

CHILD ABUSE REPORTING AND EDUCATION LAWS: EFFECTIVE INCENTIVES  
FOR POLICY ACTOR CHANGE

by

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## DEDICATION

To my amazing family—my wife and little boys. I am forever in your gratitude. I recognize the sacrifices that you made in helping me fulfill my dream. It was your everyday smiles and laughs that helped me see this project to the end. I love you all!

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<sup>1</sup> The Independent. (1914, March 20). How it feels to be President. *The Independent*, 77, 439. Retrieved from <https://archive.org/details/independent77newy/page/439>

help; his assistance has been crucial to my success. I know that with Dr. Utych's service I was able to conduct some decent research and make it a lot better and cleaner. I appreciate and am thankful that Dr. Utych was so willing to help and it is fitting that he became a part of my committee overseeing this research from the beginning to the end.

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## ABSTRACT

The policy process emphasizes various stages of policy development and implementation. Essential to the stages within the policy process are the individuals who create, implement, and correct public policy. Employing three separate essays, I examine the actions of legislators, street-level bureaucrats (teachers, law enforcement, and social workers), and a policy entrepreneur in regards to child abuse prevention and education policies. These three groups of actors play a valuable role within the policy process and have various incentives which drive their actions in regards to a policy. Better understanding the incentives and actions of these groups expands the policy research and provides a practical application to policy design and implementation. With these essays, I first investigate why legislators adopt mandatory child abuse reporting laws and demonstrate if these laws meet their legislative objective. Second, I examine the reporting laws from the perspective of street-level bureaucrats and reveal how these bureaucrats respond to a top-down policy. Finally, I explore the factors of policy innovation and diffusion in regards to a child abuse prevention and education policy. Significant to this study is the role a policy entrepreneur plays in steering the policy through the innovation and diffusion process. Employing various statistical models, I establish how each of these groups of individuals significantly influences the policy process. Overall, the contributions of these studies advance the public policy literature, particularly the understanding of the policy process, and encourages further academic research.

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## LIST OF ABBREVIATIONS

BSU	Boise State University
CSA	Child Sex Abuse
CAPTA	Child Abuse Prevention Treatment Act
EHA	Event History Analysis
HR	Hazard Ratio
MSA	Multiple Streams Approach
NCSL	National Conference of State Legislatures
NCANDS	National Child Abuse and Neglect Data System
NDACAN	National Data Archive on Child Abuse and Neglect
OLS	Ordinary Least Squares
US	United States
TDC	Thesis and Dissertation Coordinator

## CHAPTER ONE: INTRODUCTION

### **The Policy Process**

The policy process is a fundamental concept of public policy research and has been heavily examined by an assortment of scholars. Christopher Weible (2014) simply defines the policy process as, “the study of the interactions over time between public policy and its surrounding actors, events, and contexts, as well as the policy or policies’ outcomes” (p. 5). Taking the time to closely observe the actors within the policy process, three sets of actors become abundantly clear. First, there are individuals or groups of individuals who create policy, followed by agents or agencies who implement policy, and completed with individuals who work to improve, alter, and diffuse policy. Identifying these actors is important to the field of study, but understanding why they choose to do what they do is central. Conducting three separate studies, I examine these various actors and attempt to understand what motivates them in order to better illustrate their function within the policy process. While the three studies that comprise this dissertation are driven by separate and distinct research questions, each of these questions comes back to understanding the role these individuals play within various parts of the policy process, whether it is adoption, innovation and diffusion, or implementation. Together these studies result in important theoretical and practical implications for the field of public policy which further advances policy scholarship.

Policy studies and the policy process typically identify its roots with Harold Lasswell (Smith & Larimer, 2013). Lasswell hoped to create and define a comprehensive

theory that could easily define and measure the steps that lead to policy enactment (Lasswell, 1971). Policy scholars attempted to build upon Lasswell's vision and described the policy process as it unfolded before them (Jones, 1970). One of the scholars that answered Lasswell's call for advanced exploration was James E. Anderson (1974), who established the stages heuristic (Smith & Larimer, 2013). This heuristic provides a simple way to analyze the steps of the policy process and includes the stages of agenda formation, formulation, adoption, implementation, and evaluation. While the stages heuristic is broad and generalizable, as a theory, it lacks predictive power (Sabatier, 2007; Smith & Larimer, 2013). Moreover, the framework is accused of segregating the policy literature and dissuading a unified theory of policy from being developed. Policy scholars employ the stages heuristic to isolate parts of the process which then allows them to concentrate on a certain topic. This separation allows for scholars to be more selective of variables which demonstrate relationships in one stage, but fail to provide any meaning in other stages (Greenberg, Miller, Morh, & Vladeck, 1977; Smith & Larimer, 2013; Whitaker, Herian, Larimer, & Lang, 2012).

Deficient of predictive power and accused of theoretical segregation and oversimplification, the stages heuristic serves as a relatively weak theory. Nonetheless, it does function as a robust linear framework and provides a simple view of the policy process examined throughout this dissertation. As Kevin Smith and Christopher Larimer (2013) point out, the stages approach provides, "an intuitive and practical means of conceptualizing and organizing the study of public policy" (p. 27). Examining the themes of these studies, it makes intuitive sense to follow along the policy process to better understand the role of the individual in the evolution of child abuse policies. This is

especially important as states move from mandatory reporting laws to a more complex and rigorous policy such as Erin's Law. Unlike typical academic articles, the accumulation of these essays in this dissertation removes the distraction of separation but allows for an evaluation of the process as a whole. Additionally, the combination of the studies allows scholars to examine common variables across each study in an effort to target those variables of greatest worth to the policy process. While the stages approach is not used as a predictive theory within these essays, this heuristic does provide a simple and clear approach in exploring the advancement of child abuse laws from mandatory reporting policies to Erin's Law. Furthermore, the combination of these studies within a stages approach accounts for the multiple perspectives and incentives of people who participate in the policy process.

Significant to the policy process is the study of implementation, which has become increasingly more complicated since the foundational writings of Pressman and Wildavsky's book *Implementation* (1984). The complexity of policy implementation has continued to increase as scholars delve into the political and bureaucratic actions that have led to successful implementation. Within this dissertation, I do not intend to clarify or explain the entirety of policy implementation research or even claim that there is a simple account of the policy implementation process. Rather, in two essays, I hope to expand upon the extant literature and investigate the motives that drive policy enactment and implementation within a specific policy framework. Particularly, I reveal an important narrative regarding the incentives that encourage the enactment and implementation of a policy. These two studies are then followed by the final essay, which examines a policy entrepreneur's attempt to alter the currently weak child abuse policies

through implementation and diffusion of a new preventative law. Employing the policy process and the stages heuristic established by Anderson (1974), I use a linear framework to define the process in which the actors within these studies function.

### **Child Abuse Policy as a Case Study**

In order to evaluate the actors within the policy process, I acknowledge that political context is extremely important. Each study is then driven by a similar policy context in order to allow crossover between the examinations and to better describe the policy process as a whole. Specifically, I analyze each study within the context of child abuse policies. Child abuse policies in the United States (U.S.) continue to evolve and expand, providing for a comprehensive case to investigate the various aspects and actors within the policy process. In order to better understand the framework for each of these studies, I provide a brief history of child abuse policy in the U.S.

Following the seminal publication of *The Battered-child Syndrome* (Kempe, Silverman, Steele, Droegemueller, & Silver, 1962), child abuse was more clearly defined which lead to better examining, understanding, and reporting by medical practitioners (Kalichman, 1999). In response to the work of Kempe et al., (1962), legislation throughout the U.S. was enacted. This new legislation began with mandatory reporting laws targeting healthcare professionals who provided medical treatment to abused and neglected children (Besharov, 1985; Nelson, 1984; Paulsen, Parker, & Adelman, 1965). While initially limited to reporting within the medical field, mandatory reporting laws diffused throughout the country, developing in scope and coverage. (Fischer, Schimmel, & Stellman, 2003; Hogelin, 2013; Kalichman, 1999; Mathews & Kenny, 2008). This spread of legislation was spurred further and continues to diffuse following such

legislation as the 1974 federal legislation CAPTA (Child Abuse Prevention and Treatment Act), which made federal funding available to states based on child abuse prevention laws (Kalichman, 1991; 1999; Mathews & Kenny, 2008). As mandatory reporting laws continued to expand across the states, so too did the categories of abuse, in addition to physical abuse: emotional, sexual, psychological abuse and neglect were included (Mathews & Kenny, 2008).

Depending on the state, categories of child abuse differ, which presents problems for accurately reporting and comparing child abuse cases (Deisz, Doueck, George, & Levine, 1996; Levi, Brown, & Erb, 2006; Levi & Loeben, 2004; Swain, 1998; 2000). However, based on previous literature and because mandatory reporters are not required to distinguish between the different types of abuse (Child Abuse Prevention and Treatment Act [CAPTA] of 2010, 2016), I use “child abuse” broadly to cover any form of child abuse and neglect required to be reported by mandatory reporters (Feng, Chen, Fetzer, Feng, & Lin, 2012; Fischer et al., 2003; Kesner & Robinson, 2002). Furthermore, I examine child abuse in all of its forms, but focus more heavily on the professional groups or actors that are required to report and respond to child abuse policies.

Currently, all U.S. States, excluding New Jersey and Wyoming, enumerate professional groups as mandatory reporters (Child Welfare Information Gateway, 2016). Instead of specifying mandatory reporters, New Jersey and Wyoming require all persons to report suspected child abuse to the proper authorities. Unfortunately, the scholarly research on the effectiveness of mandatory reporting policies has not always followed closely with the expansion of the law, especially in relation to the targeting of law enforcement and social work professionals. Beyond mandatory reporting laws, additional

policies which support reporting laws through required awareness education and training have also begun to be established.

As will be examined in the third essay, child abuse education and prevention policies, such as Erin's Law, have been established to help train certain professional groups on how to best recognize and report suspected abuse. The enactment of these laws demonstrates that while mandatory reporting laws have been broadly adopted, they may not be completely effective in diminishing child abuse. Because of this policy's weakness, additional policies have diffused across the U.S. to combat and prevent child abuse and the potential consequences that may follow. The third essay plays a culminating role in the policy process; specifically, it demonstrates how a policy entrepreneur interacts with lawmakers and bureaucrats to provide greater protection to children from abuse. Moreover, each essay provides an important narrative regarding the current and future reporting activities of suspected child abuse while expanding the theoretical foundation which explains why and how child abuse policies work within the U.S.

### **Essay 1**

In the first essay, I examine state lawmakers and their role surrounding the enactment of mandatory child abuse reporting policies. As previously noted, child abuse policies were introduced following the publication of *The Battered-child Syndrome* (Kempe, Silverman, Steele, Droegemueller, & Silver, 1962) where child abuse was first introduced in an academic setting. Immediately following the publication, it was obvious that legislators and society as a whole were missing information in regards to what child abuse looked like, how child abuse could be prevented, and the community consequences

of raising abused children. To supplement for this lack of knowledge, state lawmakers began to require healthcare officials to report suspected abuse (Hogelin, 2013; Kalichman, 1999; Mathews & Kenny, 2008). Requiring this reporting, lawmakers could more easily monitor cases of abuse reported from this professional group. Over time, it became apparent that suspected child abuse was observed by other professional organizations beyond healthcare professionals and legislators reacted accordingly. Specifically, state legislatures began mandating reporting among education personnel, social workers, and law enforcement officials and the list continues to grow. For example, eight states enacted new legislation in 2016 to expand their mandatory reporting laws to include additional professional organizations beyond those already listed (National Conference of State Legislatures [NCSL], 2017). With the enactment of these laws, two important questions arise: “*Do these mandatory reporting laws actually work toward controlling behavior?*” and “*Do these policies provide lawmakers with the consistent easily monitored reporting they were hoping for?*”

Investigating the enactment of mandatory reporting laws from the legislative context and perspective as demonstrated with these research questions leads to valuable practical and theoretical implications detailed below. First, these questions demonstrate that legislators are faced with principal-agent uncertainty, especially in the case of child abuse reporting. Second, legislators utilize administrative procedures or policies when facing uncertainty, even if the legislators are not sure if the administrative procedure actually works. Finally, it is expected that the results from this study will demonstrate that administrative procedures allow for consistency and predictability in reporting. With

this consistency, legislators are then able to direct their attention away from child abuse and focus on other legislation or policy alterations.

State lawmakers regularly face uncertainty within their work (Burden, 2003; Downs, 1957; Potoski, 1999). A lot of this uncertainty manifests in asymmetric information between lawmakers and various agencies. Research has identified the existence of uncertainty within both the individual level and at group decision-making levels (Jones, Talbert, & Potoski, 2003). In effect, the uncertainty revolves around how to solve a problem when all of the information may not be available, such as in the case of child abuse reporting. In the specific case of 1960 and 1970 healthcare officials, it was apparent that these professionals were aware of the occurrence of child abuse and the signs for abuse and yet chose not to report (Kalichman, 1999). To remove this asymmetric information, legislators adopted mandated reporting for professional groups who regularly interact with children. The scholarly literature is replete with examples of legislators employing administrative procedures, such as mandated reporting, in order to minimize uncertainty (Balla, 1998; McCubbins, Noll, & Weingast, 1987; Potoski, 1999). However, for these administrative procedures to work, it is assumed that the bureaucracy responds to bureaucratic control (Weingast and Moran 1983; Wood and Waterman 1994). While bureaucratic control is debated, there is ample evidence supporting that legislative action does influence the behavior of bureaucrats. This study provides an additional example supporting the previous literature that bureaucrats do submit to administrative procedures.

Scholars have frequently studied the principal-agent relationship and have noted that principals attempt to minimize any uncertainty that arises from missing information

(Potoski, 1999). Not having the appropriate information causes angst for legislators, and lawmakers attempt to reduce this anxiety as much as possible. In an effort to reduce legislative uncertainty, lawmakers enact legislative procedures with the intent of drawing information and altering behavior (Balla, 1998). Specifically, legislators enact “fire-alarm” procedures. These procedures help legislators obtain the necessary information from agents in order to enforce directives, reduce legislative uncertainty and transaction costs while managing behavior (Macey, 1992; McCubbins & Schwartz, 1984; Potoski, 1999, p. 627). Examining this behavior within the scenario of mandatory reporting laws demonstrates whether legislators are enacting a law which leads to their desired outcome of more consistent reporting. If this is not the case, then from a practical standpoint this study questions the need for and purpose of mandatory reporting laws.

The basis of this study determines whether the administrative procedures established with mandatory reporting laws leads to the desired legislative outcome. Current scholarship, as detailed above, demonstrates that administrative procedures are utilized to control bureaucratic behavior and to reduce legislative uncertainty (Balla, 1998; McCubbins, Noll, & Weingast, 1987; Potoski, 1999). Nevertheless, little has been done to demonstrate whether these procedures or policies work when they cross multiple variables such as job categories, locations, or time. Employing mandatory reporting laws, these variables can be accounted for while attempting to demonstrate whether administrative procedures lead to reduced legislative uncertainty evidenced by more consistent reporting. From a practical standpoint, the findings from this study could alter the way legislators approach the regular enactment of mandatory reporting laws while also enhancing the literature regarding legislative incentives and action. Beyond the

practical application, the findings from this study also contribute to the theoretical foundation regarding legislative uncertainty and administrative procedures. Clear procedures and goals, such as those aligned with administrative procedures, lead to increased motivation, unify the goals of the agency, and demonstrate political support (Davis & Stazyk, 2014; Huber, Shipan, & Pfahler, 2001; Pandey & Wright 2006; Rizzo, House, & Lirtzman 1970; Stazyk, Pandey, & Wright, 2011, p. 610; Wood & Bohte, 2004; Wright 2004). This study aims to build on this literature, further analyzing whether the effect of administrative procedures is constant across groups or if there are additional variables that must be considered.

Overall, this particular study provides ample opportunity to contribute to the field of study while also offering evidence of practical significance. Examining the influence of mandatory reporting laws from a legislative perspective allows for a new outlook on an established policy that continues to expand. Demonstrating whether these laws lead to the desired legislative behavior while also evaluating the behavior of bureaucrats is a worthwhile study with potentially far-reaching consequences.

## **Essay 2**

The second essay continues with the examination of mandatory reporting laws. However, this study moves away from the legislative perspective that dominated the first essay and instead examines the bureaucratic perspective in regards to the law. Specifically, this essay examines *whether mandatory reporting laws incentivize street-level bureaucrats to action* and attempts to address *why bureaucratic action differs among professional organizations*. Concentrating on these two questions leads to both practical and theoretical implications. First, being able to confidently reply to the above

questions is imperative for policymakers and bureaucrats in supporting their efforts to diminish child abuse and the social consequences that follow. Second, understanding how policies incentivize bureaucrats' behavior and implementation is essential to lawmakers when writing actionable policy. Finally, this study expands the theoretical perspective surrounding principal-agent relationships and incentive systems.

Previous research demonstrates that bureaucratic agents in various settings face challenges associated with the decision to report child abuse (Abrahams, Casey, & Daro, 1992; Ainsworth, 2002; Kalichman, 1999; Kenny, 2001; Lamond, 1989). According to Zellman (1990a), 92% of elementary principals surveyed had encountered and reported suspected child abuse. Similar results can be found with both social workers and law enforcement officers (Zellman, 1990a; 1990b). While the reporting percentage is relatively high, it still demonstrates that some targeted professionals choose not to report suspected cases of abuse. While the commitment to reporting is evident, the appropriate actions do not always get carried out. In an effort to improve action, bureaucrats are mandated to report suspected abuse. However, this mandate to report does not always result in bureaucrats reporting suspected abuse. In the case of teachers, various fears exist which prevent teachers from reporting (Abrahams, Casey, & Daro, 1992). For example, scholars have demonstrated that teachers lack the ability to accurately recognize child abuse (Besharov, 1990), are not typically comfortable with reporting policies (Besharov, 1990; Kenny, 2001), and fear legal ramifications or retaliation for reporting even though reporting immunity may be in place (Abrahams, Casey, & Daro, 1992). Due to the inefficiency of mandatory reporting laws, legislators should look for alternative methods for capturing improved reporting of suspected abuse. Only when teachers or other

professional agents feel comfortable reporting suspected abuse will they overcome the challenges of reporting.

Incentives have always played an important role in the management literature. In the early 1960's, Peter Clark and James Wilson (1961) introduced an incentive typology. As conceived by the authors, when incentives align with the incentive systems of an agency, then a favorable action is more likely. While the literature concerning incentives has existed for some time, lawmakers often fail to associate the appropriate policy incentives with the incentive systems within an agency. This oversight has led to the enactment of broadly stated policies that are generically placed across agencies, such as is the case with mandatory reporting laws. Identifying the various incentive systems that exist between agencies may allow legislators to draft laws that then target these incentive systems and encourage increased action. For example, recognizing that law enforcement agents are motivated by organizational resources, encourages incentive-based policies that provide a police department with additional resources when officers comply. Being able to target bureaucratic agents with greater impact demonstrates the practical benefit associated with this study in both identifying and understanding the incentive systems associated with the examined agencies.

Finally, the second essay further examines the principal-agent relationship between state legislators and bureaucratic agents. As discussed above, bureaucratic agents' incentive systems differ across agencies; obviously, these incentive systems then differ between state lawmakers and agents. Legislators want individuals associated with professional organizations that interact regularly with children to report suspected abuse. Working professionals want to maintain their jobs, perform their jobs as they determine

best, and in the case of public servants, serve those entrusted in their care. While there is a connection between what legislators want and bureaucratic agents want when it comes to fighting child abuse, there is also a significant gap between the organizations on how the work is accomplished. Accounting for this variance introduces a principal-agent relationship that requires further examination. The research within this essay identifies the disparity between legislators and bureaucrats. By employing incentive systems, I suggest that lawmakers have an opportunity to close the gap between what they want and what bureaucratic agents desire. In an effort to close this gap, the research demonstrates that legislators need to be more clear in their policy goals and further encourages lawmakers to know the goals and incentives of bureaucratic agencies. By writing a policy that accounts for both legislative and bureaucratic goals, state legislators have a chance to close the principal-agent disparity in the context of child abuse reporting, thus improving the reporting that occurs.

Important practical and theoretical implications are addressed when answering the research questions within this essay. Overall, this study encourages further examination of the incentive systems that exist between bureaucratic agents. By accounting for these incentive systems, state lawmakers are in a position to enact policies that will be implemented with increased determination. Furthermore, the study encourages additional investigation of bureaucratic values in an effort to improve principal-agent relationships between state legislatures and the bureaucracy. Finally, in this study, I acknowledge that more can be done to understand the role that managers and other actors play toward aligning legislative policies with the agent's incentives.

### Essay 3

The final essay addresses the innovation and diffusion process within the context of a child sex abuse (CSA) education and prevention policy known as Erin's Law. Moreover, this study attempts *to examine the role of the policy entrepreneur toward encouraging the innovation and diffusion of the law*. Examining this specific policy leads to both practical and theoretical implications with regards to the policy process and introduces an innovative way to examine the influence of the policy entrepreneur. Moreover, this essay plays an important role in connecting and molding the evolution of child abuse policies as evaluated in the previous studies under mandatory reporting laws. Prior to Erin's Law, educators were given stringent requirements to report suspected abuse but were provided only a limited amount of training. Erin's Law reverses this course and provides educators with valuable resources regarding: what child abuse looks like, how to report suspected abuse, and how to teach children to protect themselves and others from abuse. The inventiveness of this policy provides for greater education and training to mandated reporters and requires further consideration as an advanced policy tool which benefits the work of bureaucratic agents. Examining the innovation and rapid diffusion of this law speaks volumes about the issues with the previous child abuse policies and the powerful role of the policy entrepreneur. Additionally, the implications associated with this study examine the whole of Erin's Law over time and provide the following advances to the literature. First, investigating the policy entrepreneur demonstrates the value of this particular actor within a specific policy context. Second, this study reveals both external and internal factors that influence policy innovation and diffusion. Finally, examining the function of the policy entrepreneur encourages further

research regarding the characteristics and actions of specific policy entrepreneurs. The accumulation of these implications demonstrates the value of this study toward expanding the literature of the policy process.

The policy literature is replete with discussions concerning the value of the policy entrepreneur (Anderson, 2014; Kingdon, 1984; Mintrom, 2013). However, an in-depth examination of a single policy entrepreneur is missing from the literature. Scholars have noted that within the Multiple Streams Approach (MSA), the investigation of the policy entrepreneur is the most neglected (Jones, et al., 2016). This study advances on the disparity in the literature and examines the role of a single policy entrepreneur toward encouraging policy innovation and diffusion in a new and inventive way. Specifically, this study investigates Erin Merryn, a policy entrepreneur, who advocated for the development and the diffusion of Erin's Law across the U.S. Merryn, a former social worker and CSA survivor employed multiple mediums to initiate and encourage the policy innovation and diffusion of the law. Her efforts began in 2008 when she started writing her Illinois Congressman. She initially caught the attention of Illinois State Senator, Tim Bivins, who agreed to help Merryn further develop the law. Merryn continued her push by publishing multiple books regarding the horrors of abuse and the benefits associated with appropriate education. Merryn also began speaking engagements and tours that consisted of visiting 33 states over 7 years and participating in multiple media outlets including CNN, Oprah, and Good Morning America. Each new speaking event allowed Merryn to grow and develop her policy network in the state. By comparing the states which Merryn visits and develops networks, it is expected that the likelihood for the adoption of Erin's Law increases. Such findings would demonstrate the value of

the policy entrepreneur when encouraging innovation and diffusion. Furthermore, this study advances the examination of the policy entrepreneur by not relying on survey requests for identifying the policy entrepreneur, but rather follows the actions of a single policy entrepreneur through the entire innovation and diffusion process.

In addition to examining the function of the policy entrepreneur, I observe in this study the other internal and external factors that influence innovation and diffusion while also accounting for the policy entrepreneur. Building on the previous work established by Charles Shipan and Craig Volden (2006; 2008), I investigate how bordering states, federal funding, legislative professionalism, and the prevalence of child abuse in a state influences the diffusion of Erin's Law. Each of these factors in prior studies demonstrated an effect on innovation and diffusion, and it is significant to determine if the same effect exists with the presence of a policy entrepreneur (Shipan & Volden, 2006; 2008). Including these additional factors is also important to the study because it provides valuable context to the policy for each state that has been missing in previous policy entrepreneur studies. Furthermore, having these factors in place solidifies the importance of the policy entrepreneur as an integral part of the policy process. This finding elevates the current literature and provides for advanced analysis of the policy process while encouraging future research of the policy entrepreneur. Finally, including these factors improves the methodological analysis of the study allowing for Event History Analysis that best describes the influence of the policy entrepreneur. This innovative way of examining the effect and value of the policy entrepreneur is different from previous policy examinations and opens up the door for a more in-depth examination of the policy entrepreneur.

Defining the function of the policy entrepreneur leads to additional research that further advances the scholastic understanding of the policy process. Based on the findings of this study, more can be done to understand the nuances of the policy entrepreneur. Particularly, this study and previous research demonstrate that policy entrepreneurs act to change the status quo of policy (Mintrom, 2000; 2013). Further research is needed to examine why policy entrepreneurs are driven to enact policy change and the influence of this drive toward encouraging policy transformation. Moreover, as policies continue to be advocated by single policy entrepreneurs, such as evidenced by Erin's Law, Marsy's Law, and the Clery Act, more must be done to investigate the narrative that surrounds these policies and the role it plays in the innovation and diffusion of policy. For example, in the case of Erin's Law, Merryn is a CSA survivor turned social worker who personally understood what CSA looks like in the home and how it can best be taught and prevented (Merryn, n.d.). As Merryn continued to share her story across the country, she built a large network and saw the advancement of her policy. Better understanding the types of policies and legislators that may be influenced by such narratives is extremely important to the policy literature, but must first be built on the foundation laid by this study.

Conceding that the current literature surrounding the policy entrepreneur is lacking, encourages a study such as this third essay. Examining the function of the policy entrepreneur within the policy process provides for important theoretical and practical implications for the field of public policy. Among these implications is the value of the policy entrepreneur toward encouraging policy innovation and diffusion, advancing the effect of previously studied external and internal factors, and urging further investigation of the nuances surrounding the policy entrepreneur. This final study completes the overall

analysis of the policy process by examining those actors who alter or encourage a new policy for the benefit of society while pushing for policy diffusion.

### **Progressing Forward**

As previously noted, the policy process is an important part of policy studies and provides for a linear analysis of a given policy (Weible, 2014). Studying the individual actors that make up this process is key toward understanding the human element of politics. Furthermore, it demonstrates the role individuals play toward enacting policy, implementing policy, and helping policies to diffuse over time. Employing this dissertation, I endeavor to shine a light on the actors of policy studies by examining three separate research questions all within the framework of the policy process and within the context of child abuse policies. Investigating the policy process in such a way provides for an in-depth analysis of theoretical and practical applications necessary for the future success of policy studies, including an innovative method for studying the effect of a single policy entrepreneur on policy diffusion. Furthermore, these individual essays build on the foundations of previous literature and expand the academic understanding of individual actors and the policy process.

Beyond the implications associated with this collection of studies, there are also certain limitations that must be examined for each essay. Specifically, the first study investigates the principal-agent relationship between state lawmakers and street-level bureaucrats. This study demonstrates that legislators attempt to control the relationship by executing administrative procedures. However, little is known as to why legislators turn their attention to administrative procedures for control. Not completely understanding this mode of control introduces some minor gaps pertaining to the factors that may

influence the principal-agent relationship and lawmaker's policy goals for more consistent reporting. The second essay suffers from a similar weakness since it is difficult to classify all the incentives and variables that motivate street-level bureaucrats. While categorizing all the incentive systems is challenging it does not negate the fact that incentives drive street-level bureaucrat's behavior. Finally, the last study lacks generalizability across multiple policy topics. Nevertheless, the findings from this study demonstrate the value of the policy entrepreneur and encourage further examination. Clearly, each study has its particular limitations, these concerns are discussed in greater detail in the individual studies and in the concluding chapter. Yet, even with these limitations, these essays still contribute to the field and further advance policy studies.

Progressing forward, I walk through the following essays examining the evolution of child abuse reporting and protection. Beginning with mandatory reporting laws directed at professional groups, these laws perpetually expanded in scope and coverage. Essentially, more states adopted reporting laws targeting more professional organizations, but little was done to demonstrate if these laws were actually effective. The first two studies demonstrate the legislative motives that lead to the enactment of the laws, and the incentives which determined whether the mandated bureaucrats actually followed the law. The final essay completes the examination of the reporting laws, by investigating a single policy entrepreneur who recognized the failure of mandatory reporting laws within the education system and pressed for a better policy. Conceding that the effects of child abuse are harmful, in this dissertation, I provide a culmination of practical and theoretical reasons to better examine the current child abuse policies and their structures for the greater protection of children.

