

## Radha Iyengar

### Working Papers

#### *“I’d rather be Hanged for a Sheep than a Lamb: The Unintended Consequences of ‘Three-Strikes’ Laws”*

Strong sentences are common “tough on crime” tool used to reduce the incentives for individuals to participate in criminal activity. However, the design of such policies often ignores other margins along which individuals interested in participating in crime may adjust. I use California’s Three Strikes law to identify several effects of a large increase in the penalty for a broad set of crimes. Using criminal records data, I estimate that Three Strikes reduced participation in criminal activity by 20 percent for second-strike eligible offenders and a 28 percent decline for third-strike eligible offenders. However, I find two unintended consequences of the law. First, because Three Strikes flattened the penalty gradient with respect to severity, criminals were more likely to commit more violent crimes. Among third-strike eligible offenders, the probability of committing violent crimes increased by 9 percentage points. Second, because California’s law was more harsh than the laws of other nearby states, Three Strikes had a “beggar-thy-neighbor” effect increasing the migration of criminals with second and third-strike eligibility to commit crimes in neighboring states. The high cost of incarceration combined with the high cost of violent crime relative to non-violent crime implies that Three Strikes may not be a cost-effective means of reducing crime.

#### *An Analysis of the Performance of Federal Indigent Defense Attorneys*

The right to an equal and fair trial regardless of wealth is a hallmark of American jurisprudence. To ensure this right, the government pays attorneys to represent financially needy clients. In the U.S. federal court system, indigent defendants are represented by either public defenders who are salaried employees of the court or private attorneys, known as Criminal Justice Act (CJA) attorneys, who are compensated on an hourly basis. This study measures differences in performance of these types of attorneys and explores some potential causes for these differences. Exploiting the use of random case assignment between the two types of attorneys, an analysis of federal criminal case level data from 1997-2001 from 51 districts indicates that public defenders perform significantly better than CJA panel attorneys in terms of lower conviction rates and sentence lengths. An analysis of data from three districts linking attorney experience, wages, law school quality and average caseload suggests that these variables account for over half of the overall difference in performance. These systematic differences in performance disproportionately affect minority and immigrant communities and as such may constitute a civil rights violation under Title VI of the Civil Rights Act.

#### *Does the Certainty of Arrest Reduce Domestic Violence? Evidence from Mandatory and Recommended Arrest laws*

Domestic violence remains a major public policy concern despite two decades of policy intervention. To eliminate police inaction in response to domestic violence, many states have passed mandatory arrest laws, which require the police to arrest abusers when a domestic violence incident is reported. These laws were justified by a randomized experiment in Minnesota which found that arrests reduced future violence. This experiment was conducted during a time period when arrest was optional. Using the FBI Supplementary Homicide Reports, I find mandatory arrest laws actually increased intimate partner homicides. I hypothesize that this increase in homicides is due to decreased reporting. I investigate validity of this reporting hypothesis by examining the effect of mandatory arrest laws on family homicides where the victim is less often responsible for reporting. For family homicides, mandatory arrest laws appear to reduce the number of homicides. This study therefore provides

evidence that these laws may have perverse effects on intimate partner violence, harming the very people they seek to help.

*Political Economy of the Social Security Disability Insurance Program* (with Giovanni Mastrobuoni, Collegio Carlo Alberto and CeRP)

The dramatic rise in the disability insurance roles in the last 20 years has been the subject of much controversy in both popular and academic circles. While, the relationship between DI and labor force participation has been the subject of a growing literature, the mechanism by which this transition from employment to DI remains unclear. We hypothesize that one mechanism is the state-level administration of the program which creates a classic principal-agent problem. This paper analyzes the impact of continuing conflict of interests for DDS agencies---between SSA standards and state gubernatorial political interests---interacted with the increased demand for disability insurance as an alternative for low-skilled works during the period of 1982 to 2000. We find evidence that multi-term governors allow a greater fraction of applicants than do first term governors. We then develop a model that illustrates how these differences can be due to they type of monitoring conducted by the Social Security Administration. We provide additional evidence supporting this hypothesis in the form of sub-group analysis by economic and political constraints. Overall, we find evidence that the monitoring system is counter-productive and encourages politically motivate usage of critical social insurance programs.

*How much does Sexual Harassment?* (with Joy Hirsch, Columbia University)

The judicial system relies on juries to dispassionately evaluate facts presented at trial to reach a fair legal decision. In sexual harassment cases, juries are charged with determining whether the behaviors presented might be perceived as intimidating, threatening, or offensive. In this adjudication process, jurors are asked to use a “reasonable woman” standard—as opposed to the “reasonable person” standard more commonly used in similar workplace dispute cases. However, there is little evidence to substantiate or repudiate the assumption by the Supreme Court that juries are able to call upon their emotional reserves when presented evidence of sexual harassment. We find a dichotomy in the neurocircuitry employed by mock jurors during decisions about cases that involve sexual harassment relative to cases that involve contractual disputes. Harassment cases tended to elicit activity associated with emotional processes while a control group of contract cases tended to elicit activity in associated with executive processes. We quantify the effects of this shift to emotional decisionmaking in terms of juror awards. Using data court cases from 1997 to 2001, we assign cases into one of these four categories based on the harassment forms in each case. We find that different forms of harassment elicit different settlement and award behaviors.

