

From the FEC to the Ballot Box: The Informal Enforcement of Campaign Finance Laws

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Abstract

Scholarship suggests the Federal Election Commission lacks adequate enforcement tools to deter those who would violate campaign finance laws. But can informal enforcement mechanisms help ensure legal compliance? Might a candidate's violation of these laws create a scandal effect that would erode voter support, and hence deter wrongdoing in the first place? In this paper we use two studies to empirically evaluate whether the conditions for informal enforcement of campaign finance laws exist. The first examines the extent to which media cover campaign finance violations, and how they do so. The second employs an experimental methodology to test the effects of such media coverage on evaluations of political candidates, in particular whether knowledge of a candidate's violation of campaign finance laws erodes voter support. We find that the media is more likely to cover campaign finance impropriety for high profile offices, when criminal action is alleged, and for most serious violations. We also show that voters care about campaign violations, and particular violations—especially personal use of campaign funds—lower voter support by at least as much as more researched scandal types such as moral impropriety or tax evasion. However, the press often covers allegations of wrongdoing without reporting on the ultimate disposition of the case, and voters respond to mere allegations as strongly as they do convictions, raising concerns about the efficacy of informal enforcement.

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When a politician is accused of violating campaign finance laws, do voters care? If the politician is convicted, how much does that further affect voters' support? Does the type or extent of the violation matter? These questions are both important and understudied, not only for what their answers may tell us about scandal effects more generally, but also for what they may tell us about the possibility for a functioning system of campaign finance regulation. As we outline below, there is good reason to think that the formal mechanisms for punishing campaigns and candidates who violate campaign finance laws—e.g., fines by the Federal Election Commission (FEC) and other regulatory agencies, civil suits, and the like—may do little to deter rule breaking. But perhaps there is an *informal* mechanism, in the form of electoral penalties, which could deter potential wrongdoers instead. In a political context where money is increasingly present in politics and where voters believe moneyed interests to dominate politics with negative consequences, understanding whether and how voters respond to violations of campaign finance laws becomes even more important.

In this paper, we empirically evaluate whether the necessary conditions for informal enforcement of campaign finance laws exist. We begin by reviewing the literature on how scandal affects politicians' careers, and place these theories in the specific context of campaign finance enforcement. For informal enforcement of campaign finance laws to work as a deterrence mechanism, two conditions must be met. First, the media must provide the coverage and information necessary for voters to punish candidates who violate campaign finance regulations. Second, voters must care sufficiently about these violations and hold politicians accountable.

This paper combines two studies to test these conditions. The first study examines whether and how the media cover campaign finance violations. We analyze over 700 newspaper reports of campaign finance scandals between 2013 and 2014, examining media choice of who, what, and when scandal coverage occurs. The second study uses an experimental methodology to test the effects of such media coverage on evaluations of political candidates. Using an online survey, we gauge responses to fictional reports of campaign finance scandal, manipulating the type and magnitude of the scandal as well as other attributes. To our knowledge, our study is the first to experimentally test the extent to which campaign finance scandals threaten voter support. Ultimately, we find that the media is more likely to cover campaign finance impropriety in more high profile cases, when criminal action is alleged, and for certain types of violations. Second, we show that voters do care about campaign violations, and particular ones—especially personal use of campaign funds—lower voter support by at least as much as more researched scandal types, namely scandals related to moral impropriety or bribery. However, some problems for informal enforcement also were observed: the press often covers allegations of wrongdoing without reporting on the ultimate disposition of the case, and voters respond to mere allegations as strongly as they do convictions.

Political Scandal and Campaign Finance Laws

Scandals affect legislators' reelection chances. Members of the U.S. House of Representatives facing scandal allegations, though reelected about 60% of the time, saw their vote share decline anywhere between 5% (Basinger, 2013) to upwards of 11% (Peters & Welch, 1980). When explaining the effect of scandal on citizen support for legislators, scholars have looked at the mitigating effects of partisanship (Rundquist, Strom, & Peters, 1997; Bhatti, Hansen, & Olsen, 2013; Stoker, 1993; Miller, 1999), character traits (Funk, 1996), demographic

characteristics (Carlson, Ganiel, & Hyde, 2000), the passage of time (Mitchell, 2014; Doherty, Dowling, & Miller, 2014), and the political and economic context (Rottinghaus, 2013). They also have examined the secondary effects of scandal, including how it affects trust in government (Einstein & Glick, 2013) and approval of other politicians and institutions (Maier, 2010).

Not all scandals are equal, of course. Some studies find that financial scandals create a stronger backlash than moral scandals (Carlson et al., 2000; Funk, 1996), while others determine that moral scandals are more damaging (Peters & Welch, 1980; Welch & Hibbing, 1997). Doherty, Dowling, and Miller (2011) note that this inconsistency may be driven by the consideration of abuse of power—politicians using their position to cover up scandal, regardless of the type of scandal—often is overlooked in experimental setups. They find that respondents react more negatively to financial scandals than moral ones when no clear abuse of power is involved, but that a moral scandal which involves an abuse of power affects vote intent as much as a financial scandal that does not. Unsurprisingly, attitudes toward the type of scandal may be filtered through a partisan lens—Democrats have been found to punish legislators more severely for bribery and campaign violations than Republicans (Peters & Welch, 1980), where Republicans had a stronger reaction to infidelity scandals than did their Democratic counterparts (Doherty et al., 2011).

Yet curiously, there is almost no experimental literature that examines the effect of campaign finance scandal on voter behavior. Persily and Lammie (2004) study the relationship between the growth of campaign contributions (particularly soft money) and perceptions of political corruption, finding that while Americans believe that money corrupts politics, attitudes towards corruption derive mostly from individual characteristics such as race, income, education and partisanship. The authors acknowledge that their study does not firmly establish the

relationship between campaign contributions and perceptions of corruption, and they study attitudes toward money in politics more generally, rather than violations of campaign finance law specifically.

This lacuna in the literature is unfortunate. There is no shortage of scandalous behavior in which legislators could engage, but they are deterred from much of it not because of any scandal effect among voters, but because of the underlying penalties for the behavior itself. Legislators abstain from robbing banks not because of voter backlash, but because they don't want to spend a decade in prison. And most probably abstain from adultery not because they are concerned about their marginal district, but because they love their spouses and don't want a divorce. But consider a law that legislators have every incentive to violate; one with comparatively trivial penalties, even assuming one is caught. Consider federal campaign finance law, and the importance of a scandal effect among voters becomes apparent—that effect could be the only thing keeping legislators honest.

Although observers disagree strongly about the wisdom of various elements of campaign finance law, almost no one believes that the Federal Election Commission credibly deters would-be violators. Setting aside the claims about the agency's motives—that the FEC is either a captured agency (Jackson, 1990; Symposium, 1994), or an ineffectual partisan tool (La Forge, 1996)—many critics of the FEC argue that the agency is not institutionally structured to enforce the law. It has no power to levy administrative penalties, save for its Administrative Fines program that imposes small “parking ticket” violations for late filings. The FEC can attempt to negotiate a conciliation agreement, but should respondents refuse the agency is left with the option of starting anew by filing a civil suit in federal court (which it rarely does due to resource constraints) or by referring the case to the Department of Justice for criminal prosecution (which

the DOJ very rarely does due to the legal constraints imposed by the FECA itself (Gross, 1991; Lochner & Cain, 1999)). A comprehensive analysis of the most serious type of FEC enforcement actions between 1996 and 2004 found that 83% of accused wrongdoers faced no penalty because their case was dismissed (33%), there was no reason to believe a violation occurred (27%), or there was reason to believe a violation occurred but the agency opted to take no further action (23%) (Franz 2009).