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## CHAPTER TWO: ESSAY 1: REDUCING LEGISLATIVE UNCERTAINTY

### **Abstract**

While tediously examined, multiple facets of child abuse protection remain unclear, even after the explosion of recent child abuse scandals. From a legislative perspective, the obscurity surrounding child abuse reporting does not diminish. Rather, legislators manage the uncertainty, by implementing mandatory reporting laws. With the law in place, legislators endeavor to control agent behavior and reduce uncertainty regarding reporting. Exploring legislative uncertainty provides additional insight into the motives of legislators. From their first enactment, mandatory reporting laws have yet to be examined from this legislative perspective. By employing previous literature on administrative procedures, I argue that mandatory reporting laws reduce legislative uncertainty by encouraging consistent reporting from specified professional groups. Examining panel data containing 18 years of state data from the National Data Archive on Child Abuse and Neglect, I find that education personnel respond to mandatory reporting laws which results in more consistent reporting. Law enforcement officials' reporting is also more consistent following the enactment of mandatory reporting, but the consistency comes with a diminished number of reports. Finally, social workers are not influenced by the law. These findings demonstrate important implications concerning legislative decisions to enact a mandatory reporting law or any administrative procedure, in that the procedure may not lead to the legislative objective.

*Keywords: uncertainty, administrative procedures, mandatory reporting*

## Introduction

Within the United States (U.S.), the legal opportunity to protect children from abuse lies with state lawmakers. Legislators desire greater child protection, but legislative uncertainty exists regarding the appropriate mechanism for protection and control (Overholser, 1991). To demonstrate this, immediately following the Michigan State University Nassar scandal in 2018, Michigan State Legislators drafted over 30 bills in an attempt to better control or handle suspected child sex abuse (Carter, 2018). The large influx in bills provides a clear example of states lawmakers uncertainty regarding the best way to prevent child abuse. Defining legislative uncertainty, Matthew Potoski (1999), suggests there are multiple forms of uncertainty. In the context of this study, legislatures are faced with principal-agent uncertainty. Or in other words, the inability to discern or control the child abuse reporting behavior and responsibilities of professional groups (Crenshaw, Crenshaw, & Lichtenberg, 1995). To manage this uncertainty and to more suitably perceive the reporting behavior of professional groups, lawmakers enact a mandatory reporting law.

Policy literature is replete with examples of legislatures gaining control of bureaucratic behavior by employing statutory efforts, as is done with mandatory reporting laws (Huber, Shipan, & Pfahler, 2001; McCubbins, Noll, & Weingast 1987; Moe, 1989, 1990; Wood & Waterman, 1991). However, this examination from the legislator's perspective provides greater insight into the legislator's motives, while affording support regarding the legislature's ability to control the bureaucracy. The desire for bureaucratic control is evident in branding professional groups as mandatory reporters, as legislators hold street-level bureaucrats accountable for the protection of children while stipulating

the liabilities for not reporting (National Conference of State Legislatures [NCSL], 2015). Taking action, legislators reduce their uncertainty and demonstrate greater control. While states continue to classify professional groups as mandatory reporters, this legislative exploit introduces an important question. *“Does the enactment of a mandatory reporting law improve legislators’ ability to control the reporting behavior of professional groups and reduce legislators’ uncertainty?”*

Examining this question thoroughly provides important insight into the policies enacted by state legislatures. Moreover, responding to the question demonstrates lawmakers control and ability to predict bureaucrats’ behavior and furthers the discussion on political control, uncertainty, and administrative procedures (Huber, Shipan, & Pfahler, 2001; Potoski, 1999; Potoski & Woods, 2001; Wood & Bothe, 2004). For example, directing a mandatory reporting law reduces legislators’ uncertainty by ensuring that the yearly reporting behavior of professional groups is consistent and predictable across time. To examine if this is the case, I investigate the reporting behavior of education personnel, law enforcement, and social workers whose agencies account for the largest reporting parties of suspected abuse (U.S. Department of Health and Human Services, 2014). If the mandatory reporting laws work, then the yearly reporting behavior will become consistent among the various agencies and lawmakers will better predict the reporting of these professionals.

At this time, state lawmakers must either be confident in the effect of mandatory reporting laws toward controlling behavior or incentivized by the need for greater control (Huber, Shipan, & Pfahler, 2001; Wood & Waterman, 1991). The confidence in the law is evidenced by the spread of mandatory reporting across the U.S. and the expansion of

the law targeting other professional groups. The legislative incentive is demonstrated by the attempt to control for negative consequences associated with abuse; social, political, and economical (Ainsworth, 2002; Garbarino, 1997). Unfortunately, the literature supporting the policy decision to enact mandatory reporting laws has not followed closely enough to demonstrate whether the cause for legislative confidence is warranted. Researchers have only recently begun to measure the effectiveness of child abuse prevention policies. As noted by Kalichman, (1999), “To date, Lamond (1989) has published the only empirical study of the effect of mandatory reporting legislation on professional reporting behavior in natural environments extending beyond a single professional setting” (p. 178).

While Lamond’s work encourages future investigations, the examination of the law toward political objectives is still lacking. This apparent gap in the literature suggests that it would be worthwhile to conduct a study of how legislators act to reduce uncertainty, control bureaucratic behavior, and improve data consistency and predictability. To investigate this legislative behavior, I observe 18 years of child abuse reporting data gathered from law enforcement, education, and social worker professionals across the United States. Employing Ordinary Least Squares (OLS) regression on panel data, I evaluate the child abuse reporting trends from these professional groups before and after the enactment of a mandatory reporting law. Studying these trends, I can examine whether the legislative action reduced uncertainty and led to more consistent reporting from these agencies across time. Expanding upon this research provides important practical insight into the actions taken by state legislators to reduce their uncertainty and to obtain greater control over their agents.

### Legislative Uncertainty

One of the major assumptions of this paper is that bureaucracies respond to political control (Weingast and Moran 1983; Wood and Waterman 1994).

Acknowledging that legislative controls are imperfect and bureaucracies may act independently (Balla 1998; Krause 1996), legislators are faced with principal-agent uncertainty, wherein they are unclear of bureaucrats' behavior (Burden, 2003; Potoski, 1999). While other types of uncertainty exist (Burden, 2003; Mazmanian & Sabatier, 1981; Potoski, 1999), the principal-agent relationship between the bureaucracy and state legislatures demonstrates a dynamic and changing relationship which is salient to this study. Researchers, such as Anthony Downs (1957), observe that uncertainty influences politician and bureaucrat behavior, and not accounting for uncertainty leaves scholarly assumptions flawed or incomplete (Burden, 2003; Hinich & Munger, 1995). Considering the significance of uncertainty within politics, scholarly literature advocates for investigating how uncertainty influences the behavior of politicians and bureaucrats (Burden, 2003; Cioffi-Reveilla, 1998). Further research into the management of uncertainty and the various resources available to politicians to minimize uncertainty would also be useful from a practical standpoint.

Examining uncertainty further, Barry Burden (2003) asserts that uncertainty permeates politics. Because of the saturation of uncertainty. Legislators are motivated to reduce uncertainty through various actions when the cost is low (Burden, 2003). Mandatory reporting laws have minimal enactment costs and, as will be analyzed, reduce uncertainty for legislators. As advocated by Stanley Bach and Steven Smith (1988), certainty is synonymous with predictability. To deliver greater predictability in reporting

suspected child abuse, a mandatory reporting law reduces uncertainty for legislators. The examination of rules and procedures to increase predictability and reduce uncertainty is not new to the literature (Sinclair, 1998), but demonstrates the need for further examination within the context of mandatory reporting laws and the effort of legislatures to mitigate their experience of uncertainty with child abuse reporting.

Beyond employing rules and procedures as tools for managing uncertainty, previous scholarship shows that agencies serve as uncertainty minimizers (North, 1990). Accepting that legislatures employ agencies for this purpose helps to vindicate lawmakers' willingness to impose administrative procedures, such as mandatory reporting laws, on state agencies. With this perspective, the mission of agencies is clarified and a greater understanding of the principal-agent relationship between legislatures and bureaucrats is revealed. Specifically, legislatures manipulate agencies to obtain more information, attain greater control, and manage their own experience with uncertainty. As argued by Keith Krehbiel (1991), employing agencies as uncertainty minimizers leads to efficiency maximization (Burden, 2003). This efficiency is made available through greater predictability of bureaucratic behavior, allowing lawmakers to focus their attention on concerns not as predictable or as easy to control. Legislators are, therefore, more willing to enact such laws as mandatory reporting on an increasing number of agencies to provide greater predictability in the reports of suspected child abuse from each agency. The role of administrative procedures and uncertainty is more thoroughly examined below and strengthens the value of this study and the role of uncertainty when exploring the impact of mandatory reporting laws.

### Mandatory Reporting

Following the publication of *The Battered-Child Syndrome* (Kempe, Silverman, Steele, Droegemueller, & Silver, 1962), legislation throughout the United States was introduced to mandate that health care professionals report suspected abuse (Besharov, 1985; Nelson, 1986; Paulsen, Parker, & Adelman, 1965). Initially limited to the medical field, mandatory reporting laws diffused across the country and broadened in scope and coverage. The rapid diffusion demonstrated legislators' attempt to gain greater control of behavior through statutory efforts. (Fischer, Schimmel, & Stellman, 2003; Hogelin, 2013; Huber, Shipan, & Pfahler 2001; Kalichman, 1999; Mathews & Kenny, 2008). To date, the literature on child abuse reporting is limited and little attention is directed to the effectiveness of these laws in measuring and controlling behavior. Beyond filling this void in the literature, the evaluation of this policy is significant as it provides greater evidence concerning the influence administrative procedures have on controlling diverse professional organizations while reducing legislative uncertainty (Huber, Shipan, & Pfahler, 2001; Wood & Bohte, 2004).

In 2002, Frank Ainsworth examined the effectiveness of a mandatory reporting law for two geographical areas within Australian schools and found that the law did little to improve child abuse reporting behavior. However, Ainsworth did uncover a political component associated with the law. Specifically, he observed that while the reporting did not improve, the structure and the incentives surrounding the need to control the child welfare system progressed with increased legislative oversight. Based on this finding, Ainsworth suggests expanded investigation of the political component of the law. Ainsworth's findings mimic the description of uncertainty and transaction costs described

by Potoski (1999), who showed that Australian lawmakers faced a tradeoff to enact a policy either to allow for discretion or to allow for control. Evidently, the lawmakers enacted an administrative procedure for greater control and predictability while reducing uncertainty, failing to identify a more capable policy to increase overall reporting behavior. Accepting Ainsworth's call for further examination, this work assesses how mandatory reporting laws serve a political purpose for state lawmakers. Particularly, mandatory reporting laws statutorily offer greater control of bureaucratic behavior while reducing state legislatures' uncertainty regarding child abuse reporting. Advancing the findings from this study will provide further insight into the legislative motives applied when enacting policy.

Applying Theodore Lowi's (1972) policy typology, mandatory reporting laws fall under the definition of a regulatory policy. Lowi (1972) describes regulatory policies as "one of several ways governments seek to control society and individual conduct" (p. 299). Recognizing that some professional groups interact regularly with children in the community, state legislatures enact mandatory reporting policies to encourage consistent reporting and reduce uncertainty (Ellis, Davis, & Rummery, 1999; Meyers & Vorsanger, 2007). When legislators choose not to implement mandatory reporting, states are left without access to the networks and community relationships available through the street-level bureaucrats (Smith & Donovan, 2003; Weissert, 1994). Missing these relationships amplifies uncertainty to a level not acceptable for state legislatures, thus incentivizing legislators to limit bureaucratic discretion by mandating the reporting of suspected abuse (Krehbiel, 1991). Additionally, not explicitly requiring certain professional groups to report child abuse carries certain risks to state legislatures and the state, including limited

accountability and liability for not reporting, adverse health effects, deleterious media or publicity, and negative legal outcomes for the state (Aber, Allen, Carlson & Cicchetti, 1989; Glaser, 2000; Smith & Thornberry, 1995; Straus, 2001). Such risks incentivize state legislators toward greater control over their agents' reporting behavior. This study then explores whether a mandatory reporting law provides the control sought by lawmakers.

James Wilson (1980) observed that regulatory policies are enacted when a particular governing body recognizes that the benefits of a policy are greater than the associated economic and transactional costs (Wilson, 1989; Wood & Bohte, 2004). Policies with significant reach are widely distributive in their costs and benefits to the people of the state. As child abuse becomes more prevalent in the media, state legislatures are encouraged to protect both the economic and non-economic status of the state and its agencies (Lupia & McCubbin, 1994; Spence, 1997). To provide this protection, legislatures are incentivized to control the bureaucracy. For example, following the Jerry Sandusky scandal at Pennsylvania State University and the associated \$171.5 million loss in revenue, Pennsylvania lawmakers enacted mandatory reporting policies targeting higher education professionals to mitigate future economic costs and the loss of benefits to people within the state (CNN, 2015; Schackner, 2013). Ultimately, state lawmakers want greater control and predictability over reporting behavior to reduce asymmetrical information, having this assurance decreases legislative uncertainty and reduces the associated costs (Huber, Shipan, & Pfahler, 2001). Whether mandatory reporting offers the desired protection has yet to be determined; therefore, it is required to investigate legislative uncertainty within the context of mandatory reporting laws.

## **Theory and Hypotheses**

Previous scholarship calls for a study of mandatory reporting policies and uncertainty from various frameworks and within a political context (Ainsworth, 2002; Anderson, 2014; Burden, 2003; Mathews & Kenny, 2008). Employing the theoretical concepts of administrative procedures and political control, I investigate the efficacy of mandatory reporting policies from the perspective of state lawmakers attempting to reduce their uncertainty. I argue that legislators stipulate professional groups as mandatory reporters, in order to introduce administrative procedures and encourage individual bureaucrats toward more consistent reporting (Balla, 1998). Employing panel data, I examine whether the legislative action taken through administrative procedures leads to the preferred change. Further development of this theory affords greater insight into the relationship between administrative procedures and the reduction of legislative uncertainty through increased bureaucratic control.

### Administrative Procedures

Public administration scholarship demonstrates that administrative procedures typically lead to greater bureaucratic control (Balla, 1998; Bawn, 1995; Moe, 1989; McCubbins, Noll, & Weingast, 1987; Potoski, 1999). Moreover, Dan Wood and John Bohte (2004) suggest that administrative procedures are designed to maximize future political benefits and minimize transaction costs. Within the context of this study, mandatory reporting laws function as a case examination of administrative procedures' capacity to mitigate legislative uncertainty and provide legislators greater control. The type of administrative procedure applied by legislatures is dependent upon the type of uncertainty or cost experienced by legislators (Banks & Weingast, 1992; Potoski, 1999;

Wood & Waterman, 1994). According to Potoski's (1999) categorization of administrative procedures, mandatory reporting laws are labeled as "fire-alarm" procedures (p. 627). Such procedures allow legislators to obtain key information or outputs from agents to enforce directives and reduce legislative uncertainty and transaction costs while managing behavior (McCubbins & Schwartz, 1984). When a mandatory reporting law is directed at any professional group, legislatures have enacted a fire-alarm procedure to better control the number of reports garnered by a specific agency over time. The challenge of this study is to examine whether a mandatory reporting law actually alters bureaucratic behavior and leads to the legislators' desired outcome of more consistent reporting. This paper measures the child abuse reporting data before and after the enactment of a mandatory reporting law to reveal the effect of the law.

Furthermore, the literature suggests that administrative procedures serve as an effective mechanism for acquiring key information which reduces asymmetry and provides improved monitoring (Bawn, 1995; McCubbins, Noll, & Weingast; 1987; McCubbins & Schwartz, 1984; Potoski, 1999). When bureaucrats choose not to report suspected abuse, lawmakers are left without information leading to increased transaction costs for legislators (Wood & Bohte, 2004). To mitigate the transaction costs associated with the consequences of child abuse, legislators employ the administrative procedure of mandatory reporting laws as a way to observe and predict the prevalence of suspected abuse over time. With mandatory reporting policies in place, state legislators can monitor the reports from each agency and threaten action when reports do not align with expectations for a given year. By employing mandatory reporting policies, state

legislators attempt to reduce their uncertainty regarding reporting behaviors and also signal the policy goal that consistent and predictable reporting over time is expected.

The value of policy goals is not lost on the public sector or within public administration scholarship (Brewer & Selden 2000; Rodgers & Hunter 1992; Wilk & Redmon, 1990; Wright, 2004). Organizational theory has long suggested that clear goals supported by administrative procedures enhance both organizational and individual performance (Chun & Rainey 2005a, 2005b; Davis & Stazyk, 2014; Jung 2012, 2013; Jung & Lee, 2013; Locke & Latham 2002; Pandey & Rainey 2006; Taylor 2013; Wright 2004). Public administration literature proposes that clear procedures and goals are significant for at least three reasons. First, clearly defined goals, procedures, and statutes serve as motivation for bureaucrats (Huber, Shipan, & Pfahler, 2001; Locke & Latham, 2002; Wood & Waterman, 1994). Second, goals unite the organization and the agent in a common cause, helping the agent understand the legislatures' expectations associated with the procedure (Pandey & Wright 2006; Rizzo, House, & Lirtzman 1970; Stazyk, Pandey, & Wright, 2011, p. 610; Wright 2004). Finally, clear goals demonstrate political support, whereas goal ambiguity displays unsupportive political associations (Davis & Stazyk, 2014; Stazyk, Pandey, & Wright 2011; Wright 2001, 2004). Investigating legislative goals and procedures within the context of mandatory reporting, it is apparent that reporting procedures for professional groups motivate, encourage, and support bureaucrats. In addition to incentivizing the desired behavior, clear procedures may also reduce principal-agent uncertainty by encouraging greater consistency in reporting suspected child abuse each year.

Lawmakers have demonstrated the capacity to employ political goals that motivate or inspire bureaucratic action (Golden, 2000; Locke & Latham, 1990; Wood & Waterman, 1994). These goals are particularly influential when bureaucrats are committed to the goal (Wright, 2001). While the definition of commitment is in itself unclear, the literature suggests that mandatory reporters demonstrate an obligation to mandatory reporting policies and procedures. For example, Nadine Abrahams and colleagues (1992) conducted a random sample of teachers and discovered that 90% of the educators had reported suspected incidences of abuse and were committed to doing so again. Additional studies demonstrated that 67% of human service professionals, including social workers, supported or strongly supported current mandatory reporting policies and that only 13% rejected these policies in favor of an alternative procedure (Delaronde, King, Bendel, & Reece, 2000). While street-level bureaucrats may differ in their implementation and perception of mandatory reporting, it is reassuring to witness that bureaucrats within two of the three major reporting groups claim they are committed to the policy. Utilizing this commitment to child abuse reporting, lawmakers employ reporting policies to motivate bureaucratic action and mitigate legislative uncertainty regarding reporting behaviors.

Applying mandatory reporting policies, state legislatures enact a strict top-down procedure with the intention of reducing the legislative uncertainty associated with reporting suspected abuse. Clarifying the policy, lawmakers send an unmistakable message that they expect street-level bureaucrats to report. With this message, lawmakers strengthen the bureaucrats' commitment, as discussed above, while increasing outside support for the procedure. As suggested by Matland (1995), "In top-down models, goal

clarity is an important independent variable that directly affects policy success” (p. 157). Enacting a policy in such a direct manner, state legislatures employ administrative procedures to reduce principal-agent uncertainty while rallying support from beneficial organizations or groups (Balla, 1998; Potoski, 1999). Having reduced principal-agent uncertainty, legislators realize political success in the realm of mandatory reporting and in obtaining greater bureaucratic control. Additionally, using stringent administrative procedures, such as mandatory reporting policies, legislatures mitigate their transaction costs and instead distribute these costs to the bureaucrats now responsible with implementing the reporting procedure (Balla, 1998; Potoski, 1999; Wood & Bohte, 2004).

Finally, street-level bureaucrats and agencies rely on political support as a signal of agency success and performance (Davis & Stazyk, 2014; Stazyk & Goerdel, 2010; Stazyk, Pandey, & Wright, 2011). Clear legislative procedures regarding bureaucrats’ reporting responsibilities, I argue, demonstrates political support and direction for bureaucrats. In addition to demonstrating support for the policy, the moral aspect of mandatory reporting policies garners political unity between lawmakers and agents. Employing “morality politics,” the literature advocates that legislatures encourage specific directives and guidance for reducing their uncertainty (Meier, 1994, 1999; Sharp, 2005; Davis & Stazyk, 2014). In an effort to reduce uncertainty further and gain greater political control, state lawmakers are incentivized to enact administrative procedures, such as mandatory reporting laws. I argue that these administrative procedures alter behavior and result in more predictable and consistent reporting from the various professional groups. As discussed previously, having consistent and predictable reporting

from bureaucratic agents' functions as a political advantage for state lawmakers, since mandatory reporting laws reduce legislators' burdens associated with variability in child abuse reporting, while also decreasing the attention directed at predicting and preventing child abuse in a state. Based on the above, I hypothesize:

*H1: Following the enactment of an administrative procedure (mandatory reporting law), state legislatures receive more consistent reporting from Law Enforcement Officers.*

*H2: Following the enactment of an administrative procedure (mandatory reporting law), state legislatures receive more consistent reporting from Education Professionals.*

*H3: Following the enactment of an administrative procedure (mandatory reporting law) state legislatures receive more consistent reporting from Social Workers.*

## **Methodology**

### Data Collection and Key Variables

The U.S. Department of Health and Human Services supports the National Data Archive on Child Abuse and Neglect (NDACAN).<sup>2</sup> This dataset contains the state child abuse reporting dating from 1990 through 2008.<sup>3</sup> By observing the reporting trend of each professional group before and after the enactment of the administrative procedure, I

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<sup>2</sup> The analyses presented in this publication were based on data from the National Child Abuse and Neglect Data System (NCANDS) State File. These data were provided by the National Data Archive on Child Abuse and Neglect at Cornell University, and have been used with permission. The data were originally collected under the auspices of the Children's Bureau. Funding was provided by the Children's Bureau, Administration on Children, Youth and Families Administration for Children and Families, U.S. Department of Health and Human Services. The collector of the original data, the funding agency, NDACAN, Cornell University, and the agents or employees of these institutions bear no responsibility for the analyses or interpretations presented here. The information and opinions expressed reflect solely the opinions of the authors.

<sup>3</sup> Excluding Maryland where reports are only available from 2000 to 2008.

can examine the consistency of reporting that occurs by law enforcement, education personnel, and social workers. When the reporting trend becomes more consistent or predictable, legislative uncertainty regarding reporting decreases. I choose these three professional groups for examination because these agencies account for 46% of all child abuse reporting and are the three largest reporting parties typically targeted by mandatory reporting laws. Specifically, law enforcement officials account for 18% of suspected child abuse reports followed by education personnel at 17% and social workers at 11% (U.S. Department of Health and Human Services, 2014, p. 9). Each of these professional groups' reports of suspected abuse serves as the dependent variable for the model specified at their group. Effectively, if the number of reports by these specific agencies becomes more consistent or predictable following the enactment of the law, then the hypotheses are validated. Table 2.1 provides a summary of the data for these dependent variables.

**Table 2.1: Descriptive Statistics of Reports by Law Enforcement, Education Personnel, and Social Workers of Suspected Abuse Cases Per 100,000**

Variable	Observations	Mean	Std. Dev.	Min	Max
Law Enforcement	854.000	409.409	193.551	49.618	1805.073
Education Personnel	855.000	439.192	175.295	4.739	1716.661
Social Workers	847.000	295.870	191.124	1.495	1322.492

*Source: Compiled using the National Child Abuse and Neglect Data System State Level Data (NCANDS) Summary Data Component, 1990-2008*

The year in which each state enacted a specific mandatory reporting law is accumulated using three sources. The Child Welfare Information Gateway (2016) recently published all of the states which have mandatory reporting laws and the specific

professions associated with the reports. This information is then compared to data provided by the NCSL (2015) to ensure that there are no discrepancies concerning the professionals who are defined as mandatory reporters. Conducting a Thomson Reuters Westlaw database search, I discovered the year each state added either law enforcement agents, school officials, or social workers to its mandatory reporting law.<sup>4</sup> Employing the year in which a mandatory reporting law is enacted, I am able to insert the intervention into the model which serves as an interaction effect between the number of reports over time and the year of the intervention. This interaction effectively demonstrates the change in both the slope and intercept of the number of reports by the professional group following the intervention or enactment of the law. By examining the change in slope following the placement of the administrative procedures, I identify whether the reporting becomes more consistent from year to year which reduces the legislative uncertainty associated with child abuse reporting. Applying this methodology allows for a clean examination of the stated hypotheses and clarifies the reporting consistency from each group over time.

#### Panel Data and the Effect of an Event

To test my hypotheses, I employ panel data to estimate the effect of the event as described by Paul Allison (1994). Analyzing the results, I determine if the enactment of the mandatory reporting law leads to more consistent reporting. With more consistent reporting, state legislators experience less uncertainty. Using panel data is relevant because I can examine the effect of the event while reducing the limitations of autocorrelation and multicollinearity evident in time-series examinations (Allison, 1994).

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<sup>4</sup> See Appendix A – Table A.1 State and Year of Mandatory Reporting Law Enactment

In this case, the enactment of a mandatory reporting law is a punctuating event which is expected to impact child abuse reporting following the intervention. I employ the following linear notation with an interaction effect as recommended by Allison (1994):

$$Y_{it} = \mu_0 + \mu_1 Time + \delta_1 Intervention_{it} + \delta_2 Intervention_{it} Time + \delta_3 w_{it} + \alpha_i + \epsilon_{it}$$

Where  $Y_{it}$  is equal to the dependent variable of reported suspected child abuse cases for a specific professional group (i) in each year (t). Employing  $\mu$ , I establish the slope and the intercept pre- the intervention. I then allow for a different intercept for each point in time ( $\mu_1$ ). I utilize a dummy variable (intervention) for the year in which the state enacted the law. Doing so provides an estimate, ( $\delta_1$ ), that exhibits the direct effect of the intervention (enactment of the law) on the dependent variable, or the change in intercept caused by the intervention, across the data. I then include an interaction term of time and the intervention, where the estimate  $\delta_2$  estimates the change in slope post-intervention. This interaction, therefore, accounts for the change in the slope and the intercept following the interruption. Together these interactions offer important detail concerning the effect the mandatory reporting law has on the number of reports from one of the specified professional groups. Moreover, varying the intercept and the slope, the standard errors of the model are improved which accounts for a more accurate test of statistical significance. As established in the equation, I assume a fixed-effects model, where  $\alpha_i$  indicates fixed-effects at the state level. Introducing a varying slope and intercept model, while accounting for random and fixed effects, offers an enhanced description of the change in the intercept where the intervention has occurred while accounting for a change in the slope pre and post the intervention. The model includes covariates,  $w_{it}$  that are defined below and vary for both state and time, while  $\epsilon$  serves as the error term.

Introducing control variables ensures that the relationship between the main independent and dependent variables is appropriately isolated. This model is then estimated using ordinary least squares (OLS) regression. Using the statistical package Stata, I estimate the model employing the defined equation. Conducting this procedure, I analyze the data in order to respond to the stated hypotheses and determine whether mandatory reporting laws ensure that the reporting behavior of street-level bureaucrats becomes more predictable over time, therefore reducing legislative uncertainty.

Applying panel data as suggested by Allison may result in a more accurate model, but there are inherent weaknesses with panel data. First, autocorrelation is a problem when the model undertakes repeated events (Allison, 1994). However, this weakness is also found in time series events (Lewis-Beck, 1986, p. 227). While not ignoring the issue, the model I propose only accounts for a single event for each state, reducing the likelihood of autocorrelation. Additionally, varying the slope and the intercept of the model utilizes an interaction effect and alleviates the issues associated with autocorrelation. Furthermore, introducing random and fixed effects alters the way the standard errors are estimated and improves the model. While autocorrelation and multicollinearity impact the estimation of the standard errors and the subsequent coefficients, these influences are mitigated by correctly specifying the model based on key variables. Finally, the interaction terms are likely to introduce multicollinearity, but the result of this is an overestimation of the standard errors, making it a more difficult test of the hypotheses and improving the validity of the model and the subsequent results.

Beyond the statistical limitations of the model described above there are shortcomings with the design of the model. By observing the change in the slope of

reports for all the states post the intervention the timing for successful implementation may be in question. While 18 years of data are studied, some of the states which adopted the law have only done so recently. This may exclude these states from having enough time to implement the law and would result in a minimal effect post the adoption of the law. To mitigate the issue a second model set is run for each professional group. For this model, the change in reports is observed for those states which have always had the mandatory reporting law in place compared to those states which have never had the law in place. Examining the model, those states that have always had the law have had 18 years to implement the law. As hypothesized, states that have always had the law should then have more consistent reporting where those who have never adopted the law should have more extreme changes in reporting from year to year.

To ensure model accuracy and better understand the dependent variables' effect on reducing uncertainty, control variables are included. These variables remain constant throughout the estimation of the model and isolate the effect of the mandatory reporting law. Beyond serving a statistical purpose, the variables coincide with important top-down assumptions, associated with administrative procedures and socioeconomic conditions. In that, these socioeconomic conditions, "are some of the principal exogenous variables affecting the policy outputs of implementation agencies and ultimately the attainment of statutory objectives" (Mazmanian & Sabatier, 1981, p. 16). Acknowledging that socioeconomic conditions affect reporting behaviors improves the model by demonstrating the influence of the reporting law toward decreasing legislative uncertainty and obtaining bureaucratic control.

