and a cooperative victim—poses an encouraging possibility: perhaps voters are willing to punish prosecutors for mishandling sexual violence cases, but are unable to do so due to lack of information. Historically, sexual violence has been viewed in many countries as unpreventable (Htun and Weldon 2018). Thus, perhaps in the absence of relevant chief prosecutor performance information, voters are unable to distinguish between situations in which prosecutors are not bringing cases to trial because they are *unable to do so* and cases in which prosecutors are not bringing cases to trial because they *have chosen not to do so*.

In this paper, I present evidence that democratically elected U.S. chief prosecutors dismiss sexual violence cases at a high rate relative to commensurate violent crimes (Section III). Specifically, these prosecutors preclude sexual violence prosecutions by making liberal use of what is intended to be a relatively uncommon law enforcement practice called *clearance by exceptional means*. I find evidence that these cases are being dismissed at the behest of the chief prosecutor for reasons other than victim-initiated attrition and insufficient evidence for prosecution. In other words, the state is able to prosecute these cases, but state actors have chosen not to do so.

These findings raise several questions:

- What explains the disproportionately high dismissal rate of sexual violence cases in the U.S.?
- Why has this high dismissal rate for sexual violence cases been able to persist?
- Why does the state execute its protective functions in a gendered manner?

I propose two theoretical explanations for the disproportionate dismissal of sexual violence cases. My *Differences in Preferences and Power across Genders Theory* (Section IV.B.) suggests this disproportionate dismissal of sexual violence cases reflects public preferences. Particularly, electoral institutions may aggregate public preferences in a manner that amplifies the preferences of male voters over female voters. I present preliminary empirical evidence against the *Differences in Preferences and Power across Genders Theory* using data from an original online survey of U.S. respondents (Sections V–VI). In light of this, I briefly outline an alternative explanation for the disproportionate dismissal of sexual violence cases, which I refer to as the *Chief Prosecutor Ability and Incentives Theory* (Section VII); namely, the disproportionate dismissal of sexual violence cases may be driven by the career incentives and/or personal biases of chief prosecutors. Given the low levels of information surrounding sexual violence case prosecution decisions and low contestation of many chief prosecutor elections, public preferences and chief prosecutor case dismissal decisions need not align. This low information and low accountability environment may also explain why the high dismissal rates of sexual violence cases have been able to persist despite public preferences for higher prosecution.

II. Motivation and Existing Literature

Maintaining a monopoly on legitimate violence within its territory is one of the fundamental characteristics of the state and a key indicator of state capacity (Weber 1978). Though many states

arguably do not maintain such a monopoly (Acemoglu, Robinson, and Santos 2013), security from violence and “prohibitions on the use of violence to obtain resources and goods or to coerce others” (North, Wallis, and Weingast 2010, p. 1) are foundations for the high economic growth and internal stability that characterize open access states like the United States (North, Wallis, and Weingast 2010). Indeed, among variables that influence human behavior and quality of life, violence is uniquely powerful (Haugen and Boutros 2014). Consequently, we should not expect open access states to maintain an equilibrium in which they fail to protect a large portion of their enfranchised population from severe violence.

Nonetheless, when it comes to sexual violence, many states appear to have reached such an equilibrium, including the United States. According to the most recent National Intimate Partner and Sexual Violence Survey, over one in five U.S. women (21.3 percent) have experienced rape or attempted rape at least once in their lifetime, while almost one in ten men (9.7 percent) have experienced either rape (forced penetration) or were forced to penetrate someone at least once in their lifetime (Smith et al. 2018). Over two in five U.S. women (43.6 percent) and over one in six men (17.9 percent) have experienced some other form of contact sexual violence in their lifetime. Despite this high population prevalence, state resource allocation to sexual violence prevention is low relative to other violent crimes. Particularly, arrest rates for sexual violence are low relative to other violent crimes (Federal Bureau of Investigation 2013-2019). An emerging body of evidence suggests these low arrest rates are driven, at least in part, by democratically elected chief prosecutors inappropriately dismissing sexual violence cases prior to arrest and prosecution (Spohn and Tellis 2012; Morabito et al. 2019; Yeung et al. 2018; Battiste 2020; Federal Bureau of Investigation 2004). This case dismissal phenomenon disproportionately affects sexual violence cases (Federal Bureau of Investigation, 2013-2019).

Why has the state maintained a monopoly on violence for non-sexual violent crimes, while failing to do so for sexual violence? More specifically, given that chief prosecutors are democratically elected, why have voters failed to hold these political figures accountable for allocating relatively low levels of resources to sexual violence prevention? It is particularly puzzling that female voters in democracies have not been more successful at achieving *de facto* and *de jure* protection from violence through voting; women—unlike numeric minorities—generally represent a majority of the electorate in the U.S., as they often turn out at higher rates than men (Harell 2009).

In order to understand why the state prosecutes violent sexual crimes at low rates relative to other violent crimes, we must understand, at a minimum: (1) public preferences regarding violent crime prosecution, (2) how democratic and legal institutions aggregate these preferences, and (3) the incentives of the state actors responsible for reducing sexual violence. Existing theories of gender-based violence are insufficient for solving the puzzle at hand because they fail to address one or more of these components.

A large body of literature studies how gender bias, racial bias, and rape myth acceptance influence the treatment of sexual violence survivors and the probability that a given sexual violence case is brought to trial (e.g. Schwarz, Cohen, Baum 2020; Spohn, Cassia, and Spears 1996; Bouffard 2020; Spohn and Holleran 2001). This literature helps illuminate how different case

and victim/offender characteristics influence prosecution; however, it does not get at the question of whether or not the legal system is systematically treating violent sexual crimes differently from other crimes. It also tends to come from a criminology perspective and thus omits the role of political processes. Literature on systematic bias in the legal system largely focuses on racial bias (e.g. Kovera 2019), leaving a need for greater understanding of systematic gender bias. Some political science literature studies systematic gender bias (e.g. Milyo and Schosberg 2000; Kjaer and Krook 2019; Shair-Rosenfield and Hinojosa 2014), but this literature focuses primarily on electoral institutions and gender bias against political candidates. In contrast to this literature, I study possible gender bias in the state's response to violence.

There is also a body of political science scholarship on sexual violence (e.g. Traummuller et al. 2019; Wood 2014; Stark and Wessells 2012). However, most of these studies focus on sexual violence in conflict settings, leaving a need for more scholarship on community-based and household sexual violence. Some political science scholarship does look at drivers of *de jure* gender-based violence protection (Htun and Weldon 2012; Htun and Weldon 2018). This literature is extremely important in its own right. However, activists and scholars are starting to recognize that *de jure* protection does not always translate into *de facto* protection; my puzzle centers on why the criminal justice system is failing to provide *de facto* implementation of laws prohibiting sexual violence.

Additionally, a body of literature suggests the U.S. law enforcement system handles sexual violence cases poorly (e.g. Venema, Lorenz, and Sweda 2019; Lonsway and Archambault 2012; Ask 2009). This includes the emerging literature on exceptional clearances of sexual violence cases (which I discuss in more detail in Section III). Literature on sexual violence often claims or heavily implies that sexual violence cases are being handled more poorly than cases for commensurate non-sexual crimes. However, this literature: 1) typically does not compare treatment of sexual violence cases to the treatment of other crimes and 2) struggles to address the possibility that case characteristics of sexual violence (such as low reporting, insufficient evidence, etc.) are driving the observed low prosecution. I strive to address these issues in my paper by focusing on treatment of reported crimes for which there was sufficient evidence for prosecution.

Lastly, I hope to contribute to the literature on judicial accountability. A sizable body of literature studies accountability and performance of U.S. judges (e.g. Vaklifathi and Kousser 2020; Bonneau and Hall 2009), while the literature on U.S. chief prosecutors is more sparse. Thus, it is important to see whether and to what extent theories of judicial accountability extend to chief prosecutors.

III. Exceptional Clearances and the Unequal Legal Treatment of Sexual Violence Cases

It is difficult to conclusively prove that the legal system's differential treatment of sexual violence cases stems from gender bias, as violent sexual crimes differ from violent non-sexual crimes in ways that complicate their prosecution. For example, in non-sexual violent crime cases, juries often

operate under the assumption that the victim did not consent to the crime; meanwhile, in sexual violent crime cases, defense can engage in a Mayberry defense, in which they argue the defendant had a reasonable and good faith—although erroneous—reason to believe the victim consented to sexual activity (Berliner 1991). In order to address this difficulty, I ask whether or not the legal system in practice prosecutes sexual violence cases less rigorously than other crimes, *despite the state’s ability to prosecute more sexual violence cases*. I find five core pieces of evidence that together suggest the legal system prosecutes violent sexual crimes at lower rates than commensurate non-sexual crimes, despite its ability to do otherwise. First, I present evidence that a substantial portion of sexual violence cases are dismissed before prosecution through what is known as an exceptional clearance (Claim 1) and that this high exceptional clearance rate is not present in commensurate non-sexual crimes (Claim 2). Often, state inaction against sexual violence is attributed to low reporting rates, victim-initiated attrition, and insufficient legal evidence, rather than the choices of state actors. I present evidence that these three factors do not explain the high exceptional clearance rates of violent sexual crimes (Claims 3-5).

- **Claim 1. The U.S. legal system precludes prosecution of sexual violence cases through use of exceptional clearances.**

Crimes reported to law enforcement may be cleared either through clearance by arrest or clearance by exceptional means. Clearance by arrest is the typical clearance method and may lead to trial and eventual conviction. A case is cleared by arrest when an offender is arrested, charged with the commission of the offense, and turned over to the court for prosecution (FBI 2004). However, in exceptional circumstances, a case may be cleared by exceptional means, meaning it does not progress further along the legal system. Exceptional clearances are intended to be used when “elements beyond law enforcement’s control prevent the agency from arresting and formally charging the offender,” such as when an offender dies, the victim declines to move forward with the case, or the crime was committed in a different jurisdiction (FBI 2004). As the name indicates, exceptional clearances are meant to be uncommon relative to clearances by arrest. Nonetheless, in many U.S. counties, clearance by exceptional means has become the rule, not the exception for sexual crimes (Walfield 2015; Morabito et al. 2019; Spohn and Tellis 2012; Bouffard 2000).

Table I presents data on exceptional clearances from the FBI’s National Incident-Based Reporting System (NIBRS) for the Bureau of Justice Statistics’ (BJS’) six violent crimes categories³. The average annual exceptional clearance rate from 2014-2019 (column 2) was 41 percent for rape cases and 35 percent for sexual assault cases⁴. That is, 41 percent of cleared rape cases were cleared exceptionally rather than being turned over to the court for prosecution.

³Please see Appendix B, Figures B and C for the BJS crime category definitions.

⁴Appendix B, Figures D and E depict these clearance rates over time.

Table I. Mean Annual Clearances across Crimes, 2014-2019

Crime	Exceptional Clearances (% of Cleared Cases)	Prosecutor Declined (% of Cleared Cases)
Homicide	6.9	1.6
Rape	41.2	22.8
Sexual Assault	35.5	22.0
Aggravated Assault	10.0	4.5
Simple Assault	16.4	7.0
Robbery	7.9	2.6

- **Claim 2: Exceptional clearances are disproportionately used to clear sexual violence cases.**

As can be seen in the second column of Table I, the exceptional clearance rate for the sexual violent crime categories (which are the shaded rows) are substantively higher than those for the other, non-sexual crimes.

- **Claim 3: Exceptionally cleared cases are not being cleared due to lack of evidence.**

According to the FBI's Uniform Crime Reporting (UCR) standards, in order to clear a case by exceptional means, a law enforcement agency must have gathered sufficient evidence to clear a case by arrest. That is, they must have "gathered enough evidence to support an arrest, make a charge, and turn over the offender to the court for prosecution" (FBI, 2014).

- **Claim 4: Exceptional clearances are not being cleared due to low reporting.**

This claim is trivial; cases must be reported to police to be exceptionally cleared.

- **Claim 5: A substantial portion of exceptional clearances occur at the behest of the prosecutor, not the victim.**

Exceptionally cleared cases are not being cleared solely due to victim-initiated attrition. When reporting exceptional clearances to the NIBRS, agencies must report the reason for the exceptional clearance. Cases are typically cleared through exceptional means when either (1) the victim declines to pursue the case⁵ or (2) the prosecutor declines to pursue prosecution for the case (Ricards et al. 2019). The third column of Table I presents the percent of clearances for each crime that were exceptionally cleared by the prosecutor. A substantial portion of cleared sexual violence cases (over one in five) are exceptionally cleared by the prosecutor. This suggests these high clearance rates are not simply due to victims declining to move forward with their sexual violence cases.

⁵A victim's choice to not pursue a case is listed as "victim refused to cooperate" on law enforcement records. However, this phraseology can be problematic; the term "refused" is negatively connoted and does not capture the many cases in which the victim wanted to work with law enforcement, but was discouraged by law enforcement officers' hostility and victim-blaming attitudes. Accordingly, and in the interest of using uniform language for different actors, this paper will use the phrases "victim declined to pursue" and "prosecutor declined to pursue."

Taken together, this evidence suggests chief prosecutors use exceptional clearances to preclude sexual violence case prosecution at rates that are high both in absolute terms and relative to other violent crimes.

IV. Public Preferences

What explains this high prosecutor dismissal of sexual violence cases, relative to other violent crimes? Given that in most states chief prosecutors are democratically elected, perhaps the most intuitive explanation is that low sexual violence prosecution is consistent with public preferences. I first outline a plan for gathering basic descriptive information on public perceptions surrounding violent crime (Section IV.A.). I then propose a theory for why the public may prefer low prosecution of sexual violence cases, relative to other violent crimes (Section IV.B.). I refer to this as the *Differences in Preferences and Power across Genders Theory*. This theory suggests sexual violence prosecution preferences are heterogeneous, with men preferring lower sexual violence prosecution rates than women. Meanwhile, economic and social constraints may draw women's preferences closer to those of their male counterparts. As a result, the public may exhibit a preference for prosecuting sexual violence cases at low rates, relative to other violent crimes.

A. Measuring and Modeling Public Preferences for Violent Crime Resource Allocation

We currently lack basic descriptive information regarding public perceptions of violent crime. Therefore, measuring these public perceptions is a key goal of this study. Specifically, I measure public perceptions of crime population prevalence for each violent crime category (homicide, rape, sexual assault, aggravated assault, simple assault, and robbery), the extent to which respondents view each violent crime category as gendered, public perceptions of crime severity, and prosecution allocation preferences across violent crimes.

We also lack information on what factors the public considers when making decisions about how to allocate limited state resources across different violent crime categories. In order to understand what factors drive resource allocation preferences, it is useful to develop a simple model of public decision-making. I identify seven crime characteristics that may influence public preferences for resource allocation across different crimes: the severity of the crime, the population prevalence of the crime, the female-to-male gender ratio of victims of the crime, the male-to-female gender ratio of the perpetrators of the crime, the probability a given individual believes they themselves will experience the crime, the portion of occurring cases that result in a conviction, and the false report rate for the crime. More formally, suppose we want to know individual i 's resource allocation preferences for a violent crime, j , taken from the full set of violent crimes (homicide, rape, sexual assault, aggravated assault, simple assault, and robbery). Given a fixed set of resources, individual i 's preferences regarding what portion of those resources should be allotted to crime j is given by the following baseline model:

$$ResourceAllocation_{i,j} = Severity_{i,j} + PopulationPrevalence_{i,j} + Female : MaleVictims_{i,j} + Male : FemalePerpetrators_{i,j} + PersonalProbability_{i,j} + Occurrence to Conviction_{i,j} + FalseReport_{i,j}$$

I articulate several research questions (RQs) related to resource allocation decisions. Particularly, I would like to know if harm-minimizing considerations, gendered factors, factors related to prosecution efficiency, and gender bias influence resource allocation decisions. Table II presents these research questions, as well as the variables and predicted relationships associated with them.

Table II. Resource Allocation Research Questions

Research Question (RQ)	Variable	Effect on Resource Allocation
RQ1: Do harm-minimizing considerations drive resource allocation preferences?	Severity	Increase
	Personal Probability	Increase
	Population Prevalence	Increase
RQ2: Do gendered factors drive resource allocation decisions?	Female:Male Victims	Unclear
	Male:Female Perpetrators	Unclear
RQ3: Do factors related to prosecution efficiency drive resource allocation decisions?	Occurrence to Conviction Rate	Increase
	False Report Rate	Decrease
RQ4: Does respondent gender bias influence resource allocation preferences?	Benevolent and Malevolent Sexism	Unclear
RQ5: Do crime characteristics differentially affect resource allocation decisions for different crimes?		

B. The *Differences in Preferences and Power across Genders Theory*

It is possible that the status quo low prosecution of sexual violence cases reflects public preferences. Democratic institutions may aggregate public preferences in a way that leads to low sexual violence prosecution because of gendered preferences and gendered power.

a. Gendered Preferences

We may expect preferences for sexual violence prosecution to vary by gender. Data on sexual violence victimization indicate women experience sexual violence at higher rates than men (Smith et al. 2018), while men perpetrate it at higher rates than women (Basile et al. 2022). Thus, individuals may view sexual violence as a gendered crime, with relatively more victims being female and relatively more perpetrators being male. Gender differences in preferences regarding sexual violence prosecution may be especially strong due to the zero-sum nature of sexual violence prosecution; providing justice to a female victim necessitates exacting punishment on a male perpetrator. Thus, unlike initiatives such as economic equality and welfare access, which states have historically been able to frame as mutually beneficial to men and women, increased resource

allocation to sexual violence primarily benefits women, while putting men at risk of severe sanctions if they commit sexual violence⁶. Preferences surrounding sexual violence prosecution may also be particularly strong due to the nature of violence; violence is a uniquely powerful variable when it comes to influencing human behavior (Haugen and Boutros 2015). This means possessing a monopoly on violence—even if this violence is not exercised—confers significant power on the individual or group bearing a monopoly on violence. In this way, gender-based violence serves as an effective “tool of social control” (Moffett 2006; Brownmiller 1976). Even if it is perpetrated by a small portion of men, women’s fear of violence increases the social, economic, and political power of all men by keeping women dependent on men for safe access to public resources (Brownmiller 1976). Importantly, limiting women’s total social and political power need not be the goal of actors for it to be the outcome of their actions. Actors may simply be willing to sacrifice benefits for members of an out-group if it means their in-group can enjoy benefits from a given policy.

All of these factors suggest men and women may have heterogeneous preferences for sexual violence prosecution. More formally, I predict:

- H1: Men and women will exhibit different sexual violence prosecution allocation preferences, with women preferring higher prosecution rates of sexual violence.

In order for these gender differences to explain the disproportionately low prosecution of sexual violence relative to other crimes, I must also find that:

- H2: Men, if not both men and women, prefer to allocate fewer prosecutions to sexual violence than to other violent crimes.

b. Gendered Power

If H1 and H2 hold true, the public may elect prosecutors who prosecute sexual crimes at much lower rates than they prosecute other crimes even if women prefer relatively high sexual violence prosecution rates. This is because men may exercise disproportionate power in the electoral process. Because gender is a cross-cutting cleavage—meaning it spans multiple identity groups—women may face pressure within their household and community to vote based along identity lines other than gender (Htun 2004). This pressure is exacerbated by political bargaining and coordination between men and women at the household level, a process which tends to advantage men due to perceptions that men are more politically savvy than women, historical gender norms that disadvantage women, and men’s relatively higher earning potential (Hill and King 1995; Burns, Schlozman, and Verba 2021; Ridgeway and Smith-Lovin 1999; Prillaman 2017).

⁶This perhaps explains what identity literature terms the Nordic paradox; though Nordic states boast relatively high levels of gender equality, their gender-based violence levels are surprisingly high (Garcia and Merlo 2016). Early gender initiatives in these states focused on economic equality and welfare access. The government promoted these initiatives by leaning on an “our gender equality,” rather than a “women’s gender equality” framing (Haavind and Magnusson 2005), thereby promoting the idea that gender equality would be mutually beneficial to men and women (Klinth 2008; Magnusson 2000). Reforms dealing more explicitly with violence were relatively less present in the political sphere and have only become more present in recent history (Haavind and Magnusson 2005), perhaps because it is more difficult to frame these initiatives as mutually beneficial to men and women.