Even when violators do receive a penalty, many scholars maintain that the penalties are far too low, and imposed far too long after the time of the infraction—indeed, usually not until the next election cycle—to preclude any possibility of deterring candidates or organizations with deep pockets (Democracy 21, 2002; Lochner & Cain, 1999; Lochner, Apollonio, & Tatum, 2008). Although true that the FEC recently has imposed greater penalties and may be doing so more quickly (Franz, 2009), former FEC litigators themselves have at times been skeptical that they can deter wrongdoing with the formal tools at their disposal.¹ Candidates and campaigns are archetypical examples of rational calculators, and fines reached via conciliation agreements are simply the costs of running a competitive campaign.

Hence the need for another type of deterrence mechanism. Legal scholars, economists and political scientists for years have studied “mild laws”—laws, like campaign finance regulations, for which offenders face little risk of detection and/or modest sanctions if caught (Ellickson, 1991; Ellickson, 1998; Posner, 2000; Kube & Traxler, 2011). Through the enforcement of social mores by informal mechanisms such as shaming, social exclusion, or modifying trade practices, would-be wrongdoers may choose to comply with the law even when an overly-simplistic calculation of formal legal sanctions suggests they should not. Especially if the mild law in question was created by community members themselves rather than imposed on

them exogenously, mild law can activate social norms that can significantly enhance deterrence (Tyran & Feld, 2006). It is informal enforcement, rather than formal, that makes mild laws work.

What would informal enforcement look like in the campaign finance context? It looks like the scandal effect. It is the possibility that the candidate could lose electoral support should voters discover that her campaign has violated campaign finance law (Lochner & Cain, 2000), and thus the candidate obeys the law. If true that the FEC's formal enforcement tools at present are insufficient to deter would-be wrongdoers (particularly those with deep pockets), and if we grant that violating campaign finance law does not impose highly concentrated costs on individual victims as does (for example) cheating on a spouse, it remains to be seen whether informal enforcement of campaign finance law would function effectively.

We know that polling data consistently show that Americans, both Democrats and Republicans, are concerned about the influence of money in politics and support regulations on campaign finance (see, e.g., Confessore & Thee-Brenan, 2015), though they are deeply cynical about the efficacy of such efforts. These attitudes cut both ways when thinking about mild law. On the one hand, Americans exhibit the strong moral sentiment that can serve as the basis for informal enforcement; on the other, citizen belief that money will *always* influence politics may undermine enforcement of those norms. As Traxler and Winter note, “[t]he more frequently deviations from a social norm are believed to occur, the less likely a norm violation is sanctioned” (2012, p. 12). Further, Primo (2002) argues that while most Americans favor campaign finance reform, such support is inconsistent and often relatively low on the list of policy priorities. However, Primo notes that reform efforts are kept alive and relevant to voters by the media and governing elites.

Indeed, there is anecdotal evidence that campaign finance violations can have serious repercussions for legislators' campaigns. A candidate for the 6th Congressional District in Colorado resigned less than 24 hours after an opponent filed a complaint with the FEC alleging that the candidate failed to report a \$51,000 contribution to his campaign (Lee, 2012). A congressional candidate in Connecticut's 5th district who initially had been endorsed by his party and had been the frontrunner through most of the primary lost after it was discovered that his staffers had accepted illegal campaign contributions ("Connecticut's 5th," n.d.). More recently, Sen. Kelly Ayotte and other prominent Republicans publicly called on Representative FrankGuinta (R-NH) to resign his House seat because of Guinta's receipt of excessive contributions (Meyer, 2015). This scandal effect is not limited to federal races; a senior Democrat in the Ohio House resigned after being accused of violating state campaign finance law (Pelzer, 2015). Indeed, politicians and party officials themselves recognize the potential damage that can result when people are accused of violating campaign finance law. As an observer of Maine's elections noted

The allegations of election-law violations are piling up at both the state and federal levels this campaign season, a common development in the weeks leading up to an election. And while few deny political motivations are behind many of them, election-law specialists say that such complaints are a necessary part of enforcing campaign finance laws (Stone, 2012).

This point bears elaboration, as it speaks to the conditions necessary for the informal enforcement mechanism. First, voters obviously must have *awareness* of the violations. This could occur through any number of mechanisms—disclosure by the regulatory agency, coverage by the media or political opponents, or even admissions of wrongdoing by violators themselves. This awareness is facilitated in the following ways. Reporting of campaign finance violations must not be limited to the highest level of public office. In addition, the resolution of a case, not

just the initial accusation, must be made known to the public, otherwise the actual violation might matter far less than the mere accusation of violation. Further, there should be greater levels of coverage for the most serious types of infractions, lest all violations be viewed as equally wrong. Lastly, we would expect that the source of the accusation matters, with neutral and non-partisan sources (such as a newspaper or ethics agency) being trusted more than partisan opponents.

Awareness is a necessary but not sufficient condition for successful informal enforcement. In addition, we must see systematically appropriate responses by the public. First, voter reaction must be *proportionate* to the offense. Federal campaign finance law is detailed and complex, and legislators would face a very strange incentive structure if voters punished a candidate who accidentally filed her mid-year reports one day late as severely as another candidate who purposely embezzled campaign funds or colluded with donors to fraudulently conceal excessive contributions. Further, voter reaction must be *outcome-contingent*. By this, we mean that voters should differentiate between a mere allegation of wrongdoing, a finding or admission of wrongdoing, and an exoneration from wrongdoing. In the absence of such distinctions, political opponents are incentivized to make unsubstantiated claims, which not only would consume an agency's limited resources but also would risk reducing all coverage of campaign finance violations to background noise—if all candidates are perceived to violate the law all the time, why should voters care?

In what follows, we analyze the extent to which newspapers cover campaign finance violations (i.e., the requisite for voter awareness). We then experimentally test the other conditions for effective informal enforcement of campaign finance laws. Not only is this useful to enhance our understanding of scandal effects in the context of mild law, it also helps us to

know whether, in the context of campaign finance violations, the informal enforcement mechanism can supplement the inadequate formal sanctions possessed by the FEC. If informal enforcement does work, it may be the best hope for deterrence and policy changes should focus on enhancing the “shaming” effect on violators (Lochner, 2003). If the informal sanction fails, we are forced to ask the very serious question whether there is currently any realistic mechanism to encourage candidates and campaigns to obey the law.

Two Studies

In order to test these hypotheses, we create two studies. The first involves an extensive examination of newspaper articles reporting on campaign finance violations for all state and federal political candidates. This will allow us to test what the information environment contains, that is, what information voters will have to use in order to make judgments about candidates accused, convicted, or acquitted of violations. Second, we conduct a survey experiment to see how this information affects voters’ decisions, and the mechanisms by which media coverage of campaign finance violations affects voters. This experiment also will allow us to compare campaign finance violations to other types of scandals already examined in the literature to see whether the electoral effects are similar.