Socioeconomic variables examined include the violent crime rate per population of each state. State violent crime rates are a proxy for local community violence which influences a legislator's perception of crime or abuse (Warr, 2000). Conversely, violent crime may also serve as a cultural identity. As an established identity, legislators feel less inclined toward protecting a particular group or ensuring that reports are received (Dupuis, 1995). The legislator's attention is turned to correcting the uncertainty associated with violent crime rather than uncertainty regarding the reporting of child abuse. Furthermore, Claudia Coulton and her associates (1995) find a relationship between the minority population of a community and the prevalence of child abuse. Because of the frequency of abuse among a particular race, street-level bureaucrats may choose not to report abuse stemming from a certain race and, therefore, the law would do little to control their behavior (Hampton & Newberger, 1985).

Beyond outside environmental influences, family factors within the home may also affect whether a child is abused and if that abuse is eventually reported. For example, Bill Gillham et al. (1998), find that there is a relationship between the poverty rate (percent of individuals within the population of a state living below the federal poverty line) and the number of child abuse cases in the community. The literature also demonstrates that stressful situations such as unemployment typically leads to higher levels of poverty and increases the likelihood that a child will experience abuse or neglect (Gelles & Cavanaugh, 2009). In addition to unemployment, the actual make-up of the home also influences child abuse and reporting. Research conducted by Jocelyn Brown, Patricia Cohen, Jeffrey Johnson, and Suzanne Salzinger (1998) uncovers that children born to teen mothers and mothers with less than a high school education are more

susceptible to child abuse. While teen childbirth does not cause abuse, the hardships, financial risks, and overall stress of being a teen parent cultivates an environment where abuse and neglect may occur (Zuravin, 1988; Zuravin, 1989).

To the greatest extent possible, I want to isolate the effect of the mandatory reporting law, and its influence toward controlling the behavior of street-level bureaucrats (law enforcement, education personnel, and social workers) while holding all else constant.<sup>5</sup> Accounting for these controls, I can better examine variables which influence my model while isolating the effect of my independent variable on the dependent variables. This serves to limit the inference to more than a correlation between time and any subsequent increase in reports.

## Results

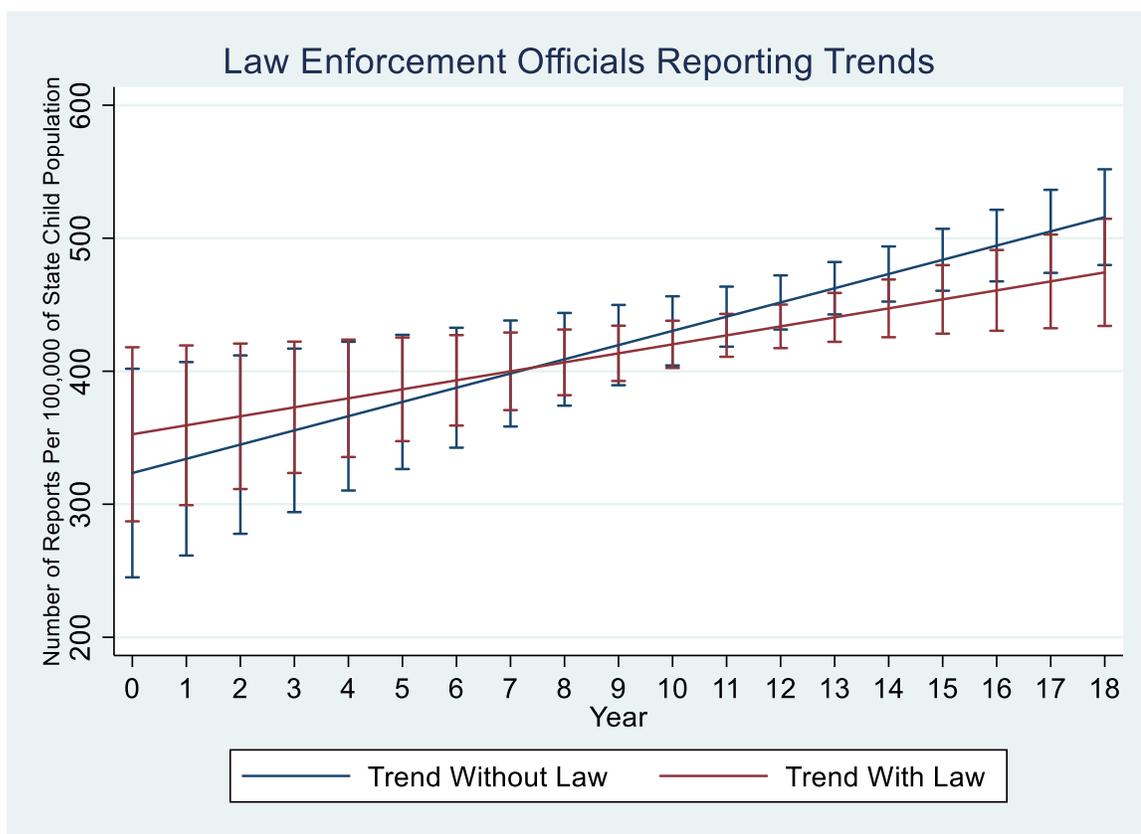
Conducting this study utilizing panel data, the model reveals the reporting trend of various professional groups following the enactment of a mandatory reporting law. Table 2.2 below and Table A.3 in the Appendix provide a summary of the final results for each of the models.<sup>6</sup> Examining the effect of a mandatory reporting law explicitly directed toward law enforcement officials (Model 1), the results do support Hypothesis 1. Over time, child abuse reports garnered by law enforcement agents continue to increase on a steep incline ( $b = 29.12$ ). Following the enactment of the law, the reporting coefficient is negative and demonstrates that law enforcement reporting decreases with the law's enactment ( $b = -3.93, p < .105; R^2 = .8943$ ). More particularly, the trend of reporting becomes flat as can be seen in Figure 2.1. The flattening of the reporting trend demonstrates that when mandatory reporting is directed at law enforcement officers,

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<sup>5</sup> See Appendix A – Table A.2 Descriptive Statistics

<sup>6</sup> See Appendix A – Table A.3

these officers become more consistent or predictable in their reporting on a year to year basis. Examining the model in Table A.3, the results are further supported. In that, states which have always had the law in place remain constant in their reporting with minimal change from year to year ( $b = 2.85, p > .10; R^2 = .9051$ ). However, those states which have never adopted the law increase in reporting at a significant level each year ( $b = 19.069, p < .01; R^2 = .8980$ ). These findings further demonstrate that states which have enacted the law reap the benefits of more consistent reporting. With consistent bureaucratic behavior, lawmakers have a better understanding of the reporting tendencies of these agents over time. Therefore, the legislative uncertainty associated with reporting from this professional group is reduced as legislators have obtained greater control.



**Figure 2.1: Law Enforcement Mandatory Reporting Trends**

Evaluating education personnel (Model 2), the results suggest a similar effect to that experienced by law enforcement but in a different direction. Historically, education personnel have reduced their reporting of suspected cases of child abuse from year to year ( $b = -39.70243, p < .10; R^2 = .8938$ ). However, with the enactment of the mandatory reporting law directed at education personnel this decline is tempered ( $b = 4.28, p < .01$ ). While reporting continues to decline each year, the rate at which the reporting occurs is more consistent with the mandatory reporting law in place. Therefore, Hypothesis 2 is also supported, in that, the enactment of a mandatory reporting law reduces legislative uncertainty regarding the number of reports garnered from education personnel.

Investigating those states which have always had the law or never had the law, the results suggest a similar conclusion. Specifically, states which have always had the law experience less of decline in reporting from year to year ( $b = -6.500, p < .01; R^2 = .8431$ ) while states that never had the law decrease at a much more significant rate each year ( $b = -14.630, p < .01; R^2 = .9423$ ). Having reduced legislative uncertainty, the mandatory reporting policy fulfills its legislative purpose in garnering reports from education personnel.

Observing the behavior of social workers (Model 3), the results suggest their reporting behavior is not influenced by a mandatory reporting law or time ( $b = -0.993, p > .10; R^2 = .8511$ ). Rather social workers with or without mandatory reporting policies continue to reliably report a similar amount of cases each year ( $b = 2.594, p > .10$ ).

Examining states which have always had the law or never had the law, the results are the same ( $b = -1.617, p > .10; R^2 = .8553; b = 6.925, p > .10; R^2 = .8584$ ). Therefore, state legislators should have little uncertainty regarding the reporting behaviors of social

workers as the procedure does not encourage any more consistency, but maintains reporting at a fairly steady non-adjusting level from year to year. Because of this, legislatures should be less inclined to enact a mandatory reporting law toward social workers but do anyway in an attempt to demonstrate control. However, evaluating Table 2.2, it appears social workers are affected more heavily than the other professional groups by socioeconomic factors in the state, this includes violent crime, teen pregnancy, high school dropout, and unemployment rates. While these results do not support Hypothesis 3, they do deserve further examination, especially considering that each of the variables may also influence a state legislator's level of uncertainty regarding reporting behavior.

**Table 2.2: Reporting Behavior for All States**

	<b>Number of reports from Law Enforcement Agents - Model 1</b>	<b>Number of reports from Education Personnel - Model 2</b>	<b>Number of reports from Social Workers - Model 3</b>
Change in Intercept at point of intervention $\delta_1 X_{it}$	29.122	-39.702 <sup>†</sup>	1.547
	(46.574)	(21.672)	(26.082)
Slope Pre- Intervention $\mu_{1t1}$	10.688**	-10.997**	-0.993
	(2.727)	(2.162)	(3.454)
Interaction: Change in slope post intervention $\delta_2 X_{it}$	-3.926	4.283**	2.594
	(2.954)	(1.103)	(1.696)
Violent Crime Rate	0.214*	-0.267**	0.299**
	(0.082)	(0.065)	(0.067)
Number of Reports from Law Enforcement Officials	--	0.557**	0.170 <sup>†</sup>
	--	(0.055)	(0.081)
Number of reports from Social Workers	0.114*	0.241**	--
	(0.047)	(0.056)	--

Number of reports from Education Personnel	0.647**	--	0.437**
	(0.085)	--	(0.104)
Teen Pregnancy Rate	-0.335	4.389*	-3.474†
	(1.654)	(1.797)	(1.945)
High School Drop-out Rate	11.398*	0.042	-17.096**
	(3.950)	(2.240)	(5.290)
Unemployment Rate	5.279	-7.427†	12.416*
	(4.214)	(3.941)	(4.826)
Victims Male	-0.184*	-0.046	-0.056
	(0.082)	(0.109)	(0.105)
R <sup>2</sup>	0.8943	0.8938	0.8511
Note: N = 488; * p < 0.05, ** p < 0.01, † p < 0.10; Standard errors in parenthesis Fixed effects are included but not displayed			

## Discussion

Following the explosion of child abuse scandals within the last decade, states have been left reeling from the social and economic costs that are attached (Fang, Brown, Florence, & Mercy, 2012; Wang & Holton, 2007). Beyond these costs, simply understanding and defining child abuse has been challenging to all levels of government (Cicchetti & Manly, 2001). Recognizing the negative impacts of child abuse, lawmakers are confronted with the need to understand, control, and manage the problems associated with child abuse. Because of the uncertainties attached to child abuse reporting, lawmakers accumulate transaction costs. As defined, by Wood and Bohte (2004), transaction costs are typically nonmonetary costs that arise with the challenges of obtaining information, controlling the bureaucracy, or not being able to alter policy (p. 183). In light of this, I argue that mandatory reporting laws are established to reduce transaction costs and legislative uncertainty regarding the number of reports received by

certain professional groups. The fact that these laws are so broadly distributed to multiple agencies without consideration for professional roles, makes this examination of uncertainty and political control more significant.

Examining child abuse reporting data from 1990-2008, the results suggest that mandatory reporting laws have a contrasting effect on the behaviors of street-level bureaucrats. Investigating street-level bureaucrats' response to the mandatory reporting policy further provides for an illuminating set of findings for each professional group. Specifically, a mandatory reporting law encourages education personnel to increase in their reporting. However, educators on a yearly basis diminish in their reporting of suspected abuse (Jones & Finkelhor, 2001). While the mandatory reporting law attenuates this steep falloff, the law is not strong enough to reverse the decline and encourage an increase in reporting. This finding suggests that more can be done to encourage educators to increase reporting and to further reduce legislative uncertainty.

Conversely, law enforcement agents continue to increase in their reporting on a yearly basis (Wang & Daro, 1998). While a mandatory reporting law provides greater reporting consistency from law enforcement officers, the law also results in a decrease in the number of reports received from this specific group. This adverse effect may lead to potential cases of child abuse going unreported, which could cause greater harm to the state (Fang, Brown, Florence, & Mercy, 2012; Wang & Holton, 2007). At this time, it is not clear why the mandatory reporting law leads to a decrease in the yearly reports. However, one possible explanation is discussed below.

A mandatory reporting law to some extent improves the reporting behavior of teachers. Having increased the reporting from other professional groups, the potential

reporting opportunities or the size of the reporting pie may have decreased. A closer look at the data and it appears that reporting from law enforcement agents and education personnel mirror each other since, reporting from education personnel decreases at a similar rate that reporting from law enforcement officials is increasing. Additionally, the increase in reporting that education personnel experience from a mandatory reporting law mirrors the decrease experienced by law enforcement officials. This finding may imply that the child abuse reporting is shared between law enforcement and education personnel and that a mandatory reporting law wrestles some reports away from law enforcement and manifests itself in reports by education personnel. While mandatory reporting laws have decreased legislative uncertainty regarding the consistency of reports, in regards to the actual reporting; all the law has done is slightly alter a small amount of reporting from one professional group to another.

Finally, mandatory reporting laws do little to influence the consistency of reporting by social workers. The social work literature reveals that choosing to become a social worker serves as a way to reject the “value of everyday life” (Pearson, 1973, p. 223) or to work as a “political deviant” (Christie & Kruk, 1998, p. 22). In other words, social workers are not influenced by the requests of legislative requirements. Rather social workers perform based on their ability to achieve optimal service for the families entrusted in their care (Fox & Dingwall, 1985) or because they enjoy the autonomy of being able to work in a way they see as best for the client (Hackman & Lawler, 1971; Vinzant, 1998). Choosing to report may disrupt a social worker’s ability to care for the child in the way they perceive as optimal (Kalichman, 1999). A recent study found that social workers do not respond well to statutory duties; specifically, the researchers

uncovered that statutory mandates directed at social workers led to increased levels of stress, burnout, and job dissatisfaction, undermining any inclination to obey the statutory obligation (Evans, Huxley, Webber, Katona, Gately, Mears, ... & Kendall, 2005).

Moreover, the decision to report brings with it the added burden of a heavier caseload.

Research demonstrates that social workers are preoccupied with reducing their heavy caseloads and with increasing their own autonomy (Zellman & Antler, 1990).

Minimizing their workload, social workers continue to report at a consistent level with no incentive to increase their reporting behavior beyond what is already occurring.

This discovery of social worker shirking is supported by multiple theoretical frameworks. As demonstrated by John Brehm and Scott Gates (1999) much of the principal-agent dilemma is witnessed within social work. For example, the authors find that social workers often participate in subordinate sabotage, where “bending the rules” is considered acceptable in an effort to get the work done (p. 124). In the case of child abuse reporting, it is considered suitable to not report the suspected abuse, if it is believed that enhanced care can be provided without reporting. Furthermore, the incentive structures for social workers often do not encourage additional reporting. As also expressed by Brehm and Gates (1999), social workers believe that they are rewarded for meeting the needs of the clients. If in their professional perspective, reporting does not meet this requirement, then social workers are not likely to engage in the reporting of suspected abuse.

As shown, lawmakers’ decision to enact a mandatory reporting law directed toward a professional group does decrease legislators’ uncertainty regarding the reporting behavior of some bureaucrats. However, these laws come with unintended consequences,

and for some agencies they fail to make any change. If state lawmakers better understand the reporting trends and effects of mandatory reporting laws on professional groups, they may be able to tailor policies that reduce their transaction costs and uncertainty toward reporting. In addition to reducing their own costs, with a clearer outlook on the effect of their policymaking, state lawmakers may enact a change that has a greater influence mitigating the consequences of child abuse.

### **Implications and Future Research**

Mandatory reporting laws continue to evolve across the U.S. as state legislatures employ these policies to reduce transaction costs and uncertainty. Using 18 years of child abuse reporting data, I investigated from the perspective of state legislatures the reporting behaviors of three professional groups. This examination led to two valuable conclusions regarding reporting laws and uncertainty among legislators. First, mandatory reporting laws do not universally result in the intended consequence that legislatures seek. Examining the results of this study, it is evident that mandatory reporting laws only reduce legislative uncertainty in some cases. The inclusion of the law encourages more consistent reporting from both education and law enforcement professionals. However, the reduction in reporting from law enforcement carries additional unintended consequences. If law enforcement officers are not reporting as much abuse, this suggests that cases of child abuse are going ignored or completely missed. Accepting these findings, it is evident that the policy objectives of legislatures differ from the public intent of the policy, since legislatures are enacting child abuse, sexual abuse, or other reporting policies the legislative intent is not to prevent the deviant behavior or increase the reporting, but instead, the intent is to encourage more predictable and controlled

reporting behavior. Reducing the legislators' transaction cost is the priority even though there are future costs associated with missed cases of abuse that could potentially lead to greater experiences or forms of uncertainty.

The second conclusion is that other incentives beyond mandates may influence a street-level bureaucrat's choice to report suspected child abuse. This finding implies at least two future research questions. First, what professional factors or incentives encourage policy compliance or implementation when reporting fails? Second, why does a policy incentive, such as a mandatory reporting law, work for one group of street-level bureaucrats and not another? For example, why do law enforcement agents report more suspected cases of abuse than teachers when the same legal obligation exists. Examining the data within this paper from the perspective of the street-level bureaucrats and their incentives would provide important information concerning the bureaucratic response to policy. Additionally, this type of investigation might indicate how policies can be molded to better influence the actions of a particular professional group. Having a clearer understanding of the reporting incentives might improve legislation and reduce legislative uncertainty and transactions costs, all while increasing child abuse awareness and prevention. Overall, future research addressing these questions could improve the implementation process while guiding current and future policymakers.

While the effectiveness of mandatory reporting laws has been questioned in the literature (Ainsworth, 2002; Bell & Tooman, 1994; Besharov, 1990; Lamond, 1989; Mathews, & Kenny, 2008), little has been done to explore the political purpose of these policies from a legislative perspective and within the framework of uncertainty and administrative procedures. This study addresses this concern and demonstrates that

mandatory reporting laws function as a method for reducing legislative uncertainty regarding the reporting behavior of certain professional groups while demonstrating political control. Acknowledging the importance of professional roles and incentives, additional research must be conducted to identify what influences the policy implementation efforts of street-level bureaucrats and how policymakers can employ this information to their advantage in combatting the effects of child abuse in the U.S.

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## CHAPTER THREE: ESSAY 2: INCENTIVES AND STREET-LEVEL BUREAUCRATS

**Abstract**

Child abuse reporting policies continue to expand both in scope and practice. With the diffusion of these laws, it is important to understand whether the mandatory reporting laws work while analyzing how the response to these laws differs across professions. Employing an incentive system typology, I determine if the incentive systems of law enforcement, education personnel, and social workers align with the policy incentives of a mandatory reporting law. These professional groups are important to analyze because they account for the largest reporting groups in the U.S. and vary by professional roles. Investigating 18 years of child reporting data from the National Data Archive on Child Abuse and Neglect, I find that the reporting response of these professional groups differs. Specifically, law enforcement and social workers do not respond to the reporting law and continue to report on the same positive trend with or without the law in place. Education personnel, on the other hand, do respond positively to a reporting law since the law attenuates the negative decline of reporting currently experienced by educators. These findings demonstrate the value in designing policies which align with incentive systems of bureaucrats.

*Keywords: incentive systems, bureaucrats, mandatory reporting*

## Introduction

Child abuse prevention laws in the form of mandatory reporting have diffused across the United States (U.S.) over the last 50 years. Often these laws target specific professional groups to incentivize increased reporting behavior. The expansion of these laws in scope introduces an important question. *Do mandatory reporting laws increase reporting from street-level bureaucrats (education personnel, law enforcement, and social workers)?* Furthermore, research consistently demonstrates a variance in the reporting behavior and experiences of educators and social workers (Zellman, 1990a). This inconsistency in reporting leads to additional questions worth examining. *Why and how do the reporting behaviors differ among the various bureaucrats?* Confidently replying to the above questions is imperative for policymakers in supporting their efforts to diminish the effects of child abuse. Likewise, understanding how policies incentivize bureaucratic behavior and implementation is essential to lawmakers when writing actionable policy. Installing this study demonstrates that mandatory reporting laws may or may not be working as intended.

Having identified these questions, I explore the theoretical perspectives which illustrate the bureaucratic reporting behavior witnessed after the enactment of a mandatory reporting law. Specifically, I employ an incentive typology to analyze the role of incentives following prescriptive changes while also expanding the theoretical understanding of incentives. Using 18 years of child abuse reporting data for each state, I examine how law enforcement, education personnel, and social workers respond to mandatory reporting laws. Moreover, I discuss why the behavior between these groups diverges based on their differing incentive systems.

Mandatory reporting laws have served as the main mechanisms for preventing child abuse since the medical term “battered child syndrome” was introduced (Hutchison, 1993; Kempe, Silverman, Steele, Droegemueller, & Silver, 1962). Unfortunately, the scholarly research on the effectiveness of mandatory reporting has not followed with the expansion of the law, especially in relation to law enforcement and social work. While the academic research is minimal, state legislators continue to push for the expansion of these laws to better protect children.

State statutes concerning child abuse reporting consistently vary across state lines. States diverge on which professional groups should be defined as mandatory reporters. Of the 48 states which classify mandatory reporters, 44 states specifically mandate education personnel, while only 42 states define social workers and law enforcement officials (Child Welfare Information Gateway, 2016; National Conference of State Legislatures [NCSL], 2015). I focus my attention on these three specific groups because they account for 46% of all child abuse reporting and are the three largest reporting parties (U.S. Department of Health and Human Services, 2014, p. 9). Furthermore, these agencies represent a diverse collection of professionals tasked with the same legal mandate. Targeting these professional groups expands the current research on mandatory reporting laws while providing theoretical and practical insight in regards to incentives, incentive systems, and bureaucratic implementation of broadly enacted policies. Noting the continued expansion of mandatory reporting laws across professional groups enhances the relevancy of this research; given that all of these legislative changes may not lead to the desired behavior of improved reporting.

Furthermore, this study addresses the effectiveness of the law, by examining the incentives, disincentives, and incentive systems that lead to action within each of the agencies. To categorize the incentive systems of each professional group, I employ the incentive typology established by Peter Clark and James Wilson (1961). As conceived by the authors, agents are more likely to alter their behavior when the policy incentives align with the incentive systems of their particular organization. With the enactment of a mandatory reporting law, specific incentives become available to the agencies that include immunity for reporters, potential resource acquisition, punishment avoidance, and intrinsic awards associated with following the law. While these incentives are available, they do not necessarily align with the incentive systems of each organization and result in varying levels of performance when it comes to increasing the reports of suspected abuse.

Realizing the relationship between policy incentives and incentive systems helps to determine whether the top-down efforts of legislatures are a suitable method for controlling bureaucratic behavior. As demonstrated by Keiser & Meier (1996), studying policy design is valuable, “because it can provide policymakers with the tools to increase the likelihood that their legislative effort will be successful” (p. 339) (Deleon, 1988). When lawmakers begin to consider the incentive systems that prevail in various agencies, a greater effort can be made toward designing policies and policy incentives that encourage preferred behaviors.

### **Theory and Hypotheses**

Examining incentive systems dictates whether a mandatory reporting law functions as an incentive toward increasing child abuse reporting. In 1961, Clark and Wilson determined that the majority of activities or behaviors witnessed within an

organization are the products of the incentive system in place. This notion was later supported by others who then linked incentives with perceived public service efficacy (Boardman & Sundquist, 2009; Perry & Wise, 1990). As part of Clark and Wilson's work, they categorized the different types of incentives. Specifically, they hypothesized that "the incentive system may be regarded as the principal variable affecting organizational behavior" (p.130). In other words, the behaviors of street-level bureaucrats are influenced by the incentive system in place for their professional group. However, there is no single incentive system that governs all behavior; rather, organizational incentives are classified into three broad categories; material, solidary, and purposive (see Table 3.1). Examining the prevalence of these systems within an organization may be used to predict behavior (Clark & Wilson, 1961). Inspecting law enforcement, education personnel, and social workers' reporting behavior within the frame of these three incentive categories, I assess the influence that mandatory reporting laws have toward encouraging greater reporting from each professional group.

**Table 3.1: Incentive System Categorization**

<b>Clark &amp; Wilson's Incentive Systems</b>	<b>Material</b>	<b>Solidary</b>	<b>Purposive</b>
	Tangible rewards often monetary -- wages, fringe benefits, patronage	Intangible rewards from the act of association -- sociability, status, identification	Intangible rewards related to the goals of the organization

### Material Incentives

Material incentives are those tangible monetary rewards which can be used to benefit the organization or the people within the organization (Clark & Wilson, 1961). Employing a monetary resource, such as increased resources, encourages action in

accordance with a desired behavior for organizations which align with this incentive. The criminal justice literature provides examples of law enforcement officers' response to material incentives. In 1982, President Ronald Reagan declared the "War on Drugs"; however, the war for law enforcement agencies did not immediately begin. While drug arrests continued to rise on a year to year basis, it was not until the Comprehensive Crime Act of 1984 that drug arrests began to soar (Benson, Rasmussen, & Sollars, 1995). This additional act clarified police organizations responsibilities for combatting drug crimes and allowed for the sharing of resources and money between law enforcement agencies. Having this monetary resource available, law enforcement agents increased their enforcement of drug laws.

With the enactment of mandatory reporting laws, the policy clarified the professional responsibility of law enforcement agents. In addition to clarifying the mandatory reporting law, federal funding was also made available to states following the 1974 CAPTA (Child Abuse Prevention and Treatment Act) legislation (Kalichman, 1990; Kalichman, 1991; Mathews & Kenny, 2008). While this funding may not directly go to law enforcement, the opportunity to obtain department funding through improved reporting is an additional motivation to encourage greater participation.

For education professionals, the literature suggests that a teacher's decision to report is motivated by their personal attitudes about the school, community, and the likelihood that their report will be processed appropriately (Kesner & Robinson, 2002; Tite, 1993). However, there are material deterrents which limit teachers from reporting, these disincentives include fear of legal ramifications, consequences, and costs which may lead them to lose their job (Abrahams, Casey, & Daro; 1992; Alvarez, Kenny,

Dononhue, & Carpin, 2004; Kenny, 2001a; Mathews & Kenny, 2008; Rosien, Helms, & Wanat, 1993). The enactment of a mandatory reporting law is then to persuade education personnel that it is in their own interest to report suspected abuse. Accompanying mandatory reporting laws with legal immunity the above mentioned disincentives to reporting are mitigated. Additionally, with a mandatory reporting law in place, educators now face the consequence of potentially losing their teaching license by not reporting (Abrahams et al., 1992; Kalichman, 1999). Thus, the threat of losing one's position serves as a material incentive for education personnel. By providing these material incentives or threats with mandatory reporting, teachers are encouraged to improve their reporting of suspected abuse following the enactment of the law.

Social workers face a variety of challenges. In addition to being perceptively disliked, social workers complete the demanding job, while being paid poorly, managing unreasonable expectations, and serving as witnesses to unimaginable suffering (Bransford, 2005; Kim & Stoner, 2008; Vinzant, 1998). To combat this challenge, social workers seek greater autonomy in their work. Nevertheless, choosing to report threatens social workers' autonomy by increasing their caseload. Already perceiving a strenuous caseload, social workers regularly comment that resources are not available to handle their work assignment (Vinzant, 1998). Scholars have demonstrated that social workers are incentivized with lower caseloads and the autonomy to do the work according to their own direction (Zellman & Antler, 1990). Due to the difficulty in monitoring social worker behavior, social workers have greater command of how they manage their heavy workload, which may include behaviors such as taking work home, fabricating or altering paperwork, or bending the rules to meet client needs (Brehm & Gates, 1999; Kadushin,

1992). Reporting suspected child abuse is viewed as an addition to the workload and results in behavior that is counter to the mandatory reporting policy. What is more, social worker pay is not based on the number of cases taken on or completed; which means, social workers do not have any material incentive to report suspicions of child abuse.

### Solidary Incentives

Solidary incentives move away from the tangible rewards and instead focus on rewards that come from the act of association or adoption (Clark & Wilson, 1961). The law enforcement literature provides prime examples of these solidary incentives. James Q. Wilson (1978) observed that officer behavior is reliant on the culture established by the police chief. Douglas Smith and Jody Klein (1983), furthering Wilson's work, found that most law enforcement departments adopted a culture of compliance to top-down procedures and policies. Therefore, if a law is established, police officers are incentivized to comply and enforce the policy. Furthermore, the literature suggests, patrol offices rely heavily on colleagues for validation of appropriate behavior beyond what the organization may offer (Bittner, 1971; Bhrem & Gates, 1999; Skolnick, 1966). Clark and Wilson categorize this behavior within the solidary incentive, in that officers are incentivized to perform to maintain their social status within the organization.