In the context of sexual violence specifically, benevolent and malevolent sexist norms, including rape myths, serve as formidable tools that significantly increase men's bargaining power over women. Benevolent and malevolent sexist norms are often referred to as "carrots and sticks" because of how they are used to influence women's behavior (Chapleau et al. 2007; Glick and Fiske 1996). Evidence suggests malevolent sexist beliefs, the "sticks," are strategically activated in the context of sexual violence to punish women who "defy traditional gender roles" (Chapleau et al. 2007, p. 132), while benevolent sexist beliefs, the "carrots," reward "women who 'know their place' and do not usurp male power" (Chapleau et al. 2007, p. 132). Specifically, when test subjects are presented with hypothetical date rape scenarios, benevolent and malevolent sexist beliefs are associated with increased victim-blaming and perpetrator-excusing behavior against women who violate social norms about "proper" behavior of a woman (Yamawaki 2007; Abrams, Masser, and Bohner 2003).

This suggests that when deciding whether or not to take political action to reduce sexual violence, women must take into account carrots, sticks, and the size of their slice of the pie resulting from said action. For example, when choosing whether or not to report a crime, victims are weighing the personal social cost of experiencing victim-blaming against the collective social benefit of deterring future crime. The probability of experiencing victim blaming may be very high in some communities and this cost is borne entirely by the victim; in contrast, the probability of getting a conviction may be small and the benefit of the resultant crime deterrence is divided among all potential victims. Framed more broadly, when deciding whether or not to take action on gender issues, women face a tough trade-off: On the one hand, they can take no action and receive a carrot; on the other hand, they can take action and receive a stick in hopes of receiving a small portion of the resultant pie. A slice of pie may be better than a carrot, but a carrot is better than nothing, and it is certainly better than a stick.

Taken together, this suggests women's crime prosecution preferences may be shaped by their economic and social dependence on men. This dependence may depress observed differences between male and female prosecution preferences for the population at large, as some women may have been influenced by their male counterparts. If this is the case, we should expect to find:

- H3: Economically and socially independent women and economically and socially independent men will exhibit differences in sexual violence prosecution preferences, with economically and socially independent women preferring greater prosecution of sexual violence.

Additionally, if the theory holds true, I would expect women who are more economically and socially dependent to allocate relatively fewer resources to sexual violence:

- H4: Economic and social dependence will reduce women's preferred prosecution allocation to sexual violence.

V. Research Design

To assess the *Differences in Preferences and Power across Genders Theory*, I: (1) collect and analyze descriptive survey data on public perceptions of various violent crimes, (2) assess public preferences for prosecution allocations across said violent crimes, and (3) identify what factors drive these preferences using a paired profile conjoint survey experiment.

The survey was conducted on a sample of 1500 U.S. respondents recruited from Lucid Theorem. Coppock and McClellan (2019) find that, in general⁷, “demographic and experimental findings on Lucid track well with U.S. national benchmarks [and] conclude that subjects recruited from the Lucid platform constitute a sample that is suitable for evaluating many social scientific theories.”

In the survey, respondents were asked to allocate hypothetical resources across the BJS’ six violent crime categories (homicide, rape, sexual assault, aggravated assault, simple assault, and robbery). Resource allocation was measured by the following survey question: *Suppose the local government in your area can only afford to bring 100 reported criminal cases to trial in a given month. How do you think the government should allocate these 100 prosecutions across the following crimes? (Homicide/Rape/Sexual assault/Aggravated assault/Simple assault/Robbery).* Thus, the number of prosecutions allotted for a given crime represents the percent of prosecutions the respondents would allocate to that crime if they had to make trade-offs due to resource constraints. Respondents were also asked questions about their perceptions of crime severity, victimization rates among men, victimization rates among women, perpetration rates among men, perpetration rates among women, crime report rates, crime arrest rates, crime prosecution rates, crime conviction rates, and false report rates. Table III summarizes how the key crime perception variables in the study were measured and calculated.

⁷The findings from one of the five survey experiments used by Coppock and McClellan to assess the validity of the Lucid platform deviated from the nationally representative sample.

Table III. Variable Summary

Variable	Type	Levels	Survey Question(s)	Variable Construction
Prosecutions Allotted per Crime	Numeric	0 to 100	Suppose the local government in your area can only bring 100 cases to trial in a given month. How do you think the government should allocate these prosecutions across the following crimes? (Homicide, Rape, Sexual Assault, Aggravated Assault, Robbery, Simple Assault)	
Crime Severity	Categorical	Not at all severe (1) Somewhat severe (2) Moderately severe (3) Very severe (4) Extremely severe (5)	How severe is [CRIME]?	
Population Prevalence	Numeric	0 to 100	Prevalence Men: Out of 100 men, how many do you think will be (a) victim(s) of [CRIME] in their lifetime(s)? Prevalence Women: Out of 100 women, how many do you think will be (a) victim(s) of [CRIME] in their lifetime(s)?	$(1-0.51)*\text{Prevalence_Men} + 0.51*\text{Prevalence_Women}^\dagger$
Female:Male Victims	Numeric	0 to 100	Prevalence Men: Out of 100 men, how many do you think will be (a) victim(s) of [CRIME] in their lifetime(s)? Prevalence Women: Out of 100 women, how many do you think will be (a) victim(s) of [CRIME] in their lifetime(s)?	$\text{Prevalence Women}/\text{Prevalence Men}^\ddagger$
Male:Female Perpetrators	Numeric	0 to 100	Prevalence Men: Out of 100 men, how many do you think will commit [CRIME] in their lifetime(s)? Prevalence Women: Out of 100 women, how many do you think will commit [CRIME] in their lifetime(s)?	$\text{Prevalence Men}/\text{Prevalence Women}^\ddagger$
Personal Probability of Experiencing Crime	Numeric	0 to 100	What is the probability that you yourself will be a victim of [CRIME] in your lifetime?	
False Report Rate	Numeric	0 to 100	Out of 100 [CRIME] reported to police, how many do you think are falsely reported?	
Occurrence to Conviction Rate	Numeric	0 to 100	Report Rate: Out of 100 [CRIME], approximately how many do you think get reported to the police? Arrest Rate: Out of 100 [CRIME] reported to police, approximately how many do you think result in an arrest being made? Prosecution Rate: Out of 100 [CRIME] for which an arrest is made, how many do you think are prosecuted before a judge and/or jury or settled through a plea bargain? Conviction Rate: Out of 100 [CRIME] that are prosecuted before a judge and/or jury, how many do you think result in a guilty conviction?	$\text{Population Prevalence} * (0.01*\text{Report Rate}) * (0.01*\text{Arrest Rate}) * (0.01*\text{Prosecution Rate}) * (0.01*\text{Conviction Rate})$

[†] Census data were used to select 0.51 as the portion of the U.S. population that is female (U.S. Census Bureau, 2021).

[‡] To avoid dividing by zero, 1 was imputed for 0 values in the perceived male and perceived female lifetime population prevalence variables.

Next, to account for issues of confounding variables and respondent misinformation about crime characteristics, I experimentally evaluate which factors affect respondent resource allocation decisions when other factors that may influence decision-making are held constant. To do so, I employ a paired profile conjoint experiment. Each survey respondent received two paired profile conjoints containing information about hypothetical criminal cases. Respondents were asked to choose which crime they would prosecute if they had to choose between them. Figure I displays a sample conjoint⁸. Table IV displays the conjoint attributes and the levels each attribute can take.

Figure I. Crime Selection Conjoint

Case 1	Crime	Case 2
Sexual assault		Aggravated assault
1%	Percent of population who will be victims of the crime in their lifetimes	1%
9 in 10 perpetrators are male	Perpetrator gender	9 in 10 perpetrators are male
6 in 10 victims are female	Victim gender	9 in 10 victims are female
1 in 4 reported cases result in conviction	Conviction rate	1 in 4 reported cases result in conviction
10%	Percent of cases that are falsely reported	10%

⁸Attribute levels were randomly selected for display in this sample conjoint.

Table IV. Conjoint Attributes and Levels

Attribute	Levels
Crime	Sexual assault, Aggravated assault
Population prevalence	1%, 15%
Perpetrator gender	6 in 10 perpetrators are male, 9 in 10 perpetrators are male
Victim gender	3 in 10 victims are female, 6 in 10 victims are female, 9 in 10 victims are female
Conviction rate	1 in 4 reported cases result in conviction, 3 in 4 reported cases result in conviction
Percent of cases that are falsely reported	1%, 10%

The conjoint attributes were limited so that respondents always saw one sexual assault profile and one aggravated assault profile, as giving different hypothetical statistics for the same crime category may have created confusion. Additionally, the victim gender attribute only took the “6 in 10 victims are female” and “9 in 10 victims are female” levels for the sexual assault profile, as respondents may find unrealistic a hypothetical claim that the majority of sexual assault victims are male. Sexual assault and aggravated assault were chosen as the sexual violent crime and non-sexual violent crime, respectively, as respondents gave them the most similar severity ratings in the pilot.

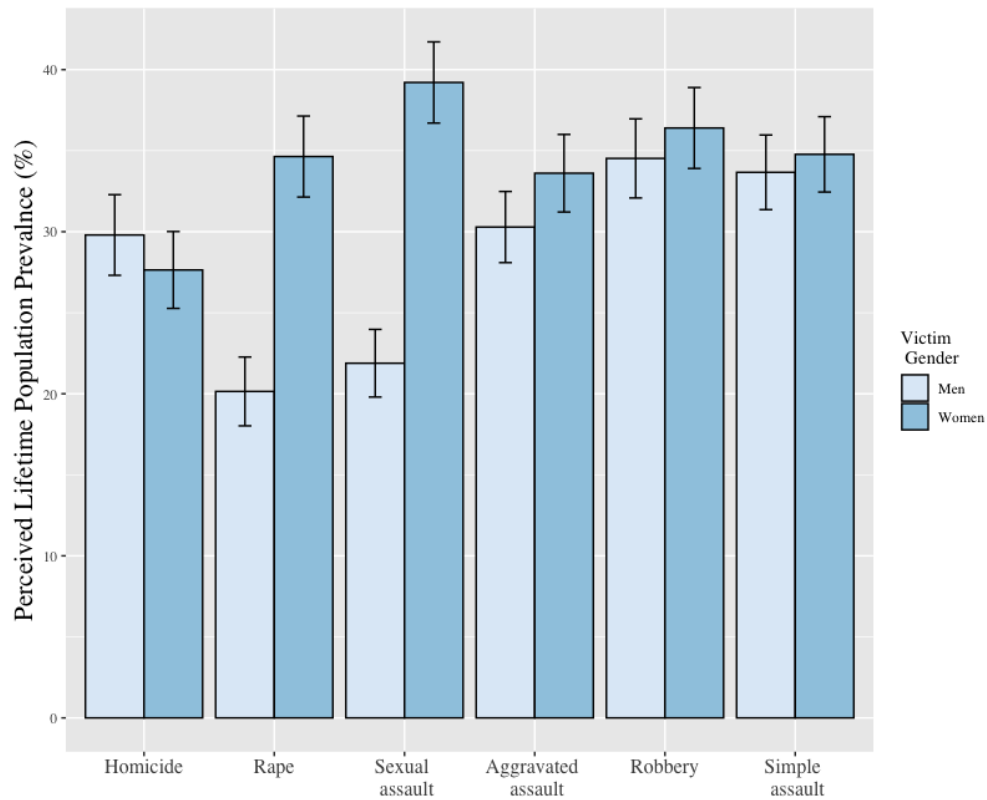
VI. Results

A. Public Preferences for Violent Crime Resource Allocation

a. Public Preferences and Perceptions

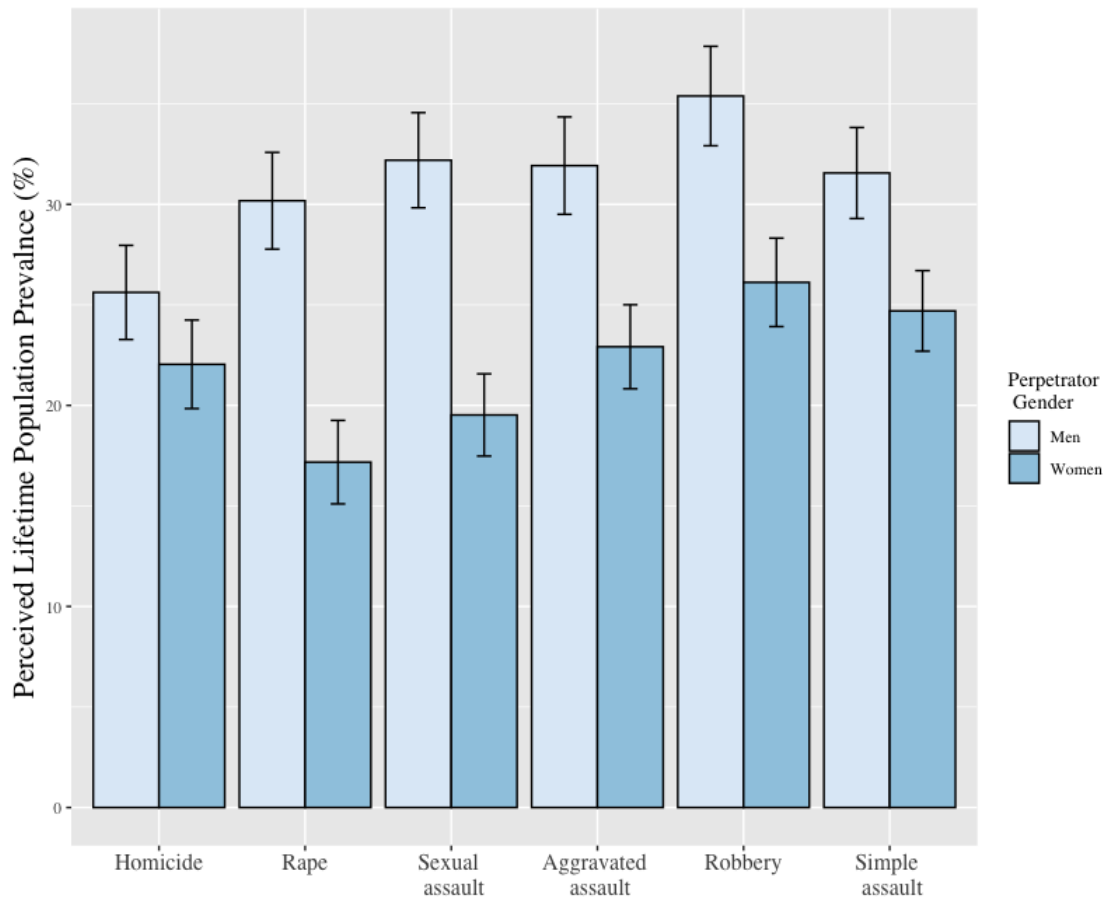
Figures II and III display respondent estimates of the percent of men or women who will experience or perpetrate each violent crime in their lifetimes. As is indicated in Figure II, respondents perceive women to experience rape and sexual assault at significantly higher rates than men. Similarly, Figure III indicates that respondents perceive men to perpetrate all crimes at higher rates than women, with the difference being statistically significant for rape, sexual assault, aggravated assault, robbery, and simple assault.

Figure II. Perceived Lifetime Population Prevalence of Violent Crime Victimization



Perceived lifetime population prevalence was measured using the following question: “Out of 100 women [men], how many do you think will be (a) victim(s) of [CRIME NAME] in their lifetime(s)? Please enter a number from 0 to 100.” Thus, the number respondents gave represents their estimate of the percent of women [men] who will experience each crime in their lifetime. *Note: Significance bars represent the 95 percent confidence intervals of each point estimate.*

Figure III. Perceived Lifetime Population Prevalence of Violent Crime Perpetration



Perceived lifetime population prevalence was measured using the following question: “Out of 100 women [men], how many do you think will commit [CRIME NAME] in their lifetime(s)? Please enter a number from 0 to 100.” Thus, the number respondents gave represents their estimate of the percent of women [men] who will commit each crime in their lifetime. *Note: Significance bars represent the 95 percent confidence intervals of each point estimate.*

To test whether there is a statistically significant difference in the perceived gender gap in perpetration and victimization between crimes, I calculate the perceived male to female gender ratio of crime victimization and perpetration⁹. The male to female gender ratio was calculated for each crime by dividing the perceived male lifetime population prevalence (the percent of men respondents believe will experience [perpetrate] each crime in their lifetimes) by the perceived female population prevalence (the percent of women respondents believe will experience [perpetrate] each crime in their lifetimes)¹⁰. T-tests between the perceived male to female gender ratio of violent crime perpetration [victimization] for non-sexual crimes (homicide, aggravated assault, simple

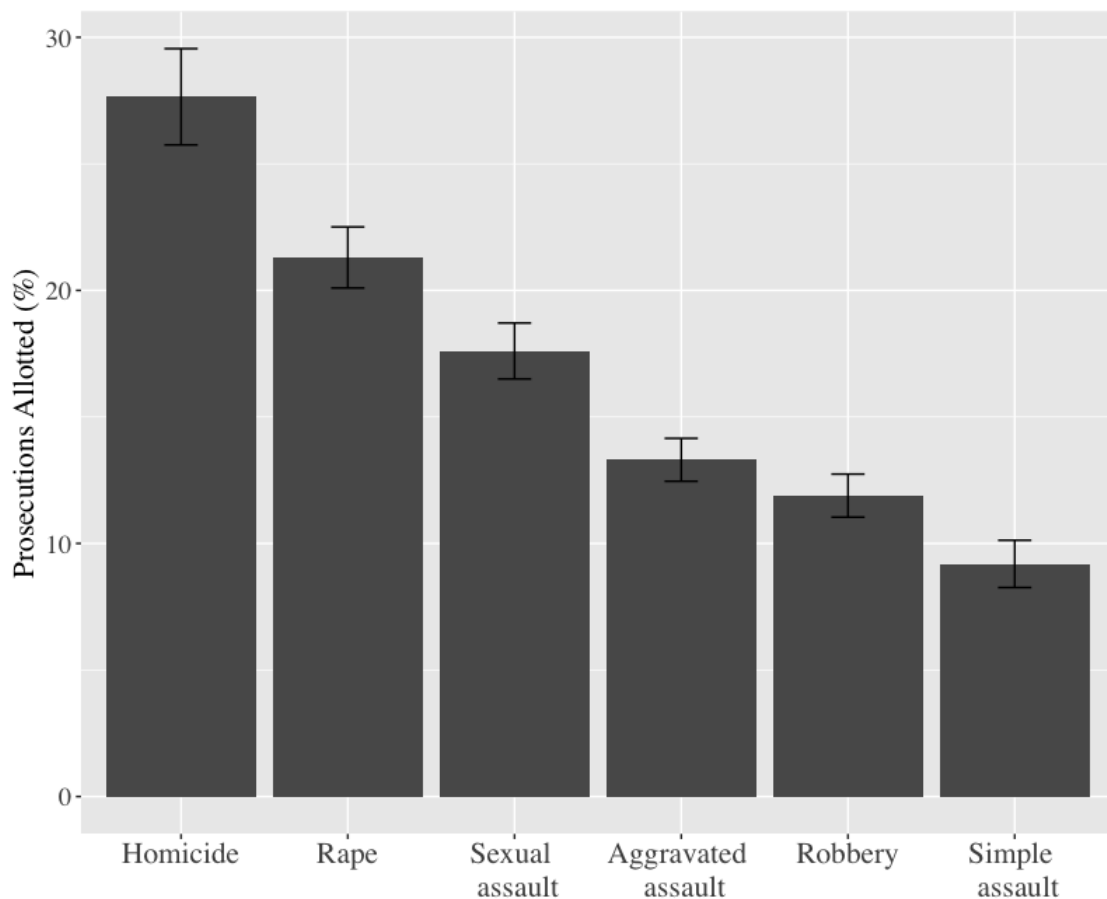
⁹This expectation is listed as H1 in the pre-analysis plan (PAP) for this paper. However, it is not labeled as such here in order to increase readability and flow of the paper. Please see Appendix C for the full PAP, as well as a description of differences between the analyses presented here and the PAP

¹⁰To avoid dividing by zero, 1 was imputed for 0 values in the perceived male and perceived female lifetime population prevalence variables.

assault, and robbery) and the perceived male to female gender ratio of violent crime perpetration [victimization] for sexual crimes (rape and sexual assault) are significant at $p < 0.001$. These results, reported in Table B in Appendix A, indicate that respondents view sexual violent crimes as significantly more gendered than non-sexual violent crimes, with relatively more men committing sexual violence relative to other crimes and relatively more women experiencing sexual violence relative to other crimes.