Study 1: Media Reporting of Campaign Finance Violations

As previously stated, the most important precondition for informal enforcement of campaign finance laws is that voters are made aware of the violation. Opposing candidates will surely have a part to play here, but it is likely that the media will have the most important role in informing the public about accusations and outcomes of violations. Theoretically and empirically, the media occupies a vital position in agenda setting by structuring voters’

information environment, determining what issues gain exposure, what voters know, and how candidates are perceived (McCombs & Shaw, 1972; Kim, Scheufele, & Shanahan, 2002; Puglisi & Snyder, 2011; Jerit, Barabas, & Bolsen, 2006; Delli Carpini & Keeter, 1996; Bartels, 1993; Schaffner & Streb, 2002).

There is good reason to presume that media is willing to cover campaign finance scandals. The scandal narrative is enticing for reporters because positive information tends to hold the public's attention for less time (Freedman & Goldstein, 1999; McDermott, Fowler, & Smirnov, 2008; Vonk, 1996). As David Primo suggests, "the mass media covers campaign finance feverishly, with the slant that money is the root of all political evils" (Primo, 2002, p. 207). He goes on to say that campaign finance reform is a favorite media topic, subject to intense (if sporadic) coverage. Further, even though voters are usually less concerned about campaign finance than elites, the media's interest in campaign finance keeps the issue in the public eye and media coverage of it has a demonstrable effect on voters' opinions about government. In other words, the media sees campaign finance and the role of money in politics as an important and easily-sold story, and covers it intensely. If campaign finance reform is a topic in which the media has great interest, scandals and wrongdoing related to this topic should be especially compelling for the mass media. We thus expect that the media will widely cover violations of campaign finance laws.

In addition to confirming the existence of media coverage of scandals, it is important to consider the characteristics of media coverage that would make for optimal for informal enforcement. As is true with all media coverage, the media serves as a gatekeeper of information on scandals between politicians and the public (Romano, 2014). Unfortunately, media coverage can be problematic in two ways: timing and incidence. Previous research speaks to this point in a

variety of ways. Nyhan (2015) demonstrates that scandal is a co-production of political opposition and incentivized media, with the media more likely to cover scandal during slower news periods. Fogarty (2013) shows scandals are more highly publicized when the accused is in a competitive race and their opponent actively pushes the scandal. Finally, Puglisi and Snyder (2011) show that partisanship of the newspaper may affect the level of coverage, increasing the coverage of out-party scandals.

Consequently, we must also consider for whom, what violations, and when coverage of campaign finance scandals occurs. In the current fast-paced environment of stories' production value, the incentive to report on scandals diminishes quickly over time (Kalb, 1998). *Thus, we expect that the competitive nature of news cycles will privilege reports on accusations at the expense of full coverage of the adjudication process.* In addition, the decline in coverage and circulation by local newspapers endangers the ability of voters to learn about local candidates and issues, and may increase the influence of national and niche media (Nielsen, 2015). *We therefore expect news to be dominated by high profile cases, particularly of candidates for national races.* Finally, the media is not equally incentivized to report all news stories. Market pressures, analogous to the idiom "if it bleeds, it leads," will drive coverage of the most egregious offenses over minor infractions (Hamilton, 2004). *We expect those violations that are seen as more serious will similarly be given more coverage, namely those that are of a criminal rather than civil or administrative nature.*

To ascertain whether and when the media regularly covers campaign finance law, we collected newspaper articles on reports of campaign finance violations over a two-year period from 2013 to 2014. We conducted our search using NewsBank America's News, a research database that includes newspapers, blogs, magazines, newswires, television transcripts, and web

sources.² We collected any articles with a primary focus on a campaign finance violation for candidates running for federal or state executive or legislative offices. If there were multiple articles with the same headline and from the same source, we included only one article, the longest in length. If there were multiple articles about the same case on the same day, we coded the content of the longest article of the day and simply counted the rest.³

This process resulted in the collection of 730 newspaper articles concerning 106 distinct campaign finance cases. Table 1 displays descriptive statistics for this data, breaking it down by the identity of the accused, adjudicating process, type of violation, and timing of coverage. We calculate a “coverage-ratio” to describe the relative differences between the number of unique cases and amount of coverage. Again, we expect to see widespread coverage of campaign finance scandal by political office, with more coverage associated with more serious violations. However, we do not expect the media to consistently cover all stages of case adjudication, with more emphasis devoted to allegations than resolutions.

Table 1 shows widespread media coverage across a variety of political offices. Complaints of violations by state elected officials are the most common, comprising 54% percent of news articles and 64% of cases. In contrast, and in line with theoretical expectations, cases that involve candidates for the Presidency and House of Representatives receive the greatest ratio of coverage to number of cases, comprising 30% of cases but 43% of all news articles in our sample combined. Both of these findings are consistent with our expectations. That state officials comprise the majority of cases is expected, as the number of state offices far exceeds the number of federal offices. Indeed, candidates for state offices raised more money than candidates for federal offices in 2013-2014.⁴ That candidates for federal offices receive high coverage ratios also is expected, as a national figure is more likely to have newspaper coverage disseminated in a

larger number of newspapers and be of wider interest to readers. The difference in coverage ratios for House and Senate candidates is less clear-cut, with Senate cases seemingly underreported, but the small number of cases for Senate candidates likely explains this statistical difference.

The data also confirms the expectation that more serious violations receive a higher quantity of news reports. Violations meriting criminal investigation were reported more frequently, representing 45% of articles despite only representing 20% of cases. In contrast, matters adjudicated by administrative agencies received limited media attention. The most common type of violation reported was for contributions in the name of another, a violation occurring in 20% of news articles in our sample. Coverage of this type of violation was more than three times higher than its representation in our sample of cases. Illegal coordination with Super PACs and the improper use of public funds also received outsized attention relative to their occurrences. In contrast, violations that might conceivably be attributed to an administrative error—late filing, failure to file, and excessive contributions—all received relatively less media attention. The limited media coverage of the personal use of funds is in contrast to our expectations, a serious violation that was slightly underreported (20% of articles and 26% of cases).

Finally, our data reveals that—as expected—newspapers do not consistently report on cases through to the conclusion of the case. The majority (59%) of news articles on campaign finance violations report accusations or investigations that are ongoing. Even more concerning, however, is the fact that there were many cases in which the disposition of the case did not receive a single news article. Sixty-one percent of the 106 unique cases in our data presented an accusation or reported on an ongoing investigation without ever reporting the outcome of the

investigation. In conclusion, while the media appears to cover a diverse range of candidates and gives appropriate weight to more serious crimes, its underreporting of case conclusions may incentivize false accusations.

Study 2: Experimental Examination of Electoral Effect of Campaign Finance Violations

Given that newspapers do cover campaign finance scandals, what does their readership make of these reports? In order to assess the causal effects of various campaign finance-related scandals, and to compare the effects to other types of scandals, we experimentally manipulated hypothetical newspaper coverage of a politician's scandal. Our analysis of actual newspaper coverage provided a large number of examples for us to draw from to construct experimental conditions, and we sought to capture the language and look of the real stories when creating our hypothetical versions in order to increase external validity.

We would expect the effect of a campaign finance scandal on voters' opinions to be moderated in part by two exogenous factors: prior affect toward the politician in question and partisanship. As a result, in order to identify the unique effect of scandal on political opinions, our hypothetical article dealt with a fictional politician running for Congress, thus eliminating any prior affect.⁵ Second, for simplicity and space concerns, we kept the politician's ascribed partisanship constant so that any effects cannot be attributed to party affinity.⁶ Since we have no expectation that Democratic or Republican voters would respond to campaign finance violations differently, we argue that the effect of partisanship can be captured by comparing the evaluations of the candidate between in-partisans and out-partisans.