While officers are typically poised to be compliant, there are stipulations to this overt acceptance of a policy. As noted in the criminal justice literature an officers' willingness to follow rules is dependent on the prevalence of an us-versus-them mentality (Haas, Van Craen, Skogan, & Fleitas, 2015; Wood, Davis, & Rouse, 2004). The stronger the prevalence of this mentality the more likely officers are to exercise autonomy away from top-down authority. Smith and Klein (1983) define the departments with a stronger

us-versus-them mentality as fraternal and are depicted as less professional and bureaucratic in their policing approaches. While fraternal departments are less likely to be compliant, they are governed by a set of incentives that place greater value on the brotherhood of policing. By not reporting, officers threaten their position within the law enforcement fraternity and would therefore be encouraged to report suspected abuse. Consequently, both top-down compliant departments and fraternal departments align closely with solidary type of incentives.

From the educator's perspective, having to report child abuse affects a teacher's relationship with students (Blasi, 1999; Gallagher-Mackay, 2014; Maynard-Moody, & Musheno, 2003). However, scholars have attempted to uncover whether education personnel are resistant to sacrifice this relationship to report suspected abuse, and found this not to be the case (Abrahams et al., 1992; Kenny, 2001b). While teachers do consider the relationship, they are more concerned with the legal requirement and consequences associated with not reporting (Walsh et al., 2012; Zellman, 1990b). Rather than having a solidary incentive not to report associated with the loss in social relationships, educators go to great efforts to maintain their own identity and social status as a teacher (Mayer, 1999; Walkington, 2005; Zeichner, 2005). Therefore, a mandatory reporting law serves as a solidary incentive for teachers as they attempt to maintain their association as an educator.

The social work literature claims that while social workers actively work against the organization, they are incentivized by the opportunity to work with others who possess similar beliefs (Uttley, 1981). This type of motivation aligns closely with a solidary incentive system. However, examining this further, scholars find that agents

want to work with others not necessarily for motivation, but as a mechanism for better serving their clients (Fox & Dingwall, 1985). A study completed by O'Connor et al. (1984) observed that social workers felt a sense of commitment to those they were tasked with serving and were motivated by a deep desire to help (Vinzant, 1998). John Brehm and Scott Gates (1999) specifically found social workers are motivated by the thrill of helping or serving others.

While tangentially related to the solidary incentive system, social workers are moved to action by the intrinsic rewards that come from providing optimal care (Fox & Dingwall, 1985; Brehm & Gates, 1999, Vinzant, 1998). Unfortunately, providing optimal care and reporting child abuse may not necessarily align. As previously illustrated, choosing to report may disrupt a social worker's ability to care for the child in a way the agent perceives as ideal (Kalichman, 1999). If the social worker perceives that more support can be provided to the family or child by not reporting, then the social workers' incentive encourages noncompliance with the reporting policy. Brehm and Gates (1999), observed that when social workers believe a policy hampers their ability to meet a client's needs, then the agent is likely to engage in "bending the rules" (p. 125). Again, suggesting that social workers are incentivized by solidary incentives, but this incentive does not always lead to compliance with the law. However, the desire to remain a social worker may combat this impulse not to comply and persuades social workers to report.

### Purposive Incentives

Purposive incentives are incentives that lead to intangible rewards for the organization. To law enforcement agents, the preservation of the organization and the profession of police work remains a top priority. While their behavior is governed by

state and local policies, previous literatures suggests that department practices which guard or strengthen the department greatly influence behavior (Brehm & Gates, 1999). This type of behavior clearly lies within Clark and Wilson's categorization of purposive incentives. Law enforcement literature establishes that police officers respond to an organizational culture of preservation. In harmony with organizational theory, organizational factors have the greatest influence over police behavior and their response to policies (Riksheim & Chermak, 1993). Accordingly, officers are inclined to apply their discretion more positively to an established policy, such as mandatory reporting, to comply with the norms of the organization and to maintain their social status.

A teacher's decision to report is heavily influenced by their perception and attitude of the school and community (Finkelhor, Gomes- Schwartz, & Horowitz, 1984; Kesner & Robinson, 2002; Mason & Watts, 1986; Tite, 1993). If an education personnel's intent is to maintain a strong school and community, then the choice to report suspected child abuse becomes complicated. Reporting child abuse may impact the school and community in a negative manner. Conversely, choosing not to report puts the school or organization at greater risk as demonstrated by recent child abuse scandals where the organization was held liable for not reporting (Zellman & Bell, 1990). The purposive incentive of protecting the organization, community and school, is heavily considered by education professionals and serves as a valuable incentive when choosing to report (Finkelhor et al., 1984; Kesner & Robinson, 2002; Walsh, Mathews, Rassafiani, Farrell, & Butler, 2012; Zellman, 1990a). With this purposive incentive in place, I suggest that mandatory reporting laws motivate reporting from teachers to protect the organization and the community from harm.

The early social work literature reveals that choosing to become a social worker serves as a way to reject the “value of everyday life” (Pearson, 1973, p. 223) or to work as a “political deviant” (Christie & Kruk, 1998, p. 22). While the social work literature has advanced, it does not appear that this particular perspective has changed. As more recently demonstrated by Janet Vinzant (1998), the organizational roles are a restraint to the objectives of social workers and validates that a purposive incentive system is not aligned with the attributes of social work. Recognizing the top-down nature of a mandatory reporting law, the literature suggests that social workers object to the law and push for a policy more closely affiliated with the allowance of greater personal autonomy.

Based on the observations above and as demonstrated in the Table 3.2, I posit that those professional groups with multiple incentive systems aligned with mandatory reporting laws will increase their reporting behavior following the enactment of the law. I hypothesize that:

*H1: Law enforcement agents will increase the number of reports of suspected child abuse following the enactment of a mandatory reporting law directed toward their professional organization.*

*H2: Education personnel will increase the number of reports of suspected child abuse following the enactment of a mandatory reporting law directed toward their professional organization.*

*H3: Unlike the other professional groups, social workers will not be influenced by the enactment of a mandatory reporting law directed toward their professional organization.*

**Table 3.2: Mandatory reporting laws serve within professional incentive systems**

Different Types of Incentives	Law-Enforcement	Education-Personnel	Social Workers
Material	X	X	
Solidary	X	X	X
Purposive	X	X	

### Methodology

#### Data Collection and Key Variables

To test the effect of mandatory reporting laws on reporting behavior, I employ data from the U.S. Department of Health and Human Services and the National Data Archive on Child Abuse and Neglect (NDACAN).<sup>7</sup> The NDACAN dataset segregates the reporting data by professional groups and states while spanning from 1990 through 2008.<sup>8</sup> To evaluate the influence of the mandatory reporting law, I investigate the reporting behavior of law enforcement, education personnel, and social workers pre and post the enactment of the law. Table 3.3 provides a summary of the reporting data for each professional group examined.

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<sup>7</sup> The analyses presented in this publication were based on data from the National Child Abuse and Neglect Data System (NCANDS) State File. These data were provided by the National Data Archive on Child Abuse and Neglect at Cornell University, and have been used with permission. The data were originally collected under the auspices of the Children's Bureau. Funding was provided by the Children's Bureau, Administration on Children, Youth and Families Administration for Children and Families, U.S. Department of Health and Human Services. The collector of the original data, the funding agency, NDACAN, Cornell University, and the agents or employees of these institutions bear no responsibility for the analyses or interpretations presented here. The information and opinions expressed reflect solely the opinions of the authors.

<sup>8</sup> Excluding Maryland where reports are only available from 2000 to 2008.

**Table 3.3: Descriptive Statistics of Reports by Law Enforcement, Education Personnel, and Social Workers of Suspected Abuse Cases Per 100,000**

Variable	Observations	Mean	Std. Dev.	Min	Max
Law Enforcement	854.000	409.409	193.551	49.618	1805.073
Education Personnel	855.000	439.192	175.295	4.739	1716.661
Social Workers	847.000	295.870	191.124	1.495	1322.492

*Source: Compiled using the National Child Abuse and Neglect Data System State Level Data (NCANDS) Summary Data Component, 1990-2008*

Essential to this study is the year each state mandated the reporting requirement for the specific group. Utilizing data from the recently issued Child Welfare Information Gateway (2016) publication, I analyzed each states mandatory reporting laws for the professional groups which are listed. I then conducted a Thomson and Reuters Westlaw database search, examining each states mandatory reporting laws and amendments for the year each professional group was specified in the law.<sup>9</sup> Having identified the year the professional group was mandated to report serves as the intervention in the model.

#### Panel Data and the Effect of an Event

To test the hypotheses, I examine panel data created with the aforementioned NDACAN data and descriptive data from the U.S. Census Bureau. Investigating panel data while accounting for the effect of an event has been demonstrated in previous scholarship as an operative way for measuring the influence of an event (Allison, 1994). With this data, I establish two models for evaluation. The first model accounts for the immediate change in the intercept following the enactment of a mandatory reporting law. The second model examines the change in the slope and intercept to demonstrate the

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<sup>9</sup> See Appendix B – Table B.2 State and Year of Mandatory Reporting Law Enactment

change in reporting overtime for a professional group following the enactment of the law in a state. Employing these methods, I measure the effect of the law while reducing the limitations of a time series examination (Allison, 1994). As demonstrated by Charles Halaby (2004) “panel data are amply suited to the analytical problems that surround the kinds of observational (i.e., non-randomized) data that are common in social research” (p. 2).

The reports of suspected abuse by each professional group serves as the dependent variable of each model described above. In the first model, the enactment of the law for each state serves as the intervention and main independent variable. A dummy variable (intervention) is used to represent the year the state enacted the law. Specifically, this variable demonstrates the change in the intercept following the enactment of a mandatory reporting law in the state. In effect, by examining the change in intercept, this variable demonstrates whether the professional groups were incentivized immediately to alter their reporting behavior following the adoption of the law. To allow time for the agencies to adapt to the new law, the dependent variable is examined as the year following the year the law was enacted. By delaying this observation for a year it exhibits the street-level bureaucrats’ response to having a full year of the new law in place and demonstrates either the success or failure of the mandatory reporting law toward incentivizing a change in the reporting behavior. Control variables known to influence both the likelihood to report and the prevalence of abuse in a state were included and are described below.

**Table 3.4: Reports by Law Enforcement Officials, Education Personnel, and Social Workers of Suspected Abuse Cases Per 100,000 -Model 1**

	Number of reports from Law Enforcement Model 1	Number of reports from Education Personnel Model 1	Number of reports from Social Workers Model 1
Change in Intercept (Intervention)	-9.534 (33.257)	27.906 (33.835)	-28.415 (33.076)
Time	8.945* (4.074)	-5.851* (2.876)	11.107* (5.055)
Violent Crime Rate	0.232* (0.115)	-0.156* (0.089)	0.184† (0.103)
Number of Reports from Law Enforcement Officials	-- --	0.481** (0.079)	-0.030 (0.123)
Number of reports from Social Workers	-0.030 (0.096)	0.298** (0.071)	-- --
Number of reports from Education Personnel	0.615** (0.105)	-- --	0.484** (0.115)
Race	-0.039 (0.062)	-0.078 (0.070)	0.089 (0.079)
Teen Pregnancy Rate	-3.130† (1.792)	2.240 (1.946)	-6.429** (2.290)
High School Drop-out Rate	-4.630 (7.625)	7.499 (7.096)	-9.552 (8.789)
Unemployment Rate	-29.868** (10.679)	9.348 (9.406)	32.233** (10.622)
Victims Female	0.159** (0.070)	0.104 (0.081)	0.041 (0.095)
R <sup>2</sup>	0.5484	0.5818	0.4528

Note: N = 512; \* p < 0.05, \*\* p < 0.01, † p < 0.10;  
Standard errors in parenthesis

Applying the second model, the dependent variable of reported suspected child abuse cases for a specific professional group remains the same. Including an interaction, I establish the slope and the intercept pre- the intervention. I also allow for a different

intercept for each point in time. A dummy variable (intervention) is also used to represent the year the state enacted the law. This provides an estimate that demonstrates the direct effect of the intervention on the dependent variable. I also include an interaction term of time and the intervention which approximates the change in slope post-intervention. This interaction accounts for the change in the slope and the intercept following the interruption. Together these interactions offer substantial detail concerning the effect the mandatory reporting law has on the number of reports over time. Additionally, by varying the intercept and the slope, the standard errors of the model are improved delivering a more accurate test of statistical significance. I then assume a fixed-effects model at the state level. The model includes covariates that are defined below and vary for both state and time. Introducing these control variables for both models ensures that the relationship between the main independent and dependent variables is appropriately isolated. These models are then estimated using ordinary least squares (OLS) regression. Conducting this procedure, I analyze the data and determine whether mandatory reporting laws do incentivize street-level bureaucrats toward improved reporting.

**Table 3.5: Reports by Law Enforcement Officials, Education Personnel, and Social Workers of Suspected Abuse Cases Per 100,000 -Model 2**

	<b>Number of reports from Law Enforcement Agents Model 2</b>	<b>Number of reports from Education Personnel Model 2</b>	<b>Number of reports from Social Workers Model 2</b>
Change in Intercept at point of intervention $\delta_1 X_{it}$	29.122	-39.702†	1.547
	(46.574)	(21.672)	(26.082)
Slope Pre- Intervention $\mu_{1t}$	10.688**	-10.997**	-0.993
	(2.727)	(2.162)	(3.454)
Interaction: Change in slope post-intervention $\delta_2 X_{it}$	-3.926	4.283**	2.594
	(2.954)	(1.103)	(1.696)
Violent Crime Rate	0.214*	-0.267**	0.299**
	(0.082)	(0.065)	(0.067)
Number of Reports from Law Enforcement Officials	--	0.557**	0.170†
	--	(0.055)	(0.081)
Number of reports from Social Workers	0.114*	0.241**	--
	(0.047)	(0.056)	--
Number of reports from Education Personnel	0.647**	--	0.437**
	(0.085)	--	(0.104)
Teen Pregnancy Rate	-0.335	4.389*	-3.474†
	(1.654)	(1.797)	(1.945)
High School Drop-out Rate	11.398*	0.042	-17.096**
	(3.950)	(2.240)	(5.290)
Unemployment Rate	5.279	-7.427†	12.416*
	(4.214)	(3.941)	(4.826)
Victims Male	-0.184*	-0.046	-0.056
	(0.082)	(0.109)	(0.105)
R <sup>2</sup>	0.8943	0.8938	0.8511

Note: N = 488; \* p < 0.05, \*\* p < 0.01, † p < 0.10;  
Standard errors in parenthesis  
Fixed effects are included but not displayed

Examining panel data with an interaction effect is not without its limitations. First, if the model undertakes repeated events then autocorrelation can become problematic (Alison, 1994). While not excusing the issue, this model will only account for a single event in each state which reduces the likelihood of autocorrelation. Additionally, varying the slope and the intercept of the model by utilizing an interaction effect alleviates some of the issues associated with autocorrelation. Furthermore, applying random and fixed effects to the second model alters the way the standard errors are estimated and improves the model. For the first model, where fixed effects are not included additional control variables are included for improved specification. Moreover, the interaction terms are likely to introduce multicollinearity, but this results in an overestimation of standard errors, affording a more difficult test of the hypotheses and improving the validity of the model. To avoid this issue further, care is given to theoretically specify the key variables in the model which reduces the effects of autocorrelation and multicollinearity.

Control variables ensure that the model is more accurate and better demonstrates the influence of a mandatory reporting law. These variables remain constant and isolate the effect of the mandatory reporting law, strengthening the value of the results. Additionally, the control variables correspond with top-down socioeconomic assumptions that previous scholarship has coupled with altering bureaucratic behavior (Mazmanian & Sabatier, 1981; Sabatier, 1986). Specifically, researchers identify these socioeconomic conditions as, “some of the principal exogenous variables affecting the policy outputs of implementation agencies and ultimately the attainment of statutory objectives” (Mazmanian & Sabatier, 1981, p. 16). Employing these important socioeconomic

conditions facilitates a better model to measure the effect a mandatory reporting law has on reporting behavior.

Socioeconomic variables influence the perceptions of the community and the likelihood of reporting. The violent crime rate per the population is particularly relevant and demonstrates the impact violent crime may have on a bureaucrat's decision to report child abuse. This specific variable is a proxy for local community violence, because those street-level bureaucrats which work in an area with a high crime rate may be more aware of the challenges the children face and the potential of being abused (Warr, 2000; Lipsky, 2010). Conversely, teachers, law enforcement, or social workers operating in saturated crime areas may identify the violence as a cultural identity, and relieve themselves from the responsibility of reporting the suspected abuse (Dupuis, 1995). To examine the influence of crime saturation, it is necessary to investigate the reporting behavior of all professional groups. If the reporting from other agencies is high, it can be expected that the reporting from the targeted groups would be lower. The targeted groups have less of a need to report if another professional group is completing the requirement. Beyond violent crime and the reporting of other professional groups, scholars consistently demonstrate that race is also associated with the prevalence of child abuse (Coulton, Korbin, Su, & Chow, 1995). Identifying that child abuse is prevalent among certain minority races, street-level bureaucrats may choose not to report suspected abuse for a certain race, negating the effect of the law (Hampton & Newberger, 1985).

While the environmental influences are valuable, they fail to account for internal factors that influence the prevalence and reporting of abuse. One factor identified in the previous literature is the relationship between the poverty rate (percent of individuals

within the population of a state living below the federal poverty line) and the number of child abuse cases in the community (Gillham, Tanner, Cheyne, Freeman, Rooney, & Lambie, 1998). Research reveals that added stress in the home, such as unemployment or poverty, serves as a factor for potential abuse or neglect (Gelles & Cavanaugh, 2009). While poverty does not cause child abuse, the additional strain increases the likelihood for abuse. Beyond, unemployment and poverty, the social characteristics of the mother may also predict child abuse. Scholars find that children born to teen mothers and mothers with less than a high school education are more susceptible to abuse (Brown, Cohen, Johnson, & Salzinger, 1998). The fact that a teen has a child does not inevitably mean that the child will be abused. However, the hardships, financial risks, and overall stress experienced by a teen parent cultivates an environment where abuse and neglect may occur (Lee & Goerge, 1999; Zuravin, 1988; Zuravin, 1989). Moreover, gender plays an important role when examining abuse. Girls are approximately 2.5 to 3 times more likely to be abused than boys (Finkelhor, 1993; Putnam, 2003). Recognizing that girls are more likely to be abused, mandatory reporters have an increased likelihood to witness abuse among girls. Likewise, boys are underrepresented in psychiatric and social worker samples demonstrating that social workers' interactions with child abuse reporting would also be influenced by gender (Lab, Feigenbaum, & De Silva, 2000).

The exogenous variables identified affect the validity of the model in a multiplicity of ways. To account for the influence of these variables on the dependent variable they must be controlled within the model. Failing to do so limits the value of the information gleaned from this study, and reduces any confidence in determining if mandatory reporting laws are effective in garnering additional reports of suspected child

abuse. Having identified these variables, the findings from this study provide greater consequence and increases the value of this study's contribution to public policy.

### Results

Exploring the results, each of the professional groups respond similarly following the enactment of a mandatory reporting law but their reporting over time differs. The findings suggest that a mandatory reporting law does not incentivize increased reporting from law enforcement. The intercept for reporting the year after the law is enacted does not significantly change for law enforcement offices, but may actually decrease with the law ( $b = -9.534, p > .10; R^2 = .5484$ ). While the reporting law aligns with the incentive systems in place for law enforcement, the law does very little to incentivize a change in behavior. Observing this behavior over time within the second model, the slope of the line flattens suggesting that law enforcement agents become slightly worse at reporting with the enactment of the law (See Graph 1;  $b = -3.93, p < .105; R^2 = .8943$ ). While these results teeter on statistical significance ( $p < 0.105$ ), it is clear that mandatory reporting laws do not increase reporting behavior, but rather, the reporting by law enforcement agents is unchanged with the law in place. These results do not support Hypothesis 1 and instead demonstrate that mandatory reporting laws do not incentivize greater reporting from law enforcement.

Examining the effect of mandatory reporting laws on education professionals, the initial outcome does not differ from law enforcement officers. The year after the law is enacted the reporting behavior of teachers does not significantly change ( $b = 27.906, p > .10; R^2 = .5818$ ). This finding also suggests that the law does not immediately incentivize a change of behavior for educators. However, Model 2 exhibits that over time the

reporting behavior of educators improves with the law ( $b = 4.283, p < .01; R^2 = .8938$ ). Having a mandatory reporting law in place, the reporting behavior of education professionals continues to decline, but teachers do report more cases than they would if the law was not in place. This finding only somewhat supports Hypothesis 2, suggesting that mandatory reporting does not immediately incentivize education professionals to change, but over time the mandatory reporting laws diminish the rate of reporting attrition. Based on the above, it is then necessary to better understand and examine the factors which lead educators toward an annual decline in reporting of suspected abuse with or without the law in place, but this endeavor is beyond the scope of this study.

As predicted, the results indicate that social workers are also not incentivized by mandatory reporting laws ( $b = -28.415, p > .10; R^2 = .4528$ ). Interestingly, the reporting of suspected abuse by social workers does not significantly change over time either ( $b = -0.993, p < .10; R^2 = .8511$ ). Rather, social workers continue to report the same number of cases of child abuse each year. This finding follows the literature presented and demonstrates that social workers are not incentivized by a mandatory reporting law to increase their reporting behavior which supports Hypothesis 3.<sup>10</sup>

Beyond the influence of the reporting law, various patterns arise among the controls which impact reporting behaviors. Both models demonstrate that in the case of law enforcement and social workers, as the violent crime rate for a state increases so does the number of reports. However, in the case of education personnel, the opposite is true, as the crime rate increases the number of reports decreases. These results suggest that professional roles are important in regards to child abuse reporting, since law

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<sup>10</sup> See Appendix B – Figure B.1 - B.3.

enforcement and social workers are more involved with crime, they are also exposed to more cases of child abuse and their reporting increases. Conversely, education personnel are not exposed to violent crime in direct relation to their position and are therefore not influenced to increase their reporting.

In addition to violent crime, it is important to compare the reporting behaviors of bureaucrats across multiple agencies. Examining each professional group, it is clear that as the reporting behavior of educators increases the reporting of the other agencies also increase (See Table 3.4 and Table 3.5). While the rate at which the reporting behavior increases is different between the groups, it is clear that there is a relationship between what these organizations do and the influence it has on other agents. Furthermore, these agents are influenced by factors beyond the reporting behavior of others. Specifically, there is a pattern between some of the economic and environmental variables and the behavior of the three groups. Observing the findings, it appears that social workers and education professionals are more likely to be affected by these social variables when compared to law enforcement. For example, social workers' and education professionals' reporting is significantly influenced by the teen pregnancy rate, the high school dropout rate, and unemployment in both models, whereas, law enforcement is either not influenced by these variables or are not impacted as extensively.

### **Discussion**

The enactment of mandatory reporting laws targeting professional groups continues to be a broad-based policy decision. However, minimal research has been completed to demonstrate the effectiveness of these laws toward incentivizing increased reporting (Ainsworth, 2002; Lamond, 1989). The findings from this study demonstrate

that a mandatory reporting law does not serve as a policy incentive for some professional organizations, even when it appears that the policy is associated with the organization and its agents' incentive systems. I argue that when a policy aligns more closely with the incentive systems of an agency, the bureaucrats will respond more positively to policy enactment. Reviewing these professional groups' incentive systems in light of the results of this study provides a valuable discussion on the success of broad-based policies.

### Law Enforcement

Law enforcement agents' incentive system appears to align with the policy objectives and incentives of mandatory reporting policies. However, the top-down policies of mandatory reporting have little to no effect on the behavior of police officers. Understanding why this policy fails to incentivize police behavior is critical to determining the type of policies and factors that lead to greater conformance from law enforcement. Acknowledging that the reporting behavior for officers has continued to increase yearly, the enactment of a mandatory reporting law does not provide additional incentives to increase this behavior. Rather, officers continue to increase their reporting behavior, because reporting is aligned with their organizational norm of protecting the community (Skolnick & Bayley, 1988a; 1988b). The enactment of the reporting policy does little to alter the behavior from its current trend. As the organizational norm surrounding law enforcement continues to envelop community policing and improved interaction with the community (Greene, 2000), it can be expected that officers will continue to increase their reporting on a year to year basis with or without a mandatory reporting policy.

### Education Personnel

As these findings demonstrate, mandatory reporting laws improve educators' reporting behavior over time; however, the change does not result in a positive increase in reporting of suspected abuse from year to year. Teachers manage their reporting responsibilities while being guided by what they deem to be best. Not only are they maximizing their own self-interest, but they believe they are mitigating the costs experienced by the student and family if they choose not to report. This decision to report is then based on whether teachers perceive the benefits of reporting to be greater than the potential costs to them and their way of doing work. Therefore, it may be that maintaining their pedagogical autonomy and relationships is more important than any perceived cost to the school or community, and results in the decreased reporting.

Additionally, teachers do not have the same organizational support or norms as found within law enforcement. Investigating the difference between the two groups incentive systems, it is interesting to note how the material incentive for education professionals is linked more closely to the individual, while the material incentive for law enforcement officers more closely aligns with the organization. Moreover, the literature suggests that principals serve as "gatekeepers" and reinforce the costs and benefits of reporting to the teacher, whereas law enforcement leaders serve more to encourage and support reporting (Finkelhor et al., 1984; Mason & Watts, 1986). In order for a teacher to report, they must then act outside of their professional role and consider the costs of becoming a policy enforcer. However, their professional role dictates that they protect themselves, the students, and the school. Mandatory reporting laws then help to overcome some of the disincentives discussed above while strengthening the teachers'

commitment to the law (Abrahams, Casey, & Daro, 1992; Zellman, 1990b). However, when it comes to completely toppling the deterrents of not reporting, a mandatory reporting policy falls well short and reporting continues to decline. The results of this study reveal that a mandatory reporting law is better than nothing, but further research and political action is required to encourage improved reporting of suspected abuse from education professionals.

### Social Workers

The findings from this study submit that social workers respond to mandatory reporting laws as expected. Specifically, social workers do not react to the law, but instead, report about the same number of cases each year. Conceding that mandatory reporting laws do not alter the reporting behavior of social workers, leads to an important discussion as to what will transform their behavior. The social work literature has long called for a change to mandatory reporting laws and offers two directions for child abuse reporting policies (Kalichman, 1999; Kalichman, 1990). The first proposition calls for a complete overhaul of the child abuse reporting system (Besharov, 1986). The second proposal suggests that rather than a sweeping child abuse reform, social workers be provided with the resources necessary to accommodate their current cases of suspected abuse (Kalichman, 1999; Krugman, 1997; Schene, 1998; U.S. Department of Health and Human Service, 1990). Whether lawmakers choose one proposition over the other does not matter unless the policy is tailored to meet the incentive systems of social workers.

A good example of these policy changes is supplied by Finkelhor and Zellman (1991) who recommend that mandatory reporters be offered “registered levels of discretionary reporting” (Kalichman, 1999, p. 197). This type of requirement encourages

that greater resources be directed toward training and investigation (O'Toole, Webster, O'Toole, & Lucal, 1999). The same authors also suggest that this method would maximize social workers' limited resources while providing for greater autonomy. While increased discretion may lead to additional uncertainty for state legislatures, this doesn't have to be the case. There are plausible ways to keep the discretion in check. For example, scholars recommend that with the allowance of greater discretion, intermediary agencies be established as consultants to help the reporters determine if a formal report is necessary (Delaronde, King, Bendel, & Reece, 2000). Having this type of process in place provides social workers the autonomy they desire, but also affords them with the knowledge and support necessary to deliver optimal care to their client. Additionally, having a consulting agency would encourage greater dialogue that could be used to substantiate suspected abuse. While none of these policy alternatives are perfect, they do align more with the incentive systems of social workers, fostering a change in behavior.

### **Implications and Future Research**

The findings from this study suggest that policies, such as mandatory reporting laws, fail to alter behavior when enacted broadly across multiple agencies. Public administration literature is filled with similar examples of policy failure due to the lack of bureaucratic action (Keiser & Meier, 1996; Mazmanian & Sabatier, 1983; Wood & Waterman, 1994). The failure of mandatory reporting policies substantiates the need for improved policy design. Observing the results of this study, legislatures should be more cautious when designing and enacting broad-based policies. Instead, to obtain improved behavior, legislatures must tailor their policies to align with the rewards and punishments of the incentive systems of each professional group. As a synopsis of effective policy

design, Lael Keiser and Kenneth Meier (1996) state it best as a policy with, “clear, coherent goals within an unambiguous context...[that] exploits preexisting bureaucratic loyalties” (p. 338). While the current mandatory reporting policies have been designed to better clarify the role of street-level bureaucrats (Mazmanian & Sabatier; 1983), they fail to utilize those loyalties or incentives. As expressed by Michael Lipsky (2010), bureaucratic values must be considered when designing a policy. As demonstrated in this study, the current mandatory reporting policies disregard bureaucratic values and consequently do not incentivize an increase in child abuse reporting.

Accounting for this policy failure, additional research is required to better understand the bureaucratic values and incentives that could be manipulated to encourage improved reporting of suspected child abuse. However, as demonstrated by Keiser and Meier (1996) limiting the variables of policy design is extremely difficult and presents challenges when providing guidance to legislative practitioners. While the findings from this study suggest that the incentives are important and influence bureaucratic discretion, providing lawmakers with a list of incentives for each bureaucratic agency could result in pushback. Noting this challenge further exhibits the need to better understand and develop the theoretical work surrounding incentives and bureaucrats. Additionally, this research does not account for the part bureaucratic managers play toward encouraging reporting behavior. It was briefly mentioned the principals serve as gatekeepers to reporting and that law enforcement officials are persuaded by higher-ranking officials, but more could be done to evaluate the role of managers in motivating reporting behavior.