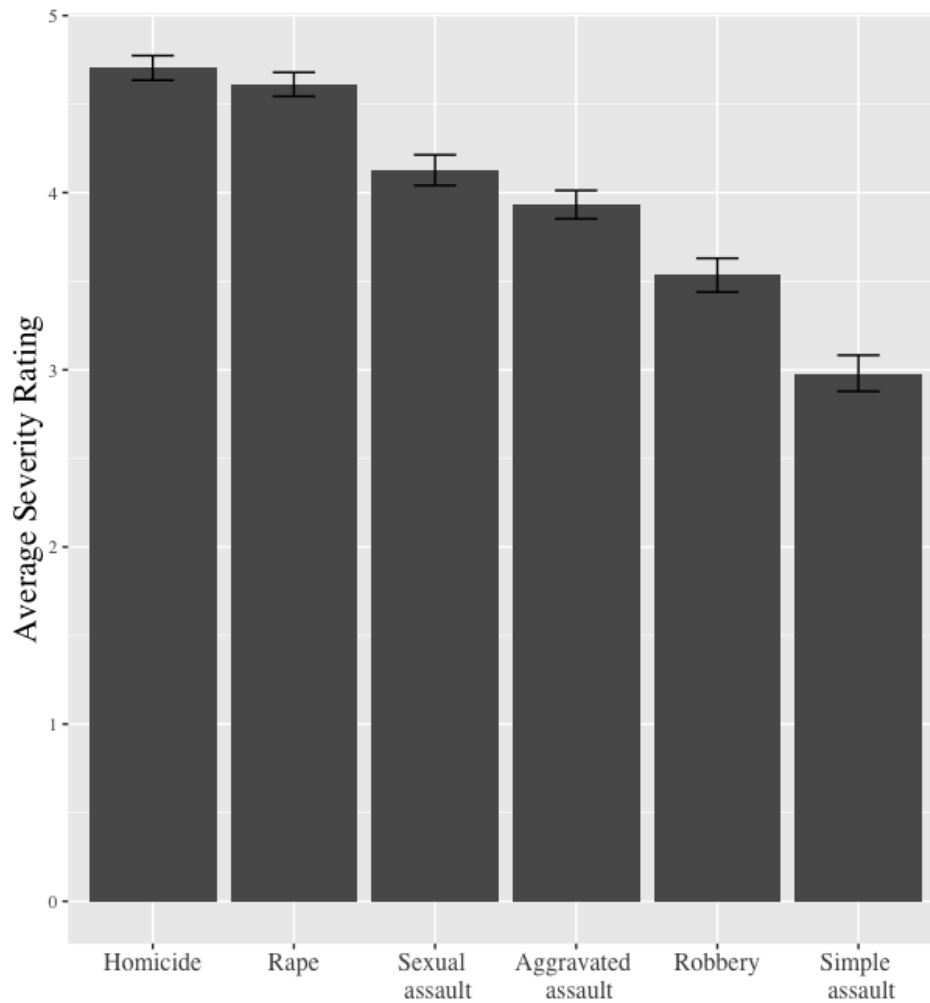
Figure IV presents the average percent of prosecutions respondents chose to allocate per crime. Far from allocating the fewest prosecutions to rape and sexual assault, the number of prosecutions respondents allocated to sexual violence is second only to homicide. Figure V presents respondent perceived severity ratings for each crime. Aside from homicide, rape and sexual assault are perceived to be the most severe violent crimes.

Figure IV. Prosecutions Allotted per Crime



Resource allocation is measured by the following survey question: *Suppose the local government in your area can only afford to bring 100 reported criminal cases to trial in a given month. How do you think the government should allocate these 100 prosecutions across the following crimes? (Homicide/Rape/Sexual assault/Aggravated assault/Simple assault/Robbery)*. Thus, the number of prosecutions allotted for a given crime represents the percent of prosecutions the respondents would allocate to that crime if they had to make trade-offs due to budget constraints. *Note: Significance bars represent the 95 percent confidence intervals of each point estimate.*

Figure V. Perceived Crime Severity



Perceived crime severity was measured using the following question: *How severe is [CRIME: Homicide, Rape, Sexual Assault, Aggravated Assault, Simple Assault, or Robbery]? (Not at all severe (1); Somewhat severe (2); Moderately severe (3); Very severe (4); Extremely severe (5))* Note: Significance bars represent the 95 percent confidence intervals of each point estimate.

b. Factors that Influence Resource Allocation Decisions

I measure resource allocation preferences both by gathering observational data (through direct questions on resource allocation preferences) and experimental data (through the crime selection conjoint tasks). The first column of Table V presents results of the resource allocation model (RQ1-RQ3) using the observational data, including all characteristics included in the crime selection conjoint. These results suggest individuals allocate more resources to crimes with a higher number of female victims, less resources to crimes with higher false report rates, and more resources to

crimes with higher conviction rates¹¹.

To see how these results compare to the parallel results from the crime selection conjoint, I first run the model on a subset of the observational data only containing the crimes included in the conjoint (sexual assault and aggravated assault). These results are reported in column 2 of Table V. These subsetting results generally match the results from the full observational data. The male to female victims and false report rate variables lose their significance when the model is run on the subsetting data, but maintain their directionality.

Next, I run the parallel analysis on the conjoint data. For the conjoint data, the dependent variable is coded 1 if a given crime was selected for prosecution and 0 if it was not. The conjoint attributes are the independent variables. As the final column of Table V demonstrates, the conjoint results match the observational data findings well. The variables that are statistically significant in the model run on the full observational data are statistically significant in the same directions in the conjoint model. One notable change is that population prevalence is significantly associated with higher resource allocation in the conjoint model, but not in the models run on observational data. This may be due to noise in the self-reported crime perception measures. As a whole, these analyses suggest that, consistent with the expectations outlined in Table II, individuals prefer to allocate more resources to crimes with a higher population prevalence, a lower false report rate, and a higher conviction rate. They also suggest individuals prefer to allocate more resources to crimes with relatively more female victims.

¹¹The data were weighted to account for the unequal gender distribution of the survey respondents relative to the population target.

Table V. Resource Allocation Preferences

		Model 1 (All Crimes)	Model 2 (Sexual Assault and Aggravated Assault)	Model 3 (Conjoint)
Prosecutions Allotted (%)				Chosen for Prosecution
Population Prevalence	Perceived Population Prevalence	-0.01 (0.01)	-0.01 (0.02)	
	15% Lifetime Population Prevalence			0.15 *** (0.02)
	1% Lifetime Population Prevalence			.
Victim Gender	Perceived Female:Male Victims	0.02 ** (0.01)	0.03 . (0.02)	
	9 in 10 Victims are Female			0.08 ** (0.03)
	6 in 10 Victims are Female			0.01 (0.02)
	3 in 10 Victims are Female			.
Perpetrator Gender	Perceived Male:Female Perpetrators	0.00 (0.00)	-0.00 (0.00)	
	9 in 10 Perpetrators are Male			0.02 (0.02)
	6 in 10 Perpetrators are Male			.
False Report Rate	Perceived False Report Rate	-0.05 *** (0.01)	-0.00 (0.02)	
	10%			-0.08 *** (0.02)
	1%			.
Conviction Rate	Perceived Conviction Rate	0.09 *** (0.01)	0.05 *** (0.02)	
	3 in 4 Reported Cases Result in Conviction			0.09 *** (0.02)
	1 in 4 Reported Cases Results in Conviction			.
Crime Fixed Effects	Homicide	19.38 *** (0.60)		
	Rape	12.92 *** (0.44)		
	Sexual Assault	9.27 *** (0.41)	4.42 *** (0.30)	0.21 *** (0.02)
	Aggravated Assault	4.61 *** (0.33)	.	.
	Simple Assault	4.47 *** (0.37)		
	Robbery	.		
Conjoint Fixed Effects				Yes
Respondent Fixed Effects		Yes	Yes	Yes
N		8933	2985	1491
Multiple R ²		0.27	0.00	0.00
Adj. R ²		0.12	0.00	0.00

. p < 0.1; * p < 0.05; ** p < 0.01; *** p < 0.001; two-tailed tests

Standard errors are clustered by respondent id and crime category for the observational models and respondent id for the conjoint.

Next, I would like to examine crime characteristics I was unable to include in the conjoint, as there was no clear way to experimentally vary their levels. Thus, I add to the model all potentially important crime characteristics I identified in Section IV.A. Specifically, I add perceived crime severity, one's perceived personal probability of experiencing a crime, and replace conviction rate with occurrence to conviction rate (which is arguably a stronger measure of crime prosecution efficiency, as it measures the portion of all crimes committed that result in conviction, rather than simply the portion of prosecuted crimes that result in conviction). I would also like to know if respondent gender bias influences resource allocation preferences (RQ4)¹². As gender bias likely differentially affects different crimes (RQ5), I disaggregate the results by crime category. Table VI presents results.

Results vary across crime categories for the observational data, with a few notable patterns. In the observational data, higher levels of false report rates reduce resource allocation for the two most severe crimes only (homicide and rape), perhaps because the adverse effects of false reporting is perceived to be the strongest for these crimes. Higher perceived population prevalence is associated with higher resource allocation only for violent sexual crimes in the observational data.

Benevolent sexism is associated with significantly lower resource allocation to homicide and higher resource allocation to violent sexual crimes (rape and sexual assault). Malevolent sexism is associated with lower resource allocation to rape (but not to sexual assault as one might expect if sexist beliefs are more salient with violent sexual crimes) and higher resource allocation to simple assault and robbery. Given that respondents were constrained to allocate a finite number of prosecutions across these crimes, one possible interpretation is that respondents with benevolent sexist beliefs are allocating to sexual violence resources they may otherwise allocate to homicide. Meanwhile, respondents with malevolent sexist beliefs may be allocating resources to simple assault and robbery that they may otherwise allocate to sexual violence.

The results for the conjoint are more consistent and generally match the composite conjoint results presented in Table V. One exception is that in the disaggregated conjoint results, a higher false report rate statistically significantly reduces prosecution allocations for sexual assault only, perhaps because of higher discourse surrounding false reporting in sexual violence cases.

¹²To assess this possibility, I add measures of benevolent and malevolent sexism. Two questions were used to measure respondent malevolent sexism: 1) Women often exaggerate the negative effects of sexual assault. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7)) and 2) Many women get a kick out of teasing men by seeming sexually available and then refusing male advances. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7)). The following two questions were used to measure benevolent sexism: 1) Many women have a quality of purity that few men possess. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7)) and 2) Women should be cherished and protected by men. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7)). The benevolent (malevolent) sexism scale was formed by adding the scores from each benevolent (malevolent) sexism question together and scaling the result from 0 to 1, with 0 indicating no benevolent (malevolent) sexism and 1 indicating higher levels of benevolent (malevolent) sexism.

Table VI. Resource Allocation Preferences by Crime Category

		OLS Regression Coefficients (Robust Standard Errors)						Conjoint (Chosen for Prosecution)	
		Prosecutions Allotted							
		Homicide	Rape	Sexual Assault	Aggravated Assault	Simple Assault	Robbery	Sexual Assault	Aggravated Assault
	(Intercept)	26.00	14.45	12.51	8.26	8.35	3.10		
Severity	Perceived Severity	2.72 * (1.31)	0.81 (0.80)	2.24 *** (0.48)	1.14 *** (0.32)	0.39 (0.26)	0.50 * (0.25)		
Population Prevalence	Perceived Population Prevalence	-0.17 *** (0.03)	0.07 ** (0.02)	0.07 *** (0.02)	-0.00 (0.01)	-0.01 (0.01)	0.01 (0.02)		
	15% Lifetime Population Prevalence							0.13 *** (0.02)	0.13 *** (0.02)
	1% Lifetime Population Prevalence							.	.
Victim Gender	Perceived Female:Male Victims	0.03 ** (0.01)	-0.03 (0.06)	0.01 (0.01)	-0.02 (0.02)	0.03 * (0.02)	-0.04 * (0.02)		
	9 in 10 Victims are Female							0.05 * (0.02)	0.07 ** (0.03)
	6 in 10 Victims are Female							.	0.00 (0.03)
	3 in 10 Victims are Female								.
Perpetrator Gender	Perceived Male:Female Perpetrators	-0.04 (0.05)	0.03 (0.03)	0.00 (0.00)	0.01 (0.01)	0.00 (0.00)	0.01 * (0.00)		
	9 in 10 Perpetrators are Male							0.04 . (0.02)	-0.00 (0.02)
	6 in 10 Perpetrators are Male							.	.
Personal Probability	Perceived Personal Probability	-0.02 (0.03)	0.02 (0.01)	0.01 (0.01)	0.02 (0.01)	-0.01 (0.01)	-0.00 (0.01)		
False Report Rate	Perceived False Report Rate	-0.10 *** (0.02)	-0.07 *** (0.02)	0.01 (0.02)	0.01 (0.01)	0.02 (0.01)	0.04 * (0.02)		
	10%							-0.06 * (0.02)	-0.03 (0.02)
	1%							.	.
Conviction Rate	Perceived Occurrence to Conviction Rate	0.27 *** (0.05)	0.07 (0.09)	-0.10 * (0.05)	-0.05 . (0.03)	-0.04 (0.04)	0.03 (0.05)		
	3 in 4 Reported Cases Result in Conviction							0.07 ** (0.02)	0.10 *** (0.02)
	1 in 4 Reported Cases Results in Conviction							.	.
Bias	Malevolent Sexism	-1.96 (2.15)	-3.10 * (1.40)	0.89 (1.49)	1.18 (0.91)	5.73 *** (1.05)	2.66 ** (0.82)		
	Benevolent Sexism	-6.48 ** (2.34)	4.62 *** (1.40)	3.23 * (1.31)	-1.41 (1.10)	0.07 (1.08)	1.50 (0.96)		
Respondent Fixed Effects								Yes	Yes
N		1302	1308	1307	1301	1304	1291	2987	2987
Multiple R ²		0.10	0.05	0.06	0.02	0.04	0.04	0.63	0.63
Adj. R ²		0.10	0.04	0.05	0.01	0.03	0.04	0.25	0.23

. p < 0.1; * p < 0.05; ** p < 0.01; *** p < 0.001; two-tailed tests

B. Differences in Preferences and Power across Genders

The high respondent resource allocation to sexual violence (Figure IV) suggests the *Differences in Preferences and Power across Genders Theory* alone is insufficient for explaining the low levels of resource allocation to sexual violence reduction. Nonetheless, it is possible that heterogeneous gender preferences dampen sexual violence resource allocation, just not enough to push the allocation below that of other crimes. Thus, I next test the hypotheses associated with the *Differences in Preferences and Power across Genders Theory*.

First, I test whether men and women have heterogeneous prosecution allocation preferences, particularly for sexual violence (H1). Results are presented in the first column for each crime in

Table VII. These results suggest there is a significant difference in resource allocation preferences between men and women, with women preferring to allocate more resources to rape and less resources to simple assault and robbery. However, the rank order of prosecution allocations across crimes is the same for men and women, with both men and women preferring to allocate relatively high levels of prosecutions to sexual violence; thus, I do not find evidence to support H2.

The *Differences in Preferences and Power across Genders Theory* also suggests social and economic dependence on men draws women's preferences closer to men's. Therefore, it is possible that women would allocate more resources to sexual violence were they not facing pressure to align with male preferences. That is, the results for men and women as a whole may be understating differences in true preferences between men and women because social and economic constraints have already drawn women's stated preferences closer to men's. To test this possibility, I create a measure of social and economic dependence. Three variables were used to create a measure of social and economic dependence: 1) Dependence on Partner Income, 2) Decision-making Power over Household Purchases, and 3) Decision-Making Power over Household Social Decisions¹³¹⁴.

Results, presented in the second column for each crime in Table VII¹⁵, indicate that socially and economically independent women prefer to allocate significantly more resources to rape on average than socially and economically independent men. Similarly, socially and economically independent women prefer to allocate more resources to sexual assault on average than socially and economically independent men, though this difference is not statistically significant. Socially and economically independent women also prefer to allocate fewer resources to aggravated assault, simple assault, and robbery than socially and economically independent men.

Social and economic dependence shifts women's resource allocation to rape and sexual assault in the expected direction (downward). More broadly, social and economic dependence reduces women's resource allocation to the crimes for which unconstrained women prefer to allocate more resources than men (homicide, rape, and sexual assault) and increases women's resource allocation to the crimes for which unconstrained women prefer to allocate fewer resources than men (aggravated assault, simple assault, and robbery). However, the interaction effect between economic and social dependence and gender is not statistically significant for resource allocation to violent sexual crimes.

¹³Three survey questions were used to create the measure of social and economic constraints: 1) Dependence on Partner Income: *[SHOWN ONLY TO RESPONDENTS WHO ARE MARRIED OR LIVING WITH A PARTNER] How dependent are you on your [SPOUSE OR PARTNER'S] income? (Not at all dependent/ Somewhat dependent/ Moderately dependent/ Very dependent/ Extremely dependent)*, 2) Household Purchases: *[SHOWN ONLY TO RESPONDENTS WHO ARE MARRIED OR LIVING WITH A PARTNER] Who usually makes the final decision about major household purchases? (Myself; My [SPOUSE OR PARTNER]; It is a joint decision between me and my [SPOUSE OR PARTNER]; Other (Please specify): [TEXT ENTRY])*. 3) Social Decisions: *[SHOWN ONLY TO RESPONDENTS WHO ARE MARRIED OR LIVING WITH A PARTNER] Who usually makes the final decision in choices regarding which social activities you and your partner engage in? (Myself; My [SPOUSE OR PARTNER]; It is a joint decision between me and my [SPOUSE OR PARTNER]; Other (Please specify): [TEXT ENTRY])*.

¹⁴Exploratory factor analysis was used to construct the constraints measure. This analysis indicated these questions scaled onto the same dimension of constraint. The final constraint scale is normalized to take values from 0 to 1, with 0 indicating no constraints and 1 indicating high levels of constraints.

¹⁵Seemingly unrelated regression is used to account for cross-equation error correlation.

Table VII. Resource Allocation Preferences by Sex and Social and Economic Dependence

OLS Regression Coefficients (Robust Standard Errors)												
Prosecutions Allocated (%)												
	Homicide		Rape		Sexual Assault		Aggravated Assault		Simple Assault		Robbery	
	28.10	26.56	19.62	18.99	16.49	16.52	13.03	13.94	12.90	13.56	8.81	8.93
(Intercept)												
Female	0.86 (1.11)	2.58 . (1.42)	2.51 *** (0.66)	3.57 *** (0.91)	0.79 (0.65)	1.09 (0.88)	-0.38 (0.48)	-1.71 ** (0.65)	-2.18 *** (0.53)	-3.37 *** (0.69)	-1.03 * (0.45)	-1.40 ** (0.54)
Economic and Social Dependence		8.43 * (4.24)		3.43 (3.05)		-0.85 (2.39)		-4.97 ** (1.52)		-3.61 * (1.82)		-0.65 (2.26)
Economic and Social Dependence:Female		-9.71 * (4.82)		-5.87 . (3.44)		-1.32 (2.79)		7.26 *** (1.83)		6.43 ** (2.09)		2.07 (2.45)
N	1491	1486	1491	1486	1491	1486	1491	1486	1491	1486	1491	1486
Multiple R ²	0.00	0.00	0.01	0.01	0.00	0.00	0.00	0.01	0.01	0.02	0.00	0.00
Adj. R ²	-0.00	0.00	0.01	0.01	0.00	0.00	-0.00	0.01	0.01	0.02	0.00	0.00

. p <0.1; * p <0.05; **p <0.01; ***p <0.001; two-tailed tests

Overall, the findings in this section partially support H3, and do not support H4. That is, socially and economically independent women prefer to allocate statistically significantly more resources to rape than socially and economically independent men; socially and economically independent women prefer to allocate more resources to sexual assault than socially and economically independent men, but these findings are not statistically significant (H3). Social and economic dependence does not statistically significantly reduce women's resource allocation to sexual violence (H4).