Our survey was employed on Amazon's Mechanical Turk (MTurk) platform. Researchers increasingly use this platform to generate a national sample of diverse respondents rapidly and less expensively than other polling mechanisms. Although respondents are not a random sample

of nationally representative adults, the utility of the MTurk platform for experimental research has been supported in numerous studies (Berinsky et al., 2012; Weinberg et al., 2014; Clifford et al., 2015; Mullinix, Leeper, Druckman, & Freese, 2015). Further, vignette experiments are the modal methodology used by other published scholars studying the topic of political scandal (Funk, 1996; Doherty et al., 2011; Doherty et al., 2014; Bowler & Donovan, 2015).

Using a survey experiment on MTurk allows us to test the effects of the different ways the media presents campaign finance violations to readers using a large sample of American adults. Specifically, we test whether the following affect voter opinion: the type of violation, the investigating agency, the disposition of the case, the size of the violation, and the identity of the accuser. Overall, we tested 23 different conditions that manipulated the specifics of the media coverage (see Appendix for the wording of these vignettes).

We expect that voters will consider the likely veracity of an allegation when evaluating the candidate accused. In the absence of clear evidence, the identity of the actor accusing the candidate of a campaign finance violation is one potential cue that voters may utilize.⁷ Though some scholars question the magnitude of the effect (Nicholson, 2011), a substantial amount of previous research on political heuristics has shown that the credibility and trustworthiness of a source acts as a pivotal cue in decision-making (Petty & Wegener, 1998; Lupia & McCubbins, 1998, Druckman, 2001; Lupia, 2000; Boudreau, 2009; Callaghan, Karen, & Frauke Schnell, 2009). *We hypothesize that accusations made by the news media will be more trusted than accusations made by opposing political campaigns.* Opposing political campaigns have an incentive to levy false accusations, particularly in the current era of close competition between parties and increasing polarization (McCarty, Poole, & Rosenthal, 2016). Though some specific news sources may send an ideological signal (Turner, 2007) and some scholars point to an

increasing distrust of the media (Ladd, 2011), we do not expect that our fictional news source (the *Washington Bugle*) will garner these negative impressions. Previous experimental research on accusations of corruption on Brazilian politicians found news media to be the most trusted source of accusations (Botero et al., 2015).

Our content analysis of newspapers revealed that the media infrequently covers a case through to its final resolution. This is troubling, as we expect that the outcome of a case will affect voter reaction. We test for differential voter responses to accusations not yet resolved, accusations that end in exoneration, and accusations that end in conviction. Given the presumed legitimacy of democratic institutions, *we expect convictions to increase voter punishment and exonerations to reduce negative reactions, both relative to accusations without resolution.* This does not necessarily mean, however, that an exoneration will fully restore voter confidence. Indeed, there is consistent evidence in the legal literature that a legal stigma continues to exist for those exonerated of crimes, empirically validated through studies of job acquisition (Schwartz & Skolnick, 1962). Given the prevalence of attitudes that acquitted parties might still be guilty (Givelber & Farrell, 2012), some have questioned whether the names of accused should regularly be made public (Bohlander, 2010).

To test these hypotheses, each survey respondent was first given a mock newspaper article with one of the 23 manipulations about a hypothetical candidate accused, convicted, or cleared of various wrongdoings.⁸ After this, the respondent was asked the following about the candidate: the likelihood of voting for him, the approval of his job performance, how warmly they felt toward him on a 100 point scale, whether he was seen as trustworthy, intelligent, ethical, and competent, and finally how the respondent perceived the candidate's ideology.⁹ As discussed above, we kept partisanship constant with the candidate being labeled a Democrat.

Additionally, we provided a general description of the candidate's policy platform, to allow for respondents to respond to more than just partisanship and the scandal while providing some context and realism to the hypothetical candidate/situation. We achieved an overall sample of 2,396, averaging over 100 respondents per condition.

As previously stated, successful informal enforcement requires that voter reaction is *proportionate* to the offense. To test this hypothesis, we randomly assigned respondents to view a newspaper article in which Representative Asher violated different types of campaign finance laws. The offenses included filing a campaign finance report three weeks late, illegally coordinating with a Super PAC, receiving a contribution in excess of campaign finance limits, and personal use of campaign finance funds. In accordance with the size of the penalties generally associated with these offenses, we consider late filing to be a minor offense and personal use to be the most serious offense. The seriousness of illegal coordination is in the mid-range, while the gravity of excessive contributions is contingent on the amount of money in question, a factor we will explore in greater depth. For comparison purposes, we also test for voter reactions if Representative Asher is not involved in any violation, as well as accusations of tax evasion and sexual impropriety.¹⁰

The results of our multivariate estimation appear in Table 2 with unadjusted differences in means by permutation in Figure 1.¹¹ We test for the effect of vote choice as measured by a five-point Likert scale using an ordered logistic regression (model 1) as well as perception on a feeling thermometer using ordinary least squares (model 2). Though the conditions are randomly assigned, we still control for the demographic characteristics of the respondents to improve balance, including race (dummy variables for black and Hispanic), partisanship (dummy variables for self-identified Democrats and Republicans), ideology (1 to 7 scale, with higher

numbers represented as more conservative), gender (dummy variable for female), age (continuous), education (1 to 5 scale), and income (1 to 9 scale).

According to the predicted probabilities produced from model 1, calculated by holding all other factors at their means, respondents largely viewed Representative Asher neutrally when he was presented without an alleged violation.¹² Here, there was a 0.34 probability that a respondent would be very or somewhat unlikely to vote for the candidate, 0.25 probability that a respondent would be very or somewhat likely to vote for the candidate, with the largest expectation that a respondent would be neutral about their vote choice (0.4).

Most alleged violations affected responses. The sole exception—unsurprisingly, as it is a minor offense—was that accusations of late filing did not appreciably affect vote intentions. Also as expected, an allegation of the personal use of campaign finance funds was the most significant. Here, the probability of an unlikely vote increased to 0.86, with a probability of 0.55 responding as “very unlikely” to vote for Asher. The probability of a favorable vote intention was less than 0.03. For comparison, the results here were extremely close to allegations of tax evasion—a serious financial impropriety.

Illegal coordination with a Super PAC and an excessive contribution violation of \$25,000 had similarly sized effects. Both made the modal respondent unlikely to vote for Representative Asher, with the probability of reporting to be very or somewhat unlikely to cast a vote in his favor at 0.69 and 0.65 respectively. Both of these allegations were worse than sexual impropriety, which resulted in a 0.51 probability of being very or somewhat unlikely to vote for the candidate.

The magnitudes of the effect of different violation types are similar for model 2, an ordinary least squares regression on a feeling thermometer. Again, personal use and tax evasion have effects of similar magnitudes, reducing the feeling thermometer from a predicted value of 49 with no violation, to 27 and 28 respectively. A late filing violation is indistinguishable from no violation, and illegal coordination and excessive contributions of \$25,000 have midrange effects, reducing Asher's expected value on the thermometer to 36 and 35 respectively. On this metric, a sex scandal is equally damaging to Asher, also producing an expected value of 36. As we will discuss further in the next section, this mirrors previous research that sex scandals hurt character evaluations more than vote intentions (Funk, 1996).