Despite these limitations, this study does offer a thorough examination of mandatory reporting law's influence on garnering more reports of suspected abuse. After analyzing the reporting trends of the major child abuse reporting professions, the results suggest that mandatory reporting laws do little to alter behavior and acknowledges that the failure may be attributed to the misalignment of incentives with the policy objective. Recognizing the ineffective nature of mandatory reporting laws, additional research must examine the design of these policies and provide lawmakers with a practical solution toward combatting child abuse. Finally, this research contributes to policy scholarship in demonstrating the value of incentive systems toward predicting and understanding bureaucratic behavior. While categorizing a professional group's incentives is challenging and limited, it does provide for a greater appreciation of bureaucratic values that contribute to the potential success or failure of a particular policy. Noting that other factors may also be in play, the author extends the call for further research of bureaucratic incentives and management toward influencing policy success.

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CHAPTER FOUR: ESSAY 3: THE ROLE OF THE POLICY ENTREPRENEUR  
WITHIN THE INNOVATION AND DIFFUSION OF ERIN'S LAW

**Abstract**

What factors influence the likelihood that a state will adopt a policy? Previous scholarship has examined economic, societal, and political factors, but has paid little attention to the value of the policy entrepreneur. Exploring the policy literature, I argue that the role of a policy entrepreneur is vital to policy innovation and eventual diffusion. Going beyond multiple streams and garbage-cans, I inspect the role of the individual in the innovation diffusion process while accounting for other known factors. Performing Event History Analysis, and due to the availability of data, I investigate the factors which lead 29 states from 2011 to 2017 to adopt Erin's Law, a child abuse education policy. The findings suggest that the states in which Erin Merryn, the policy entrepreneur, visited had a greater likelihood of adopting Erin's Law over states which were not visited. Furthermore, previous factors attributed to successful innovation and diffusion are found to have varying effects on the adoption of the law. This discovery not only demonstrates the value of the policy entrepreneur but encourages further investigation of the policy entrepreneur and her networks. Recognizing the role of a policy entrepreneur has valuable implications for the innovation and diffusion literature going forward.

*Keywords: policy innovation, diffusion, policy entrepreneur, child sex abuse*

## Introduction

Between 2011 and 2018, 34 states adopted a Child Sex Abuse (CSA) policy known as “Erin’s Law”. Each of these states enacted the law with the explicit goal of training teachers and students how best to recognize, report, and cope with CSA. While protecting children from abuse would appear to be a prerogative, 15 states have yet to pass Erin’s Law or an equivalent. Recognizing that over a quarter of the United States (U.S.) have chosen not to enact the law provides an opportunity to compare and contrast factors that led to the policy being adopted. Among these factors is the role of the policy entrepreneur, Erin Merry, who serves as the face of Erin’s Law. Employing Erin’s Law as a case of innovation and diffusion, I examine the function of the policy entrepreneur as a fundamental aspect of the policy process.

Past public administration scholarship concentrated on the phenomenon of policy innovation and diffusion across multiple areas and time. However, these preliminary examinations were limited, restricting the innovation diffusion process to garbage can models or multiple streams (Cohen, March, & Olsen, 1972; Kingdon, 1984). Realizing the gap in the literature, Frances and William Berry (1990) introduced a diffusion process that accounted for other internal factors (economic, societal, and political) that when combined drive policy diffusion. These additional factors expanded the research beyond the narrow categorization that had previously defined the field.

Following the introduction of these factors, scholars instigated an advanced analysis of the many elements that influence the diffusion process (see Berry & Berry’s Appendix 9.2 found in Sabatier and Weible’s *Theories of the Policy Process*, Third Edition, 2014, p. 342-343). While the quest for the most important set of factors

continues, limited scholarship goes beyond the economic, societal, and political factors to examine the role of the individual in the diffusion process, or as coined by Kingdon, the role of the policy entrepreneur (Jones et al., 2016; Kingdon, 1984, Mintrom, 1997). Responding to Michael Mintrom's (1997, 2013) call for further inquiry, I look to examine the following question: *How important is the policy entrepreneur in the innovation and diffusion process?* I employ the remainder of this essay to examine the role of the policy entrepreneur in the diffusion process, while accounting for other known diffusion factors.

### **Policy Entrepreneurs**

Within the context of this paper, policy entrepreneurs are defined as “political actors who seek policy changes that shift the status quo in given areas of public policy” (Mintrom, 2013, p. 442). Furthermore, the policy entrepreneur is viewed as a broker or activist with a vested interest in the passage of a particular policy (Oborn, Barrett, & Exworthy, 2011; Mintrom & Norman, 2009; Roberts & King, 1991). While these definitions differ slightly, there is a common thread, in that policy entrepreneurs are individuals working to alter the “status quo” of a policy while influencing the innovation and diffusion of the policy (Mintrom, 2013). In effect, policy entrepreneurs are actors pushing legislative change to improve the policy process or correct current policy failures (Mintrom, 2000).

With the introduction of Kingdon's Multiple Streams Approach (MSA), policy entrepreneurs were identified as influential to the innovation and diffusion process (Kingdon, 1984). However, the value of the policy entrepreneur within this process continues to be debated. In a recent examination of MSA, Jones, et al., (2016) find the

study of the policy entrepreneur to be the most neglected component of the MSA literature. Moreover, several scholars deem the exploration of the policy entrepreneur as insufficient and encourage further examination, including a movement away from single entrepreneurs to an assessment of entrepreneurship (Ackrill & Kay, 2011). While not ignoring these appeals, this study demonstrates that even the actions of a single entrepreneur influences policy innovation and diffusion across state lines.

The role of the policy entrepreneur is vast and includes various activities critical to policy innovation and diffusion, such as defining the policy problem (Kingdon 1984; Majone, 1988), networking and collaborating with other political actors (Braun, 2009; Brouwer & Biermann, 2011; Mintrom, 1997; Mintrom & Vergari, 1996; Smith, 1993), serving as the face of the policy (Mintrom, 1997, 2000), or manipulating the nature and setting of the policy (Kelman, 1987; Mintrom, 1997; Riker, 1986; Zahariadis, 2008). Specific examples of the policy entrepreneur's action include the derailment of scheduled debates and discussions (Zahariadis, 2003; 2008), the manipulation of policy narratives to ensure increased palpability to political actors, and the identification of a policy villain (Meijerink & Huitema, 2010; Shanahan, Jones, McBeth, 2011). Furthermore, academic scholarship demonstrates that when a policy entrepreneur is involved, policy information is more tightly controlled by the entrepreneur (Mintrom, 2000). Policy entrepreneurs also affect the organizational arrangements which in turn influence the adoption of a policy (Mintrom, 2000). Finally, Wilson (1989) notes that policy entrepreneurs successfully affect change because they help others see the costs or benefits available with the enactment of a policy (Hopkins, 2016; Mintrom 2000).

While entrepreneurs are credited with these actions, it is not clear the value that each activity provides toward driving the innovation and diffusion of a policy. However, by examining a single policy entrepreneur, the culminating value of the policy entrepreneur and their actions becomes more clear, especially when compared to other legislative factors. Often the work of the policy entrepreneur is lost in legislative battles and is masked by the efforts of the legislature (Mintrom, 1997, 2000). Accounting for legislative elements delineates the worth of the policy entrepreneur's actions within the policy process. Understanding the value of the policy entrepreneur and her activities also provides greater insight into the legislative process and the entrepreneur's influence over lawmakers' actions.

In addition to the actions taken by the policy entrepreneur, it is equally important to examine the qualities of the policy entrepreneur. Investigating the characteristics, I separate what the entrepreneur does from who they are as an individual. Previous literature has explored the characteristics of the policy entrepreneur and identified qualities such as a high social acuity, (Christopoulos, 2006; Mintrom, 2000; Mintrom & Norman, 2009; Zhu, 2012), determinedness (Beeson & Stone, 2013), persuasiveness (Mackenzie, 2004), and creativeness (Mintrom, 2000; Schneider, Teske & Mintrom, 2011). While the list of features is impressive, scholars propose that it is not the characteristics by themselves which equate to policy change. Instead, policy change is dependent upon the policy entrepreneur's ability to employ their talents within a political context to overcome resistance and to persuade key decision makers (Mackenzie, 2004). Understanding these characteristics within the context of a specific policy uncovers the

policy entrepreneur's capacity toward encouraging innovation and diffusion through networks.

While preceding research effectively covers the actions and characteristics of the policy entrepreneur, these studies come with certain limitations. First, as indicated by Michael Mintrom and Phillipa Norman (2009), aforementioned studies fail to connect the policy entrepreneur with a specific policy context. Second, it is not clear if all of the listed entrepreneurial characteristics or actions are required (Zhu, 2012). In light of the other contextual factors, some entrepreneurial attributes may not be necessary. For example, when a policy entrepreneur is seeking a policy change from a non-professional legislature, the need to network with major political actors, lobbyists, or legislators may be limited. Whereas, an entrepreneur working within a professional legislature may be required to have more attentive networking abilities. Acknowledging the development of the policy entrepreneur literature and the limitations associated with current research, this study provides an expanded perspective of the academic scholarship regarding the policy entrepreneur.

#### Erin Merryn and Erin's Law

Erin Merryn, a social worker from the State of Illinois, acknowledged that her state had not done enough to protect child sex abuse (CSA) victims (Merryn, n.d.a). Merryn faced this failure not only as a social worker, but as a CSA survivor.<sup>11</sup> Following 2008, Merryn began to write legislators, encouraging them to do more to protect children from CSA. Merryn, captured the attention of Illinois State Senator, Tim Bivins, who agreed to sponsor her law, requiring children be taught in school the signs and dangers of

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<sup>11</sup> For more biographical information about Erin Merryn, please see her personal webpage at <http://www.erinmerryn.net/> or the Erin's Law webpage at <http://www.erinslaw.org/about-erin/>

CSA. In response, the Illinois State Senate, in 2010, worked with Merryn to draft and introduce Erin's Law (Anderson, 2014; Erin's Law Task Force, 2012; National Conference of State Legislatures [NCSL], 2015). Illinois in 2014 then enacted Erin's Law with two main objectives: first, the state was to launch a task force to research and create an evidenced based sexual abuse prevention program. Second, the law required public schools to adopt a child abuse curriculum to educate teachers, students, and parents concerning abuse (Anderson, 2014; NCSL 2015). While Erin's Law is explored throughout the course of this essay, the implications of the law are not reviewed. Instead, Erin's Law serves as a case study to examine the innovation and diffusion of a single policy promoted by a single policy entrepreneur.

Merryn solidified her role as a policy entrepreneur based on her vast knowledge of the harmful effects of CSA and her willingness to share this information with others, including political actors in both oral and written communication. Following the introduction of the law in Illinois, Erin Merryn traveled to 33 different states on speaking engagements to discuss her work and to encourage the adoption of Erin's Law. Examples of this include, speaking arrangements with the governor and state legislators from the State of Arkansas, serving as a guest speaker for state legislators in Mississippi, and testifying of the benefits of Erin's Law in front of state legislators at the Indiana State Capital (Merryn, n.d.*b*). In addition to her engagements with state legislators, Merryn partnered with state organizations impacted by the outcomes of Erin's Law such as various school districts, criminal and law enforcement agencies, and child advocacy centers including state child protection agencies. Moreover, Merryn advanced these speaking engagements into opportunities to increase her network and progress the work

of Erin's Law. Beyond speaking engagements and partnerships, Merryn pushed her policy through various written modes of communication including publishing books, articles, and online formats. While these formats encouraged Erin's Law, her efforts associated with networking and collaboration ensured that Erin's Law diffused across the U.S.

The effort to improve child abuse reporting and education has been increasingly aimed at individuals within educational institutions, such as teachers, athletic coaches, counselors, and school law enforcement officers. Furthermore, both Vermont and Texas have enacted similar laws, but this has not prevented Texas from adopting Erin's Law as well. No other states have made efforts to enact a comparable law to improve reporting and learning for education professionals. Although targeted with mandatory reporting laws, educators still face tremendous obstacles and challenges in regards to reporting suspected abuse (Abrahams, Casey, & Daro, 1992; Kenny, 2001). The reporting challenges faced by mandatory reporters such as education professionals, is not a secret to state legislators; however, not every state has taken the same steps to ensure that children and teachers are educated concerning the signs of CSA. Based on this lack of action to combat CSA, an important question arises as to what factors or actions encourage or motivate the innovation and diffusion of Erin's Law for states in the U.S.

### **Policy Entrepreneur's Function within Innovation and Diffusion**

A rich literature links policy networks, innovation diffusion, and policy entrepreneurs (Berry, 1994; Braun, 2009; Mintrom, 1997; Mintrom, 2000; Mintrom & Vergari, 1998; Shipan & Volden, 2008). While the policy network studies generally focus on political actors, such as legislators and interest groups (Kapucu, Hu, & Khosa,

2017), the research has expanded to include that of policy entrepreneurs (Arnold, Nguyen Long, & Gottlieb, 2017; Braun, 2009; Mintrom, 1997; Mintrom & Vergari, 1998). As previously examined, much of policy innovation is associated with external networks where ideas are shared among policy entrepreneurs' eager to attach solutions to issues within their state or governmental entity (Arnold et al., 2017; Mintrom, 2000). However, the work of the policy entrepreneur is not completed by simply capturing an idea and sharing it with others. Rather, the value of a policy entrepreneur is determined by their ability to attach an idea to an issue and then drive the policy through legislation. For this step to occur, it is necessary that the policy entrepreneur employ their internal networks (Mintrom, 2000).

Mintrom (2000) defines internal networks, as networks which, "comprise individuals with established connections to the local policymaking community and who, perhaps, have some connection to the broader external policy network relevant to the issue domain they focus upon" (p. 214). Internal networks provide the policy entrepreneur with a wealth of information including the viability of the policy, a strategy for policy enactment, how to promote the policy, and how to best obtain support for the policy (Burt, 2000; Mintrom, 2000; True and Mintrom, 2001; Mintrom & Norman, 2009). Without this support, a policy entrepreneur would likely fail in their innovation and diffusion efforts and demonstrates the vitality of the internal networks. While these networks are crucial to policy success, they are not haphazardly created, but are built on trust, interpersonal contacts, credibility, and the reputation of the policy entrepreneur (Berardo & Scholz, 2010; Mintrom, 2000; Mintrom & Norman, 2009; Mintrom & Vergari, 1998).

Studies demonstrate that internal networks are established for building credibility, solving low risk issues, and coordinating efforts (Berardo & Scholz, 2010). However, for the policy entrepreneur to build internal networks and to demonstrate these attributes, it requires that the policy entrepreneur spend time with political actors within each state where the policy is to be adopted. Spending time in the local area, a policy entrepreneur is better able to understand, “the ideas, motives, and concerns” of others in the region (Mintrom & Norman, 2009, p. 652). Strengthening this perception of compassion for the individuals within a political area, the policy entrepreneur is more adapt to pushing their policy through adoption. Examples of this are found in the dissemination of controversial policies, such as stem cell research, where policy entrepreneurs spent time collaborating with the public, promoting the benefits associated with the policy (Mintrom, 2013). In the case of Erin’s Law, successful adoption is based on Merryn’s ability to build policy relationships and networks within each of the state she visits.

Visiting the state, Merryn has the opportunity to collaborate with the key players who help ensure the enactment of her policy and thus influence the diffusion of Erin’s Law. Even if the visits are not made directly with legislators, Merryn can use these opportunities to identify the general support for such legislation, increase her credibility and trust with the people of the state, and share her narrative of this policy, thus increasing overall support for Erin’s Law. Therefore, I hypothesize the following:

*Hypothesis 1: The likelihood that a state adopts Erin’s Law increases with each visit Merryn makes to that state.*

Acknowledging the connection between the network, diffusion and innovation studies and the limitations of the current policy entrepreneur literature, this essay

attempts to strengthen the relationship between these areas of research. By demonstrating a relationship between visits (networking) and the innovation diffusion process, this study fills in a gap in the literature. Essentially, the role of the policy entrepreneur is one of managing networks and builds on the growing field of policy networks, established by previous scholars (Braun, 2009; Meier & O'Toole, 2003; Mintrom & Vergari, 1998; O'Toole & Meier, 2004). However, in addition to studying the policy entrepreneur's roles in the diffusion process, it is necessary to examine other factors that encourage the innovation and diffusion of a single policy. Employing the current innovation and diffusion literature, these others elements are examined against the policy entrepreneur. Conducting this study provides a more complete understanding of the innovation diffusion process and strengthens current theoretical models while investigating the role of the policy entrepreneur and the value of networks.

While the policy networks and innovation diffusion research is abundant, it has been mistakenly criticized in previous literature because of its overt focus on diffusion between state-to-state processes (Mintrom, 2000). These scholars choose alternative models to study networks and diffusion within states while ignoring policy diffusion that crosses state lines. For example, Mintrom (2000) examines the adoption of school choice policies within individual states, rather than looking at how a policy entrepreneur encourages the innovation and diffusion of a policy within a state and across state lines. Furthermore, Mintrom gathered policy entrepreneur data by surveying legislators who then identified the entrepreneur for a specific policy in that state. In regards to Erin's Law, identifying the policy entrepreneur is not as limited and allows for an advanced evaluation of the policy and diffusion activities within a single state and across multiple

states. This type of investigation is then a more thorough exploration of the policy entrepreneur participating in the innovation diffusion process.

### **Factors of Innovation and Diffusion**

Berry and Berry (2014) explain the diffusion process as the “probability of adoption of a policy by one governmental jurisdiction [being] influenced by the policy choices of other governments in the system” (p. 310). As argued above, the policy entrepreneur is an important but understudied factor influencing the probability of adoption in one state, which in turn empowers other governments to action. While the policy entrepreneur plays a vital role, there are additional factors which influence the innovation and diffusion process. Defining these additional factors and accounting for the policy entrepreneur, an unobstructed model is revealed that better explains policy innovation and diffusion across the U.S.

State laws do not simply appear at the sudden desire of state legislators, but are driven by some type of event, indication, or crisis. Specifically, Kingdon (1984) states, “Policy makers consider a change in an indicator to be a change in the state of a system; this they define as a problem” (p. 92). In the case of Erin’s Law, it is essential to understand what indicators compel state legislators to recognize a problem, while then motivating the legislators to attempt to solve the issue. Scholars faulted Kingdon for relying on one singular event or problem as a motivation for innovation and diffusion (Zahariadis, 2007). I posit that a collection of events or issues better equates to the recognition of a problem that then leads to legislative action. Frank Baumgartner and Bryan Jones (2010) demonstrate that greater attention to a problem typically leads to a more negative assessment of a current policy, thereby, creating pressure on the dominant

policy community (legislatures) to open up their policy making. I suggest that the prevalence of child abuse and neglect in a state provides the drive necessary for a legislature to act. The prevalence of child abuse and neglect is reported for each state by the National Child Abuse and Neglect Data System (NCANDS)<sup>12</sup>. This data provides an interesting narrative about the battle each state faces in combating child abuse.

Specifically, when state legislators recognize the prevalence of abuse in their state, it serves as a conglomerate of “indicators” and potentially leads to action (Kingdon, 1984).

With this being the case, I posit the following hypothesis.

*H2: As the cases of reported child abuse increase, so does the likelihood that a state will adopt Erin’s Law.*

Another influential factor encouraging diffusion is the actions of neighboring states. The fact that Erin’s Law survived the review and approval of 34 state legislatures, speaks volumes concerning the law’s perceived importance and the willingness of states to enact the law. As hypothesized by Charles Shipan and Craig Volden (2006) “the adoption of laws in neighboring states increases the likelihood that a state will adopt a similar policy” (p. 828). Realizing that a bordering state successfully adopted a law eases the burden on state lawmakers looking to also adopt a policy (Balla, 2001). Essentially, a state more easily identifies the value of a policy when multiple governments have already taken steps toward adopting the policy (Shipan & Volden, 2008). In the case of Erin’s

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<sup>12</sup> The analyses presented in this publication were based on data from the National Child Abuse and Neglect Data System (NCANDS) State File. These data were provided by the National Data Archive on Child Abuse and Neglect at Cornell University, and have been used with permission. The data were originally collected under the auspices of the Children’s Bureau. Funding was provided by the Children’s Bureau, Administration on Children, Youth and Families Administration for Children and Families, U.S. Department of Health and Human Services. The collector of the original data, the funding agency, NDACAN, Cornell University, and the agents or employees of these institutions bear no responsibility for the analyses or interpretations presented here. The information and opinions expressed reflect solely the opinions of the authors.

Law, the policy had already been written, implemented, and evaluated, all that was required for most states was to follow the lead. As witnessed by Shipan & Volden (2008), states experience these trends of imitation, where they seek to emulate the states surrounding them, mimicking their actions in order to be as attractive as the neighboring state (Simmons, Dobbin, & Garrett 2006). The near presence of early adopters then influences state legislatures to mimic the surrounding states with at least the introduction of Erin's Law. Considering the influence of bordering states in the adoption process, I hypothesize the following.

*H3: If one state is bordered by another state that has already adopted Erin's Law, then the likelihood that the state legislature would adopt the law increases.*

As observed by Shipan and Volden (2006; 2008) the level of legislative professionalism influences the innovation and diffusion of a policy. In their book, *State Legislatures Today*, Peverill Squire and Gary Moncrief (2015) define legislative professionalism as "a concept that assesses the capacity of both legislators and legislatures to generate and digest information in the policymaking process" (p. 62). In other words, legislators that pursue their legislative work on a full-time basis are considered more professional when compared to legislators who serve for a few short months each year and then return to other professional undertakings. Additionally, states with professional legislatures can typically commit more time and resources to write and understand policies and the consequences associated with them (Shipan & Volden, 2008; Squire & Moncrief, 2015, p. 64). Moreover, professional legislators with additional resources should be able to spend more time with Merryn improving the interaction and

networking that occurs between the two. With this being the case, I posit the following hypothesis.

*H4: A state with a more professional legislature will have a greater likelihood to enact Erin's Law.*

The literature indicates that policy diffusion is shaped by bottom-up and top-down influences (Shipan & Volden, 2006; Squire & Moncrief, 2015). In the case of Erin's Law, the federal government, in 2015, passed a measure to provide funding in support of state's which have enacted the law. This form of coercion continues to be a popular mode of motivation and is heavily examined within the comparative politics and policy diffusion literature (Allen, Pettus, & Haider-Markel, 2004; Berry & Berry, 2014; Shipan & Volden, 2006, 2008; Simmons et al., 2006). Essentially, this line of research demonstrates that state and local governments are hesitant to pass up opportunities for additional funding available from the national government. Previous examples of this include the disbursement of federal highway funds, that were conditional on the enactment of seat belt laws, or funds that were made available to states following the enactment of mandatory child abuse reporting laws (Bae, Anderson, Silver, & Macinko, 2014; Felzen Johnson, 2002). While state and local governments may alter the policy to fit better within their needs, these governments confirm that appropriate actions are taken to secure the additional funding. With the enactment of federal provisions, states are enticed to adopt Erin's Law to avoid missing the opportunity for federal funds. Acknowledging this coercive force, I suggest that the enticement for added funding is too much for states, and I hypothesize the following:

*H5: Following the federal government's 2015 legislation, states will react positively to legislation and increase in likelihood of adopting Erin's Law.*

The enactment of legislation is political and of course is then influenced by political forces. In examining the adoption of a state lottery, Berry and Berry (1990) found that a unified government served as a political resource and enhanced the likelihood that a state adopts a particular legislation. For the purpose of this paper, a unified government is one in which the governor and both legislative houses are controlled by the same political party (Berry & Berry, 1990). More recent literature has also supported these findings, suggesting the having the same party in both houses of the legislature and in the governorship allows for easier consensus among the groups and prevents any barriers to adoption (Coleman, 1999). Due to the importance of accounting for a political variable and the role that a unified government has played in previous studies, I hypothesize the following:

*H6: States with a unified government will have an increased likelihood of adopting Erin's Law.*

**Table 4.1: Descriptive Statistics of Key Variables**

Variable	Observations	Mean	Standard Deviation	Min	Max
<i>Key Independent Variables</i>					
Number of visits by Erin Merryn <sup>a</sup>	267	0.341	0.655	0.000	4.000
Total Reports of Suspected Abuse per 10,000 per State population <sup>b</sup>	242	65.166	22.553	4.107	125.448
Total Reports of Suspected Abuse by Education Personnel per 10,000 per State population <sup>b</sup>	242	11.133	4.481	0.000	25.248

Percent of Neighboring States	267	0.209	0.251	0.000	1.000
Availability of Federal Funding	267	0.307	0.462	0.000	1.000
Legislative Professional Score <sup>c</sup>	267	0.225	0.101	0.048	0.629
Unified Government <sup>d</sup>	267	0.689	0.464	0.000	1.000
<b><i>State Variable</i></b>					
Number of Cases Investigated <i>per 10,000 per State population</i> <sup>b</sup>	219	95.772	41.050	0.005	246.808
Number of Child Abuse Reports for White Children <sup>b</sup>	209	10.354	6.062	1.074	34.541
Number of Child Abuse Reports for non-White Children <sup>b</sup>	208	10.517	6.476	0.447	31.266
Number of Violent Crimes per Population <sup>e</sup>	267	31.270	15.440	0.000	73.064
Number of Teens Births per Population <sup>f</sup>	217	8.865	3.091	3.150	18.012
Number of Teen Drop Outs per Population <sup>g</sup>	243	23.884	7.727	7.561	51.186
Median Income <sup>h</sup>	243	56185.760	8955.829	33321.000	77216.000
Number of unemployed per Population <sup>i</sup>	267	6.140	2.064	2.00 0	13.000
Number of People Living in Poverty per Population <sup>i</sup>	243	14.219	3.040	8.00 0	22.700
<b><i>Sources</i></b>					
a. Compiled using <a href="http://www.erinmerryn.net/erins-law.html">http://www.erinmerryn.net/erins-law.html</a> and <a href="http://www.erinmerryn.net/speaking.html">http://www.erinmerryn.net/speaking.html</a>					
b. Compiled using the National Child Abuse and Neglect Data System State Level Data (NCANDS) Summary Data Component, 1990-2008					
c. Squire, P., & Moncrief, G. (2015). <i>State legislatures today: Politics under the domes</i> . Rowman & Littlefield.					
d. National Conference of State Legislatures (NCSL). (2018, October 9). <i>State Partisan Composition</i> . Retrieved October 13, 2018, from <a href="http://www.ncsl.org/research/about-state-legislatures/partisan-composition.aspx">http://www.ncsl.org/research/about-state-legislatures/partisan-composition.aspx</a>					
e. United States Department of Justice, Federal Bureau of Investigation. (September 2012). <i>Crime in the United States, 2011</i> . Retrieved October 2016, from <a href="https://ucr.fbi.gov/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/violent-crime/violent-crime">https://ucr.fbi.gov/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/violent-crime/violent-crime</a>					

f. Compiled using the Kids Count Data Center. Retrieved October, 2016, from <https://datacenter.kidscount.org/data/tables/6053-total-teen-births?loc=1&loct=2#detailed/2/2-52/false/573,869,36,868,867/any/12721,12722>

g. Population Reference Bureau, analysis of data from the U.S. Census Bureau, American Community Survey.

These data were derived from American Fact Finder table B14005. Retrieved October, 2016, from <https://datacenter.kidscount.org/data/tables/73-teens-ages-16-to-19-not-in-school-and-not-high-school-graduates?loc=1&loct=2#detailed/2/2-53/false/871,870,573,869,36,868,867,133,38,35/any/380,381>.

h. Compiled using U.S. Bureau of the Census, Median Household Income for each state. Retrieved November 2016, from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series>.

i. Compiled using U.S. Bureau of Labor Statistics, Unemployment Rate for each state. Retrieved October 2016, from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series>.

j. Compiled using the U.S. Bureau of the Census, Estimated Percent of People of All Ages in Poverty for each state. Retrieved October, 2016, from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series>.

### Key Variables

To evaluate Hypothesis 1, I examined Merryn’s website and collected information regarding her speaking engagements from 2010 through 2017<sup>13</sup>. Specifically, I identified the states she spoke in each year and how often she spoke in each state (See Table 4.2). I suggest that states Erin Merryn has personally visited, to encourage adoption, will have a greater likelihood of enacting the law. This continuous variable provides an important opportunity to study the role of a single entrepreneur. As evidenced by the descriptive statistics in Table 4.1, Merryn did not visit each state and the average visit per year is low, but demonstrates the importance of her visits to each state. Analyzing this variable provides an attuned understanding of the role and power of a policy entrepreneur. Furthermore, it expands the research and provides a model for studying the influence of the policy entrepreneur beyond the current examinations. Moreover, this study analyzes a pre-determined policy entrepreneur rather than being limited to a subjectively chosen entrepreneur.

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<sup>13</sup> The State of Illinois is excluded from the models, because it is Merryn’s home state and has a substantial number of visits significantly exceeding most states.