As a whole, the survey findings do not support the *Differences in Preferences and Power across Genders Theory*. Respondents do view sexual crimes as gendered and more gendered than other crimes. Additionally, in general, men and women do exhibit different resource allocation preferences for sexual violence. However, the rank-order of crime resource allocation preferences is the same for men and women, with both men and women preferring to allocate more resources to rape and sexual assault than to every other violent crime except homicide. This suggests the status quo low state prosecution of sexual violence cases is not reflective of aggregate public preferences. That is, by precluding sexual violence prosecutions at high rates relative to other violent crimes, democratically elected chief prosecutors are acting counter to overall public preferences.

VII. The *Chief Prosecutor Ability and Incentives Theory*

The results from Section VI.B. suggest the low prosecution of violent sexual crimes is not driven by public preferences. In this section, I propose an alternative theory that may explain why the low prosecution of sexual violence cases has been able to exist and persist in spite of public preferences. I refer to this as the *Chief Prosecutor Ability and Incentives Theory*. In Section VII.A., I propose that low information and low contestation in chief prosecutor elections means chief prosecutors have the ability to exceptionally clear a high portion of sexual violence cases, even if this high dismissal rate runs counter to public preferences. In Section VII.B. I propose several reasons why chief prosecutors may have an incentive to dismiss sexual violence cases at high rates.

A. Chief Prosecutor Ability

Chief prosecutors hold considerable power and influence in the U.S. criminal justice system. They have responsibilities ranging from deciding whether to file charges, which charges to file, and how to try a case (McCannon 2013). Beyond providing justice to crime victims, chief prosecutors' decisions regarding which cases to pursue play an important role in deterring crime (Corman and Mocan 2000). Chief prosecutors are theoretically able act against public preferences, as their power is weakly constrained. In most states, chief prosecutors "do not report up to any statewide hierarchy when setting priorities and practices of the office" (Wright 2009). Democratic elections represent the primary accountability mechanism for U.S. chief prosecutors (Hessick, Treul, and Love 2023; Wright 2009). However, incumbent chief prosecutors rarely lose an election, suggesting this system of accountability has largely failed us (Wright 2009). Moreover, only one state (Colorado) imposes

term limits on chief prosecutors (Hessick and Morse 2019). The sparse literature on U.S. prosecutor accountability points to two primary reasons why chief prosecutors are not held more accountable by voters for general office performance in the U.S.: Low levels of information on chief prosecutor office performance and low chief prosecutor office contestation.

a. Low Information

Evidence suggests most chief prosecutor campaign claims focus on factors other than prosecution statistics for individual crimes. Wright (2009) finds the plurality of campaign claims made in newspaper and magazine articles concern characteristics of individual prosecutors, such as misconduct of the challenger or personal qualifications, experience, and qualities. Claims about office performance focused, in order of prevalence, on case backlogs/processing time, conviction rates, aggregate sentence severity, and plea bargaining. This suggests prosecutors have an incentive to minimize backlog and processing time and prioritize cases that have a high probability of obtaining a conviction with a severe sentence. Incentives to minimize processing time and maximize conviction rates may explain prosecutors' tendency to exceptionally clear sexual violence cases at the pre-arrest stage, as these cases are known for being particularly challenging to prosecute.

It is perhaps puzzling that challengers do not more frequently leverage incumbent chief prosecutors' low prosecution rates of sexual violence cases against them in campaigns. However, it is possible that challengers do not know how to prove the low prosecution of sexual violence cases is due to incumbent choices, rather than the nature of the crime. Accusations of excessive exceptional clearances of sexual violence cases is a fairly recent phenomenon; therefore, challengers may not know to point to an incumbent's exceptional clearance record as an indicator of mishandled sexual violence cases. Meanwhile, alternative indicators that an incumbent chief prosecutor is dismissing cases they could hypothetically bring to trial may be difficult to come by.

One alternative indicator is personal testimonies of sexual violence survivors who had their case mishandled. This is a promising indicator of case mishandling, as having details about a particular case and the evidence at hand can allow the public to decide for themselves whether or not the legal system handled the case appropriately. For example, in the highly publicized Brock Turner rape case, having high levels of details about the case allowed the public to form a consensus that the light sentence given to Turner was inappropriate; public outrage at the sentence led to the recall of the presiding judge (RECALLED, D. A. C. B.). However, due to perceptions that the state cannot prevent sexual violence (Htun and Weldon 2018), in many cases survivors who have their case dismissed by a chief prosecutor may assume their case was dismissed because it was simply impossible to prosecute. As a result, they may not come forward with accusations that the chief prosecutor mishandled their case. This was the case for Hanna Senko, whose case was dismissed by chief prosecutor Margaret Moore. In an interview with the Austin Firefighters Association, Senko recounts how, after reading the class-action lawsuit against Moore, she realized that "even cases with a tremendous amount of evidence weren't moving forward. There wasn't something wrong with [her] case; there is something wrong with the system that our cases are

falling into” (NoDAMoore.org). Senko and other survivors in Travis County realized their cases had been inappropriately cleared because many survivors eventually went public with accusations. However, these accusations slowly leaked into local newspapers years into Moore’s tenure as chief prosecutor, indicating how challenging it is for this information to be made public. Even if the victim does believe the law enforcement system inappropriately cleared their case, they may not want to make public accusations due to the presence of victim blaming norms or the sensitive nature of the crime.

b. Low Contestation

Most incumbent chief prosecutors run unopposed (Wright 2009), perhaps due to personal incentives that discourage lawyers in smaller counties from risking their law practice for a political career (Hessick and Morse 2019). Thus, it is plausible that voters who wish to hold their local government accountable for low prosecution rates are not able to do so due to the lack of challengers.

Hessick et al. (2020) study at least one election cycle in each district that elects a chief prosecutor. Their data covers years ranging from 2012-2017, though most districts only have data for one election/year in that time frame. Less than 30 percent of the districts in the election cycle they studied had more than one candidate on the ballot. However, the likelihood that a chief prosecutor election is contested increases as the district population increases. As a result, almost half (48 percent) of the U.S. population lives in a district in which the chief prosecutor was contested in the election cycles studied by Hessick et al. Moreover, chief prosecutor seats are substantially more likely to be contested in open seat elections (Hessick et al. 2020). The compounded effects of these phenomena are that open seat elections in counties with large populations enjoy quite high levels of contestation; though only 45% of open seat elections are contested in districts with a population of less than 100K, this increases to 68% for districts with 100K-249K, 82% for districts with 250K-1M, and 100% for districts with 1M+ (Hessick et al. 2020). This suggests imposing term limits on chief prosecutors could increase accountability by increasing election contestation.

B. Chief Prosecutor Incentives

The previous subsection outlined why chief prosecutors are able to act counter to public preferences. However, it is also important to consider why they may want to do so in the first place. Chief prosecutors may choose to exceptionally clear a high portion of sexual violence cases for several reasons. I propose two constructs prosecutors may seek to maximize: 1) Career prospects and 2) personal preferences.

a. Career Prospects Maximization

Chief prosecutors may dismiss sexual violence cases to maximize their career prospects, either in the form of re-election prospects or future employment prospects. Particularly, chief prosecutors may use exceptional clearances to prosecute only those sexual violence cases that they believe are

most likely to result in a conviction. This could raise their overall office conviction rates for violent crimes, thus improving their career prospects.

The theoretical literature on prosecutor elections proposes two primary measures elected federal and state prosecutors may attempt to maximize to signal their quality: conviction rates and sentence severity. Sentence length is the typical measure of sentence severity, though qualitative evidence suggests prosecutors may signal quality with other measures, such as the number of guilty offenders placed on death row (Bandyopadhyay and McCannon 2015; Tolson and Brewer 2001). Quantitative literature on the incentives that influence chief prosecutor decision-making is sparse and offers mixed support for these theoretical expectations. Nadel et al. (2017) studied the effects of chief prosecutor elections in Florida from 1995 to 2010 on punishment severity, filing rates, and conviction rates for felonies. They found, counter to expectations, that punishment severity, filing rates, and conviction rates are lower in election years. Rates for violent felonies are significantly lower in election years. Dyke (2007) studied the effects of chief prosecutor elections on felony cases in North Carolina during the 1990s. As expected, when controlling for prosecutorial resources, district demographic characteristics, and crime seriousness, conviction rates are higher and the likelihood of all charges for a case being dismissed is lower in the year before an election. The presence of electoral competition strengthened these effects. This suggests an association between election proximity and both sentence severity and conviction rates. However, disaggregating by charge type, the effect remains significant for property and drug crimes, but not for violent crimes.

Evidence obtained through chief prosecutor interviews and observational data is consistent with the notion that prosecutors attempt to maximize conviction rates. Spohn, Beichner, and Davis-Frenzel (2001) present qualitative and observational evidence suggesting prosecutors take conviction probability into account when making charging decisions. Morabito et al.'s (2019) interviews with chief prosecutors corroborate this finding. Though prosecutors claimed they were not evaluated based on conviction rates, when questioned about their exceptional clearances of sexual violence cases, they repeatedly emphasized the importance of maximizing conviction rates by pursuing cases with the highest probability of producing a conviction.

b. Personal Preference Maximization

Chief prosecutors may prosecute cases according to their own personal preferences. These personal preferences can include personal biases. In the context of sexual violence cases, several potential biases may reduce prosecution of violent sexual crimes. Malevolent or hostile sexism is the derogation of women who defy traditional gender roles. Malevolent sexist beliefs include the idea that women try to control or tease men with their sexuality (Glick and Fiske 1996; Chapleau et al. 2007). Thus malevolent sexist beliefs, in combination with related rape myth acceptance beliefs, could be associated with higher sexual violence exceptional clearance rates among chief prosecutors. Benevolent sexism justifies male domination by rewarding women who “know their place” and do not usurp male power (Glick and Fiske 1996; Chapleau et al. 2007). Benevolent sexist beliefs include the idea that women are pure and fragile and need to be protected. Therefore,

it is also plausible chief prosecutors are clearing sexual violence cases in order to “protect” victims from an unpleasant legal process that may not lead to a conviction. Though this form of benevolent sexism may be normatively preferable to malevolent sexism, it is still normatively undesirable, as it usurps sexual violence victims’ right to have their cases prosecuted by the legal system.

Sexual violence cases are more likely to be exceptionally cleared when they have characteristics that are associated with higher rape myth propagation. This includes cases in which the victim engages in what might be perceived to be risk-taking behaviors or when the victim and offender are non-familial acquaintances (LaFree 1981; McCahill et al. 1979; Spohn and Holleran 2001; Spohn and Spears 1996; Morabito et al. 2019; Lonsway et al. 2009; Bouffard 2000; Walfield 2015). Conversely, arrests are more likely in the presence of case characteristics that are associated with lower rape myth propagation, such as the victim suffering major or minor physical injury and the perpetrator having a knife or firearm on their person (Walfield 2015). Though this pattern could be consistent with personal biases of chief prosecutors, it may also be evidence of career prospects maximization. Particularly, prosecutors may believe cases are less likely to receive a guilty jury verdict if they have characteristics that are associated with rape myth propagation. Thus, they could be strategically employing exceptional clearances for difficult-to-win cases. This would presumably allow them to raise overall conviction rates and potentially improve their career prospects.

VIII. Conclusion

I find evidence that chief prosecutors are under-allocating resources to sexual violence relative to other violent crimes by making liberal use of exceptional clearances. By conducting what is to my knowledge the first survey on public preferences for violent crime prosecution allocation, I find evidence that this low prosecution of sexual violence cases is not driven by public preferences. Aside from homicide, both men and women prefer to allocate the most prosecutions to sexual violence. Moreover, though respondents prefer allocating resources to crimes with relatively higher conviction rates, I find they also greatly value allocating resources in a way that minimizes harm. This is evidenced by respondents’ desire to allocate more resources to crimes with higher severity and population prevalence. Thus, chief prosecutors’ prosecution decisions do not align with aggregate public preferences. That said, chief prosecutors operate at the local level, while my survey was conducted at the national level. Future work should explore sub-national variation in public preferences for sexual violence prosecution; public preferences could still explain chief prosecutor behavior if significant sub-national variation exists and aligns with cross-prosecutor variation in case handling.

As most chief prosecutors are democratically elected, the findings in this paper raise the question of why voters do not punish chief prosecutors for their low prosecution of sexual violence. To answer this question, I proposed a second theory, which suggests low information about chief prosecutor performance and low office contestation prevent voters from holding under-performing chief prosecutors accountable. In my survey, I find respondents exhibited unhappiness when hy-

pothetical prosecutors selected a different case to prosecute than the one they (the respondent) selected (See Appendix A, Tables I and J). In addition to testing the various components of the *Chief Prosecutor Ability and Incentives Theory*, future studies should examine whether or not this unhappiness translates into a willingness to hold politicians democratically accountable for low prosecution of sexual violence.

As Htun and Weldon (2018) note, historically, many individuals have considered sexual violence “a fact of life, unalterable like earthquakes, or something that happened only to them. These attitudes persist to some degree today even in places like the United States” (p. 53). As scholarship on sexual violence increases, it increasingly appears sexual violence is more similar to other violent crimes than it is to natural disasters. I have presented evidence that U.S. chief prosecutors dismiss sexual violence cases that they could hypothetically bring to trial at high rates and that this phenomenon is unique to violent sexual crimes. I have also presented evidence that this chief prosecutor behavior represents a democratic inefficiency; that is, chief prosecutors are acting counter to public preferences. Better understanding what drives chief prosecutors to act counter to public preferences is integral to bringing state treatment of sexual violence closer to public will.

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Supporting Information for Common Exceptions: Understanding the U.S. Legal System's Differential Treatment of Sexual Violence Cases

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1 Appendix A. Additional Tables, Survey

Table A. Sample Demographics

	Sample	Population
<i>Age</i>		
18-24	0.3%	13.1%
25-44	36.5%	35.0%
45-64	28.3%	26.4%
65 and older	26.0%	13.0%
<i>Sex</i>		
Male	36.8%	46.5%
Female	63.2%	53.5%
<i>Education</i>		
Some high school or less	3.1%	13.7%
High school degree	26.7%	31.0%
Some college	29.6%	19.3%
College degree	28.5%	26.6%
Post-graduate degree	11.9%	9.3%
<i>Race</i>		
White	79.8%	72.4%
Black or African American	8.9%	12.6%
American Indian or Alaska Native	0.7%	0.9%
Asian	2.1%	4.8%
Hispanic	4.0%	
Multiracial/other	4.5%	9.3%
<i>Partisanship</i>		
Democrat	43.8%	33.0%
Republican	30.1%	29.0%
Other	25.9%	38%
<i>Turnout in Most Recent Local Election</i>		
Voted	63.1%	
Did not Vote	36.7%	

Population demographics are according to the 2020 U.S. Census.

Partisanship data are from the Pew Research Center.

Table B. Difference in Male to Female Gender Ratio of Perceived Victimization and Perpetration

	Mean Non-Sexual Crime	Mean Sexual Crime	p-value (two-tailed)	95% Confidence Interval	
				Lower	Upper
Victimization	1.39	0.66	0.00***	-0.81	-0.66
Perpetration	2.95	6.85	0.00***	3.24	4.58

. p < 0.1; * p < 0.05; ** p < 0.01; *** p < 0.001; two-tailed tests

Table C. Percent of Prosecutions Allocated per Crime[†]

	Mean Men	Mean Women	t	p-value (two-tailed)	95% Confidence Interval	
					Lower	Upper
Homicide	28.37	29.31	-0.84	0.40	-3.13	1.25
Rape	20.08	22.31	-3.36	0.00***	-3.53	-0.93
Sexual Assault	16.74	17.28	-0.84	0.40	-1.81	0.73
Aggravated Assault	12.90	12.67	0.52	0.61	-0.65	1.11
Simple Assault	12.88	10.73	4.32	0.00***	1.17	3.13
Robbery	9.03	7.70	2.94	0.00**	0.44	2.21

Table D. Constrained versus Unconstrained Women, Prosecutions Allocated per Crime (%)[†]

	Mean Constrained Women	Mean Unconstrained Women	t	p-value (two-tailed)	95% Confidence Interval	
					Lower	Upper
Homicide	29.08	29.70	-0.48	0.63	-3.19	1.94
Rape	21.77	23.26	-1.69	0.09.	-3.28	0.24
Sexual Assault	17.12	17.55	-0.52	0.60	-2.05	1.19
Aggravated Assault	12.87	12.33	0.97	0.33	-0.56	1.64
Simple Assault	11.14	10.02	2.11	0.04*	0.08	2.16
Robbery	8.03	7.14	2.00	0.05*	0.02	1.76

Table E. Constrained versus Unconstrained Men, Prosecutions Allocated per Crime (%)[†]

	Mean Constrained Men	Mean Unconstrained Men	t	p-value (two-tailed)	95% Confidence Interval	
					Lower	Upper
Homicide	26.79	30.84	-2.13	0.03*	-7.78	-0.31
Rape	19.91	20.35	-0.42	0.67	-2.48	1.60
Sexual Assault	17.31	15.84	1.49	0.14	-0.48	3.43
Aggravated Assault	12.93	12.86	0.10	0.92	-1.38	1.53
Simple Assault	13.22	12.34	1.02	0.31	-0.82	2.57
Robbery	9.83	7.78	2.76	0.01**	0.59	3.52

[†] As specified in the PAP (see Appendix C), these analyses were conducted on the unweighted survey data. Thus, results may vary slightly from analyses in the body of the paper.