To further explore the ability of voters to make judgments *proportionate* to the severity of offense, we added additional variations within the category of excessive contributions. We ran ten randomly assigned conditions where candidate Asher is alleged to have violated campaign finance law with an excessive contribution. Short descriptions of these ten conditions as well as average likelihood of voting for Asher based on each variation appear in Figure 2.¹³ For the purposes of regression analysis, these ten conditions were coded based on their core attributes, namely level of contribution (baseline: \$25,000), presence of criminal charges (baseline: administrative charges), investigation outcome (baseline: allegation only), and identity of accuser (baseline: not mentioned).

Figure 2 displays raw averages and Table 3 presents multivariate regression results. First, we test whether the description of the adjudication process, criminal indictment by the Department of Justice as opposed to an administrative investigation by the Federal Election Commission, affects responses. Because the severity of the violation in the manipulation does

not change, we do not expect voters to distinguish between these conditions. The findings bear out this prediction.

We also manipulated whether the excessive contribution was for higher (\$200,000) or lower (\$3,700) amounts than the baseline condition (\$25,000), with the expectations that voters should be less likely to vote for a candidate with larger monetary offenses. Here, the ability of respondents to differentiate between these conditions is limited. The \$25,000 and \$200,000 conditions produced almost identical results. The coefficient of the \$3,700 contribution is distinguishable from the high level contributions, but only at the 10% levels of significance. In terms of predicted probabilities, a violation of only \$1,000 in excess of the legal limit for individual contributions (\$3,700) was associated with a 0.59 probability of an unlikely vote for Representative Asher, in contrast to 0.66 and 0.70 probabilities of an unlikely vote for contributions of \$25,000 and \$200,000 respectively. Most of the movement here comes from increased probabilities of being “very unlikely” to vote for the candidate and decreased probabilities of being “neutral.”

Our third expectation was that voter responses must be outcome-contingent. To test for this, we experimentally manipulate both who accuses Asher of an excessive contribution violation, and whether the news article reported an allegation currently under investigation, an allegation in which the candidate was cleared of all charges, or an allegation in which the candidate was convicted. For informal enforcement to properly function convictions should be worse than allegations and being cleared of charges should result in little if any punishment by voters.

Results only partially bear out these expectations. Convictions and allegations of excessive contributions are statistically indistinguishable, with most respondents indicating they

would be unlikely to vote for Representative Asher with probabilities of 0.73 and 0.69 respectively. If Asher was found to be cleared of the charge the probability of an unlikely vote decreased to 0.44, though this is still higher than the probability of an unlikely vote if no violation was presented (0.34 derived from analysis Table 2). This is consistent with prior research (Schwartz & Skolnick, 1962).

Given these results, it is perhaps no surprise that more nuanced signaling of the authenticity of allegations had little effect. We manipulated whether Asher was accused of violating the law by the news media or his opposing campaign, relative to a baseline condition where the origin of the allegation was not mentioned. Our expectation was that an accusation made from a news source (in our vignette the fictional *Washington Bugle*) would be relatively more trusted than an allegation from an opposing campaign, and hence would result in a greater potential for informal enforcement. The findings, as shown in Table 3, are null; respondents did not differentiate between these conditions.

The Mechanisms of Informal Enforcement

The results presented show a robust informal enforcement effect in terms of a reduced likelihood of voting for a candidate involved in a campaign finance scandal. Though we can causally attribute changes in votes to our experimental conditions, these results do not illuminate the mechanisms at work. For instances, are voters punishing candidates for perceived deficiencies in morality or competency? Are certain groups of voters more likely to punish than others? Here we present preliminary evidence on the mechanisms by which informal enforcement occurs.

Table 4 includes models predicting the perception of our hypothetical candidate when respondents were given the varying information about the candidate's (Asher's) scandal. We ran

a series of ordered logit models explaining the effect of the wrongdoing on the four attributes described above, job approval, as well as the perceived ideology of Asher (seven-point scale). The goal is to better understand the specific mechanism by which campaign finance scandals affect vote intention.

First, nearly all scandals negatively affect Asher's perceived character traits and job approval as expected. The largest effects tend to be for being perceived as trustworthy and ethical, especially when Asher is accused of tax evasion or personal use of campaign funds. For example, the probability a respondent viewed Asher as untrustworthy increased from 0.56 in the baseline condition with no violation, to 0.95 when accused of personal use of campaign funds.¹⁴ Personal use also strongly affects Asher's perceived intelligence, competence, and job approval—more so than any other type of violation. For example, the probability a respondent viewed Asher as unintelligent increased from 0.23 in the baseline condition with no violation, to 0.66 when accused of personal use of campaign funds. In contrast, the violation of late filing neither affects neither trustworthiness nor job approval, which is in keeping with results showing voters largely do not hold such violations against the candidate. Late filing does, however, make voters question Asher's competence and intelligence, and to a lesser extent his ethicality. The sex scandal, on the other hand, affects neither Asher's perceived competence nor his job approval rating. While voters do take a negative view towards a politician who has committed sexual indiscretions, they apparently separate that from his job performance.¹⁵

Lastly, there is no evidence that any of the campaign finance violations affect Asher's perceived ideology. However, if he is accused of tax evasion he is seen as more conservative, while a sexual indiscretion makes him appear more liberal. Although certain scandals are seen as more stereotypic of specific ideology types, campaign finance violations are not viewed as more

emblematic of conservative or liberal politicians. This supports our decision not to manipulate Asher's partisanship, as any partisan effects are for in- versus out-party, not due to partisan or ideological stereotypes.

Partisanship does affect the likelihood of voting for Asher differently across the various violations.¹⁶ Republicans only further punish Asher (who's labeled as a Democrat) for personal use and sex scandals. Interestingly, late filing actually increases Republican support. Democrats, on the other hand, punish Asher (their in-partisan) for all violations except late filing, which is seen as the most minor violation. Independents also are less supportive of Asher in every condition except for late filing and the sex scandal. Overall, it appears that there is a floor on the support from out-partisans, meaning that scandals will be most damaging from a politician's own party voters and independents. Given, however, that we only test one partisan affiliation, we are hesitant to make strong conclusions about the moderating effect of party ID on voter perception of violations.

Discussion and Conclusion

We sought in this project to empirically test the extent to which citizens care whether legislators violate campaign finance law. Research has demonstrated time and again that scandal effects can change voter perception and hence the willingness of those voters to support a candidate. Understanding scandal effects, or the lack thereof, in the campaign finance context is even more important. Many laws impose sanctions sufficient to deter would-be wrongdoers, politicians or otherwise, just as powerful social norms may constrain them from engaging in potentially scandalous behavior like extramarital affairs. Federal campaign finance laws are different. Scholars and observers across the political spectrum consistently maintain that the FEC lacks the will (possibly) and the tools (certainly) to adequately deter potential campaign finance

violators. As is the case with other “mild laws,” the informal enforcement mechanism of public sanction may be the last, best hope to ensure that legislators obey the law. But while voters consistently decry the influence of money in elections, their cynicism about the potential for meaningful reform may undermine the social norms upon which any scandal effect would rely.

Our analysis of NewsBank stories provides cause for both optimism and concern. On the one hand, the media covers more serious types of campaign finance violations such as personal use more than less serious infractions such as late filing. Because more serious offenses are covered more extensively, voters are mostly likely to be made aware of the worst wrongdoers. However, almost 60% of the time the media did not follow allegations of wrongdoing to their resolution. This “report the allegation but not the disposition” dynamic may incentivize political actors to make questionable or outright false accusations in order to discredit their political opponents. By feeding the perception that all candidates violate the law, social norms erode and informal enforcement becomes more difficult.