**Table 4.2: Number of visits for each state per year**

State	Year	Visits per year	State	Year	Visits per year	State	Year	Visits per year
Alabama	2011	1	Kentucky	2014	1	Ohio	2016	1
Alabama	2015	2	Kentucky	2017	1	Ohio	2017	1
Alaska	2015	1	Maryland	2015	1	Oklahoma	2014	1
Arizona	2015	1	Maryland	2016	1	Oklahoma	2015	1
Arkansas	2013	2	Michigan	2011	1	Pennsylvania	2011	1
California	2014	1	Michigan	2012	3	Pennsylvania	2012	1
Colorado	2012	1	Minnesota	2016	1	Rhode Island	2014	1
Colorado	2013	1	Mississippi	2012	2	South Carolina	2013	1
Colorado	2015	2	Mississippi	2013	2	South Dakota	2016	1
Connecticut	2014	1	Nevada	2013	2	Tennessee	2012	1
Florida	2015	1	New Hampshire	2011	1	Tennessee	2014	2
Florida	2016	2	New Jersey	2011	1	Texas	2011	3
Hawaii	2017	1	New Jersey	2012	1	Texas	2015	1
Illinois	2011	3	New Jersey	2015	1	Texas	2017	4
Illinois	2012	3	New Jersey	2016	1	Vermont	2014	1
Illinois	2013	3	New Jersey	2017	1	Virginia	2012	2
Illinois	2014	7	New York	2011	1	Virginia	2013	2
Indiana	2011	1	New York	2012	2	Virginia	2015	1
Indiana	2012	1	New York	2013	1	Washington	2011	1
Iowa	2011	1	North Carolina	2012	1	Washington	2016	1
Iowa	2014	1	North Carolina	2015	1	Washington	2017	1
Iowa	2015	1	North Carolina	2016	1	West Virginia	2013	1
Kansas	2013	3	North Carolina	2017	1	Wisconsin	2013	1
Kansas	2014	1	Ohio	2013	1	Wisconsin	2016	1
Kentucky	2012	1	Ohio	2015	2			

The child abuse data through 2016 for each state is available through the NCANDS database, and provides an easily accessible interval variable necessary for testing Hypothesis 2 (See Table 4.1). Recognizing that Erin's Law is targeted toward education institutions, this hypothesis is studied using two variables. First, I examine the

prevalence of child abuse within a state by utilizing the total number of reports of suspected abuse for each state. On average, states generate approximately 42,000 child abuse reports a year, but this can vary between 1,977 reports and 238,139 reports. I then refine the model by investigating the prevalence of reported child abuse by education personnel alone, where a state typically only receives about 7,000 reports a year. This variable demonstrates if legislators are more inclined to adopt the policy when the problem is associated with a professional group or if legislators focus more on general reporting trends.

Hypothesis 3 is examined by employing the continuous variable of bordering states. Following after Shipan and Volden (2006), the neighboring states are measured by using the fraction of bordering states which have enacted the law each year. For example, Alabama in 2015 is coded as .5, because 2 of the 4 states that border Alabama enacted the law previous to 2015. Currently, Merryn's website, [erinmerryn.net](http://erinmerryn.net), provides the month and year for each state's enactment of the law and provides the information necessary to calculate the bordering states ratio (See Table 4.3).

To test Hypothesis 4, legislative professionalism is operationalized using the Squire and Moncrief (2015) professional score. Utilizing this score, which ranges from 0 to 1 (1 being the most professional), provides a continuous variable that is analyzed on an interval scale. The authors calculate this professionalization score "based on members pay, number of days in session, and staff per member, all compared with those characteristics in Congress during the same year" (p. 231). This professional score, available in the authors book, provides the impetus necessary to understand the impact of legislative professionalism and a state's adoption of Erin's Law. While previous literature

has demonstrated that professionalism is impactful, for this study, it is more important to understand how Merryn's interaction with professional legislators is influenced. To study the impact between Merryn's visits and legislative professionalism, I will run a model which interacts these variables together.

The presence of federal funding or top-down support serves as a basic dichotomous variable, where all states are coded as a zero prior to the federal legislation and then as one following the legislation. Coding the data as described allows for the testing of Hypothesis 5. Erin Merryn's website, [erinmerryn.net](http://erinmerryn.net) and [erinslaw.org](http://erinslaw.org), discloses the month and year for each state's enactment of the law, and provides the information necessary to examine the impact of federal legislation on state enactment of the law. This method of examining the top-down effect is supported by prior research conducted by Shipan & Volden (2006) and offers additional validity to this study.

Employing the state data from the National Conference of State Legislature (2018), I am able to analyze the partisan composition for each state from 2011 through 2017. Those states which a unified government or government run by the same party in the governorship and both houses of legislation (or in the unicameral legislation) are coded as a 1 while those states with a divided government are coded as a 0. Employing this binary variable, I can examine whether states which serve in a divided government suffer from increased barriers to enacting Erin's Law or if states with a unified government have an easier time adopting the law. Including this set of data allows me to test Hypothesis 6 and better examine the political factors which influence innovation and diffusion.

## Event History Analysis and Findings

To explain the diffusion process, multiple models have been developed such as a National Interaction Model, a Regional Diffusion Model, or a Leader-Laggard Model. Nonetheless, these models fall short in some fashion; typically, because of their reliance on a single mechanism for diffusion. Rather than exploring diffusion and internal determinants separately, scholars expanded the models to include both multiple factors in a unified approach.<sup>14</sup> I employ Event History Analysis (EHA) to examine the innovation diffusion process while emphasizing the role Erin Merryn had on impacting the “likelihood” that a state adopts the policy. An EHA model overcomes weaknesses inherent in logit models and provides a sound methodology for examining the stated hypothesis. Conducting an EHA model, the dependent variable is taken by accounting for the year each state adopted Erin’s Law. For each state-year in the dataset, I include a simple dichotomous variable. The variable is then set to zero and is given a one for the year the law is enacted. Following the year of enactment, no more state-year data is observed for that state. Because of the complex nature of an EHA model, it is imperative that this model be conducted with caution, ensuring that the appropriate assumptions are made.

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<sup>14</sup> Berry’s (1994) examination of each of these models found empirical evidence that the approaches were failing to provide a complete explanation of the innovation and diffusion process. To fill in the gaps between the separate models, Berry and Berry (1990) introduced Event History Analysis (EHA), which acknowledges the internal determinants while accounting for the variables specified within interstate diffusion. The EHA process has expanded from Berry and Berry’s initial examination to include recommendations by Beck, Katz, & Tucker (1998) and Buckley & Westerland (2004) (Berry & Berry, 2014).

**Table 4.3: State Adoption Year through 2018**

<b>State</b>	<b>Erin's Law Year</b>	<b>State</b>	<b>Erin's Law Year</b>
Alabama	2015	Montana	2017
Alaska	2015	Nebraska	Not Adopted
Arizona	Not Adopted	Nevada	2013
Arkansas	2013	New Hampshire	2014
California	2014	New Jersey	Not Adopted
Colorado	2015	New Mexico	2014
Connecticut	2014	New York	Not Adopted
Delaware	2016	North Carolina	Not Adopted
Florida	Not Adopted	North Dakota	2017
Georgia	2018	Ohio	Not Adopted
Hawaii	Not Adopted	Oklahoma	2015
Idaho	Not Adopted	Oregon	2015
Illinois	2014	Pennsylvania	2014
Indiana	2012	Rhode Island	2014
Iowa	Not Adopted	South Carolina	2014
Kansas	Not Adopted	South Dakota	Not Adopted
Kentucky	Not Adopted	Tennessee	2014
Louisiana	2014	Texas	2017
Maine	2012	Utah	2014
Maryland	2016	Vermont	Not Adopted
Massachusetts	Not Adopted	Virginia	2018
Michigan	2013	Washington	2018
Minnesota	2017	West Virginia	2015
Mississippi	2013	Wisconsin	Not Adopted
Missouri	2011	Wyoming	2018

Applying an EHA model to examine the influence of a policy entrepreneur is not unique, but has been completed in multiple studies and adds to the relevancy of its use within this study (Mintrom, 1997, 2000; Mintrom & Norman, 2009; Mintrom & Vergari, 1998). However, the identification of the policy entrepreneur differs in this model. Aforementioned studies have utilized surveys to distinguish possible policy entrepreneurs and required that the researcher determine the leading entrepreneur. Identifying the policy entrepreneur in this manner is convoluted and introduces bias. However, for this study,

the policy entrepreneur has already been identified and removes the guess work behind defining the entrepreneur. Having clearly identified the policy entrepreneur strengthens the validity of the model and the associated results.

In conducting an EHA model, the first step is analyzing the year to year hazard rate for each year during the enactment of Erin's Law. The hazard rate is calculated by accounting for the dichotomous value of state enactment of Erin's Law (See Table 4.4). Analyzing the dependent variable between 2011 and 2017, the diffusion pattern of Erin's Law becomes more clear. For example, 49 states are included in the data set over the 2011 and 2017-time frame of the study; however, in 2011 only 1 state had enacted the law from the potential 267 total observations, resulting in a hazard rate in 2011 as .004. As demonstrated in Table 4.4 below, the likelihood for adoption then increases each year following the first enactment of Erin's Law in 2011. Having examined the pattern of growth, I then establish models that explain the variables which influence the likelihood of a state adopting Erin's Law.

**Table 4.4: Hazard Ratios**

<b>Year</b>	<b>Total Observations Remaining</b>	<b>Number of States Adopted</b>	<b>Number of States Yet to Adopt</b>	<b>Hazard Ratio</b>	<b>Standard Error</b>	<b>95% Confidence Interval Low</b>	<b>95% Confidence Interval High</b>
2011	267	1	48	0.004	0.004	0.001	0.026
2012	218	2	46	0.013	0.007	0.004	0.040
2013	170	4	42	0.036	0.014	0.017	0.075
2014	124	10	32	0.114	0.027	0.072	0.179
2015	82	6	26	0.179	0.036	0.120	0.261
2016	50	2	24	0.212	0.041	0.143	0.306
2017	24	4	20	0.343	0.069	0.227	0.496

To test my hypotheses, I establish two models. The first model employs the total number of reported cases of child abuse in a state, while the second model only examines

the reported cases of child abuse made by education personnel. It is important to separate these two models to determine which variable captures the legislators' attention as a problem. Both of the models are run using a Gompertz Distribution, which provides the best fit for the models and ensures more accurate results (Bayesian Information Criterion [BIC]  $\approx 101.503$  or  $102.559$ ). However, each model is applied in two separate ways, first the model is run while only accounting for the five key variables. Following this first examination, the model is run again using the same distribution method with additional descriptive variables (BIC  $\approx 101.075$  or  $101.757$ ). Isolating these additional variables is an effective mechanism for observing factors, specific to the state, which influence the adoption of the law.

Examining the first two complete models, the results are fairly similar (See Table 4.5 below), in that Hypotheses 1 is supported. The findings submit that state legislators are more likely to adopt Erin's Law when Merryn visits the state. As predicted, these results suggest that the policy entrepreneur plays an important role in the policy innovation and diffusion process ( $HR = 2.556, 2.15; p < .05, p < .10$ ). When policy entrepreneurs visit a state, they have the opportunity to build the necessary relationships required for policy innovation. Without these relationships, it is difficult for the policy to be adopted. This particular outcome supports the prior literature, demonstrating that policy entrepreneurs have success when provided with an opportunity to develop their social network (Mintrom, 2000, 2013; Mintrom & Vergari, 1998). These results advocate that policy networks are developed when individuals can meet and establish relationships. As noted by Mintrom (2000), when establishing networks, the entrepreneur has various

goals; however, one of the top priorities for the entrepreneur is building relationships of trust, which are more easily developed in a face-to-face setting.

**Table 4.5: Models of State Legislatures Likelihood of Erin's Law Adoption**

<i>Models</i>	<i>Model 1a: State Abuse Reports</i>	<i>Model 1b: State Abuse Reports w/State Variables</i>	<i>Model 2a: Education Personnel Reports</i>	<i>Model 2b: Education Personnel Reports w/State Variables</i>
<i>Independent Variables</i>	<i>Hazard Ratios</i>	<i>Hazard Ratios</i>	<i>Hazard Ratios</i>	<i>Hazard Ratio</i>
<b><i>Hypothesis Variables</i></b>				
Number of visits by Erin Merryn	2.556** (0.688)	2.152† (0.846)	2.680** (0.707)	2.204* (0.873)
Total Reports of Suspected Abuse per 10,000	1.013 (0.009)	1.027 (0.033)	-- --	-- --
Total Reports of Suspected Abuse by Education Personnel per 10,000	-- --	-- --	1.045 (0.051)	1.017 (0.099)
Percent of Neighboring States	0.178 (0.192)	0.047† (0.073)	0.221 (0.238)	0.050† (0.078)
Availability of Federal Funding	0.011** (0.009)	0.031** (0.030)	0.010** (0.008)	0.028** (0.027)
Legislative Professional Score	4.993 (10.808)	2.290 (8.587)	3.439 (7.374)	4.300 (15.704)
Unified Government	0.657 (0.290)	1.427 (0.929)	0.637 (0.279)	1.188 (0.730)
<b><i>State Variables</i></b>				
Number of Total Cases Investigated	--	0.986 (0.014)	--	0.995 (0.010)
Number of Child Abuse Reports for White Children	--	1.094† (0.056)	--	1.104† (0.056)
Number of Child Abuse Reports for non-White Children	--	0.898 (0.067)	--	0.933 (0.057)
Number of Violent Crimes per 10,000	--	1.012 (0.031)	--	1.000 (0.027)
Number of Teens Births per 10,000	--	1.201	--	1.248

		(0.261)		(0.262)
Number of Teen Drop Outs <i>per 10,000</i>	--	1.055	--	1.053
		(0.049)		(0.047)
Median Income	--	1.000	--	1.000
		(0.000)		(0.000)
Number of unemployed <i>per 10,000</i>	--	2.733**	--	2.529**
		(0.789)		(0.673)
Number of People Living in Poverty <i>per 10,000</i>	--	1.040	--	1.007
		(0.234)		(0.235)
Constant	0.0000**	0.0000**	0.0000**	0.0000**
	(0.0000)	(0.0000)	(0.0000)	(0.0000)
<b>Summary Statistics</b>				
Number of Cases	242	208	242	208
BIC	101.503	101.075	102.559	101.757
Chi2	57.78 (6df)	68.13 (15df)	56.72 (6df)	67.45 (15df)
Note: * $p < 0.05$ , ** $p < 0.01$ , † $p < 0.10$ ; Standard Errors in Parentheses				

Surprisingly, both models did not support Hypotheses 2 through 6, and in the case of Hypothesis 3 and 5, the findings were contrary to what had been predicted (see Table 4.5). The results indicate that when the percentage of neighboring states which adopted the law increases, a state's likelihood to adopt the law decreases ( $HR = .047, .050, p < .10$ ). While this finding is counter to the mainstream literature (Berry & Berry, 1990; Mintrom, 1998, 2000; Mooney & Lee, 1995; Shipan & Volden, 2006), this is not the first time that similar results have been discovered (Hays & Glick; 1997; Mooney, 2001). For example, Christopher Mooney (2001) suggests, "that the regional diffusion effect may not be consistently positive, contrary to the received wisdom" (p. 107). Furthermore, these findings signify that the relationships between states may not be complete and incites further discussion beyond what was hypothesized. Specifically, policy adoption may be influenced by more than location, but is dependent on factors such as the

diversity within a state, the political ideology, and other internal determinants. While speculative, the findings encourage further research examining neighboring states and the adoption of a policy.

Investigating the federal funding variable, the initial findings are unexpected. However, due to the study time frame, the results exploring the top-down policy should not be overly surprising (see Table 4.5). Federal legislators enacted Erin's Law in 2015. Prior to the enactment of the federal legislation, 18 of the 34 adopting states had already taken action, with 11 of these states enacting Erin's Law in 2014. Following the 2014 increase, the adoption trend significantly decreases to only 6 states the next year. While the intent of the federal legislation was to encourage a steady increase in adoption by states, this simply did not occur ( $HR = .031, .028, p < .01$ ; Model 1b & 2b). However, attributing the decrease solely to the enactment of the federal legislation would be unwise and requires further examination while accounting for additional data points. The ineffectiveness of this variable may be due to the fact that funding coupled with the law was not released until late 2017 (Merryn, 2017). With the funding now in place, the remaining states may be more inclined to enact the law. Moreover, prior research demonstrates that federal funding is not always accepted by states and is not always used within the intent of the law (Nicholson-Crotty, 2012). While the results suggest that the federal funding has a negative effect on the diffusion of the law, this finding should be viewed with caution accepting that there are extenuating circumstances surrounding the funding and Erin's Law.

Evaluating the first and second models, the results do not support Hypothesis 2. Moreover, these findings demonstrate that state legislators do not pay attention to the

evolution of child abuse reporting within the state ( $HR = 1.027, 1.017; p > .10$ ). Instead, lawmakers' actions are based on alternative motives or indicators outside of the general reporting patterns. These findings support the literature on the cognitive limitations of lawmakers (Jones, 2002; Simon, 1947, 1957, 1995). In that, lawmakers are limited in their attention of societal issues, such as the specific reporting habits of professional organizations. But, these results suggest that legislators are influenced by some other overarching experience or event which encourages the adoption of a law.

The results also do not support Hypothesis 4, in that, legislative professionalism does not influence the adoption of Erin's Law. This finding is also unexpected as it appears to be more commonly supported by the literature (Huber & Shipan, 2002; Shipan & Volden, 2006, 2008). While the results suggest that an increase in legislative professionalism leads to an increase in the likelihood of adoption, this finding is not statistically significant ( $HR = 4.993, p > .10$ ). Exploring the results, it is evident that both states with professional and non-professional legislatures chose to adopt this particular policy. To examine this variable further, I ran a third model which allowed Merryn's number of visits to a state to interact with the professionalization scores. Interacting these variables would not only demonstrate the value in Merryn's visits to a state, but if these visits were then influenced by the existence of a professional or non-professional legislature. Exploring the results from Model 3 (see Table C.1 in Appendix C), it is again apparent that legislative professionalism does not influence the likelihood that a state adopts Erin's Law ( $HR = 4.683, 44.010; p > .10$ ). Acknowledging that the adoption of Erin's Law occurs without a professional legislature suggests important information about the nature of the policy and the entrepreneur. Specifically, it demonstrates that

Merryn's entrepreneurial efforts encouraged non-professional legislatures to overcome limited resources to adopt the policy.

Finally, examining the influence of a unified government, these results do not support Hypothesis 6. While having a unified government may lead to an easier path for adoption, Merryn's Law was not impeded by states that did not have a unified government ( $HR = 1.427, 1.188; p > .10$ ). This finding may be more associated with the type of policy, in that actions to combat child abuse are not typically separated by party lines. Rather both parties tend to agree that child abuse needs to be prevented when possible and Merryn's Law appears to be a logical approach to the problem.

In addition to the hypothesized variables, supplementary variables impacting the state are included in the model (see Table 4.5). While these additional variables may appear as an over-specification of the model, a thorough examination demonstrates that this is not the case. Observing the correlation coefficients, only one set of the variables could be considered highly correlated, yet the coefficient  $r$  is still less than .9 and no other correlation coefficient  $r$  is above .7. This demonstrates that the variables are explaining the relationship between the dependent variable and not masking other relationships (see Table C.2 in Appendix C). Furthermore, as the supplementary variables are included, any errant variables would alter the relationship between the key variables, but this does not appear to be the case.

Of particular significance is the influence that the victims race has on the likelihood for adoption. For example, in Model 1b and 2b as the number of white victims increases the likelihood of adoption increases ( $HR = 1.094, 1.104, p < .10$ ). These findings are congruent with critical race theory, in that whites in the U.S. typically have

greater access to legislation providing for greater potential benefits that are not readily available to those of other races (Delgado & Stefancic, 2001; Harper, Patton, & Wooden, 2009). While Erin's Law does not discriminate and is available to children of all races, these results suggest that legislatures are inclined to enact the law when the problem with abuse appears to be associated with the abuse of white children.

The unemployment rate of a state is worth noting. In both models, as unemployment increases so does the likelihood of a legislature adopting Erin's Law ( $HR = 2.733, 2.529, p < .01$ ). The child abuse literature demonstrates a strong relationship between poverty, unemployment, and the number of child abuse cases in a community (Gillham, Tanner, Cheyne, Freeman, Rooney, & Lambie, 1998). For example, stressful situations surrounding poverty and unemployment typically lead to a greater likelihood of child abuse in the home (Bae, Solomon, Gelles, 2009). Likewise, research reveals that poverty and unemployment factors overcome other variables of abuse, such as race, in that abuse is more prevalent in the homes of impoverished white families than in black families (Drake, Lee, & Jonson-Reid, 2009). While unemployment in a state may be related to the actual prevalence of CSA, the consequences of CSA incentivizes legislators to accept a law that dampens the effect of abuse.

### **Discussion and Implications**

The findings are clear. When Merryn visits a state she improves her network and significantly increases the likelihood that a state adopts the law (see Table 4.5). Based on the results of these models, it is evident that the policy entrepreneur plays an important role in the innovation and diffusion of a policy. Without the efforts of Merryn, the diffusion of Erin's Law is significantly limited. Employing EHA, the function and

capabilities of a single policy entrepreneur are apparent in managing the adoption of a single policy. Understanding that Merryn's visits play a valuable role leads to an increased need for future research beyond what was uncovered with this examination. Specifically, this study needs to be replicated to identify if policy entrepreneurs advocating various policies experience similar success. If policy entrepreneurs are having similar success than it validates the importance of the policy entrepreneur in the innovation diffusion process. However, if research demonstrates contradictory results, then the agenda returns to better understanding Merryn's characteristics and actions. While it could be argued that Merryn was selective in her visits, only choosing to visit states which already had a greater likelihood for adopting the law, there are multiple examples which demonstrate this was not the case. For example, Merryn has visited Florida multiple times over multiple years and yet Florida has still not enacted the law. Both Ohio and New Jersey also fall within this category, where New Jersey has been visited at least once each year for five of the seven years in this study. Accounting for this possible endogeneity demonstrates that while Merryn may have targeted her visits toward states already inclined to adopt the law, this did not prevent her from visiting multiple states multiple times which have still not adopted the law.

Furthermore, scholars must investigate policy entrepreneurs' motivations "to explain their dedication to a particular policy idea, to review the context in which they operate..." (Zhu, 2012, p. 192; Mintrom & Norman, 2009) and discovering the deeper intricacies of the policy entrepreneur. Obviously, more can be done to understand the nuances surrounding the policy entrepreneur; however, this study demonstrates that in the case of Erin's Law, a policy entrepreneur plays a vital role in the innovation and diffusion

of policy. Moreover, this research reveals a new way to study the function of the policy entrepreneur and encourages further research on the topic.

In conjunction with the policy entrepreneur, political actors operate when a problem is brought to their attention, typically in the form of focusing or triggering events (Kingdon, 1984). However, scholars observe that defining the triggering event is challenging and, therefore, makes it difficult to predict when a problem will occur (Smith & Larimer, 2013). Because of this obstacle, a branch of public policy scholarship has evolved which investigates agenda setting (Baumgartner & Jones, 2010; Jones & Baumgartner, 2005). While Kingdon's work is a key foundation for these scholars, they diverge and demonstrate that focusing events are best defined by activities which capture political actors' selective attention (Jones & Baumgartner, 2005). With this study, I demonstrate the challenges with identifying the activities which capture political actors' attention. While it was assumed that the prevalence of abuse would serve as an effective predictor of action this was not the case and encourages further development and research on the topic.

As demonstrated above, it was discovered that the neighboring states variable works counter to the diffusion process. In that, as the number of neighboring states which adopt the policy increases, the likelihood that the state enacts the law decreases. While this finding is not particularly new, it does encourage a call for further research. Supporting this call for additional investigation, Christopher Mooney (2001) indicates that the findings from a study such as this is not that uncommon, but tend to occur approximately 50% of the time in EHA analysis. Noting that the role of a bordering state can be determined as successfully as the flip of a coin, suggests more must be done to

examine the relationship between states and the adoption of a policy. One consideration worth noting may be the type of policy being diffused across states. For example, a policy that provides an economic advantage or spillover (Shipan & Voldan, 2006) between states may be a better determining factor of whether the neighboring state chooses to adopt a policy. Specifically, if a state legislator is concerned that people, businesses, or resources may walk away from the state based on the policy innovation of a bordering state, then the legislator may be more likely to encourage the adoption of the law in their state. Overall, when the economic concerns of a state are influenced by a policy then there may be a relationship between the policy and diffusion across neighboring states. In the case of Erin's law, the adoption of the policy does not offer much of an economic threat to a bordering state and, therefore, does not encourage the diffusion of the law.

Delving into the economic context further, Shipan and Volden (2006) investigated the diffusion of anti-smoking policies and observed a positive relationship between neighboring states and the adoption of the law. However, the researchers suggested that the states were acting not because they were afraid of missing an economic benefit, but that the action of a neighboring government provided encouragement to forgo the perceived economic benefits associated with more lenient anti-smoking laws. In either example, the economic component associated with the policy appears to play a role in whether a policy diffuses across state or local governments. While the relationship between the type of policy, economic spillover, and neighboring states is purely exploratory, it does provide an avenue for future research.

Finally, the lack of a relationship between legislative professionalism and policy adoption is particularly interesting. Erin's Law is adopted by states classified as having a professional and non-professional legislature. This finding leads to two important questions investigating the type of policy entrepreneur and the way that the policy is shared with legislatures. The first question examines whether the type of policy entrepreneur advancing the policy influences less professional legislatures more than highly professional legislatures. As demonstrated by previous research, professionalized legislatures are more insulated from their constituents and their associated networks (Hickok & Sedgwick, 1992; Luttbeg 1992; Maestas, 2000; Opheim, 1994; Weber 1999). Therefore, a policy entrepreneur from outside the political world would find more networking success with a less professionalized legislature. This finding could potentially demonstrate that Merryn's visits to these less professionalized states are more beneficial because of easier access to the legislators or their networks.

The second question regards the type of policy being advanced. Just as a policy entrepreneur may have greater access to less professionalized legislators, the type of policy being pursued may also be more savory to a particular legislator. In the case of Erin's Law, a less-professional legislature may be more inclined to adopt this policy as a way to demonstrate their legitimacy as a legislature. Some policies then offer greater validity than other policies and encourage diffusion across less-professional legislatures. While the type of policies and the innovation and diffusion process has been analyzed, I posit that more can be done to categorize types of policies and the legitimacy provided with the adoption of a policy.

## Conclusion

Overall, this research demonstrates that the innovation and diffusion of Erin's Law is influenced by the actions of a single policy entrepreneur. While much more can be done to examine the role, motivations, and narrative of the policy entrepreneur (Zhu, 2012), this study demonstrates that a policy entrepreneur is effective when given the opportunity to visit and network with political actors across government. Furthermore, the findings from this study demonstrate that bordering states and federal legislation does not always encourage policy innovation and diffusion. While these particular findings are not new, they encourage further examination. Finally, as described above, the results from this study regarding legislative professionalism are counter to earlier findings (Huber & Shipan, 2002; Shipan & Volden, 2006, 2008), but introduces additional questions worth investigating. Recognizing the value of these implications, this study has provided an expansion of knowledge within the academic field and urges that more research be done to examine the policy entrepreneur.

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## CHAPTER FIVE: CONCLUSION

Each of the essays contained in this dissertation encompass a separate research question which covers the spectrum of child abuse reporting and prevention policies. As a whole, the essays provide a clearer picture of the policy process and the individuals that work within the process. Specifically, these essays exhibit the evolution of child abuse policies in the U.S., demonstrating that mandatory reporting laws were first enacted by state legislators with the expectation that street-level bureaucrats would report suspected abuse. When practitioners then began to question the effectiveness of these laws, a single policy entrepreneur advocated for an improved education based policy. This legislation has since diffused across 34 states and looks to alter child abuse prevention policies. Altogether, there are important implications and limitations in conducting these studies. Reviewing each individual study better demonstrates the intricacies of the limitations and implications associated with this dissertation. Following the reexamination of the essays, I conclude by expounding on the findings and explain their relevance in regards to the policy process and child abuse policies as a whole.

Moving onward, it is crucial to reemphasize the theoretical and practical implications uncovered with each research question. Examining these questions leads to greater insight in regards to the policy process and the motivations and incentives of the people who work within this process. Particularly, the first essay observes that state legislatures regularly face uncertainty and attempt to reduce this uncertainty by controlling bureaucratic behavior. The second essay reviews the bureaucrats' response to

legislative control and the role incentives play in driving a specific response. Finally, the last essay investigates the role of the policy entrepreneur in relation to the innovation and diffusion of a specific policy. To conclude, for each essay, I review a brief summary of the findings and the associated implications, the limitations of each study, and future research stemming from this work. The culmination of these essays expands the current research and contributes to the growth of the field of public policy scholarship.