*Does Justice Require Juries? An Evaluation of Ring v. Arizona*

In recent years the death penalty has come under increasing scrutiny because of what appears like disparate sentencing for minorities relative to white. However, some research suggests that as a fraction of the defendants on death row accurately represents the distribution of murder arrests nationwide. The question of whether the bias occurs at the sentencing stage, at some earlier stage, or at all is an issue of broad concern. Any bias would raise grave concerns about the procedural fairness of death penalty applications. In attempts to redress some of these due process concerns, the Supreme Court in *Ring v. Arizona* determined that all death penalty sentences must be determined by a jury rather than a judge. This decision affected death penalty procedures in 13 states and the federal government while leaving 26 states with the death penalty unaffected. Using this variation in the impact of the decision, I plan to evaluate how the use of juries versus judges affects the proportion of minorities that receive the death penalty.

*Measuring the Acute Domestic Violence: A Survey of Emergency Shelter and Crisis Intervention Services Usage* (with L. Sabik, C. Frasear, S. Tucker, and C. Southworth)

Intimate partner violence is a serious and preventable health problem affecting more than 30 million Americans each year. Many victims receive emergency support services from local domestic violence programs. Despite this, information on the magnitude and distribution of services these programs provide nationwide is limited. In November 2006, the first-ever National Census on Domestic Violence Services was conducted to learn the frequency and correlates of emergency and crisis intervention services provided by domestic violence programs using safe, noninvasive collection methods. During the 24-hour survey period, 48,350 individuals used the services of 1,243 primary purpose domestic violence programs, corresponding to a population rate of 16 people per 100,000 inhabitants. Of the individuals served, 14,518 received emergency shelter, 7,989 received transitional housing and 25,843 received non-residential services only. Domestic violence programs were unable to meet 5,183 requests for services that day due to resource constraints. This survey provides the first national measurement of services provided by local domestic violence programs and suggest that seven times more individuals are served by domestic violence programs as compared to victims of violence-related injuries served on an average day in U.S. emergency rooms.

*The World Cup and Demand for Women: The Market for Sex Workers in Germany*

Trafficking in human beings is often likened to modern day slavery. Victims are often tricked or even physically forced into migration to another country under the control of their trafficker. While the practice is abhorrent and there is growing concern about the emergence of growing trafficking networks, there is little literature on the extent of trafficking. Moreover, it is not clear what the interaction between trafficked victims and more traditional labor markets might be. Naturally, this is due to the illicit nature of many of the activities in which trafficked victims are forced to engage. To the extent that trafficked victims must work in established, albeit illegal, labor markets, it is possible that their supply could affect the nature and equilibrium of the market. This paper uses the 2006 FIFA World Cup as an instrument to estimate the number of trafficking victims and the demand elasticity for sex-workers. The World Cup generated a large increase in the number of people demanding the services of prostitutes. In Germany, where prostitution is legal, there exists variation in the laws regulating sex work. This paper uses these variations to identify the feasibility of illegal workers entering the market. Estimating the implied labor supply changes necessary to generate observed changes in prices in the legal market for sex work, I estimate an upperbound on the number individuals who illegally entered the sex worker market in this time period.

*Conditionality and Commitment: Incentive Effects of US Aid Policy in Iraq* (with Jonathan Monten, Harvard University)

The conflict in Iraq is the defining foreign policy initiative of the Bush Administration. The provision of support without well-defined conditions has been a central tenet of the current war plan. The problem of on the one hand producing incentives for indigenous capacity building and on the other ensure basic levels of security is part of a larger question about to what role, if any, external actors can play in building local capability. This paper seeks to identify, disentangle, and empirically evaluate the set of incentives generated by current US policy. In order to accomplish this, we begin with a simplified model of strategic interaction between the US Government, the Iraqi Government, and the Insurgents. We show how conditionality affects the incentives of the Iraqi government and how credibility in following a policy rule affects the incentives of both the Iraqi government and the Insurgents. We then use data on casualties, attacks, non-security capacity measures, and media measures to test how both US commitment and credibility effect outcomes in Iraq. We find that US open-ended commitment results in underinvestment by the Iraqi government in security capacity relative to other domestic capacity. We further find that the credibility of pre-Surge US policy resulted

in higher levels of attacks but post-Surge results in the Insurgents "playing dead." We make some policy recommendations on future steps to ensure higher levels of security investment and lower levels of attacks.

### Ongoing Projects

*The Impact of Overcrowding on Health Services in Emergency Rooms*

*Does Breastfeeding Matter? Evidence from Information and Technology Shocks*

*Do Special Courts for Sexual Assault Increase Reporting? Evidence from South Africa*