When confronted with such stories, do voter perceptions of the candidate change? For informal enforcement to function effectively, voter reaction must be proportional to the offense and outcome-contingent. Results on proportionality were mixed. Accusations of late filing, the least serious offense, did not matter, while personal use violations had the same strong, negative effect as did allegations of tax evasion. The other two campaign finance offenses fell in between, but the amount of excessive contribution did not matter. We suspect, but cannot prove, that there is an intuitive logic to these results. Most people are familiar with the problem of late paperwork in a variety of contexts (jobs, income tax forms, etc.) and view it as often negligent rather than malign behavior. That late filing affected respondents’ view of the candidate’s competence and intelligence, but not his trustworthiness or job approval, tends to support this view. Personal use

of campaign funds—spending money on yourself that is not yours to spend—is analytically similar to theft or embezzlement and thus more serious, and is reflected in the fact that respondents viewed such behavior as untrustworthy and unethical. All of this is good for the possibility of informal enforcement. Yet excessive contributions were problematic insofar as the amount of contribution did not matter; though in the absence of a clear estimate of the total amount spent in a campaign, most people would not know how to distinguish degrees of excess.

As was the case with media coverage, outcome contingency was a problem for participants. Generally speaking, allegations of wrongdoing produce the same degree of vote loss as do convictions for the offense. Nor did respondents differentiate between allegations made by a news source and those made by an opposing campaign. These findings are quite troubling. There admittedly is merit to the fact that campaigns can monitor their opponents for legal wrongdoing, thereby decreasing monitoring costs for regulatory agencies like the FEC. But if an allegation and a conviction are synonymous in the eyes of the voters, there are strong incentives to bring overzealous and possibly frivolous accusations against one's political opponents. And if all parties employ this strategy, voters may assume that all candidates are lawbreakers, again eroding the social norms that could otherwise encourage compliance.

We have clear results as to why campaign finance violations decrease voters' support for a candidate. The main culprits are lowered trust and perceive ethicality, rather than changed perception of ideology. In other words, character trumps politics in the face of campaign finance scandal. While we hesitate to make strong claims about the effects of partisanship on perceptions of campaign finance violations, our very preliminary results have intuitive appeal. Unless they are exceedingly serious, campaign finance violations are most likely to affect a politician's own party voters. It takes a lot of effort to push the needle further when one already is predisposed to

vote against a candidate for partisan reasons. But scandals of this nature may be especially damaging to candidates in primary races, where candidate information is likely much lower and in-partisans are most negatively affected. The scandals are also likely to be more damaging in low-information races where prior affect for a candidate is less able to overcome allegations or findings of wrongdoing. A more detailed analysis of the relationship between partisanship and perceptions of campaign finance violations would be a fruitful area of further research.

Two other areas of future research merit consideration as well. First, it would be helpful to expand the empirical examination of newspaper, blog, and online coverage of campaign finance violations to see if there are significant changes in coverage over time, as well as to look at alternative sources of political information such as campaign advertisements to see if opponents' campaign finance violations are mentioned. Does the quantity or quality of coverage change over time or by source? Second, and most important, we would like to analyze the effect of campaign finance violations when considered alongside other politically salient issues. Our project provides some evidence that the conditions for informal enforcement are present in the campaign finance area. Media do cover these offenses, albeit imperfectly, and voters do seem to care about them, albeit in ways that may undermine the norms upon which informal enforcement is predicated. Yet the real test of informal enforcement is whether a voter would be willing to vote against someone who violated these laws even though the voter is otherwise supportive of the candidate and her positions. Perhaps campaign finance violations concern voters in the abstract, but not when weighted against a politician's support for economic or social policies the voters care about.

Much scholarly and journalist ink has been spilt critiquing recent Court decisions such as *Citizens United*. But limits on independent expenditures, candidate contributions, or dark money

are only useful if regulated actors are incentivized to obey the law. Far more empirical work must be done to discover the conditions, if any, under which actors in the campaign finance arena are deterred. It strikes us that supporters of campaign finance regulations must do one of three things. First, disprove the strong consensus that the FEC lacks the capacity to deter potential wrong-doers. Second, demonstrate that even in the absence of formal enforcement, citizens will punish those wrong-doers sufficiently to create an informal mechanism of deterrence. Third, admit that neither formal nor informal likely work—that the most sophisticated actors with the deepest pockets can violate campaign finance law as their needs dictate—and consequently ask whether that system is normatively superior to its alternatives.

Notes

¹ Lawrence Noble, former General Counsel for the FEC noted:

The argument is that violating the law has become the cost of doing business. I can tell you in many cases this is true. I have talked to enough lawyers who represent candidates who say that the classic conversation in the campaign room consists of someone asking “We want to do this and this. What are the consequences?” Then the lawyer responds by saying “We cannot do that. It is illegal. After the election the FEC will go after you.” To which the questioner asks “What is the fine?” Even if the penalty is a \$20,000 fine, he is thinking “But this action will win the election.” “All right, thank you. Leave the room, please.” I am serious. This scenario happens, and the lawyers get up and leave the room. The next day they get the phone calls, to the effect of, “Listen, we should tell you what we just did,” because in a political campaign the reality—winning—often is everything.

(*Problems and Possibilities*, 1994, p. 232). While campaign finance law has changed appreciably since 1994, the environmental ecology of campaigns has not. They require appreciable resources, are professionalized, and have a unique point in time—the election—after which the expected value of a fine imposed diminishes greatly.

² Our search terms were “‘campaign finance’ NEAR5 (violat* OR break OR broke OR impropri* OR scandal).”

³ To ensure inter-coder reliability, our coders analyzed the same hundred articles separately to ensure agreement was greater than 90 percent. For these first hundred articles we reviewed the differences to produce greater coherence for the next set. Afterwards the coders analyzed another fifty of the same stories with an increase in accuracy of two

percent to 95 percent overall agreement. The rest of the dataset was divided in half for each coder to evaluate individually.

⁴ OpenSecrets estimates \$1.74 billion raised for federal offices in 2013-2014. Follow the Money estimates \$2.16 billion raised for state candidates in 2013-2014. <http://www.followthemoney.org/research/institute-reports/2014-candidate-elections-overview><http://www.opensecrets.org/overview/index.php?cycle=2014&type=A&display=T>

⁵ The magnitude of our results are more likely generalized to low-information and non-partisan elections, though we argue that the effects to more well-known partisan politicians will be similar to other types of scandal.

⁶ We did test one condition with a reversed partisan label as a check on the effect of party identification.

⁷ The identity of the accuser was known in 28% of the articles coded in Study 1. The most common accuser was an opposing political party.

⁸ Except for the control, where the story instead concerned an upcoming vote the confronting the candidate in Congress regarding campaign finance reform. See Appendix for all condition wordings.

⁹ Respondents were then asked a series of demographic questions and for their political leanings.

¹⁰ We tried to keep the different offenses as similar in dollar terms as possible. For example, Asher is accused of receiving an excessive contribution of \$25,000, withholding \$25,000 in income over the last ten years, and spending \$2,500 on personal uses.