Figure A. Crime Conjoint AMCEs for All Respondents

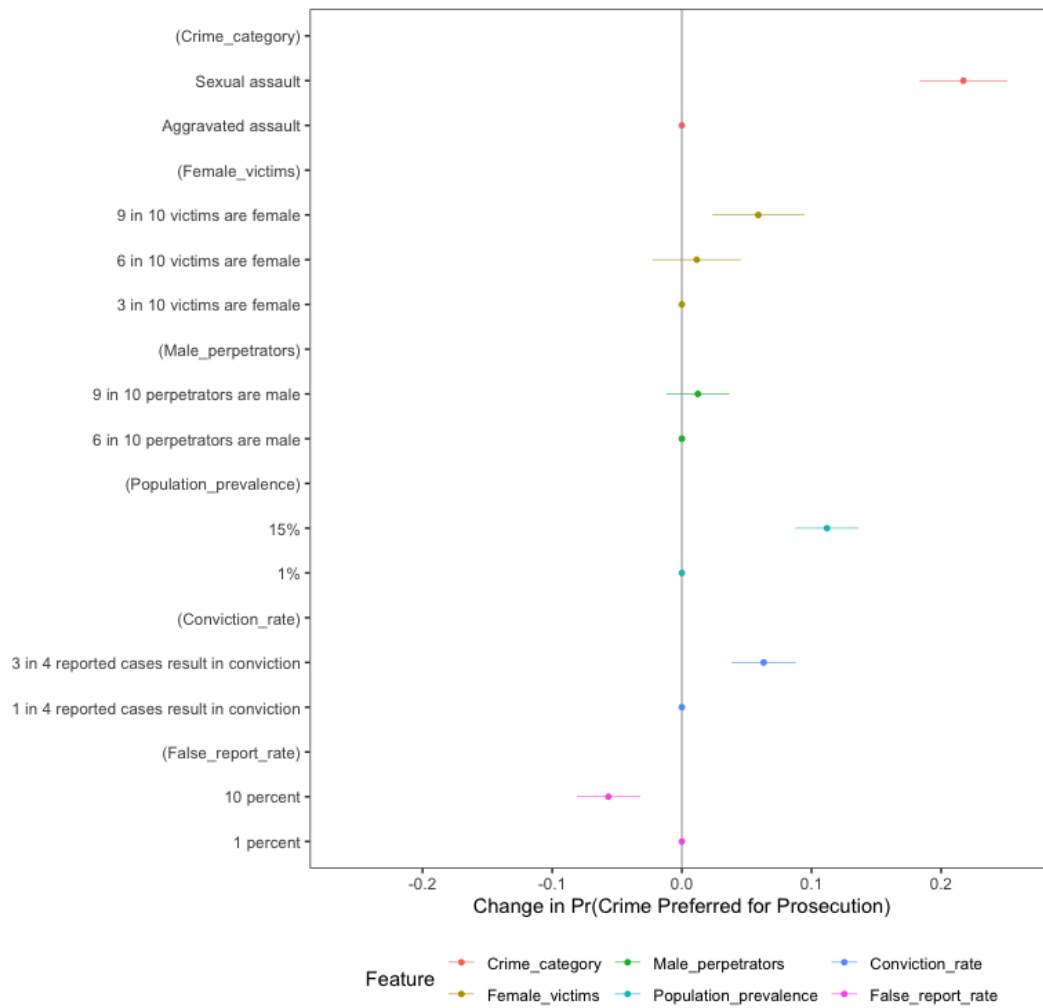


Figure B. Crime Conjoint AMCEs by Sex

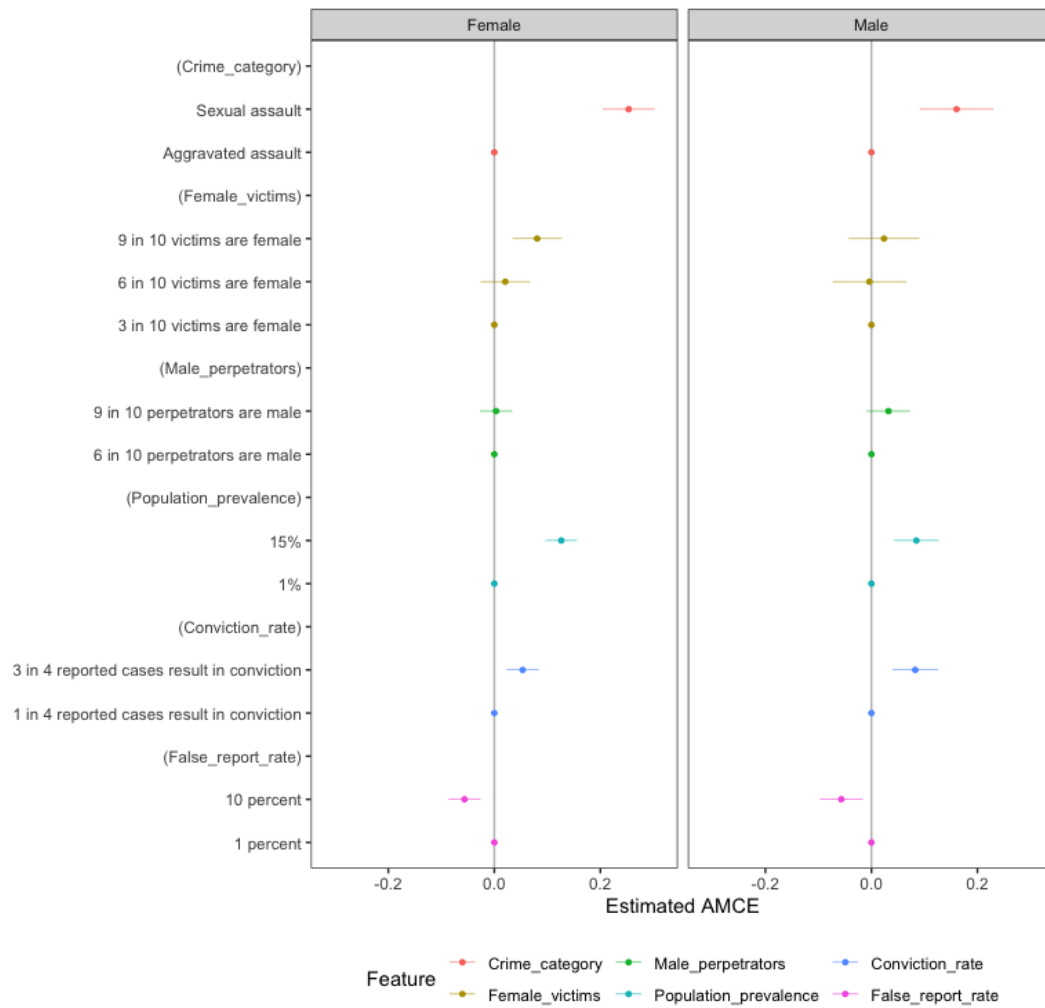


Figure C. Constrained versus Unconstrained Women

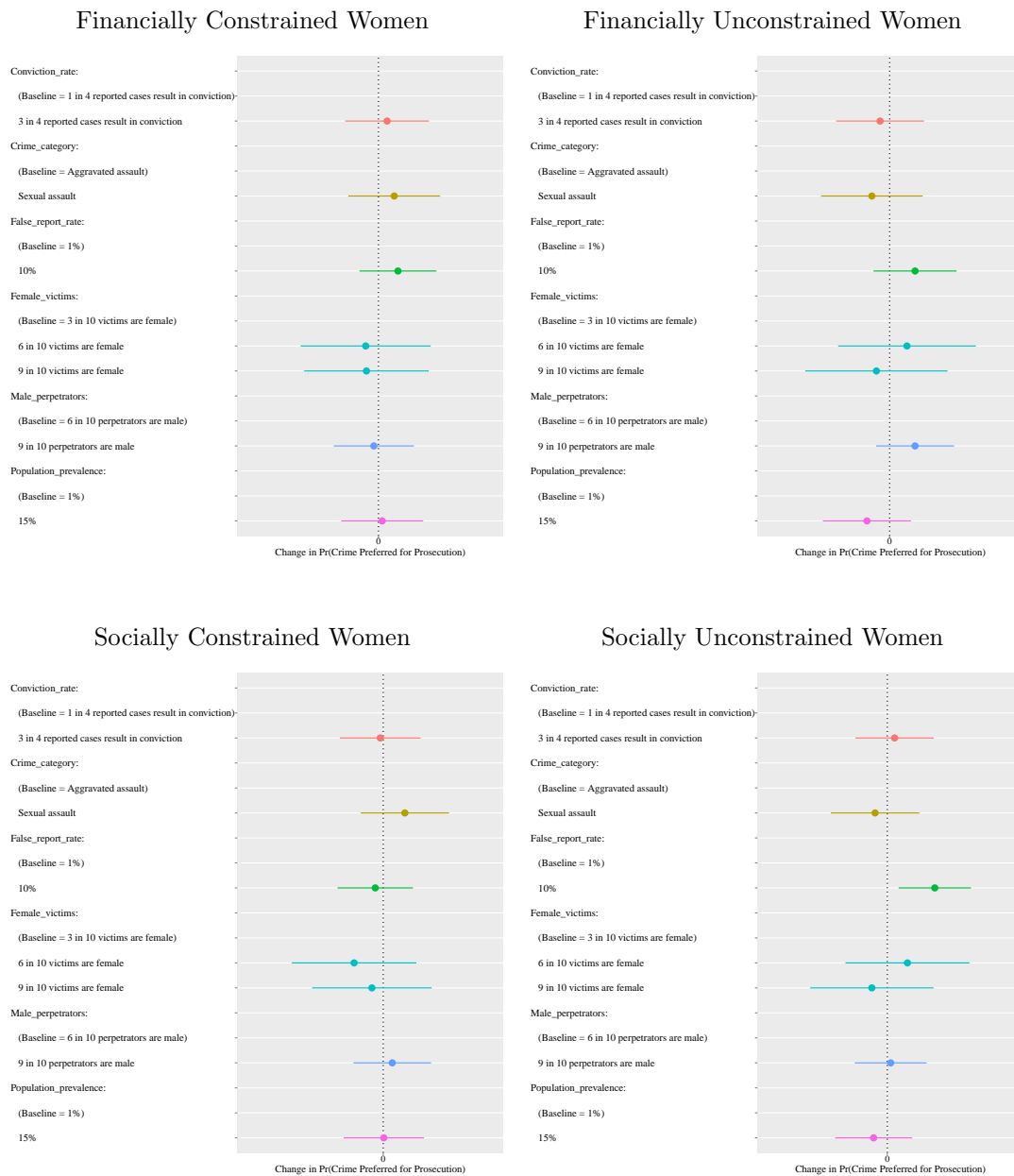


Figure D. Constrained versus Unconstrained Men

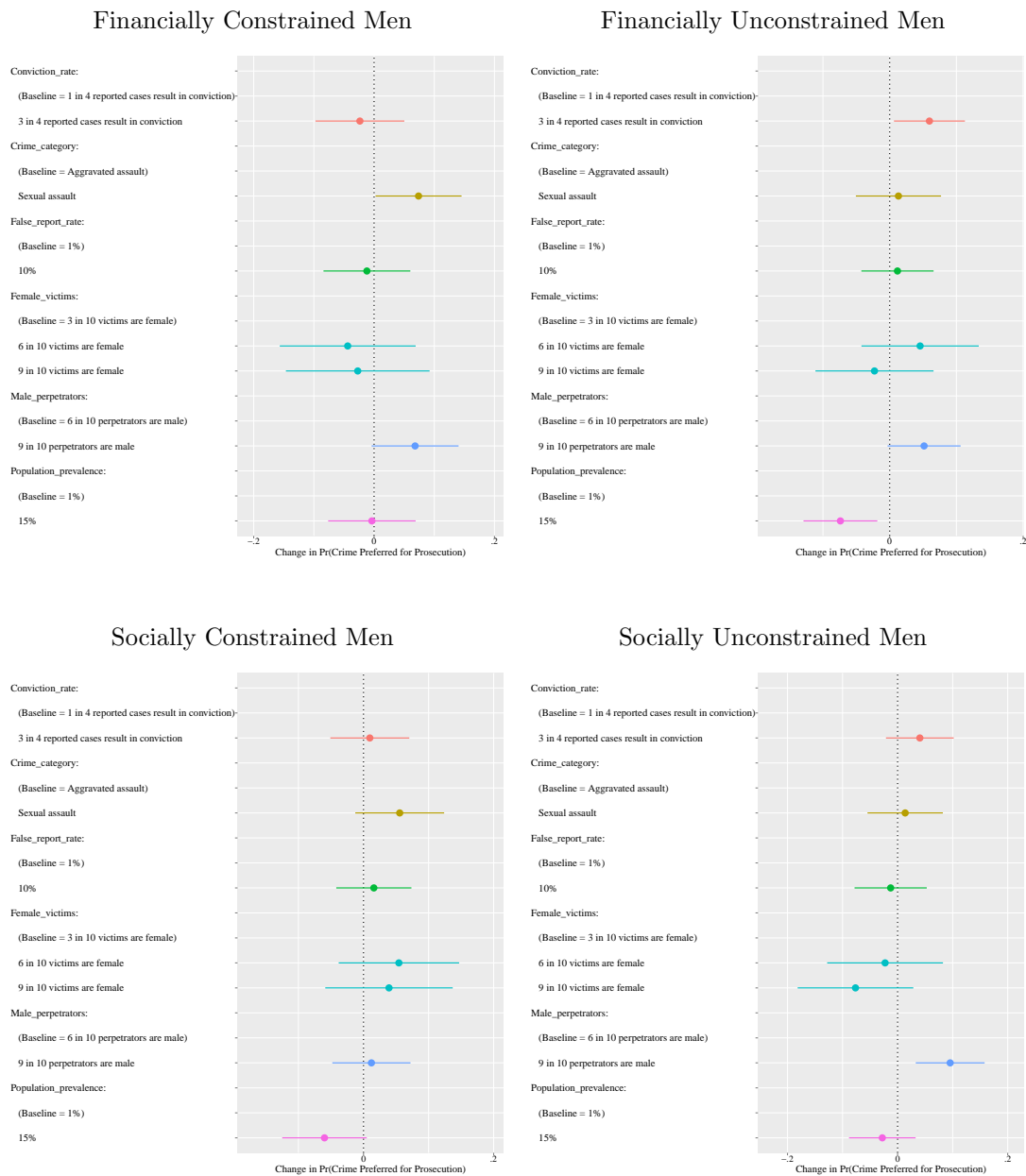


Table F. Gender Fairness of
Current System

Not at all fair	23.7 %
Somewhat fair	26.8%
Moderately fair	30.0 %
Very fair	12.6 %
Extremely fair	7.0 %

Table F presents results for the following survey question: *How fair are current law enforcement practices related to sexual violence in regards to gender?(Not at all fair (1); Somewhat fair (2); Moderately fair(3); Very fair(4); Extremely fair(5)).*

Table G. Effects of Increasing
Justice System's Rape Response

More equal system	60.5 %
Unfair to men	6.4%
Unfair to women	7.2%
No effect on equality	25.9%

Table G presents results for the following survey question: *Do you think strengthening the legal system's response to rape cases would create a more equal system, create a system that is less fair to women, create a system that is less fair to men, or have no effect on equality? (It would create a more equal system./ It would create a system that is unfair to women./ It would create a system that is unfair to men./ It would have no effect on equality.)*

Table H. Effects of Sex and Social and Economic Dependence on Fairness and Equality Perceptions

	Fairness of Current System			Change in Equality		
(Intercept)	2.87	2.84	2.89	2.39	2.38	2.35
Sex	-0.55 *** (0.06)	-0.56 *** (0.06)	-0.63 *** (0.08)	0.12 ** (0.04)	0.12 ** (0.04)	0.18 *** (0.05)
Dependence		0.16 (0.12)	-0.11 (0.22)		0.06 (0.08)	0.25 . (0.14)
Sex:Dependence			0.41 (0.27)			-0.29 . (0.17)
N	1490	1485	1485	1490	1490	1485
Multiple R ²	0.05	0.05	0.05	0.01	0.01	0.01
Adj. R ²	0.05	0.05	0.05	0.01	0.01	0.01

. p <0.1; * p <0.05; **p <0.01; ***p <0.001; two-tailed tests

Table H examines how respondent perceptions of fairness vary by respondent sex and social and economic dependence. *Fairness of Current System* takes values from 1 (not at all fair) to 5 (extremely fair). *Change in Equality* was coded 0 if respondents indicated increasing the justice system's response to rape would create a system that is unfair to women or men, 1 if they indicated it would have no effect on equality, and 2 if they indicated it would increase equality. Women view the current system as less fair than men. Women also believe increasing the justice system's response to rape would increase equality more so than men do. Social and economic dependence increases female respondent's perceptions of status-quo fairness, though these results are not statistically significant. Similarly, social and economic dependence slightly reduces female respondent's perceptions that increasing law enforcement action would increase equality, but this result is also not statistically significant.

Table I. Respondent Unhappiness with Prosecutors

Extremely unhappy	8.9%
Very unhappy	15.3%
Moderately unhappy	27.4%
Somewhat unhappy	28.2%
Not at all unhappy	20.1%

In Table I, I assess the extent to which respondents express unhappiness when a hypothetical prosecutor chooses to prosecute a different crime than they (the respondent) chose in the conjoint experiment. Respondents were asked to respond to the following survey question: *If your county prosecutor were to choose to pursue [INSERT CASE RESPONDENT DID NOT SELECT] instead (the case you did NOT select), how unhappy would you be with your county prosecutor? (Not at all unhappy/Somewhat unhappy/Moderately unhappy/Very unhappy/Extremely unhappy)*. As Table I indicates, in slightly over half of the cases, respondents indicated they would be at least moderately unhappy with a county prosecutor who prosecuted a different violent crime than the one the respondent selected.

Table J. Respondent Unhappiness when Prosecutors Select Aggravated Assault Over Sexual Assault
Unhappy with Prosecutor

Aggravated Assault Selected	0.36 *** (0.05)
Conjoint Fixed Effects	Yes
N	2985
Multiple R ²	0.02
Adj. R ²	0.02

. p <0.1; * p <0.05; **p <0.01; ***p <0.001; two-tailed tests

Standard errors are clustered by respondent ID.

Table J indicates that a prosecutor prioritizing aggravated assault over sexual assault is associated with significantly higher levels of respondent unhappiness with the prosecutor than a prosecutor prioritizing sexual assault over aggravated assault.

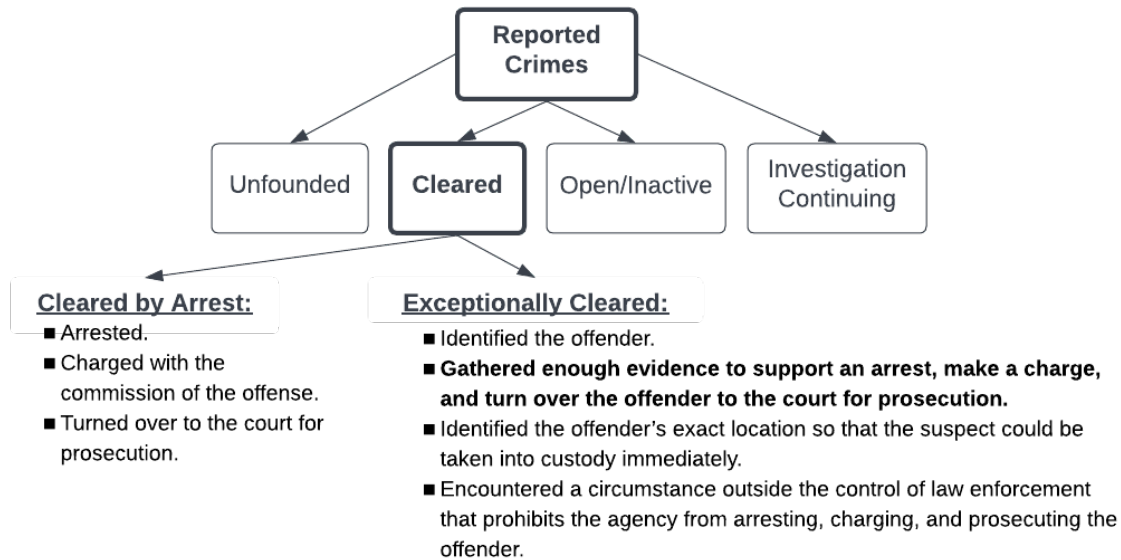
Table K. Correlates of Benevolent and Malevolent Sexism

		Benevolent Sexism	Malevolent Sexism
Demographics	Female	-0.13 . (0.07)	-0.85 *** (0.09)
	Age	-0.00 (0.00)	-0.00 *** (0.00)
	Republican	0.04 (0.07)	0.28 ** (0.09)
	Religiosity	0.29 *** (0.03)	0.21 *** (0.04)
	Education	-0.13 *** (0.03)	-0.07 . (0.04)
	Region (Midwest)	-0.10 (0.11)	0.02 (0.14)
	Region (South)	0.16 . (0.10)	-0.09 (0.12)
	Region (West)	-0.18 (0.11)	0.09 (0.14)
	Region (Northeast)	.	.
N		1466	1306
Multiple R ²		0.10	0.10
Adj. R ²		0.09	0.09

. p <0.1; * p <0.05; **p <0.01; ***p <0.001; two-tailed tests

2 Appendix B. Additional Tables, Observational Data

Figure A. Potential Case Outcomes¹



¹ Arrest and clearance definitions presented here come from the FBI's Uniform Crime Reporting Handbook. See Federal Bureau of Investigation. 2004. Uniform crime reporting handbook. Washington, DC: U.S. Department of Justice. Fisher, B. S., Cullen, F. T., and Turner.

Figure B. BJS Crime Definitions²:

- **Homicide:** Homicide, as defined here, includes murder and nonnegligent manslaughter, which is the willful killing of one human being by another. These data are based solely on police investigation, as opposed to the determination of a court, medical examiner, coroner, jury, or other judicial body. The general analyses excluded deaths caused by negligence, suicide, or accident; justifiable homicides; and attempts to murder.
- **Rape:** Forced sexual intercourse including both psychological coercion and physical force. Forced sexual intercourse means vaginal, anal, or oral penetration by the offender(s). This category also includes incidents where the penetration is from a foreign object, such as a bottle. Includes attempted rape, male and female victims, and both heterosexual and same sex rape. Attempted rape includes verbal threats of rape.
- **Sexual assault:** A wide range of victimizations, separate from rape or attempted rape. These crimes include attacks or attempted attacks generally involving unwanted sexual contact between victim and offender. Sexual assaults may or may not involve force and include such things as grabbing or fondling. Sexual assault also includes verbal threats.
- **Aggravated assault:** An attack or attempted attack with a weapon, regardless of whether an injury occurred, and an attack without a weapon when serious injury results.
- **Simple assault:** Attack without a weapon resulting either in no injury, minor injury (e.g., bruises, black eyes, cuts, scratches, or swelling), or an undetermined injury requiring fewer than two days of hospitalization. Also includes attempted assault without a weapon.
- **Robbery:** Completed or attempted theft, directly from a person, of property or cash by force or threat of force, with or without a weapon, and with or without injury.