### **Essay 1**

Reviewing the results from this essay, it is apparent that the mandatory reporting legislation enacted by state lawmakers does serve as an effective mechanism in garnering more consistent reporting. Having more consistent reporting in place, legislators can better understand the behavior of bureaucrats in regards to reporting suspected child abuse and better predict the number of reports in a given year. With this consistency, legislators experience less uncertainty and demonstrate greater control over the bureaucracy. These findings are important from both a practical and theoretical perspective. First, this study supports the earlier literature regarding legislators' ability to employ administrative procedures in an effort to reduce uncertainty (McCubbins, Noll, & Weingast, 1987; Potoski; 1999). Second, the findings demonstrate an additional example of the bureaucratic response to legislative control (Huber, Shipan, & Pfahler, 2001; Wood & Waterman, 1994). Finally, the results of this study reveal that while the legislative action may reduce uncertainty, the enactment of a law may lead to unintended consequences for various professional groups. The accumulation of these findings demonstrate the significant role legislators play within the policy process. Recognizing

that legislators manipulate the political process for their own good provides invaluable insight into the motivation and agenda-setting priorities of lawmakers.

While I am confident in the results, there are particular limitations to this study that need to be reiterated. First, while this study acknowledges that lawmakers employ administrative procedures to deal with principal-agent uncertainty, the literature remains relatively quiet in regards to why legislators turn to mandatory reporting laws as their mechanism for control. Missing this piece of information limits the variables which can be used to evaluate lawmakers' decisions and reasoning for employing specific administrative procedures and the extent of their legislative uncertainty. For example, the enactment of a mandatory reporting law is a low-cost potential solution to the lack of child abuse reporting. The cost mechanism is an important variable missing from this analysis. A particular weakness of this study is that legislators' responses are based on managing the accumulation of transaction costs (Potoski, 1999), but this research does not account for anything beyond principal-agent uncertainty. While not ignoring the importance of various types of uncertainty, the purpose of this study focuses on the bureaucratic response best uncovered through an analysis of principal-agent uncertainty and validates the approach taken. Recognizing this limitation provides an opportunity for further research as discussed below.

Furthermore, this study provides another example of bureaucracies being responsive to political control. However, there are multiple scholarly examples of bureaucrats choosing not to respond to legislative efforts of control (Balla, 1998; Potoski, 1999). This particular study does little to demonstrate why bureaucrats choose political dependency over independence. But, it is not difficult to fathom a scenario where

bureaucrats choose not to respond to mandatory reporting laws and alter the direction of this study. In order then to understand the bureaucratic organization's decision for political freedom, more must be done to examine the variables that influence responsiveness or the lack thereof. As addressed in the second essay, bureaucratic action or inaction is associated with the professional incentive systems in place for each bureaucracy (Clark & Wilson, 1961). Finding a way to better account for these incentive systems in regards to legislative uncertainty provides for a more robust study while demonstrating the relationship between incentive systems and bureaucratic control.

Finally, there are particular limitations accompanying the use of panel data as previously discussed within this first study. Using panel data while accounting for multiple events or interruptions in the data, such as the enactment of a law, introduces autocorrelation into the model (Alison, 1994). Previous scholars have noted this same weakness inherent in time-series models (Lewis-Beck, 1986, p. 227). Not ignoring this concern, the model used in this study only accounts for a single event within each state, reducing the likelihood of autocorrelation. Furthermore, varying the slope and the intercept by including an interaction effect reduces some of the concerns related to autocorrelation. Additionally, incorporating both random and fixed effects alters the way the standard errors are estimated and results in an improved model. Finally, the interaction terms are likely to introduce multicollinearity; the result of this is an overestimation of the standard errors, which makes for a more difficult test of the hypotheses and serves to improve the validity of the model and the subsequent results.

Beyond the limitations of this study, there are many opportunities to advance this research. Particularly, the findings suggest that mandatory reporting laws do lead to more

consistent reporting among bureaucrats, but this consistency comes at the sacrifice of increased reporting from some of the professional groups. Accepting that mandatory reporting laws do not always increase the reporting of suspected cases of abuse supports the conclusion that legislatures are acting to reduce their own uncertainty and not operating necessarily for the purpose of fighting child abuse. This observation incites the need for further research regarding legislators' perception of mandatory reporting laws. For example, are legislators confident that mandatory reporting laws work or are at least effective in garnering reports? Overall, more must be done to examine the intricacies of legislative uncertainty. The findings suggest that simply having more consistent reporting is sufficient for legislators, but do legislators perceive that more can be done or should be done to effectively combat child abuse?

In addition to exploring the legislators' perception or view of mandatory reporting laws, there are other factors that influence whether a street-level bureaucrat chooses to report suspected child abuse. The purpose then of the second essay is to help address how mandatory reporting policies influence the behavior of bureaucrats and why that behavior may differ. Moreover, this type of investigation demonstrates how policies can be molded to influence both legislative and bureaucratic action. Currently, there is a misalignment of incentives between the policies written by state legislators and the incentives which motivate bureaucratic action. Due to the distance between the policy incentives and bureaucratic incentive systems, more research is necessary to reduce this gap which could eventually lead to more effective policies. For example, better comprehending the incentives of bureaucrats could facilitate an improved alliance between lawmakers and bureaucrats, which then encourages legislators to design policies that take into account

the incentives of the bureaucracy. For this to happen, legislators must understand more about the bureaucratic agency, agents, and the issues faced by bureaucrats. Being aware of these issues, lawmakers are then more inclined to develop policies that serve to help the bureaucrats meet specific community needs. Employing theoretical frameworks, such as the Advocacy Coalition Framework, can then be used to identify where legislators and street-level bureaucrats converge toward improving child abuse reporting policies.

In summary, this study demonstrates the consequences associated with the enactment of mandatory reporting laws. Rather than always encouraging increased reporting, the enactment of these laws are used, instead, to reduce legislative uncertainty. While some professional groups do respond positively to mandatory reporting laws with improved reporting, there are some professional groups that respond by reporting less following the enactment of the law. However, in multiple cases, bureaucrats appear to report on a trend more aligned with their professional roles. Acknowledging the importance of professional roles and incentives, additional research must be conducted to identify what influences the policy implementation efforts of street-level bureaucrats and how policymakers can employ this information to their advantage to combat the effects of child abuse in the U.S.

## **Essay 2**

Examining the results from this essay, it is clear that the child abuse reporting behavior of street-level bureaucrats (law enforcement, education personnel, and social workers) differs whether or not a mandatory reporting law is in place. This particular behavior is especially noticeable when examining law enforcement officers and education personnel. Prior to the enactment of a mandatory reporting law, education professionals'

reporting of suspected abuse significantly declines from the preceding year. Following the enactment of the law, teachers' reporting continues to decline, but over time this occurs on a less significant yearly trend. This finding indicates that the mandatory reporting law has a mitigating influence on the educators' digression of reported cases of abuse over time. Observing law enforcement personnel, the exact opposite experience of educators is true. In that, police officers continue to report more cases of child abuse across states each year. However, following the enactment of the mandatory reporting law, the reporting behavior of police officers does not significantly change and officers report on the same positive trend they had been previous to the law's enactment.

Understanding the theoretical and practical implications associated with this study and findings is important for a few reasons. First, this study demonstrates that mandatory reporting laws fail to alter behavior when enacted broadly across multiple agencies or professional groups. Second, it serves as a caution to legislators when considering the enactment of such broad-based policies. Finally, this research supports and expands the earlier research concerning incentive systems and motivating behavior (Boardman & Sundquist, 2009; Clark & Wilson, 1961; Perry & Wise, 1990). Specifically, this study reveals that successful policy implementation is dependent on the complete alignment between policy incentives and the organizational incentive systems of bureaucratic agencies. However, when the incentive systems do not align with the policy, then bureaucrats do not follow the policy and, in some cases, respond contrary to the aims of a policy.

While this research is built upon an established theoretical framework and employs a sound methodology, there are still inherent weaknesses. First, prior scholarship

demonstrates that categorizing or listing all of the potential incentives of a particular bureaucratic agency or department is extremely difficult to do (Keiser & Meier, 1996). Furthermore, providing legislators with a list of incentives for each bureaucracy may do very little when attempting to encourage lawmakers to utilize incentives in their policy decisions. While Peter Clark and James Wilson (1961) provide a typology for categorizing incentives, I recognize that not all of the behaviors or incentives of the various bureaucrats can be neatly organized within each category. Not being able to categorize each behavior within a specific incentive system then reduces the predictive power intended with the theoretical framework. Although it is challenging to categorize the type of incentive associated with various behaviors, it does not negate the fact that there is an incentive that drives the bureaucrats' action. Acknowledging then the role of incentives as identified within this study, legislatures are encouraged to be cognizant to the influence a particular policy may have on a group of bureaucrats.

One additional limitation not accounted for within Clark and Wilson's incentive typology is the potential for varying strength associated with the different incentive systems. For example, in this study, I identify that a mandatory reporting law provides an incentive for law enforcement officers within each of the categorized incentive systems; however, these incentives still did not result in the desired behavior of increased reporting with the enactment of a reporting law. This finding leads to the question, do some incentive systems have a greater influence on various bureaucrats or do incentive systems differ in strength? If the incentive systems do vary in strength, then the typology fails to predict how the various systems influence behavior when a particular category is missing or only addresses a portion of the incentive. Exploring this in regards to law enforcement

personnel, one possible reason for these agents' failure to perform relates to the fact that mandatory reporting laws do little to influence the individual material incentives of law enforcement agents. Instead, only the material needs of the organization were being met, and this was still conditional on the federal funding actually being directed to law enforcement agencies. Therefore, the material incentive system may have a greater influence than purposive or solidary incentives combined when it is either more clearly tied to the organization or the individuals within the organization. Although the varying strengths of incentive systems are purely speculative, I suggest further inquiry. Furthermore, this apparent weakness does not necessarily negate the findings associated with this study. In fact, it demonstrates that obtaining a better understanding of the specific incentive systems of each agency is more valuable to legislators and policies must be designed in a way to account for the specific incentives of bureaucrats.

Finally, as discussed in the previous essay, there are weaknesses associated with conducting a study using panel data. Particularly, autocorrelation is prevalent when employing panel data. To account for this methodological weakness, fixed and random effects are introduced in the model which alters the way the standard errors are estimated and provides for improved examination. Multicollinearity is also a concern due to the interaction terms, but this results in an overestimation of the standard errors making the test of the hypothesis more difficult and strengthens the validity of the results. Also, running multiple models with and without an interactive effect, while finding consistent results, supports the methodological approach examined within this study.

As reviewed above, there are several limitations in regards to the chosen theoretical framework. Specifically, the Clark and Wilson (1961) incentive typology is

heavily reliant on broad categories of incentives. Recognizing this constraint provides an opportunity to further study the incentive typology and the value of each category.

Performing such a study would demonstrate whether one incentive category is of greater value to bureaucrats or if a combination of incentives is required when motivating agents within an organization. Examining the results from this second essay, it is evident that for education personnel to respond to the mandatory reporting law, all three incentive categories must be in place and the incentives directly targeted to the individual.

However, law enforcement officials had all of the incentive categories in place and yet, did not respond to the reporting law. It is not clear whether law enforcement personnel would have responded to the mandatory reporting law had the material incentive been directly applied to the individual officer. However, the potential for this finding reveals the need for further examination and the expansion of the theory. Understanding the value of each incentive system and how it targets the individual is extremely important and would supply legislators with a greater influence in regards to designing a policy that aligns with a bureaucratic agency's incentive system.

Beyond incentive systems, little attention is directed to the influence of managers outside of organizational roles. For example, in the case of education personnel, principals typically serve as gatekeepers for reporting (Finkelhor et al., 1984; Mason & Watts, 1986). Law enforcement officials are also heavily influenced by the objectives provided by their direct supervisors (Wilson, 1978). While principals' attitudes toward reporting have been heavily examined (Kenny, & McEachern, 2002; Zellman, 1990), scholars have yet to look at police chiefs and their attitudes toward reporting. Understanding the managerial support, or the lack thereof would be crucial to fully

comprehend law enforcement officers' failure to respond to mandatory reporting laws. Besides law enforcement officials and education personnel, social workers are also continually studied and identified as individuals that prefer to work with greater autonomy and minimal oversight (Zellman & Antler, 1990). Acknowledging that social work is a fairly autonomous profession introduces important questions regarding the management of social workers. While wanting to maintain that autonomous workplace, social work managers are faced with the challenge of balancing employee autonomy while ensuring that legislative controls or constraints are met. Taking the opportunity to observe the managers of education personnel, law enforcement agents, and social workers, in regards to mandatory reporting laws, has the possibility of enhancing the literature further while demonstrating the value of management within a bureaucracy.

In review, this study demonstrates that street-level bureaucrats do not always respond to broad-based policies, but are typically driven to action based on the incentive systems in place. Specifically, I look at law enforcement, educators, and social workers, and find that based on their incentive systems, only education personnel respond positively to mandatory reporting laws and improve their reporting behavior following the enactment of the law. Due to the broad categorization of incentives, there are some limitations to this study. However, these limitations do not take away from the findings that incentives or disincentives associated with a policy influence bureaucratic action. Finally, there are many opportunities for further research, but of particular importance is the role that a bureaucrat's manager plays toward encouraging compliance with child abuse reporting laws.

### Essay 3

The third essay steps away from mandatory reporting policies and explores the innovation and diffusion of a child abuse education and prevention policy, known as Erin's Law. Acknowledging that mandatory reporting laws play an important role in mitigating state lawmakers uncertainty, it is not surprising to witness the quick dissemination of Erin's Law as a more effective way for educating teachers and improving child abuse reporting while also reducing legislative uncertainty. Examining the innovation and diffusion of Erin's Law, I observe the valuable role a policy entrepreneur plays toward encouraging legislators to adopt a law. Specifically, I find that as the policy entrepreneur, Erin Merryn, visits individual states and establishes a network, then the likelihood that the state adopts her policy increases significantly. The theoretical and practical implications surrounding this finding are vast because it supports the work of John Kingdon (1984) and validates the role of the policy entrepreneur within the multiple streams approach. Additionally, these results reinforce and expand the policy network scholarship, and demonstrate the further use of networks within the policy process. Finally, this study reveals that more can be done to comprehend the measurable value of entrepreneurial support and narratives which increases the likelihood of the law being adopted.

Accounting for additional legislative variables beyond that of the policy entrepreneur, the results suggest that lawmakers have finite attention and direct that interest in solving the biggest problem (Jones & Baumgartner, 2005). While this finding is not new, it does support years of research focusing on legislative attention. Furthermore, I examine lawmakers' responses to top-down pressure in the form of

available funding and find that, in the case of Erin's Law, the federal funding does not influence the likelihood of adoption. Beyond the federal pressure for enactment, the actions of neighboring states do not increase the likelihood of adoption, but instead, serve to discourage enactment of the law. While this finding may be due to a limitation of the data, it is still worth noting. Finally, I observe that legislative professionalism does not increase the likelihood that legislators will enact Erin's Law. But instead, I witness that adoption occurs in states with both professional and non-professional legislatures.

The major limitation of this study is due to the narrow nature of the selected case. While the findings are extremely important, they are hard to extrapolate beyond the experience of Erin Merryn and Erin's Law. This particular study demonstrates that Merryn, through regular speaking opportunities, is able to convey the importance of her message while building important networks who push for the adoption of her law. Will this experience be the same for every policy? The theoretical principals which support this study suggest that they should be, but with any study where people are involved there is always a chance that the theoretical principals may not hold true. While this particular limitation does not negate from the value of the findings of this study, it does encourage further research to examine multiple policy entrepreneurs, across multiple policy types, and within multiple settings. Expanding this research further advances the value and importance of the policy entrepreneur.

Beyond the constraints associated with only using Erin's Law, this study is also limited in the number of data points available for review. Due to the rapid diffusion of Erin's Law, only seven years of data are available for observation. Having these limited observations may influence the data in unexpected ways. For example, when

investigating the effect of top-down legislation and federal funding, the impact may be understated due to the timing of the federal legislation. The federal law and funding supporting Erin's Law was not enacted until 2015, providing only two years of observation data to measure the effect of this variable. This is significant because a majority of the states which had adopted the law occurred prior to the federal legislation even taking place. Furthermore, the actual funding associated with the law was not released until 2017, and therefore may not have had the time to influence other states to adopt as hypothesized. While the findings from this study are accurate at this point in time, it is necessary to examine if the impact of federal legislation and funding becomes more important over time as the remaining states contemplate the enactment of Erin's Law. It is possible that the federal legislation may convince the remaining states to enact Erin's Law, but this is not guaranteed. As argued in the third essay, there are studies in place which demonstrate that states regularly ignore federal funding due to either political differences or simply an unwillingness to insert additional regulatory processes on the bureaucracy within the state (Nicholson-Crotty, 2012). As time progresses and more data becomes available it will be important to re-examine how the effect of the selected variables change.

As previously discussed, additional research is necessary in order to demonstrate if the case of Erin Merryn and Erin's Law is a one-time event or if policy entrepreneurs advocating for policies within other political contexts would experience similar success. As legislation continues to progress under the guidance of a policy entrepreneur, the need to better understand the narratives, impetus, and motivation directing the entrepreneur is crucial. It must be determined whether policy entrepreneurs have some advantage in the

political world when promoting a particular policy. If this is the case, then legislators hoping to advance a particular policy to adoption could find more success by attaching that policy to an entrepreneur with a powerful narrative. It is obvious that studying the nuances of the policy entrepreneur and the implications associated with having an entrepreneur committed to a policy is crucial toward comprehending the policy process.

In brief, the findings from this study demonstrate the policy entrepreneur has a beneficial role to play within the policy process. Examining the actual value of the policy entrepreneur within the context of policy innovation and diffusion expands the theoretical lens regarding the policy entrepreneur and invites continued exploration. Moreover, it reveals to practitioners the importance of the individual, the narrative, and the network in regards to pushing a policy forward for adoption. As legislators approach a particular issue, the political push might be better accepted if presented by a policy entrepreneur from outside the typical policy world. Furthermore, the study validates previous literature in regards to the limited attention of legislators and the need to better understand the triggering events which best grab the lawmakers' attention (Jones & Baumgartner, 2005). While it is not clear what determines the best metric, in the case of Erin's Law, it appears that legislators are focusing on broad metrics encompassing child abuse and are not as focused on the nuanced details of suspected reporting. Finally, this study employs Event History Analysis to better understand the variables that influence innovation and diffusion within the policy process.

### **Recapitulation**

In conclusion, the three essays that constitute this dissertation offer a clearer understanding of the policy process and the role that the individual plays within that

process. The first essay examines the efforts legislators make to reduce their uncertainty while attempting to increase their control of the bureaucracy. By enacting mandatory reporting laws, state lawmakers effectively reduce their uncertainty by achieving more consistent reporting from the various street-level bureaucrats. However, the change in bureaucratic behavior also results in unsavory responses to child abuse reporting laws and develops into reduced reporting from certain bureaucratic bodies. This study advances the theoretical understanding behind the principal-agent relationship while playing an important role in encouraging state lawmakers to be more aware of the adverse effects of their policies. Furthermore, the research encourages legislators to consider the incentives and motivations that not only drive their behavior but the behavior of bureaucrats.

The second essay provides greater insight into the incentives and motivations of street-level bureaucrats. More specifically, it demonstrates that the incentives which govern bureaucratic behavior differ across agencies and that each professional group has a particular incentive system that defines the organization. Based on the variation in incentive systems, the findings reveal that bureaucrats respond best to a policy when the incentives associated with the policy align with the incentive system of the bureaucrat's organization. This study progresses the theoretical understanding of incentives and the role incentives play toward predicting behavior. From a practical standpoint, it is also clear that broad-based policies across agencies fail in some cases to alter bureaucratic behavior and in some situations may lead to behavior that is contrary to the intention of a policy. Advanced research is required to better define and understand the incentive systems that exist between organizations and the value of specific incentives.

The final essay explores the role of the policy entrepreneur within the innovation and diffusion of a particular policy. The findings from this study demonstrate that the policy entrepreneur plays an important part in advocating and advancing a policy through adoption. The results reveal that a policy entrepreneur who actually visits states and builds networks will have success in promoting their policy. Beyond the policy entrepreneur, I witness that other factors also influence the innovation and diffusion of a policy. Of particular interest is the observation that lawmakers, whether they are professional or unprofessional, choose to adopt Erin's Law. While this finding is contrary to current findings on the topic, it does demonstrate that there may be more to understand in regards to legislative professionalism. Particularly, are there types of policies or laws that work to the advantage of non-professional legislatures? For example, are some types of policies more readily adopted by non-professional legislatures as a way to demonstrate legitimacy as a legislative body? Moreover, identifying that both professional and non-professional legislatures adopted Erin's Law further demonstrates the value of the policy entrepreneur toward encouraging adoption in either case. Based on these findings, I encourage additional examination of the policy entrepreneur within the innovation diffusion process.

Each of these essays contributes richly to the field of public policy. Reviewing the theoretical frameworks, findings, and subsequent implications offers greater insight into the policy process and encourages further study. Moreover, these studies provide for important practical implications which, if applied, could benefit the legislator's in the fight against child abuse. Furthermore, this research serves to improve the theoretical understanding of policy incentives and motivation among various groups of individuals.

While each study is subject to certain limitations, these limitations do not overtly negate the significance of the findings but encourage future research in the hope of advancing the scholarly field of study. As stated in the Introduction, the goal of this study is to better understand the role of the individual within the policy process. Reviewing each of these essays, I am confident that this goal has been met, but recognize that additional research is necessary to further the work presented within this dissertation.

### **Overall Implications and Limitations**

Examining the entire dissertation as a whole, prominent implications and limitations arise beyond what is visible with the individual essays. First, with a more complete view of the policy process in place, greater assertions can be made about the process for practitioners and scholars. Second, piecing all the essays together, the generalizability of the entire dissertation is strengthened. Finally, combining the essays introduces certain limitations regarding the policy process and provides an opportunity for more detailed future research. Addressing these three points offers greater substance concerning the theoretical and practical contributions available from this study.

The policy process was established in order to provide a comprehensive framework that could more easily define and measure the steps that lead to the adoption and successful implementation of a policy (Lasswell, 1971). The three studies together walk through this process and demonstrate important findings regarding the incentives surrounding adoption and implementation. Nevertheless, it is not until the studies are brought together that valuable information is gleaned regarding the actions of the policy players. For example, with the first study, it is evident that state legislators are willing to enact a policy if they can foresee the immediate benefit to themselves and the state.

However, once the state lawmakers receive the desired benefit, in this case reduced uncertainty, then their motivation to evaluate and improve the law dwindles. This explains that while mandatory reporting laws are only mildly successful in garnering additional reports, lawmakers continue to implement and push them onto professional organizations and agencies. It was not until three decades had passed that a policy entrepreneur, heralding from a mandated reporting position, called legislators' attention to their faulty policy and encouraged an improved change.

The collection of these studies further demonstrate that street-level bureaucrats can play an important role as policy entrepreneurs. Tasked with the implementation of policies, street-level bureaucrats experience the intimate costs and benefits of the policy. Calling upon their professional experience, the culmination of these studies demonstrate that street-level bureaucrats can affect the outcome of a policy in two ways. First, bureaucrats influence a policy simply by their willingness and ability to implement the policy. Second, bureaucrats can employ their experience with the policy to advocate for a policy change, as in the case of Erin's Law. Combining the findings from the second and third essay, it is abundantly clear that bureaucrats are a powerful group within the policy process. While previous studies have demonstrated that bureaucrats are responsive to political control (Weingast & Moran 1983; Wood & Waterman 1994), these studies demonstrate that bureaucrats are only responsive to political control when the policy aligns with their incentives. However, when the policy does not align with the incentives, Erin's Law reveals that street-level bureaucrats can induce change based on their experience, networks, and narrative.

Limiting the final analysis to only an examination of each individual essay prevents this study from expanding to a more complete review of the policy process. Specifically, the generalizability of each study is restricted when viewing the study on its own. That is, these studies are limited to only mandatory reporting policies and Erin's Law. However, investigating both legislative acts and the results from these findings, some interesting patterns emerge which can be generalized across multiple child abuse policy studies. For example, in all three studies, the unemployment rate within a state was found to be statistically significant. By itself, this finding only offers a narrow explanation of the impact of unemployment on mandatory reporting policies or Erin's Law. Nevertheless, when explored together, it provides a more significant finding of the role unemployment plays across the adoption and implementation of multiple policies. It also encourages further discussion of unemployment as a driver for policy change both from a legislative perspective and from a street-level perspective.

Beyond unemployment, the combination of these studies demonstrates the relationships between the street-level bureaucrats. Erin's Law, a child abuse education policy, was developed by a social worker with the intent of helping school children and their teachers better combat suspected child abuse. As revealed in the first and second study, the reporting behavior of the street-level bureaucrats was highly dependent on the reporting behavior of the other professional organizations. Looking at the culmination of these studies, it is not surprising then to see a social worker develop a policy that influences the behavior and actions of education personnel or other street-level bureaucrats. Identifying these results across multiple studies speaks volumes about the generalizability of the studies in regards to understanding the behavior of street-level

bureaucrats. More specifically, it demonstrates that bureaucrats may be better attuned to the needs and incentives of other street-level bureaucrats within different agencies.

Finally, exploring the culmination of these studies introduces limitations and implications not necessarily recognizable when an essay is studied by itself. For instance, the first study relies so heavily on the perception of state lawmakers that little attention is directed to the role that the street-level bureaucrats play. Nevertheless, when the street-level bureaucrats are included in the second essay, a clearer picture begins to evolve behind not only the intent of the policy but how the policy is received and implemented. Furthermore, the second essay better demonstrates why legislators turn to mandatory reporting laws in order to encourage improved reporting. Specifically, the second essay demonstrates the fear and apprehensions associated with reporting suspected abuse. Lawmakers utilize the mandatory reporting laws not only as a mode for more consistent reporting, but to entice street-level bureaucrats to overcome these reservations of reporting. It is not until both essays are examined that the relationship and actions of both bureaucrats and politicians become more obvious.

Having analyzed all three essays, the next phase of these studies is to progress with a deeper examination of the impact of Erin's Law on child abuse reporting. Based on these studies, it is evident that mandatory reporting laws do reduce uncertainty, but having greater certainty does not necessarily equate to improved reporting or reduced instances of child abuse. Furthermore, Erin's Law has been enacted to help solve the issues or gaps that exist with mandatory reporting laws. However, this research has yet to demonstrate whether Erin's Law works or improves the child abuse reporting situation better than the previously enacted mandatory reporting laws. Acknowledging this to be

the case, the next step forward is to identify if states that have adopted Erin's Law have demonstrated any improvement in either the reporting of suspected abuse or a decrease in the occurrence of abuse. Identifying the effectiveness of this law would complete the evaluation of the policy process and demonstrates a policy evaluation stage not necessarily emphasized within these three studies. Concluding with this logical step forward promotes further research beyond that already discussed within each essay. However, this progression only succeeds based on the contribution these essays make to the field of public policy and administration, which I believe to be sizable especially if actions are taken which improve the protection for children susceptible to abuse.