¹¹ In the Appendix we report the mean levels of each outcome by condition, with difference of means tests, without covariates to show how the treatments affect overall opinion.

¹² The newspaper article in this experimental variation described Asher as undecided on how to vote on a minor alteration to existing campaign finance laws, increasing the number of reporting deadlines. The description of his candidacy for reelection and policy positions were unaltered.

¹³ Unless otherwise indicated, the vignettes describe an FEC investigation of an allegation of an excessive contribution in the amount of \$25,000.

¹⁴ Untrustworthy here is defined as a response of “Not well at all” or “Not too well” when asked “How well does ‘trustworthy’ describe Representative Asher?”

¹⁵ This may be similar to Bill Clinton’s presidency, where many voters believed he was a personally unappealing but nevertheless strongly approved of the job he was doing as president.

¹⁶ These results, not shown, are derived from repeating the analysis presented in Table 1 separately for self-identified Republicans, Democrats, and Independents.

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Table 1: Reports of Campaign Finance Violations in Newspapers from 2013 to 2014

<u>Office of Candidate</u>	<u>% of Articles</u>	<u>% of Cases</u>	<u>Coverage Ratio</u>
Presidency	8.77	6.1	1.44
House of Representatives	34.11	24.39	1.40
Statewide Office	33.15	32.52	1.02
State Legislature	20.96	31.3	0.67
Senate	3.01	5.69	0.53

<u>Type of Case</u>	<u>% of Articles</u>	<u>% of Cases</u>	<u>Coverage Ratio</u>
Criminal	45.34	19.81	2.29
Civil	7.81	5.66	1.38
Ethics	5.75	5.66	1.02
Administrative	27.67	37.74	0.73
Not Determined / Pending	13.43	31.13	0.43

<u>Violation Type</u>	<u>% of Articles*</u>	<u>% of Cases*</u>	<u>Coverage Ratio</u>
Contribution in the Name of Another	20.14	5.66	3.56
Not Specified	7.26	2.83	2.57
Improper Use of Public Funds	14.11	6.60	2.14
Illegal Coordination	11.10	8.49	1.31
Improper Solicitation / Payments	12.47	12.26	1.02
Personal Use of Funds	19.59	26.42	0.74
Failure to Disclose / File	17.26	34.91	0.49
Excessive or Prohibited Contribution	15.89	34.00	0.47
Late Report	2.74	7.55	0.36

<u>Case Coverage (Timing)</u>	<u>% of Cases</u>
Accusation or Investigation Only	59.43
Conclusion Only	23.58
Investigation and Conclusion	16.98

<u>Disposition</u>	<u>% of Articles</u>
No Violation Found	3.7
Violation found, No Penalty	0.82
Administrative Penalty	9.32
Civil Penalty	1.78
Criminal Referral	0.14
Criminal Conviction	23.15
Not Yet Determined	61.1

**Note: % do not add to 100 as cases/articles may have more than one violation type*

Table 2: Informal Enforcement of Campaign Finance Violations and other Scandals

	Vote Likelihood			Feeling Thermometer		
<i>Violation Description</i>						
Excess Contribution	-1.26	(0.27)	***	-13.97	(2.75)	***
Tax Evasion	-2.33	(0.28)	***	-21.18	(2.65)	***
Illegal Coordination	-1.44	(0.27)	***	-13.08	(2.73)	***
Late Filing	-0.11	(0.28)	***	-3.08	(2.83)	
Personal Use	-2.49	(0.29)	***	-22.38	(2.69)	***
Sex Scandal	-0.69	(0.26)	***	-12.83	(2.69)	***
<i>Respondent Characteristics</i>						
Female	-0.25	(0.15)	*	-0.66	(1.45)	
Democrat	0.02	(0.18)		0.23	(1.79)	
Republican	-0.08	(0.25)		1.10	(2.38)	
Ideology	-0.38	(0.07)	***	-1.27	(0.61)	**
Age	-0.04	(0.06)		-1.81	(0.61)	***
Black	0.51	(0.26)	**	8.79	(2.56)	***
Hispanic	0.41	(0.25)		3.20	(2.43)	
Income	0.10	(0.04)	***	0.22	(0.35)	
Education	-0.03	(0.08)		0.50	(0.84)	
Constant				47.35	(6.21)	***
Cut 1	-2.61	(0.64)	***			
Cut 2	-0.97	(0.64)				
Cut 3	0.76	(0.64)				
Cut 4	2.93	(0.68)	***			

Note: There are 681 responses in this analysis. Coefficients for each type of violation are relative to an omitted category of “No Violation”, a permutation wherein Representative Asher is not accused of violating campaign finance law. Model 1 presents an ordered logistic regression on a five-point vote likelihood scale. It has a Pseudo R-squared of 0.12 and correctly predicts 46% of responses on the five-point scale. Model 2 presents an Ordinary Least Squares regression on a 100-point feeling thermometer. The model has an R-squared of 0.17. *** p<0.01, ** p<0.05, * p<0.1

Table 3: Informal Enforcement of Variations of an Excessive Contribution Campaign Finance Violation

	Vote Likelihood	Feeling Thermometer
<i>Violation Description</i>		
\$3,700 Contribution	0.28 (0.23)	1.06 (2.35)
\$200,000 Contribution	-0.21 (0.24)	0.34 (2.41)
Criminal	-0.01 (0.15)	0.06 (1.52)
Accused by Newspaper	-0.29 (0.24)	-2.56 (2.39)
Accused by Opponent	-0.02 (0.23)	-1.41 (2.36)
Convicted	-0.19 (0.19)	-2.97 (1.85)
Cleared	1.03 (0.19) ***	8.75 (1.88) ***
<i>Respondent Characteristics</i>		
Female	-0.11 (0.12)	-0.74 (1.19)
Democrat	0.50 (0.15) ***	4.40 (1.50) ***
Republican	-0.11 (0.19)	0.24 (1.92)
Ideology	-0.17 (0.05) ***	-0.89 (0.53) *
Age	0.03 (0.05)	-0.12 (0.51)
Black	-0.12 (0.24)	6.31 (2.37) ***
Hispanic	-0.11 (0.24)	1.37 (2.34)
Income	0.06 (0.03) **	0.77 (0.29) ***
Education	-0.02 (0.07)	-0.82 (0.74)
Constant		33.24 (5.58) ***
Cut 1	-1.37 (0.56) **	
Cut 2	0.42 (0.56)	
Cut 3	2.02 (0.57) ***	
Cut 4	3.77 (0.60) ***	

Note: There are 1,011 responses in this analysis. Coefficients for each type of violation are relative to the baseline condition wherein representative Asher is accused of an excessive contribution violation of \$25,000. The case is under review by the FEC and the identity of the accuser is not made known. Model 1 presents an ordered logistic regression on a five-point vote likelihood scale. It has a Pseudo R-squared of 0.05 and correctly predicts 42% of responses on the five-point scale. Model 2 presents an Ordinary Least Squares regression on a 100-point feeling thermometer. The model has an R-squared of 0.07. *** p<0.01, ** p<0.05, * p<0.1