Figure C. BJS Injury Level Definitions³:

- **With injury:** An attack without a weapon when serious injury results or an attack with a weapon involving any injury. Serious injury includes broken bones, lost teeth, internal injuries, loss of consciousness, and any unspecified injury requiring two or more days of hospitalization.
- **With minor injury:** An attack without a weapon resulting in injuries such as bruises, black eyes, cuts, or an undetermined injury requiring fewer than two days of hospitalization.
- **Without injury:** An attempted assault without a weapon but not resulting in injury.
- **Attempted/threatened violence:** The unsuccessful attempt of rape, sexual assault, personal robbery, or assault. Includes attempted attacks or sexual assaults by means of verbal threats.

²Crime definitions presented here come from the Bureau of Justice Statistics, <https://bjs.ojp.gov/topics/crime>

³Injury level definitions presented here come from the Bureau of Justice Statistics, <https://bjs.ojp.gov/topics/crime>

Figure D. Exceptional Clearance Rates, 2014-2019

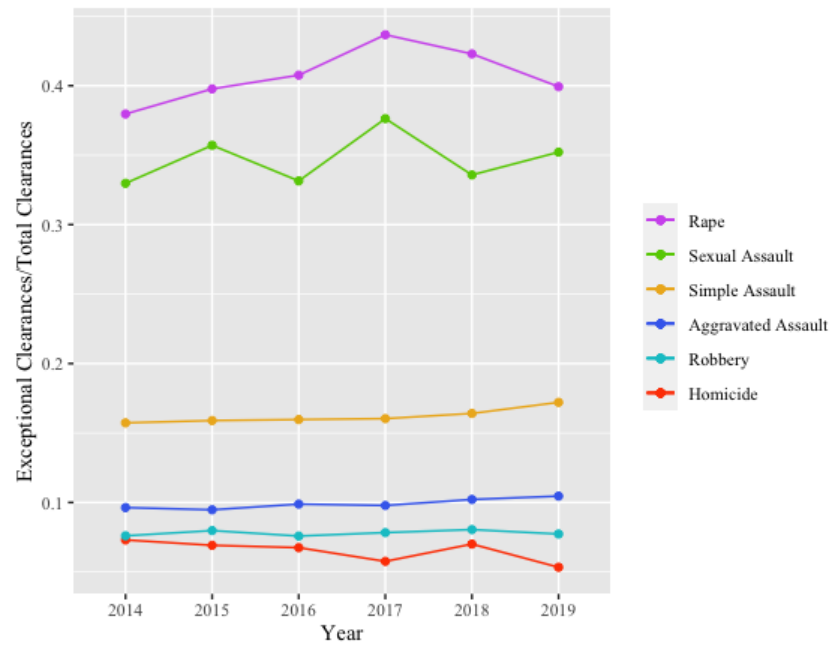
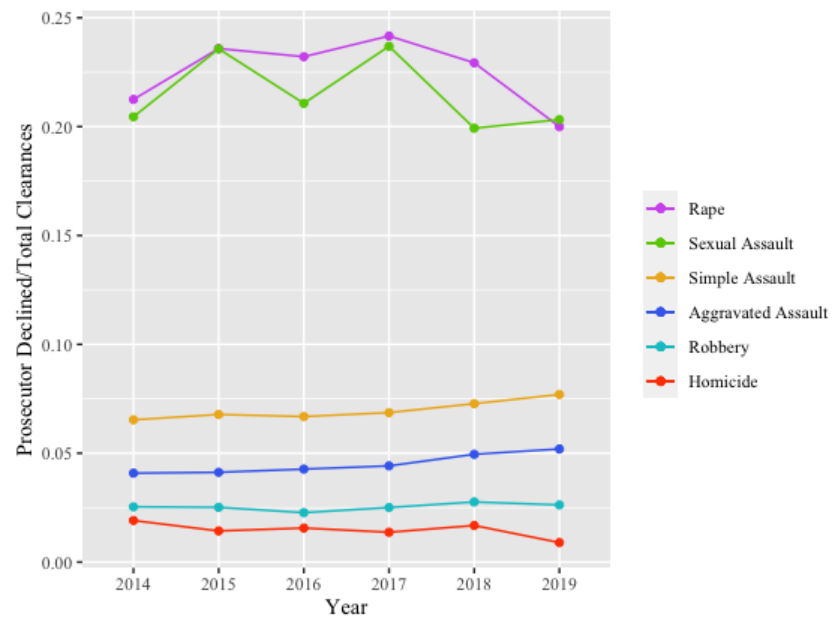


Figure E. Prosecutor-Driven Exceptional Clearance Rates, 2014-2019



3 Appendix C. Pre-Analysis Plan

The attached pre-analysis plan (which begins on page 16) was registered on OSF Registries on 08/05/2021 (prior to data collection).

Deviations from the pre-analysis plan (PAP) and the reasons for those deviations are outlined below.

1. The *Differences in Preferences and Power across Genders* theory is referred to as the *Heterogeneous Preferences and Power* theory in the PAP. This name change was made to increase clarity.
2. To increase readability by limiting the number of formal hypothesis and research questions mentioned in the paper, some of the hypotheses and research questions outlined in the PAP are not formally listed in the body of the paper. The hypotheses and research questions that are formally outlined in the body of the paper are renumbered accordingly. I note in this Appendix where to find results for each hypothesis and research question outlined in the PAP. Some of these results are presented in the body of the paper while others are allocated to Appendix A due to space constraints.
3. I do not discuss using survey weights in the PAP. However, given that 1) my sample was significantly gender imbalanced (See Appendix A, Table A) and 2) that I expect gender to influence resource allocation decisions, I chose to use survey weights for analyses presented in the body of the paper. However, I use unweighted data for certain specifications of the PAP analyses presented in Appendix A and do not find a meaningful difference in results.
4. Hypothesis 1 in the PAP is not referred to in the paper as Hypothesis 1. However, the Hypothesis 1 from the PAP was still evaluated and results can be found in Appendix A, Table B.
5. Similarly, Hypothesis 2 from the PAP was not formally listed as a hypothesis in the body of this paper. However, results for this analysis are still reported in Figure IV in the body of the paper.
6. Due to space constraints, analyses for Hypotheses 3-5 in the PAP were condensed and presented in Table VII in the body of the paper. However, the original specification of these analyses can be found in Appendix A, Tables C-E. This change in specification was made for the sake of efficiency and does not alter the overall findings.
7. To increase comparability with the observational data results, analyses for Hypotheses 6-7 were combined into Table V in the body of the paper. However, the specification of the analyses presented in the PAP can be found in Figure B. This change in specification did not change the overall findings.
8. Due to space constraints, analyses for Hypotheses 8-11 in the PAP were condensed and presented in Table VII in the body of the paper. However, the original specification of these analyses can be found in Appendix A, Figures C and D.
9. Equivalent analyses for RQ1 can be found in Figures II and III in the body of the paper.
10. Equivalent analyses for RQs 2-4 can be found in Tables V and VI of the body of the paper, with slight alterations made to increase comparability with the conjoint results.

11. Equivalent analyses for RQ 5 can be found in Table V. The choice to present regression results rather than AMCE plots for the conjoint in the body of the paper was made to increase comparability with the observational data results. The original specification of these analyses, as presented in the PAP, can be found in Appendix A, Figure A and is consistent with the findings presented in the body of the paper.
12. Results for RQ6 can be found in Table VI in the body of the paper.
13. Results for RQ7 were cut from the body of the paper due to space constraints. However, these results can be found in Appendix A, Tables F-H.
14. Results for RQ8 were cut from the body of the paper due to space constraints. However, these results can be found in Appendix A, Tables I-J.

Study Information

Hypotheses

This study's core hypotheses test the Heterogeneous Preferences and Power theory of sexual violence resource allocation. This theory focuses on the gendered aspect of sexual violence and the zero-sum aspect of legal action to reduce sexual violence. Taken together, these aspects suggest there may be heterogeneous preferences for legal resource allocation between male and female voters. The cross-cutting nature of gender and the relatively higher social and economic power of men may draw women's political preferences closer to men's.

The Heterogeneous Gender Preferences and Power theory makes two key assumptions. First, it assumes that respondents view sexual violence as a gendered crime, with relatively more perpetrators being male and relatively more victims being female. Secondly, it presumes that voters as a whole and/or male voters prefer to allocate fewer resources to sexual violence, relative to other crimes. More formally, I predict:

H1: Respondents view sexual violence as a gendered crime. That is, respondents' perceived M:F gender ratio of sexual violence victimization will be lower than that of other crimes included in the study (H1.A.) and the perceived M:F gender ratio of sexual violence perpetration will be higher than that of other crimes included in the study (H1.B.).

H2: T-tests between sexual violence (rape and sexual assault) and each other crime suggest voters prefer to allocate significantly fewer resources to sexual violence than other crimes.

The theory suggests men and women have heterogeneous preferences for resource allocation, particularly for sexual violence. More formally:

H3: There will be a statistically significant difference between preferred resource allocation for sexual violence between men and women, with women preferring greater resource allocation to sexual violence.

Another core tenant of the theory is that social and economic constraints draw women's preferences closer to men's. The theory presumes the current social and economic system enforces male power; thus, I expect constraints to draw women's preferences closer to men's, but not men's preferences closer to women's.

H4: There will be a statistically significant difference between preferred resource allocation for sexual violence between constrained and unconstrained women, with unconstrained women preferring greater resource allocation to sexual violence.

H5: There will not be a statistically significant difference in preferred resource allocation between constrained and unconstrained men.

To account for issues of confounding variables and respondent misinformation about crime characteristics, I experimentally evaluate which factors affect respondent resource allocation decisions when other factors that may influence decision-making are held constant. To do so, I employ a paired profile conjoint experiment. Each survey respondent will receive two paired profile conjoints containing

information about hypothetical criminal cases. Respondents will be asked to choose which crime they would prosecute if they had to choose between them.

The Heterogeneous Preferences and Power Theory suggests male respondents will exhibit a preference against prosecuting crimes with more male perpetrators and a preference for prosecuting crimes with more male victims. It also suggests women overall will exhibit a preference against prosecuting crimes with more female perpetrators and a preference for prosecuting crimes with more female victims. Thus, I articulate the following hypotheses:

H6: Men will exhibit a preference against prosecuting crimes with relatively more male perpetrators (H6.A.), while women will exhibit a preference against prosecuting crimes with relatively more female perpetrators (H6.B.).

H7: Men will exhibit a preference for prosecuting crimes with relatively more male victims (H7.A.), while women will exhibit a preference for prosecuting crimes with relatively more female victims (H7.B.).

Lastly, the theory predicts constrained women will exhibit preferences similar to those of men, while unconstrained women will exhibit gendered preferences that favor women. There will be no difference in preferences between constrained and unconstrained men.

H8: Constrained women will exhibit a preference against prosecuting crimes with relatively more male perpetrators (H8.A.), while unconstrained women will exhibit a preference against prosecuting crimes with relatively more female perpetrators (H8.B.).

H9: Constrained women will exhibit a preference for prosecuting crimes with relatively more male victims (H9.A.), while unconstrained women will exhibit a preference for prosecuting crimes with relatively more female victims (H9.B.).

H10: Both constrained and unconstrained men will exhibit a preference against prosecuting crimes with relatively more male perpetrators.

H11: Both constrained and unconstrained men will exhibit a preference for prosecuting crimes with relatively more male victims

This study also seeks to understand crime victim and perpetrator gender perceptions, measure perceptions of the justice system, and determine what factors drive resource allocation preferences for violent crime. I articulate several associated research questions:

RQ1: Do respondents perceive there to be a difference in the population prevalence of crime victimization (RQ1.A.) and perpetration (RQ1.B.) between men and women?

RQ2: Do harm-minimizing considerations drive resource allocation preferences, with respondents preferring the resource distribution that would minimize harm? If these factors drive resource allocation preferences, I would expect crime severity (RQ2.A.), respondent's personal probability of experiencing a given crime (RQ2.B), and crime population prevalence (RQ2.C.) to be positive and significantly correlated with resource allocation in my regression model (discussed in more detail in the Design Plan section), even when controlling for other crime characteristics. In the conjoint experiment, I would expect to find respondents exhibit a preference for crimes with higher population prevalence levels.

RQ3: Do gendered factors drive resource allocation decisions, in either direction? If so, I would expect Male:Female Victims (RQ3.A) and Male:Female Perpetrators (RQ3.B.) to be significantly correlated (in either direction) with resource allocation in my regression model, even when controlling for other crime characteristics. In the conjoint experiment, I would expect to find statistically significant (positive or negative) Average Marginal Component Effects (AMCEs) on the perpetrator gender and victim gender attributes.

RQ4: Do factors related to prosecution efficiency drive resource allocation decisions, with respondents preferring crimes that can be prosecuted more efficiently? If so, I would expect crime occurrence to conviction rate to be positively and significantly correlated with resource allocation (RQ4.A.) in my regression model, even when controlling for other crime characteristics. I would also expect a crime's false report rate to be negatively and significantly correlated with resource allocation (RQ4.B.). In the conjoint experiment, I would expect respondents to exhibit a preference for crimes with higher conviction rates and lower false report rates.

RQ5: Do respondents exhibit a preference against prosecuting sexual crimes specifically? To assess this possibility, I select "sexual assault" and "aggravated assault" as the two crime levels in the crime selection conjoint. In pilots, respondents perceived these crimes to be relatively similar in severity, but with "aggravated assault" being less severe than "sexual assault." Accordingly, this represents a hard test of the hypothesis that respondents have a preference against prosecuting violent sexual crimes. If respondents exhibit a preference against prosecuting sexual crimes, I would expect that "sexual assault" will have a statistically significant and negative AMCE, relative to "aggravated assault." That is, there will be a bias against prosecuting sexual violence when the other attributes are held constant.

RQ6: Does respondent gender bias influence resource allocation preferences?

RQ7: Do respondents think increasing the justice system's response to rape would create a more equal system, a more unequal system, or have no effect on equality? RQ8: Do respondents exhibit unhappiness with prosecutors who do not allocate resources in the manner they (the respondent) would prefer?

Design Plan

Study type

Experiment - A researcher randomly assigns treatments to study subjects, this includes field or lab experiments. This is also known as an intervention experiment and includes randomized controlled trials.

Blinding

No blinding is involved in this study.

Is there any additional blinding in this study?

NA

Study design

Participants will be recruited from Lucid Theorem. In the survey, participants will first be provided with basic study information and asked to consent to participate in the study. They will then be asked their age. If respondents do not consent and/or do not indicate they are 18 years of age or older, participants will be brought to the end of the survey. These questions constitute Block 1.

Eligible participants will be asked a series of attention checks (Block 2). If they fail one or more of these attention checks, they will be brought to the end of the survey.

In the next block (Block 3), participants will be asked four questions used to measure gender bias (Block 3.A.) and two questions that measure perceptions of sexual violence legal gender equality (Block 3.B.) The order of Blocks 3.A. and 3.B. will be randomized, as will the order of the questions within Block 3.A. The order of the questions in 3.B. will not be randomized as they follow a logical progression.

In Block 4 respondents will be shown two paired profile conjoints with hypothetical crime characteristics: crime type (sexual assault or aggravated assault), crime population prevalence (1% or 15%), false report rate (1% or 10%), conviction rate (1 in 4 reported cases result in conviction or 3 in 4 reported cases result in conviction), perpetrator gender (6 in 10 perpetrators are male or 9 in 10 perpetrators are male), and victim gender (3 in 10 victims are female, 6 in 10 victims are female, or 9 in 10 victims are female).

Respondents will be asked to choose which crime they would prosecute if they had to choose between them. They will then be asked to indicate how unhappy they would be with their county prosecutor if the prosecutor chose to prosecute the crime the participant did not select. To facilitate believability, the conjoint attributes will be limited so that respondents always see one sexual assault profile and one aggravated assault profile in a given conjoint, as respondents may be confused if they are given different hypothetical statistics for the same crime category. Additionally, the victim gender attribute will only take the “6 in 10 victims are female” and “9 in 10 victims are female” levels for the sexual assault profile, as respondents may find unrealistic a hypothetical claim that the majority of sexual assault victims are male. Aside from these restrictions, the level each attribute assumes will be randomized for each profile.

Participants will then be asked how they would allocate limited prosecutions across six different violent crime categories (Block 5): Homicide, Rape, Sexual Assault, Aggravated Assault, Simple Assault, and Robbery.

For Blocks 6 through 8, respondents will be asked a series of questions for each of these six crimes (Homicide, Rape, Sexual Assault, Aggravated Assault, Simple Assault, and Robbery). For each question set, the order of the crimes about which the question is asked will be randomized. Respondents will receive Block 6, Block 7, and Block 8 in a random order.

Block 6 consists of six questions (one for each crime) that ask respondents to rate crime severity.

Block 7.A. asks respondents to indicate their perceived personal probability of experiencing each crime in their lifetime. Block 7.B.a. asks respondents how many women out of 100 they think will experience the crime in their lifetimes. Block 7.B.b. asks respondents how many men out of 100 they think will experience the crime in their lifetimes. Block 7.C.a. asks respondents how many women out of 100 they think will commit the crime in their lifetimes. Block 7.C.b. asks respondents how many men out of 100 they think will commit the crime in their lifetimes. Within Block 7, the order of sub-blocks A, B, and C will be randomized. Within sub-block 7.B, the order of sub-sub-blocks 7.B.a and 7.B.b will be

randomized. Similarly, within sub-block 7.C, the order of sub-sub-blocks 7.C.a and 7.C.b will be randomized.

Block 8 consists of five sub-blocks, 8.A. through 8.E. Since these sub-blocks follow a logical progression, their order will not be randomized. For each of the six crimes, Block 8.A. asks respondents what they think the true report rate of the crime is. Block 8.B. asks what they think the false report rate of the crime is. Block 8.C. asks how many reported crimes they think result in an arrest being made. Block 8.D. asks how many cases for which an arrest is made they believe will get prosecuted. Block 8.E. asks how many prosecuted crimes they think result in a conviction. Lastly, respondents will be asked a series of demographic questions (Block 9) and questions about household decision-making.

Randomization

The order of certain survey blocks and questions within blocks will be randomized using simple randomization, as specified in the study design above. Attribute levels within the conjoint profiles will also be randomly assigned using simple randomization, with the exception of the restrictions outlined in the study design above.

Sampling Plan

Existing Data

Registration prior to creation of data

Explanation of existing data

Several pilots have been run to test the quality of survey questions, but these data will not be used in the study.

Data collection procedures

U.S. respondents will be recruited through the Lucid Theorem platform. The participant population will be nationally representative on age range, gender, and racial/ethnic background according to Lucid's participant quotas. Participants will be paid to complete the survey. Lucid's flat rate for surveys up to 15 minutes long is \$1.00 per complete and cannot be adjusted by the PI. Respondents will be excluded from the analysis if they do not consent to participate, if they do not indicate they are 18 years of age or older, or if they fail one or more of the attention checks.

Sample size

The sample size of this study will be 1500 participants. The Lucid Theorem platform sometimes over-samples for a given order. If this occurs, the researcher will run results both on the first 1500 responses and the total number of responses collected (which may exceed 1500).

Sample size rationale

The sample size is the largest our financial resources allow.

Variables

Manipulated variables

NA

Measured variables

Conjoint Choice

If you had to choose between them, which case would you prefer your county prosecutor pursue? (Case 1/Case 2)

Unhappy with Prosecutor

If your county prosecutor were to choose to pursue [CASE RESPONDENT DID NOT SELECT] instead (the case you did NOT select), how unhappy would you be with your county prosecutor? (Not at all unhappy (1); Somewhat unhappy (2); Moderately unhappy (3); Very unhappy (4); Extremely unhappy (5))

Prosecutions Allocated Per Crime

Suppose the local government in your area can only bring 100 cases to trial in a given month. How do you think the government should allocate these prosecutions across the following crimes? (Crimes are presented in a random order.)