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APPENDIX A

**Table A.1: State and Year of Mandatory Reporting Law Enactment**

<b>State</b>	<b>Year Education Personnel Enacted in Law</b>	<b>Year Law Enforcement Officials Enacted in Law</b>	<b>Year Social Workers Enacted in Law</b>
Alabama	2000	2000	2000
Alaska	2013	2013	Not Defined
Arizona	1989	1985	1989
Arkansas	1990	1990	1990
California	2000	1991	2000
Colorado	2010	2010	2010
Connecticut	1992	1977	1977
Delaware	1999	1999	1999
Florida	1998	1998	1998
Georgia	2014	2014	2014
Hawaii	2006	1967	1967
Idaho	1995	1995	1995
Illinois	1980	1980	1980
Indiana	1997	1997	1997
Iowa	1994	1994	1994
Kansas	2006	2006	2006
Kentucky	1988	1988	1988
Louisiana	1988	1988	1988
Maine	2003	2003	2003
Maryland	2011	2011	2011
Massachusetts	2008	2008	1990
Michigan	1978	1970	1970
Minnesota	1984	1984	1986
Mississippi	1998	1998	2006
Missouri	2003	2003	2003
Montana	1991	1991	1991
Nebraska	2005	Not Defined	2005
Nevada	2001	2001	2001
New Hampshire	1979	1979	1979
New Jersey	Not Defined	Not Defined	Not Defined
New Mexico	1993	1993	1993
New York	1983	1983	2002
North Carolina	Not Defined	Not Defined	Not Defined
North Dakota	1975	1975	1975
Ohio	1969	Not Defined	1996
Oklahoma	Not Defined	Not Defined	Not Defined
Oregon	1993	1993	1993

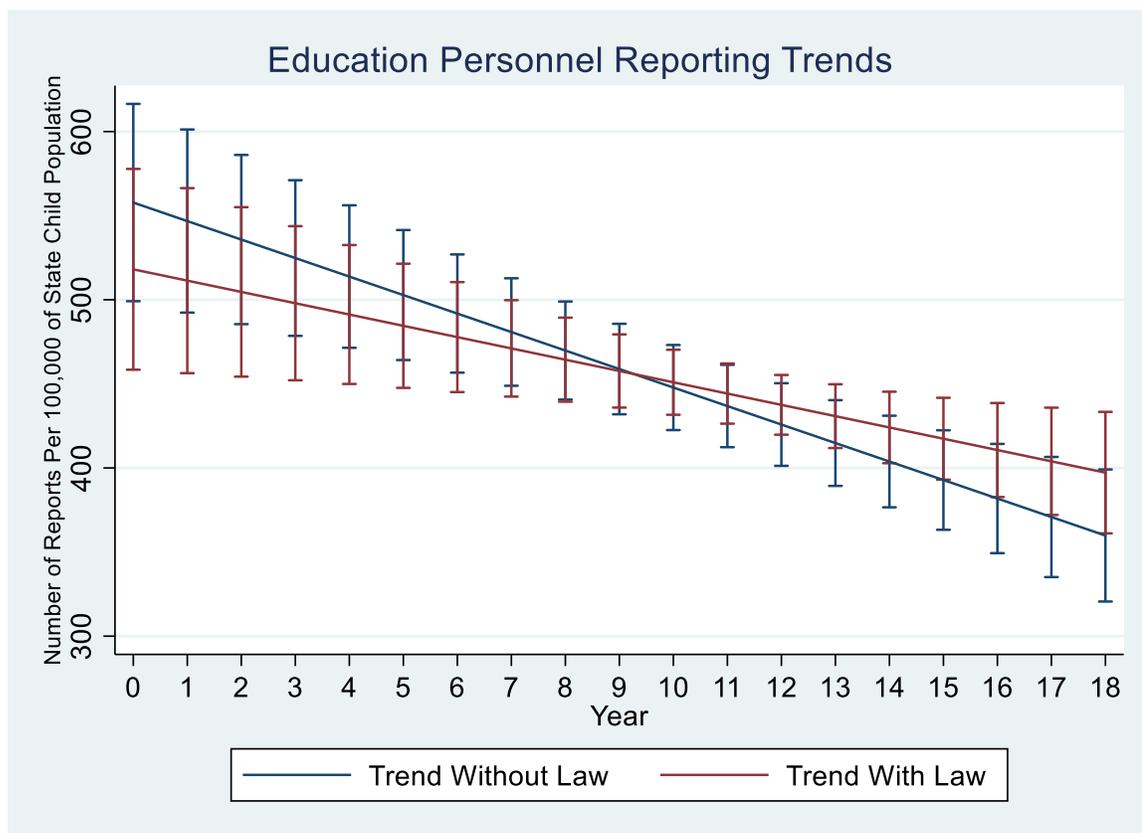
Pennsylvania	2006	2006	2006
Rhode Island	Not Defined	Not Defined	Not Defined
South Carolina	2010	2010	2010
South Dakota	1976	1976	1976
Tennessee	2001	2001	2001
Texas	1995	1995	Not Defined
Utah	Not Defined	Not Defined	Not Defined
Vermont	1981	1981	1981
Virginia	1975	1975	1975
Washington	1969	1975	1971
West Virginia	1965	1965	1965
Wisconsin	1965	1965	1965
Wyoming	Not Defined	Not Defined	Not Defined

**Table A.2: Descriptive Statistics**

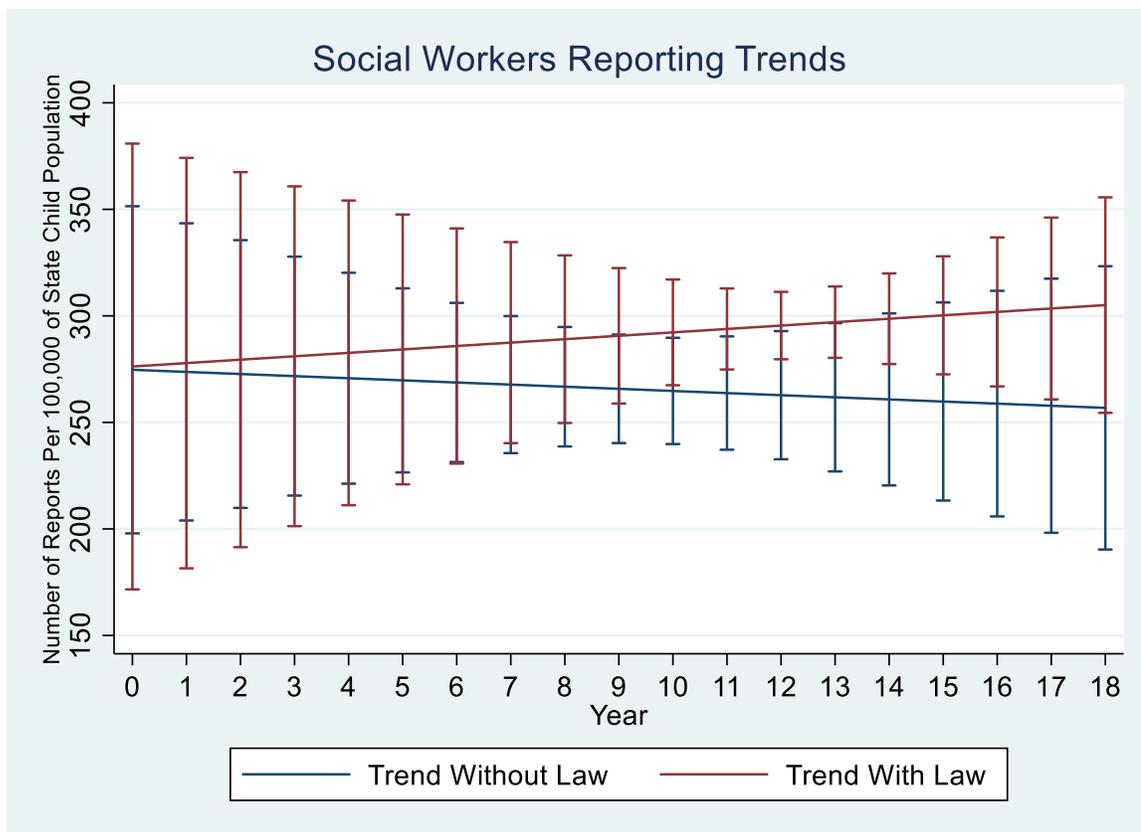
<b>Control Variables</b>	<b>Observations</b>	<b>Mean</b>	<b>Standard Deviation</b>	<b>Min</b>	<b>Max</b>
Violent Crime Rate Per 100,000 <sup>a</sup>	950	469.760	235.715	65.400	1244.300
Victims White <sup>b</sup>	839	742.143	436.514	80.984	2,927.587
Victims Non-White <sup>b</sup>	888	587.632	448.920	7.519	5704.663
Poverty Rate <sup>c</sup>	750	12.379	3.194	5.600	24.600
Teen Pregnancy Rate <sup>d</sup>	950	22.958	9.584	5.400	57.500
High School Drop Out Rate <sup>e</sup>	622	4.608	1.797	1.700	13.700
Investigations substantiated <sup>b</sup>	899	1,021.365	561.552	9.191	4,095.358
Unemployment Rate <sup>f</sup>	950	5.129	1.381	2.300	11.300
Male Victims <sup>b</sup>	886	605.227	358.514	51.521	4,185.875
Female Victims <sup>b</sup>	886	660.696	364.274	95.293	4,205.347
State Child Population <sup>b</sup>	950	1404017.000	1,587,064.000	121,073.000	9,432,170.000
<i>Sources</i>					
a. United States Department of Justice, Federal Bureau of Investigation. (September 2012). Crime in the United States, 2011. Retrieved October 2016, from <a href="https://ucr.fbi.gov/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/violent-crime/violent-crime">https://ucr.fbi.gov/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/violent-crime/violent-crime</a>					
b. Compiled using the National Child Abuse and Neglect Data System State Level Data (NCANDS) Summary Data Component, 1990-2008					
c. Compiled using the U.S. Bureau of the Census, Estimated Percent of People of All Ages in Poverty for each state. Retrieved October, 2016, from FRED, Federal Reserve Bank of St. Louis; <a href="https://fred.stlouisfed.org/series">https://fred.stlouisfed.org/series</a> .					
d. Compiled using the Kids Count Data Center. Retrieved October, 2016, from <a href="https://datacenter.kidscount.org/data/tables/6053-total-teen-births?loc=1&amp;loct=2#detailed/2/2-52/false/573,869,36,868,867/any/12721,12722">https://datacenter.kidscount.org/data/tables/6053-total-teen-births?loc=1&amp;loct=2#detailed/2/2-52/false/573,869,36,868,867/any/12721,12722</a>					
e. Population Reference Bureau, analysis of data from the U.S. Census Bureau, American Community Survey. These data were derived from American Fact Finder table B14005. Retrieved October, 2016, from <a href="https://datacenter.kidscount.org/data/tables/73-teens-ages-16-to-19-not-in-school-and-not-high-school-graduates?loc=1&amp;loct=2#detailed/2/2-53/false/871,870,573,869,36,868,867,133,38,35/any/380,381">https://datacenter.kidscount.org/data/tables/73-teens-ages-16-to-19-not-in-school-and-not-high-school-graduates?loc=1&amp;loct=2#detailed/2/2-53/false/871,870,573,869,36,868,867,133,38,35/any/380,381</a> .					
f. Compiled using U.S. Bureau of Labor Statistics, Unemployment Rate for each state. Retrieved October 2016, from FRED, Federal Reserve Bank of St. Louis; <a href="https://fred.stlouisfed.org/series">https://fred.stlouisfed.org/series</a> .					

**Table A.3: Reporting Behavior for States That Always or Never Had the Law**

	Number of reports from Law Enforcement Agents - Model 1		Number of reports from Education Personnel - Model 2		Number of reports from Social Workers - Model 3	
	With the Law	Without the Law	With the Law	Without the Law	With the Law	Without the Law
<b>Time (Year)</b>	<b>2.852</b>	<b>19.069**</b>	<b>-6.500**</b>	<b>-14.630**</b>	<b>-1.617</b>	<b>6.925</b>
	(2.070)	(5.233)	(2.114)	(4.485)	(2.656)	(7.232)
Violent Crime Rate	0.045	0.206	-0.059	-0.257†	0.153†	0.333
	(0.068)	(0.160)	(0.071)	(0.135)	(0.086)	(0.211)
Number of Reports from Law Enforcement Officials	--	--	0.751**	0.544**	0.232*	0.169
	--	--	(0.056)	(0.056)	(0.098)	(0.113)
Number of reports from Social Workers	0.142†	0.097	0.034	0.271**	--	--
	(0.060)	(0.064)	(0.064)	(0.050)	--	--
Number of reports from Education Personnel	0.689**	0.754**	--	--	0.051	0.658**
	(0.052)	(0.077)	--	--	(0.095)	(0.121)
Teen Pregnancy Rate	-0.785	-6.621†	5.739**	8.649**	0.444	-12.676*
	(1.971)	(3.855)	(2.010)	(3.226)	(2.519)	(5.041)
High School Drop-out Rate	-1.161	20.777†	2.419	-1.820	-4.348	-45.901**
	(4.534)	(8.216)	(4.731)	(7.140)	(5.783)	(10.407)
Unemployment Rate	3.141	14.539*	-5.519	-17.675**	5.440	22.508*
	(5.937)	(7.944)	(6.190)	(6.661)	(7.578)	(10.466)
Victims Male	-0.040	0.022†	0.019	0.059**	0.174	-0.012
	(0.030)	(0.024)	(0.032)	(0.020)	(0.037)	(0.032)
R-Squared	0.905	0.898	0.843	0.942	0.855*	0.858
Note: N = 189; * p < 0.05, ** p < 0.01, † p < 0.10; Standard errors in parenthesis Fixed effects are included but not displayed						



**Figure A.1: Education Personnel Mandatory Reporting Trends**



**Figure A.2: Social Worker Reporting Trends**

APPENDIX B

**Table B.1: State and Year of Mandatory Reporting Law Enactment for Education Personnel, Law Enforcement Officials, and Social Workers**

<b>State</b>	<b>Year Education Personnel Enacted in Law</b>	<b>Year Law Enforcement Officials Enacted in Law</b>	<b>Year Social Workers Enacted in Law</b>
Alabama	2000	2000	2000
Alaska	2013	2013	Not Defined
Arizona	1989	1985	1989
Arkansas	1990	1990	1990
California	2000	1991	2000
Colorado	2010	2010	2010
Connecticut	1992	1977	1977
Delaware	1999	1999	1999
Florida	1998	1998	1998
Georgia	2014	2014	2014
Hawaii	2006	1967	1967
Idaho	1995	1995	1995
Illinois	1980	1980	1980
Indiana	1997	1997	1997
Iowa	1994	1994	1994
Kansas	2006	2006	2006
Kentucky	1988	1988	1988
Louisiana	1988	1988	1988
Maine	2003	2003	2003
Maryland	2011	2011	2011
Massachusetts	2008	2008	1990
Michigan	1978	1970	1970
Minnesota	1984	1984	1986
Mississippi	1998	1998	2006
Missouri	2003	2003	2003
Montana	1991	1991	1991
Nebraska	2005	Not Defined	2005
Nevada	2001	2001	2001
New Hampshire	1979	1979	1979
New Jersey	Not Defined	Not Defined	Not Defined
New Mexico	1993	1993	1993
New York	1983	1983	2002
North Carolina	Not Defined	Not Defined	Not Defined
North Dakota	1975	1975	1975
Ohio	1969	Not Defined	1996
Oklahoma	Not Defined	Not Defined	Not Defined

Oregon	1993	1993	1993
Pennsylvania	2006	2006	2006
Rhode Island	Not Defined	Not Defined	Not Defined
South Carolina	2010	2010	2010
South Dakota	1976	1976	1976
Tennessee	2001	2001	2001
Texas	1995	1995	Not Defined
Utah	Not Defined	Not Defined	Not Defined
Vermont	1981	1981	1981
Virginia	1975	1975	1975
Washington	1969	1975	1971
West Virginia	1965	1965	1965
Wisconsin	1965	1965	1965
Wyoming	Not Defined	Not Defined	Not Defined

**Table B.2 Descriptive Statistics**

<b>Control Variables</b>	<b>Observations</b>	<b>Mean</b>	<b>Standard Deviation</b>	<b>Min</b>	<b>Max</b>
Violent Crime Rate Per 100,000 <sup>a</sup>	950	469.760	235.715	65.400	1244.300
Victims White <sup>b</sup>	839	742.143	436.514	80.984	2927.587
Victims Non-White <sup>b</sup>	888	587.632	448.920	7.519	5704.663
Poverty Rate <sup>c</sup>	750	12.379	3.194	5.600	24.600
Teen Pregnancy Rate <sup>d</sup>	950	22.958	9.584	5.400	57.500
High School Drop Out Rate <sup>e</sup>	622	4.608	1.797	1.700	13.700
Investigations substantiated <sup>b</sup>	899	1021.365	561.552	9.191	4095.358
Unemployment Rate <sup>f</sup>	950	5.129	1.381	2.300	11.300
Male Victims <sup>b</sup>	886	605.227	358.514	51.521	4185.875
Female Victims <sup>b</sup>	886	660.696	364.274	95.293	4205.347

*Sources*

a. United States Department of Justice, Federal Bureau of Investigation. (September 2012). Crime in the United States, 2011. Retrieved October 2016, from <https://ucr.fbi.gov/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/violent-crime/violent-crime>

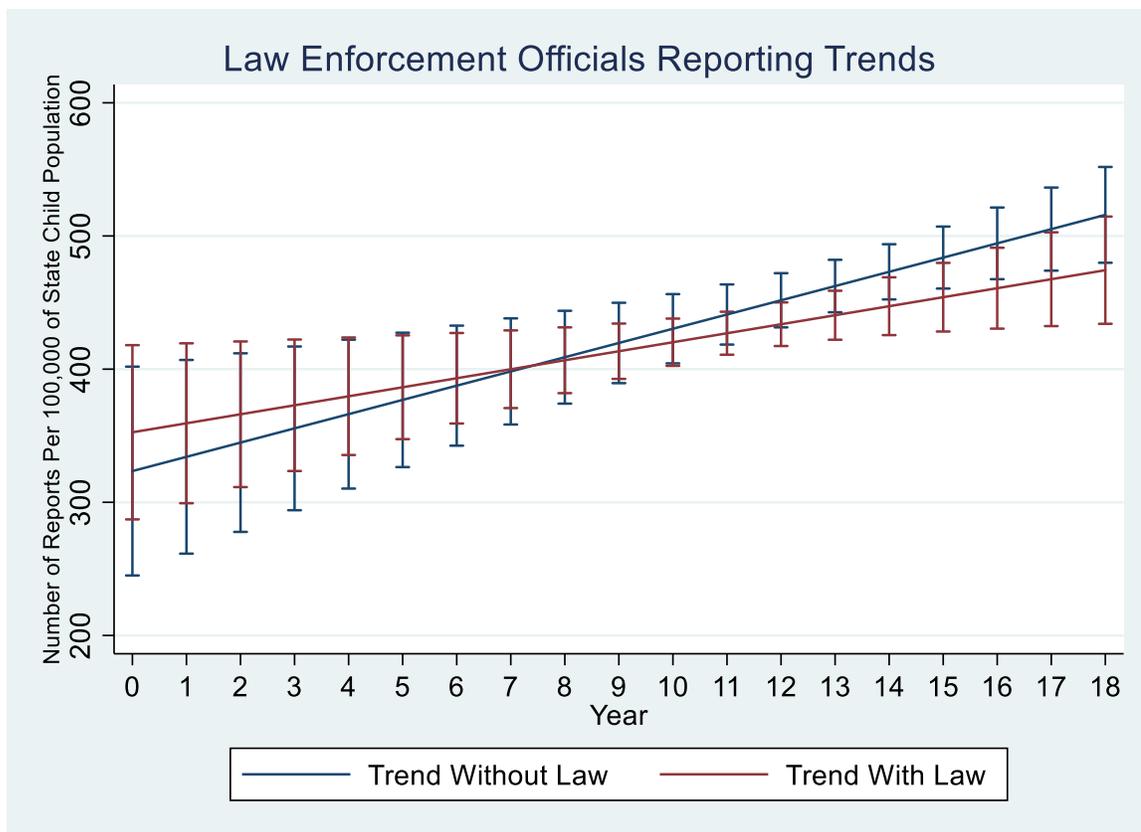
b. Compiled using the National Child Abuse and Neglect Data System State Level Data (NCANDS) Summary Data Component, 1990-2008

c. Compiled using the U.S. Bureau of the Census, Estimated Percent of People of All Ages in Poverty for each state. Retrieved October, 2016, from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series>.

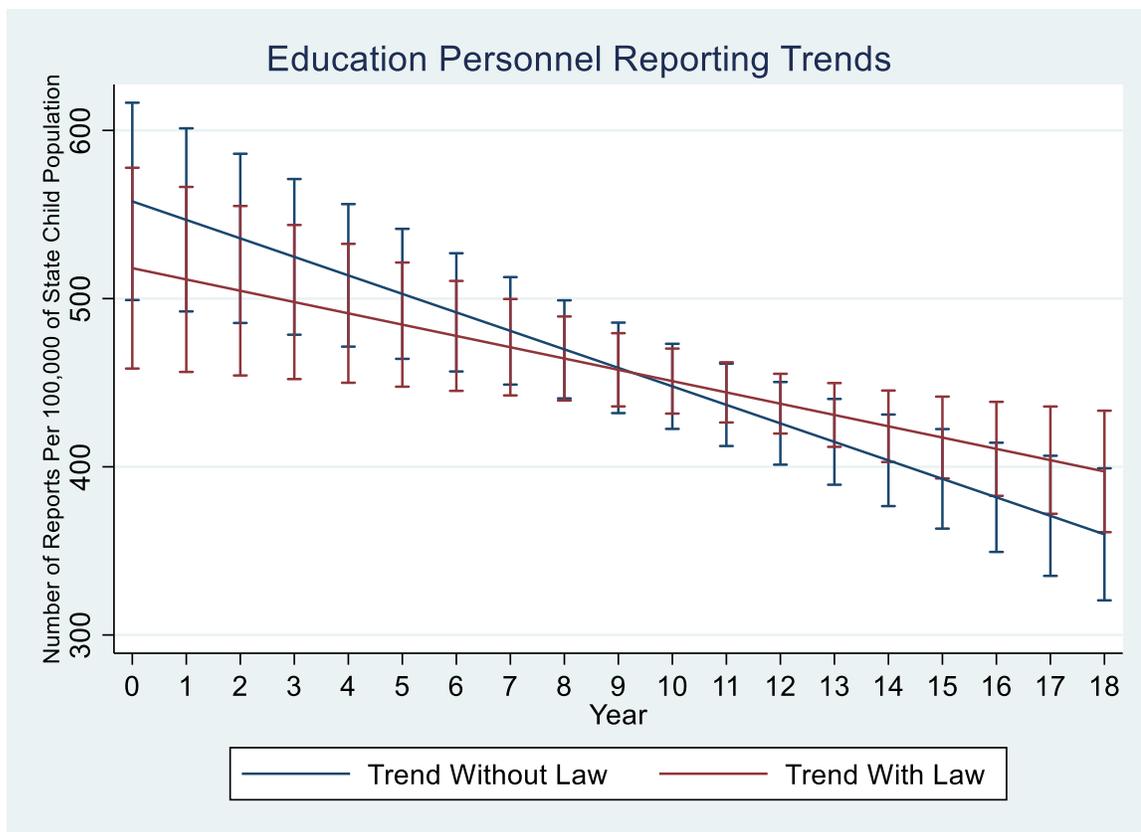
d. Compiled using the Kids Count Data Center. Retrieved October, 2016, from <https://datacenter.kidscount.org/data/tables/6053-total-teen-births?loc=1&loct=2#detailed/2/2-52/false/573,869,36,868,867/any/12721,12722>

e. Population Reference Bureau, analysis of data from the U.S. Census Bureau, American Community Survey. These data were derived from American Fact Finder table B14005. Retrieved October, 2016, from <https://datacenter.kidscount.org/data/tables/73-teens-ages-16-to-19-not-in-school-and-not-high-school-graduates?loc=1&loct=2#detailed/2/2-53/false/871,870,573,869,36,868,867,133,38,35/any/380,381>.

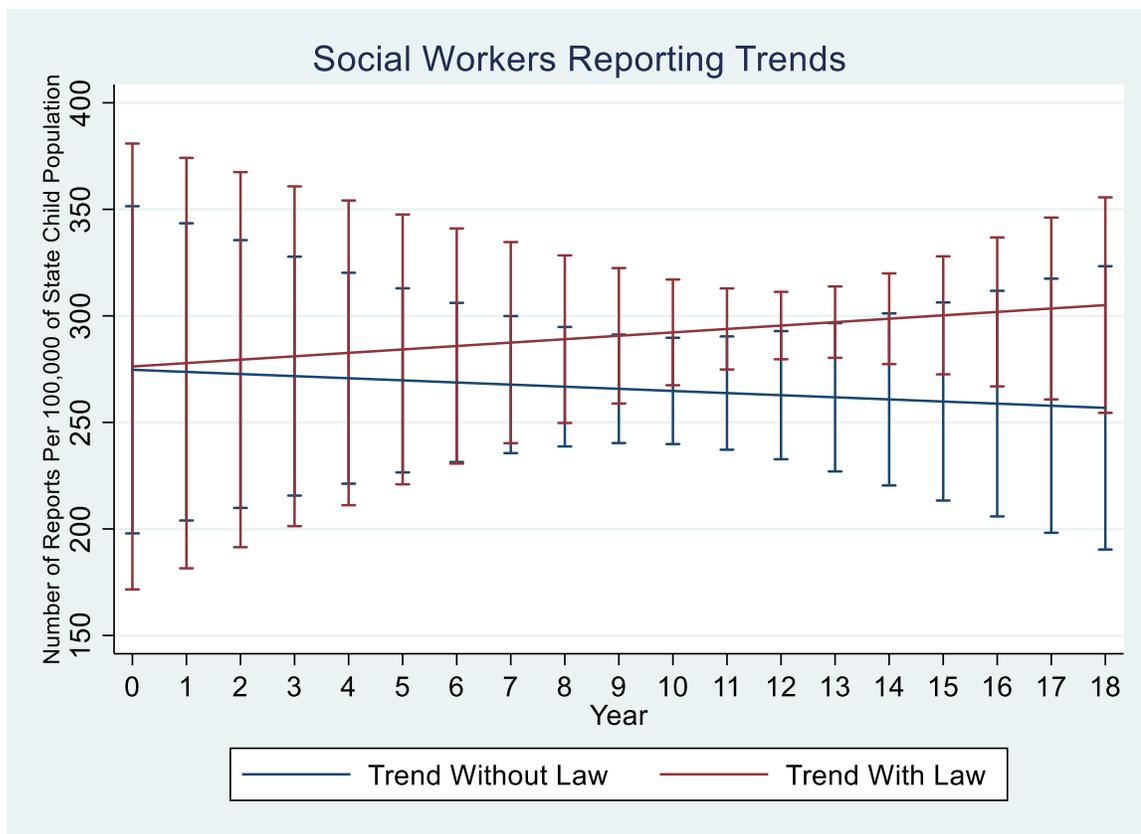
f. Compiled using U.S. Bureau of Labor Statistics, Unemployment Rate for each state. Retrieved October 2016, from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series>.



**Figure B.1: Law Enforcement Officials Mandatory Reporting Trends**



**Figure B.2: Education Personnel Mandatory Reporting Trends**



**Figure B.3: Social Worker Reporting Trends**

APPENDIX C

**Table C.1: Models of State Legislatures Likelihood of Erin's Law Adoption With Interaction Effect**

<i>Models</i>	<i>Model 3a:</i> <i>State Abuse Reports</i>	<i>Model 3b:</i> <i>State Abuse Reports w/State Variables</i>
<i>Independent Variables</i>	<i>Hazard Ratios</i>	<i>Hazard Ratios</i>
<b><i>Hypothesis Variables</i></b>		
Number of visits by Erin Merryn	1.840 (1.165)	0.855 (0.794)
Legislative Professional Score	1.840 (5.177)	0.092 (0.458)
Interaction (Professional Score * Number of Visits)	4.683 (12.423)	44.010 (150.377)
Total Reports of Suspected Abuse <i>per</i> <i>10,000</i>	1.013 (0.009)	1.036 (0.035)
Percent of Neighboring States	0.175 (0.187)	0.040 (0.064)
Availability of Federal Funding	0.011** (0.009)	0.029** (0.028)
Unified Government	0.664 (0.294)	1.569 (1.049)
<b><i>State Variables</i></b>		
Number of Total Cases Investigated	--	0.980 (0.015)
Number of Child Abuse Reports for White Children	--	1.095† (0.056)
Number of Child Abuse Reports for non-White Children	--	0.883 (0.070)
Number of Violent Crimes <i>per 10,000</i>	--	1.015 (0.032)
Number of Teens Births <i>per 10,000</i>	--	1.268 (0.289)
Number of Teen Drop Outs <i>per 10,000</i>	--	1.044 (0.048)
Median Income	--	1.000

		(0.000)
Number of unemployed <i>per 10,0000</i>	--	3.095** (0.989)
Number of People Living in Poverty <i>per 10,0000</i>	--	1.049 (0.236)
Constant	0.0000** (0.0000)	0.0000** (0.0000)
<b><i>Summary Statistics</i></b>		
Number of Cases	242	208
BIC	106.669	105.250
Chi2	58.10 (7df)	69.29 (16df)
Note: * p < 0.05, ** p < 0.01, † p < 0.10; Standard Errors in Parentheses		

**Table C.2: Correlation of Coefficients**

	Total Reports of Suspected Abuse by Education Personnel <i>per 10,000</i>	Percent of Neighboring States	Number of visits by Erin Merryn	Legislative Professional Score	Number of Total Cases Investigated	Number of Child Abuse Reports for White Children	Number of Child Abuse Reports for non-White Children	Number of Violent Crimes <i>per 10,000</i>	Number of Teens Births <i>per 10,000</i>	Number of Teen Drop Outs <i>per 10,000</i>	Median Income	Number of unemployed <i>per 10,000</i>	Number of People Living in Poverty <i>per 10,000</i>
Total Reports of Suspected Abuse by Education Personnel <i>per 10,000</i>	1.0000												
Percent of Neighboring States	0.1569	1.0000											
Number of visits by Erin Merryn	0.1245	0.1744	1.0000										
Legislative Professional Score	-0.0378	0.1076	0.1393	1.0000									
Number of Total Cases Investigated	0.5939	0.1132	0.0606	0.0021	1.0000								
Number of Child Abuse Reports for White Children	0.3431	0.1153	0.0526	0.0737	0.5531	1.0000							
Number of Child Abuse Reports for non-White Children	0.1765	0.0283	0.0213	0.4665	0.2757	.2326	1.0000						
Number of Violent Crimes <i>per 10,000</i>	0.0946	0.0366	0.0528	0.2290	0.3163	0.0767	0.5727	1.0000					

Number of Teens Births per 10,000	0.0617	0.1297	0.0337	-0.2208	0.3581	0.2291	0.1711	0.4115	1.0000				
Number of Teen Drop Outs per 10,000	-0.0641	0.0979	0.0415	-0.1702	0.1506	0.1188	0.2442	0.4417	0.6725	1.0000			
Median Income	-0.1274	0.0447	0.0768	0.2122	-0.4493	-0.3661	-0.0110	-0.2377	-0.6930	-0.5124	1.0000		
Number of unemployed per 10,000	0.0333	-0.3185	0.1366	0.2835	0.1760	0.1165	0.2639	0.3538	0.3335	0.3106	-0.3177	1.0000	
Number of People Living in Poverty per 10,000	0.0670	0.2344	0.0960	0.0502	0.4168	0.3286	0.1539	0.3006	0.6730	0.5293	-0.8445	0.2904	1.0000