Homicide: [Text Entry]

Rape: [Text Entry]

Sexual Assault: [Text Entry]

Aggravated Assault: [Text Entry]

Robbery: [Text Entry]

Simple Assault: [Text Entry]

Crime Severity

How severe is [CRIME: Homicide, Rape, Sexual Assault, Aggravated Assault, Simple Assault, or Robbery]? (Not at all severe (1); Somewhat severe (2); Moderately severe (3); Very severe (4); Extremely severe (5))

Prevalence Men (Perpetrator)

Out of 100 men, how many do you think will commit [CRIME] in their lifetime(s)? [Numeric entry]

Prevalence Women (Perpetrator)

Out of 100 women, how many do you think will commit [CRIME] in their lifetime(s)? [Numeric entry]

Prevalence Men (Victim)

Out of 100 men, how many do you think will be (a) victim(s) of [CRIME] in their lifetime(s)? [Numeric entry]

Prevalence Women (Victim)

Out of 100 women, how many do you think will be (a) victim(s) of [CRIME] in their lifetime(s)? [Numeric entry]

Population Prevalence (Victim)

$(1-0.511)*\text{PrevalenceMen(Victim)} + 0.51*\text{PrevalenceWomen(Victim)}$; Census data were used to select 0.51 as the portion of the U.S. population that is female (U.S. Census Bureau, 2019).

Male:Female Victims

$\text{Prevalence Men (Victim)} / \text{Prevalence Women (Victim)}$; To avoid dividing by zero, 1 will be imputed for 0 values in the perceived male and perceived female lifetime population prevalence (victim) variables when calculating Male:Female Victims.

Male:Female Perpetrators

$\text{Prevalence Men (Perpetrator)} / \text{Prevalence Women (Perpetrator)}$; To avoid dividing by zero, 1 will be imputed for 0 values in the perceived male and perceived female lifetime population prevalence (perpetrator) variables when calculating Male:Female Perpetrators.

Personal Probability of Experiencing Crime

What is the probability that you yourself will be a victim of [CRIME] in your lifetime? [Numeric entry]

False Report Rate

Out of 100 [CRIMES] reported to police, how many do you think are falsely reported? [Numeric entry]

Report Rate

Out of 100 [CRIMES], approximately how many do you think get reported to the police? [Numeric entry]

Arrest Rate

Out of 100 [CRIMES] reported to police, approximately how many do you think result in an arrest being made? [Numeric entry]

Prosecution Rate

Out of 100 [CRIMES] for which an arrest is made, how many do you think are prosecuted before a judge and/or jury or settled through a plea bargain? [Numeric entry]

Conviction Rate

Out of 100 [CRIMES] that are prosecuted before a judge and/or jury, how many do you think result in a guilty conviction? [Numeric entry] Occurrence to Conviction Rate Population Prevalence $\times (0.01 \times \text{Report Rate}) \times (0.01 \times \text{Arrest Rate}) \times (0.01 \times \text{Prosecution Rate}) \times (0.01 \times \text{Conviction Rate})$

Current Practice Fairness

How fair are current law enforcement practices related to sexual violence in regards to gender?(Not at all fair (1); Somewhat fair (2); Moderately fair(3);Very fair(4); Extremely fair(5))

Strengthen Response Equality

Do you think strengthening the legal system's response to rape cases would create a more equal system, create a system that is less fair to women, create a system that is less fair to men, or have no effect on equality?(It would create a more equal system.; It would create a system that is unfair to women.; It would create a system that is unfair to men.; It would have no effect on equality.)

Malevolent Sexism (Exaggerate)

Women often exaggerate the negative effects of sexual assault. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7))

Malevolent Sexism (Tease)

Many women get a kick out of teasing men by seeming sexually available and then refusing male advances. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7))

Benevolent Sexism (Purity)

Many women have a quality of purity that few men possess. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7))

Benevolent Sexism (Protect)

Women should be cherished and protected by men. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7))

Malevolent Sexism Score

I will construct a composite scale using exploratory factor analysis from the Malevolent Sexism (Exaggerate) and Malevolent Sexism (Tease) variables. If these variables do not clearly load on the same underlying dimension, I will use the scoring system traditionally used for the full Ambivalent Sexism scale (and the Malevolent and Benevolent Sexism sub-scales of the Ambivalent Sexism scale) and calculate the malevolent sexism score as the average of a respondent's Malevolent Sexism (Exaggerate) and Malevolent Sexism (Tease) scores.

Benevolent Sexism Score

I will construct a composite scale using exploratory factor analysis from the Benevolent Sexism (Purity) and Benevolent Sexism (Protect) variables. If these variables do not clearly load on the same underlying dimension, I will use the scoring system traditionally used for the full Ambivalent Sexism scale (and the Malevolent and Benevolent Sexism sub-scales of the Ambivalent Sexism scale) and calculate the benevolent sexism score as the average of a respondent's Benevolent Sexism (Purity) and Benevolent Sexism (Protect) scores.

Ambivalent Sexism Score

I will construct a composite scale using exploratory factor analysis from the Benevolent Sexism (Purity), Benevolent Sexism (Protect), Malevolent Sexism (Exaggerate), and Malevolent Sexism (Tease) variables. If these variables do not clearly load on the same underlying dimension, I will use the scoring system traditionally used for the full Ambivalent Sexism scale (and the Malevolent and Benevolent Sexism sub-scales of the Ambivalent Sexism scale) and calculate the ambivalent sexism score as the average of a respondent's Benevolent Sexism (Purity), Benevolent Sexism (Protect), Malevolent Sexism (Exaggerate), and Malevolent Sexism (Tease) scores.

Sex

What is your sex?(Male/ Female)

Age

What is your age? [NUMERIC ENTRY]

Party ID

Generally speaking, do you think of yourself as a Democrat, Republican, or neither?(Democrat/ Republican/ Neither)

Party Strength (Democrat)

[SHOW ONLY TO RESPONDENTS WHO SELECT "Democrat" IN PARTY ID QUESTION] Would you call yourself a strong Democrat or not a very strong Democrat? (Strong Democrat/ Not a very strong Democrat)

Party Strength (Republican)

[SHOW ONLY TO RESPONDENTS WHO SELECT "Republican" IN PARTY ID QUESTION] Would you call yourself a strong Republican or a not very strong Republican?(Strong Republican/ Not a very strong Republican)

Party Lean

[SHOW ONLY TO RESPONDENTS WHO SELECT "Neither" IN PARTY ID QUESTION] Do you think of yourself as closer to the Democrat Party or the Republican Party? (Closer to the Democrat Party/ Closer to the Republican Party)

Race

What is your race/ethnicity? (American Indian or Alaska Native/ Asian/ Black or African American/ Hispanic or Latino/ Native Hawaiian or Other Pacific Islander/ White/ Other (Please specify): [TEXT ENTRY])

Job Sector

How would you describe your job sector? (Public sector (education, health, government)/ Private firm/ Self-employed (entrepreneur, family-owned business)/ Not-for-profit organization/ Unemployed or not in the workforce/ University student)

Education

What is your highest level of education?(No formal/ Some formal/ High school diploma/ Some college/ College degree/ Graduate degree)

Income

This question is about your total income in 2020, before taxes. This figure should include income from all sources, including salaries, wages, pensions, Social Security, dividends, interest, and all other income. What was your total income in 2020? TYPE THE NUMBER. YOUR BEST GUESS IS FINE. [NUMERIC ENTRY]

Vote

A lot of people are not able to vote because they weren't registered, they were sick, or they just didn't have time. Which of the following statements best describes your voting behavior in the most recent local election in your county? By local election, we mean an election in which you voted for offices that serve a jurisdiction that is smaller than the state. (I did not vote in the most recent local election./ I usually vote in local elections, but did not this time./ I am sure I voted in the most recent local election.)

Religious

Do you consider religion to be an important part of your life, or not? (Important/ Not important)

Religious Importance

[SHOW ONLY TO RESPONDENTS WHO SELECT "Important" IN PREVIOUS QUESTION] How much guidance would you say your religion provides in your day-to-day living? (A great deal of guidance/ Quite a bit of guidance/ Some guidance)

Marital Status

Are you now married, widowed, divorced, separated or never married? (Married/ Widowed/ Divorced/ Separated/ Never married)

Living with Partner

[SHOW ONLY TO RESPONDENTS WHO DO NOT SELECT "Married" IN MARITAL STATUS QUESTION] Are you currently living with a partner, or not? (Yes, living with a partner/ No, not living with a partner)

Dependence Partner Income

[SHOW ONLY TO RESPONDENTS WHO ARE MARRIED OR LIVING WITH A PARTNER] How dependent are you on your [SPOUSE OR PARTNER'S] income? (Not at all dependent/ Somewhat dependent/ Moderately dependent/ Very dependent/ Extremely dependent)

Household Purchases

[SHOW ONLY TO RESPONDENTS WHO ARE MARRIED OR LIVING WITH A PARTNER] Who usually makes the final decision about major household purchases? (Myself; My [SPOUSE OR PARTNER]; It is a joint decision between me and my [SPOUSE OR PARTNER]; Other (Please specify): [TEXT ENTRY])

Social Decisions

[SHOW ONLY TO RESPONDENTS WHO ARE MARRIED OR LIVING WITH A PARTNER] Who usually makes the final decision in choices regarding which social activities you and your partner engage in? (Myself; My [SPOUSE OR PARTNER]; It is a joint decision between me and my [SPOUSE OR PARTNER]; Other (Please specify): [TEXT ENTRY])

Financially or Socially Constrained An indicator variable that takes a value of 1 if a respondents meets any of the following conditions and 0 otherwise:

- 1) They select "Important" for the Religious question AND select "A great deal of guidance" OR "Quite a bit of guidance" for the Religious Importance question.
- 2) They select "Married" for the "Marital Status" question OR "Yes, living with a partner" for the Living with Partner question AND select "Moderately dependent," "Very dependent," or "Extremely dependent" to the Dependence Partner Income question.
- 3) They select "Married" for the "Marital Status" question OR "Yes, living with a partner" for the Living with Partner question AND select "My spouse or partner" in the Household Purchases question.
- 4) They select "Married" for the "Marital Status" question OR "Yes, living with a partner" for the Living with Partner question AND select "My spouse or partner" in the Social Decisions question.

Indices

See above for how relevant scale and index measures will be constructed.

Analysis Plan

Statistical models

Statistical models:

I will test my primary hypotheses and research questions using t-tests and OLS regression with HC2 robust standard errors. My significance threshold is $p < 0.05$ (two-sided; I will also report if $p < 0.1$ and $p < 0.01$). Hypotheses and research questions based on the paired profile conjoint design will be evaluated using Average Marginal Component Effects with 95-percent CIs.

Analysis plan:

H1: Respondents view sexual violence as a gendered crime. That is, respondents' perceived Male:Female ratio of sexual violence victimization will be lower than that of other crimes included in the study (H1.A.) and the perceived M:F ratio of sexual violence perpetration will be higher than that of other crimes included in the study (H1.B.). To test this, I will construct the variables M:F Sexual Violence (Victimization) and M:F Sexual Violence (Perpetration) that will be equal to the average M:F gender ratio for crime victimization (or perpetration) for rape and sexual assault. I will also construct the variables M:F Non-Sexual Crimes (Victimization) and M:F Non-Sexual Crimes (Perpetration) that will be equal to the average M:F gender ratio for crime victimization (or perpetration) for homicide, robbery, aggravated assault, and simple assault. I will conduct t-tests between M:F Sexual Violence (Victimization) and M:F Non-Sexual Crimes (Victimization) (H1.A.) and M:F Sexual Violence (Perpetration) and M:F Non-Sexual Crimes (Perpetration) (H1.B.). If M:F Sexual Violence (Victimization) is statistically significantly lower than M:F Non-Sexual Crimes (Victimization), this will be evidence of H1.A. If M:F Sexual Violence (Perpetration) is statistically significantly higher than M:F Non-Sexual Crimes (Perpetration), this will be evidence of H1.B.

H2: T-tests between sexual violence (rape and sexual assault) resource allocation and resource allocation for each other crime suggest voters prefer to allocate significantly fewer resources to sexual violence than other crimes.

H3: There will be a statistically significant difference between preferred resource allocation for sexual violence between men and women, with women preferring greater resource allocation to sexual violence. This will be tested using t-tests between resource allocation for female respondents and male respondents for each crime.

H4: There will be a statistically significant difference between preferred resource allocation for sexual violence between constrained and unconstrained women, with unconstrained women preferring greater resource allocation to sexual violence. This will be tested using t-tests between socially and/or financially constrained women (those who are coded 1 for the Financially or Socially Constrained variable) and socially and/or financially unconstrained women (those who are coded 0 for the Financially or Socially Constrained variable).

H5: There will not be a statistically significant difference in preferred resource allocation between constrained and unconstrained men. This will be tested using t-tests between socially and/or financially constrained men (those who are coded 1 for the Financially or Socially Constrained variable) and socially and/or financially unconstrained men (those who are coded 0 for the Financially or Socially Constrained variable).

H6: Men will exhibit a preference against prosecuting crimes with relatively more male perpetrators (H6.A.), while women will exhibit a preference against prosecuting crimes with relatively more female perpetrators (H6.B.). To assess this, I will look at Average Marginal Component Effects (AMCEs) for male and female respondent sub-samples. A significant and negative AMCE on the "9 in 10 perpetrators are male" level of the Perpetrator Gender attribute for men would confirm H6.A. Similarly, a significant and positive AMCE on the "9 in 10 perpetrators are male" level of the Perpetrator Gender attribute for women would confirm H6.B.

H7: Men will exhibit a preference for prosecuting crimes with relatively more male victims (H7.A.), while women will exhibit a preference for prosecuting crimes with relatively more female victims (H7.B.). To assess this, I will look at Average Marginal Component Effects (AMCEs) for male and female respondent sub-samples. A significant and negative AMCE on the “6 in 10 victims are female” and “9 in 10 victims are female” levels of the Victim Gender attribute for men would confirm H7.A. Similarly, a significant and positive AMCE on the “6 in 10 victims are female” and “9 in 10 victims are female” levels of the Victim Gender attribute for women would confirm H7.B. H8 through H11 (below) will be tested using a similar technique. For H8 and 9, I will use sub-samples of socially and/or financially constrained women (those who are coded 1 for the Financially or Socially Constrained variable) and socially and/or financially unconstrained women (those who are coded 0 for the Financially or Socially Constrained variable). For H10 and 11, I will use sub-samples of socially and/or financially constrained men (those who are coded 1 for the Financially or Socially Constrained variable) and socially and/or financially unconstrained men (those who are coded 0 for the Financially or Socially Constrained variable).

H8: Constrained women will exhibit a preference against prosecuting crimes with relatively more male perpetrators (H8.A.), while unconstrained women will exhibit a preference against prosecuting crimes with relatively more female perpetrators (H8.B.).

H9: Constrained women will exhibit a preference for prosecuting crimes with relatively more male victims (H9.A.), while unconstrained women will exhibit a preference for prosecuting crimes with relatively more female victims (H9.B.).

H10: Both constrained and unconstrained men will exhibit a preference against prosecuting crimes with relatively more male perpetrators.

H11: Both constrained and unconstrained men will exhibit a preference for prosecuting crimes with relatively more male victims.

RQ1: Do respondents perceive there to be a difference in the population prevalence of crime victimization (RQ1.A.) and perpetration (RQ1.B.) between men and women? I will use t-tests to determine if there is a statistically significant difference between the Prevalence Women (Victim) and Prevalence Men (Victim) variables for each of the six crimes (RQ1.A.). Similarly, I will use t-tests to determine if there is a statistically significant difference between the Prevalence Women (Perpetrator) and Prevalence Men (Perpetrator) variables for each of the six crimes (RQ1.B.).

RQ2 through RQ4 will use the following OLS regression model with HC2 robust standard errors clustered by respondent id:

Given a fixed set of resources, individual i 's preferences regarding what portion of limited resources should be allotted to crime j is given by:

$$\text{ResourceAllocation}_{i,j} = \text{Severity}_{i,j} + \text{PopulationPrevalence}_{i,j} + \text{Male:Female Victims}_{i,j} + \text{Male:FemalePerpetrators}_{i,j} + \text{PersonalProbability}_{i,j} + \text{OccurrenceToConviction}_{i,j} + \text{FalseReport}_{i,j}$$

I will report both the baseline model and the model including respondent fixed effects.

RQ2: Do harm-minimizing considerations drive resource allocation preferences, with respondents preferring the resource distribution that would minimize harm? If these factors drive resource allocation preferences, I would expect crime severity (RQ2.A.), respondent's personal probability of experiencing a

given crime (RQ2.B), and crime population prevalence (RQ2.C.) to be positive and significantly associated with resource allocation in my regression model, even when controlling for other crime characteristics. In the conjoint experiment, I would expect to find respondents exhibit a preference for crimes with higher population prevalence levels, meaning I would expect a larger, positive AMCE for higher levels of the population prevalence attribute.

RQ3: Do gendered factors drive resource allocation decisions, in either direction? If so, I would expect Male:Female Victims (RQ3.A) and Male:Female Perpetrators (RQ3.B.) to be significantly associated (in either direction) with resource allocation in my regression model, even when controlling for other crime characteristics. In the conjoint experiment, I would expect to find statistically significant (positive or negative) Average Marginal Component Effects (AMCEs) on the perpetrator gender and victim gender attributes.

RQ4: Do factors related to prosecution efficiency drive resource allocation decisions, with respondents preferring crimes that can be prosecuted more efficiently? If so, I would expect crime occurrence to conviction rate to be positively and significantly associated with resource allocation (RQ4.A.) in my regression model, even when controlling for other crime characteristics. I would also expect a crime's false report rate to be negatively and significantly associated with resource allocation (RQ4.B.). In the conjoint experiment, I would expect respondents to exhibit a preference for crimes with higher conviction rates and lower false report rates.

RQ5: Do respondents exhibit a preference against prosecuting sexual crimes specifically? To assess this possibility, I select "sexual assault" and "aggravated assault" as the two crime levels in the crime selection conjoint. In pilots, respondents perceived these crimes to be relatively similar in severity, but with "aggravated assault" being less severe than "sexual assault." Accordingly, this represents a hard test of the hypothesis that respondents have a preference against prosecuting violent sexual crimes. If respondents exhibit a preference against prosecuting sexual crimes, I would expect that "sexual assault" will have a statistically significant and negative AMCE, relative to "aggravated assault." That is, there will be a bias against prosecuting sexual violence when the other attributes are held constant.

RQ6: Does respondent gender bias influence resource allocation preferences for violent sexual crimes? To assess this possibility, I will calculate a new dependent variable, Resource Allocation_Sexual Violence, which will be respondents' total resource allocation to rape and sexual assault. I will then add the respondent's Benevolent and Malevolent sexism scores to the model. The full model will be:

$$\text{ResourceAllocation_SexualViolence} = \text{Severity_SexualViolence} + \text{PopulationPrevalence_SexualViolence} + \text{Male:FemaleVictims_SexualViolence} + \text{Male:FemalePerpetrators_SexualViolence} + \text{PersonalProbability_SexualViolence} + \text{OccurrenceToConviction_SexualViolence} + \text{FalseReport_SexualViolence} + \text{Benevolent_Sexism} + \text{Malevolent_Sexism}.$$
A significant and positive coefficient on Benevolent Sexism would suggest benevolent sexism against women increases preferred resource allocation to sexual violence. A significant and negative coefficient on Malevolent Sexism would suggest malevolent sexism against women decreases preferred resource allocation to sexual violence. This would suggest gender bias influences resource allocation preferences for violent sexual crimes in the expected directions.

RQ7: Do respondents think increasing the justice system's response to rape would create a more equal system, a more unequal system, or have no effect on equality? This question will be assessed descriptively by presenting descriptive statistics on the Strengthen Response Equality question.

RQ8: Do respondents exhibit unhappiness with prosecutors who do not allocate resources in the manner they (the respondent) would prefer? This question will be assessed descriptively by presenting descriptive statistics on the Unhappy with Prosecutor question.

Transformations

No response

Inference criteria

My significance threshold is $p < 0.05$ (two-sided; I will also report if $p < 0.1$ and $p < 0.01$). Hypotheses and research questions based on the paired profile conjoint design will be evaluated using Average Marginal Component Effects with 95-percent CIs.

Data exclusion

No response

Missing data

No response

Exploratory analysis

No response

Other

No response

4 Appendix D. Survey Instrument

Please see the attached survey instrument, which begins on the following page.

Appendix D. Survey Instrument

DESCRIPTION: We are a team of researchers at Stanford University conducting research on social attitudes and perceptions of crime and violence in the United States, including homicide, physical assault, rape, sexual violence/assault, sexual harassment, and armed robbery. We are writing to invite your participation in a survey on your attitudes and perceptions about a number of social issues related to crime and violence.

TIME INVOLVEMENT: It should take less than 15 minutes to complete this survey.

RISKS AND BENEFITS: Some respondents may experience discomfort reading questions that ask about perceptions of violent crime. The benefits which may reasonably be expected to result from this study are your contributions to research on criminal justice and crime reduction. We cannot and do not guarantee or promise that you will receive any benefits from this study. Your decision whether or not to participate in this study will not affect your employment.

PAYMENTS: You will receive payment for your participation.

PARTICIPANT'S RIGHTS: If you have read this form and have decided to participate in this project, please understand your participation is voluntary and you have the right to withdraw your consent or discontinue participation at any time without penalty or loss of benefits to which you are otherwise entitled. The alternative is not to participate. You have the right to refuse to answer particular questions. The results of this research study may be presented at scientific or professional meetings or published in scientific journals. Your individual privacy will be maintained in all published and written data resulting from the study.

CONTACT INFORMATION: If you have any questions, concerns or complaints about this research, its procedures, risks and benefits, contact Madison Dalton at madalton@stanford.edu.

INDEPENDENT CONTACT: If you are not satisfied with how this study is being conducted, or if you have any concerns, complaints, or general questions about the research or your rights as a participant, please contact the Stanford Institutional Review Board (IRB) to speak to someone independent of the research team at irbnonmed@stanford.edu.

Do you consent to participate in the survey? (I consent to participate./ I do not consent to participate.)

[If “I do not consent to participate” is selected, display “Thank you for your interest. We are sorry, but we have determined that you are not eligible to participate in this study” and move to end of survey.]

[Page break]

Are you 18 years of age or older? (Yes/ No)

[If “No,” is selected, display “Thank you for your interest. We are sorry, but we have determined that you are not eligible to participate in this study” and move to end of survey.]

Block 1: Attention Checks

We sometimes find people don't always take surveys seriously, instead providing humorous or insincere responses to questions. How often do you do this? (Always/ Most of the time/ About half the time/ Sometimes/ Never)

[If “Always,” “Most of the time,” or “About half of the time” is selected, display “Thank you for your interest. We are sorry, but we have determined that you are not eligible to participate in this study” and move to end of survey.]

How accurate is the following statement? The letter "F" comes before the letter "G." (Extremely accurate/ Very accurate/ Moderately accurate/ Somewhat accurate/ Not at all accurate)

[If “Not at all accurate” is selected, display “Thank you for your interest. We are sorry, but we have determined that you are not eligible to participate in this study” and move to end of survey.]

Block 2: Crime Definitions Screen

The following questions ask about different violent crimes. The definitions of each violent crime are below.

Throughout this survey, you can place your cursor over the name of each violent crime to view its definition again. It may take a moment for the definition to appear.

Homicide is the willful killing of one human being by another, which includes murder and non-negligent manslaughter.

Rape is sexual intercourse through physical or psychological force, including vaginal, anal, or oral penetration by the offender(s) with a body part or a foreign object.

Sexual assault is an attack involving unwanted sexual contact between the victim and offender, separate from rape or attempted rape. Sexual assaults may or may not involve force and include such things as grabbing or fondling.

Aggravated assault includes (1) an attack with a weapon, regardless of whether an injury occurs, and (2) an attack without a weapon resulting in broken bones, lost teeth, internal injuries, loss of consciousness, or any unspecified injury requiring two or more days of hospitalization.

Robbery is theft of property or cash by force or threat of force, with or without a weapon, and with or without injury.

Simple assault is an attack without a weapon resulting either in no injury, minor injury (e.g.,bruises, black eyes, cuts, scratches, or swelling), or an undetermined injury requiring fewer than two days of hospitalization.

[Page break]

Block 3: Bias

How fair are current law enforcement practices related to sexual violence in regards to gender? (Not at all fair (1); Somewhat fair (2); Moderately fair(3)/;Very fair(4); Extremely fair(5))

[Page break]

Do you think strengthening the legal system's response to rape cases would create a more equal system, create a system that is less fair to women, create a system that is less fair to men, or have no effect on equality?(It would create a more equal system.; It would create a system that is unfair to women.; It would create a system that is unfair to men.; It would have no effect on equality.)

[Page break]

Please indicate the extent to which you agree or disagree with the following statements.

[Page break]

Women often exaggerate the negative effects of sexual assault. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7))

[Page break]

Many women get a kick out of teasing men by seeming sexually available and then refusing male advances. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7))

[Page break]

Many women have a quality of purity that few men possess. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7))

[Page break]

Women should be cherished and protected by men. (Strongly disagree (1); Moderately disagree (2); Somewhat disagree (3); Neither agree nor disagree (4); Somewhat agree (5); Moderately agree (6); Strongly agree (7))

Block 4: Crime Conjoint Selection Task

The figure below presents information on two hypothetical criminal cases. The statistics given are hypothetical statistics for all cases of this type.

Case 1	Crime	Case 2
Sexual assault		Aggravated assault
1%	Percent of population who will be victims of the crime in their lifetimes	1%
9 in 10 perpetrators are male	Perpetrator gender	9 in 10 perpetrators are male
6 in 10 victims are female	Victim gender	9 in 10 victims are female
1 in 4 reported cases result in conviction	Conviction rate	1 in 4 reported cases result in conviction
10%	Percent of cases that are falsely reported	10%

Suppose your county only has the resources to pursue one of the cases and your county prosecutor gets to choose which case to pursue. By pursue the case, we mean arrest and prosecute the suspect(s), as long as sufficient evidence exists.

If you had to choose between them, which case would you prefer your county prosecutor pursue? (Case 1/ Case 2)

[Page break]

If your county prosecutor were to choose to pursue [INSERT CHOICE RESPONDENT DID NOT SELECT] instead (the case you did NOT select), how unhappy would you be with your county prosecutor? (Not at all unhappy\ Somewhat unhappy\ Moderately unhappy\ Very unhappy\ Extremely unhappy)

[Page break]

The figure below presents information on two hypothetical criminal cases. The statistics given are hypothetical statistics for all cases of this type.

Case 1	Crime	Case 2
Sexual assault		Aggravated assault
	Percent of population who will be victims of the crime in their lifetimes	
1%		1%
	Perpetrator gender	
9 in 10 perpetrators are male		9 in 10 perpetrators are male
	Victim gender	
6 in 10 victims are female		9 in 10 victims are female
	Conviction rate	
1 in 4 reported cases result in conviction		1 in 4 reported cases result in conviction
	Percent of cases that are falsely reported	
10%		10%

Suppose your county only has the resources to pursue one of the cases and your county prosecutor gets to choose which case to pursue. By pursue the case, we mean arrest and prosecute the suspect(s), as long as sufficient evidence exists.

If you had to choose between them, which case would you prefer your county prosecutor pursue? (Case 1/ Case 2)

[Page break]

If your county prosecutor were to choose to pursue [INSERT CHOICE RESPONDENT DID NOT SELECT] instead (the case you did NOT select), how unhappy would you be with your county prosecutor? (Not at all unhappy\ Somewhat unhappy\ Moderately unhappy\ Very unhappy\ Extremely unhappy)

[Page break]

Block 5: Resource Allocation Task

Suppose the local government in your area can only afford to bring 100 reported criminal cases to trial in a given month. How do you think the government should allocate these 100 prosecutions across the following crimes? [NUMERIC ENTRY RESPONSE]
[ORDER OF CRIMES IS RANDOMIZED]

Homicide : _____
Rape : _____
Sexual assault : _____
Aggravated assault : _____
Robbery : _____
Simple assault : _____
Total : _____

[Page break]

[THE ORDER OF BLOCKS 6, 7, AND 8 IS RANDOMIZED]

Block 6: Crime Severity

The following questions ask about the severity of certain crimes.

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

[Page break]

How severe is homicide? (Not at all severe\ Somewhat severe\ Moderately severe\ Very severe\
Extremely severe)

[Page break]

How severe is rape? (Not at all severe\ Somewhat severe\ Moderately severe\ Very severe\
Extremely severe)

[Page break]

How severe is sexual assault? (Not at all severe\ Somewhat severe\ Moderately severe\ Very severe\
Extremely severe)

[Page break]

How severe is aggravated assault? (Not at all severe\ Somewhat severe\ Moderately severe\ Very severe\
Extremely severe)

[Page break]

How severe is robbery? (Not at all severe\ Somewhat severe\ Moderately severe\ Very severe\
Extremely severe)

[Page break]

How severe is simple assault? (Not at all severe\ Somewhat severe\ Moderately severe\ Very severe\ Extremely severe)

Block 7: Crime Victimization and Perpetration

[THE ORDER OF BLOCKS 7.A., 7.B., AND 7.C. IS RANDOMIZED]

[WITHIN BLOCK 7.A., THE ORDER OF BLOCKS 7.A.a. AND 7.A.b. IS RANDOMIZED]

[WITHIN BLOCK 7.B., THE ORDER OF BLOCK 7.B.a. AND 7.B.b. IS RANDOMIZED]

Block 7.A.a: Men's Probability of Committing Crimes

The following questions ask about **men's** likelihood of **committing** certain crimes in the United States.

[Page break]

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

Out of 100 **men**, how many do you think will **commit** homicide in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will **commit** rape in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will **commit** sexual assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will **commit** aggravated assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will **commit** robbery in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will **commit** simple assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

Block 7.A.b: Women's Probability of Committing Crimes

The following questions ask about **women's** likelihood of **committing** certain crimes in the United States.

[Page break]

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

Out of 100 **women**, how many do you think will **commit** homicide in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will **commit** rape in their lifetime(s)? Please enter a number from 0 to 100. . [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will **commit** sexual assault in their lifetime(s)? Please enter a number from 0 to 100. . [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will **commit** aggravated assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will **commit** robbery in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will **commit** simple assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Block 7.B.a: Men's Probability of Experiencing Crimes

The following questions ask about **men's** likelihood of **experiencing** certain crimes in the United States.

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

[Page break]

Out of 100 **men**, how many do you think will be (a) **victim(s)** of homicide in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will be (a) **victim(s)** of rape in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will be (a) **victim(s)** of sexual assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will be (a) **victim(s)** of aggravated assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will be (a) **victim(s)** of robbery in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **men**, how many do you think will be (a) **victim(s)** of simple assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Block 7.B.b: Women's Probability of Experiencing Crimes

The following questions ask about **women's** likelihood of **experiencing** certain crimes in the United States.

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

[Page break]

Out of 100 **women**, how many do you think will be (a) **victim(s)** of homicide in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will be (a) **victim(s)** of rape in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will be (a) **victim(s)** of sexual assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will be (a) **victim(s)** of aggravated assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will be (a) **victim(s)** of simple assault in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 **women**, how many do you think will be (a) **victim(s)** of robbery in their lifetime(s)? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Block 7.C: Personal Probability of Experiencing Crimes

The following questions ask about your personal probability of experiencing certain crimes. For each question, please enter a number from 0 to 100, where 0 indicates there is no chance you will be a victim of the crime in your lifetime and 100 indicates you will certainly be a victim of the crime at least once in your lifetime.

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

[Page break]

What is the probability that you yourself will be a victim of homicide in your lifetime? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

What is the probability that you yourself will be a victim of rape in your lifetime? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

What is the probability that you yourself will be a victim of sexual assault in your lifetime? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

What is the probability that you yourself will be a victim of aggravated assault in your lifetime? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

What is the probability that you yourself will be a victim of robbery in your lifetime? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

What is the probability that you yourself will be a victim of simple assault in your lifetime? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Block 8.A: Report Rates

The following questions ask about the rates at which certain crimes get reported to law enforcement officials.

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

[Page break]

Out of 100 homicides, approximately how many do you think get **reported to the police**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 rapes, approximately how many do you think get **reported to the police**? Please enter a number between 0 and 100. [NUMERIC ENTRY]

[Page break]

Out of 100 sexual assaults, approximately how many do you think get **reported to the police**? Please enter a number between 0 and 100. [NUMERIC ENTRY]

[Page break]

Out of 100 aggravated assaults, approximately how many do you think get **reported to the police**? Please enter a number between 0 and 100. [NUMERIC ENTRY]

[Page break]

Out of 100 robberies, approximately how many do you think get **reported to the police**? Please enter a number between 0 and 100. [NUMERIC ENTRY]

[Page break]

Out of 100 simple assaults, approximately how many do you think get **reported to the police**? Please enter a number between 0 and 100. [NUMERIC ENTRY]

Block 8.B: False Report Rates

The following questions ask about the false report rates of certain crimes. For our purposes, a crime is falsely reported if an individual reports the crime to law enforcement though the crime did not occur.

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

[Page break]

Out of 100 homicides **reported to police**, approximately how many do you think are **falsely reported**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 rapes **reported to police**, approximately how many do you think are **falsely reported**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 sexual assaults **reported to police**, approximately how many do you think are **falsely reported**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 aggravated assaults **reported to police**, approximately how many do you think are **falsely reported**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 robberies **reported to police**, approximately how many do you think are **falsely reported**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 simple assaults **reported to police**, approximately how many do you think are **falsely reported**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

Block 8.C: Arrest Rates

The following questions ask about the arrest rates of certain crimes.

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

[Page break]

Out of 100 homicides **reported to police**, approximately how many do you think result in an arrest being made? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 rapes **reported to police**, approximately how many do you think result in an arrest being made? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 sexual assaults **reported to police**, approximately how many do you think result in an arrest being made? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 aggravated assaults **reported to police**, approximately how many do you think result in an arrest being made? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 robberies **reported to police**, approximately how many do you think result in an arrest being made? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 simple assault **reported to police**, approximately how many do you think result in an arrest being made? Please enter a number from 0 to 100. [NUMERIC ENTRY]

Block 8.D: Prosecution Rates

The following questions ask about crime prosecution. By "prosecution" we mean the crime is tried before a judge and/or jury or settled through a plea bargain.

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

[Page break]

Out of 100 homicides for which an arrest is made, approximately how many do you think are prosecuted before a judge and/or jury or settled through a plea bargain? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 rapes for which an arrest is made, approximately how many do you think are prosecuted before a judge and/or jury or settled through a plea bargain? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 sexual assaults for which an arrest is made, approximately how many do you think are prosecuted before a judge and/or jury or settled through a plea bargain? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 aggravated assaults for which an arrest is made, approximately how many do you think are prosecuted before a judge and/or jury or settled through a plea bargain? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 robberies for which an arrest is made, approximately how many do you think are prosecuted before a judge and/or jury or settled through a plea bargain? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 simple assaults **for which an arrest is made**, approximately how many do you think are prosecuted before a judge and/or jury or settled through a plea bargain? Please enter a number from 0 to 100. [NUMERIC ENTRY]

Block 8.E: Conviction Rates

The following questions ask about the rate at which prosecuted crimes result in a guilty conviction, meaning a judge or jury determines the perpetrator is guilty of committing the crime.

[THE ORDER OF THE REMAINING QUESTIONS IN THIS BLOCK IS RANDOMIZED]

[Page break]

Out of 100 homicides that are **prosecuted** before a judge and/or jury, approximately how many do you think result in a guilty **conviction**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 rapes that are **prosecuted** before a judge and/or jury, approximately how many do you think result in a guilty **conviction**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 sexual assaults that are **prosecuted** before a judge and/or jury, approximately how many do you think result in a guilty **conviction**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 aggravated assaults that are **prosecuted** before a judge and/or jury, approximately how many do you think result in a guilty **conviction**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 robberies that are **prosecuted** before a judge and/or jury, approximately how many do you think result in a guilty **conviction**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Out of 100 simple assaults that are **prosecuted** before a judge and/or jury, approximately how many do you think result in a guilty **conviction**? Please enter a number from 0 to 100. [NUMERIC ENTRY]

[Page break]

Block 9: Demographics

What is your sex? (Male/ Female)

[Page break]

What is your age? [NUMERIC ENTRY]

[Page break]

Generally speaking, do you think of yourself as a Democrat, Republican, or neither? (Democrat/ Republican/ Neither)

[Page break]

[SHOW ONLY TO RESPONDENTS WHO SELECT “Democrat” IN PARTY ID QUESTION] Would you call yourself a strong Democrat or not a very strong Democrat? (Strong Democrat/ Not a very strong Democrat)

[Page break]

[SHOW ONLY TO RESPONDENTS WHO SELECT “Republican” IN PARTY ID QUESTION] Would you call yourself a strong Republican or a not very strong Republican? (Strong Republican/ Not a very strong Republican)

[Page break]

[SHOW ONLY TO RESPONDENTS WHO SELECT “Neither” IN PARTY ID QUESTION] Do you think of yourself as closer to the Democrat Party or the Republican Party? (Closer to the Democrat Party/ Closer to the Republican Party)

[Page break]

What is your highest level of education? (No formal/ Some formal/ High school diploma/ Some college/ College degree/ Graduate degree)

[Page break]

A lot of people are not able to vote because they weren't registered, they were sick, or they just didn't have time. Which of the following statements best describes your voting behavior in the **most recent local election in your county**? By local election, we mean an election in which you voted for offices that serve a jurisdiction that is smaller than the state. (I did not vote in the most recent local election./ I usually vote in local elections, but did not this time./ I am sure I voted in the most recent local election.)

[Page break]

What is your race/ethnicity? (American Indian or Alaska Native/ Asian/ Black or African American/ Hispanic or Latino/ Native Hawaiian or Other Pacific Islander/ White/ Other (Please specify): [TEXT ENTRY])

[Page break]

How would you describe your job sector? (Public sector (education, health, government)/ Private firm/ Self-employed (entrepreneur, family-owned business)/ Not-for-profit organization/ Unemployed or not in the workforce/ University student)

[Page break]

Do you consider religion to be an important part of your life, or not? (Important/ Not important)

[Page break]

[SHOW ONLY TO RESPONDENTS WHO SELECT “Important” IN PREVIOUS QUESTION] How much guidance would you say your religion provides in your day-to-day living? (A great deal of guidance/ Quite a bit of guidance/ Some guidance)

Are you now married, widowed, divorced, separated or never married? (Married/ Widowed/ Divorced/ Separated/ Never married)

[Page break]

[SHOW ONLY TO RESPONDENTS WHO DO NOT SELECT “Married” IN MARITAL STATUS QUESTION] Are you currently living with a partner, or not? (Yes, living with a partner/ No, not living with a partner)

[Page break]

[SHOW ONLY TO RESPONDENTS WHO ARE MARRIED OR LIVING WITH A PARTNER] How dependent are you on your partner’s income? (Not at all dependent/ Somewhat dependent/ Moderately dependent/ Very dependent/ Extremely dependent)

[Page break]

[SHOW ONLY TO RESPONDENTS WHO ARE MARRIED OR LIVING WITH A PARTNER] Who usually makes the final decision about major household purchases? (Myself; My [SPOUSE OR PARTNER]; It is a joint decision between me and my [SPOUSE OR PARTNER]; Other (Please specify): [TEXT ENTRY])

[Page break]

[SHOW ONLY TO RESPONDENTS WHO ARE MARRIED OR LIVING WITH A PARTNER] Who usually makes the final decision in choices regarding which social activities you and your partner engage in? (Myself; My [SPOUSE OR PARTNER]; It is a joint decision between me and my [SPOUSE OR PARTNER]; Other (Please specify): [TEXT ENTRY])

[Page break]

Thank you for your participation in this survey.

If you are currently struggling to cope with past experiences, there are resources available to help you. The hotline numbers below offer support to individuals living with a range of symptoms, including symptoms from Post-Traumatic Stress Disorder (PTSD). In cases of emergency (for example, if you or a loved one is in danger of self-harm or harming another person), call 911 immediately or head to your nearest emergency room.

National Suicide Prevention Lifeline: (800) 273-TALK (8255). Available any time of day or night, 365 days a year.

Crisis Text Line: Text HOME to 741741. This service is available 24/7 and provides free crisis support and information via text.

National Hopeline Network: (800) 442-HOPE (4673). Available 365 days a year.

CONTACT INFORMATION: If you have any questions, concerns or complaints about this research, its procedures, risks and benefits, contact Madison Dalton at mdalton@stanford.edu.

INDEPENDENT CONTACT: If you are not satisfied with how this study is being conducted, or if you have any concerns, complaints, or general questions about the research or your rights as a participant, please contact the Stanford Institutional Review Board (IRB) to speak to someone independent of the research team at irbnonmed@stanford.edu.