Table 4: Effect of Scandals on Perceived Character, Job Approval, and Ideology

	Trustworthy	Intelligent	Ethical	Competant	Job Approval	Perceived Ideology
<i>Violation Description</i>						
Excess Contribution	-2.06*** (0.30)	-1.00*** (0.28)	-2.55*** (0.31)	-1.06*** (0.28)	-0.71** (0.29)	(0.23) (0.27)
Tax Evasion	-2.51*** (0.30)	-1.35*** (0.28)	-2.95*** (0.31)	-1.26*** (0.27)	-1.42*** (0.28)	0.68*** (0.26)
Illegal Coordination	-1.60*** (0.30)	-0.73** (0.29)	-2.05*** (0.30)	-0.51* (0.28)	-1.07*** (0.29)	(0.11) (0.27)
Late Filing	-0.36 (0.30)	-0.84*** (0.30)	-0.59** (0.29)	-1.39*** (0.29)	-0.39 (0.30)	(0.12) (0.27)
Personal Use	-2.59*** (0.31)	-1.91*** (0.29)	-2.97*** (0.31)	-1.68*** (0.28)	-1.91*** (0.29)	(0.23) (0.26)
Sex Scandal	-1.34*** (0.29)	-0.70** (0.28)	-2.07*** (0.30)	-0.3 (0.27)	0.09 (0.28)	-0.44* (0.26)
<i>Respondent Description</i>						
Female	-0.20 (0.16)	-(0.15) (0.15)	-0.16 (0.16)	-0.05 (0.15)	0.04 (0.15)	(0.02) (0.14)
Democrat	-0.05 (0.19)	(0.02) (0.18)	0.33* (0.19)	0.08 (0.18)	0.39** (0.19)	0.01 (0.17)
Republican	-0.10 (0.26)	0.44* (0.25)	0.09 (0.26)	0.16 (0.24)	-0.01 (0.25)	-0.01 (0.24)
Ideology	-0.16** (0.07)	-0.19*** (0.06)	-0.08 (0.07)	-0.14** (0.06)	-0.12* (0.06)	-0.24*** (0.06)
Age	-0.01 (0.07)	-0.05 (0.06)	-0.04 (0.07)	-0.01 (0.06)	-0.01 (0.06)	-0.15** (0.06)
Black	0.63** (0.28)	0.41 (0.27)	0.88*** (0.28)	0.29 (0.26)	0.45* (0.27)	-0.1 (0.25)
Hispanic	0.80*** (0.27)	0.44* (0.25)	0.65** (0.28)	-0.09 (0.25)	0.52** (0.26)	-0.19 (0.24)
Income	0.03 (0.04)	0.07** (0.04)	0.03 (0.04)	-0.01 (0.04)	0.05 (0.04)	-0.01 (0.03)
Education	0.11 (0.09)	-0.15* (0.09)	0.04 (0.09)	-0.02 (0.09)	-0.04 (0.09)	-0.17** (0.08)
Cut 1	-1.16* (0.68)	-3.43*** (0.65)	-1.14 (0.70)	-3.63*** (0.64)	-2.13*** (0.66)	-4.85*** (0.64)
Cut 2	1.71** (0.68)	-1.25** (0.64)	1.27* (0.70)	-1.49** (0.63)	0.49 (0.65)	-2.36*** (0.61)
Cut 3	3.98*** (0.71)	1.34** (0.64)	3.53*** (0.72)	0.75 (0.63)	3.14*** (0.67)	-1.52** (0.61)
Cut 4	5.87*** (0.89)	3.44*** (0.70)	6.64*** (1.21)	2.94*** (0.70)	5.56*** (0.82)	-0.27 (0.61)
Cut 5						0.41 (0.61)
Cut 6						2.28*** (0.67)

Note: Each model represents the results of separate ordered logistic regressions with 681 observations. Trustworthiness, Intelligence, Ethicalness, Competence, and Job Approval are five-point scales with greater numbers representing more positive impressions. Perceived ideology is a seven-point scale with higher numbers representing the perception of a more liberal ideology.

Figure 1: Mean Responses by Type of Violation

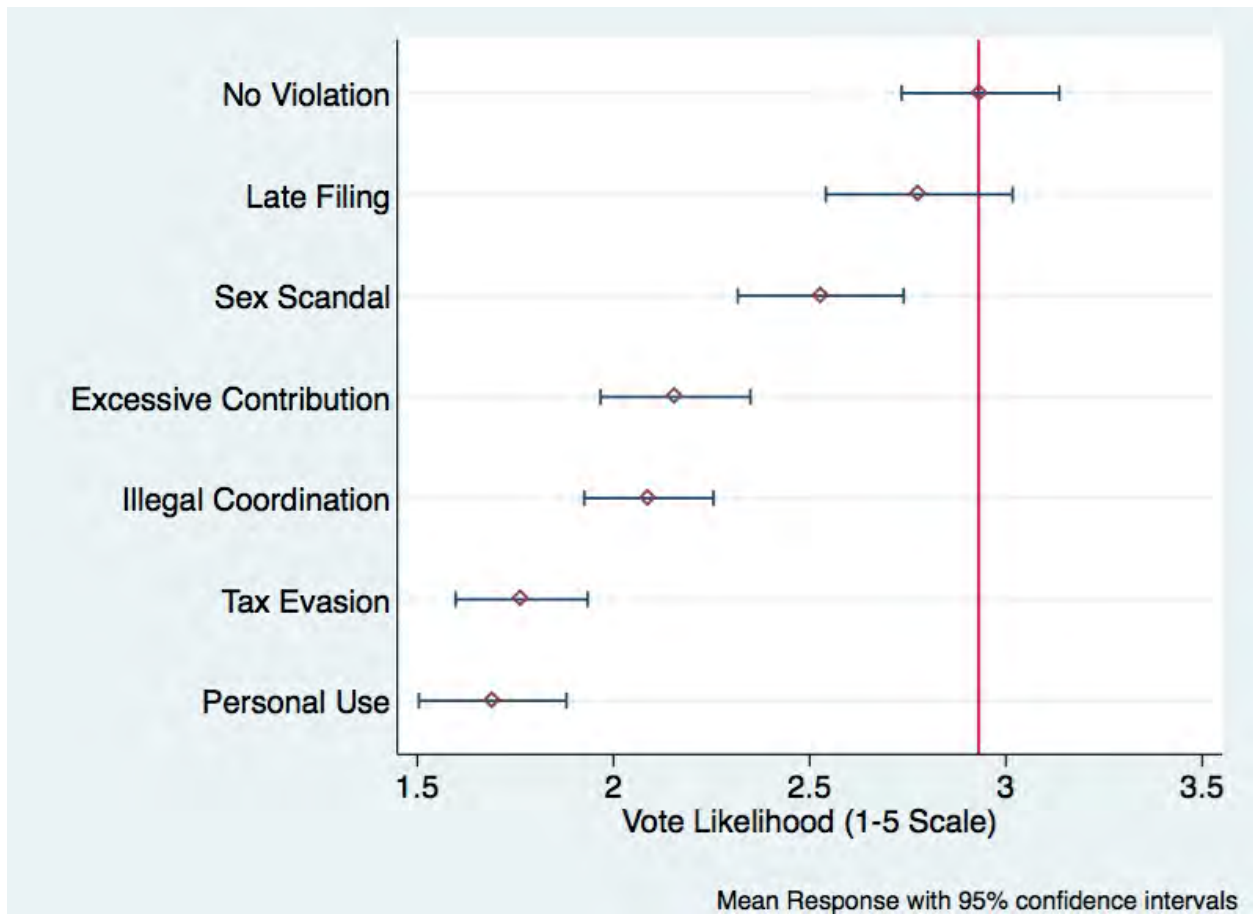
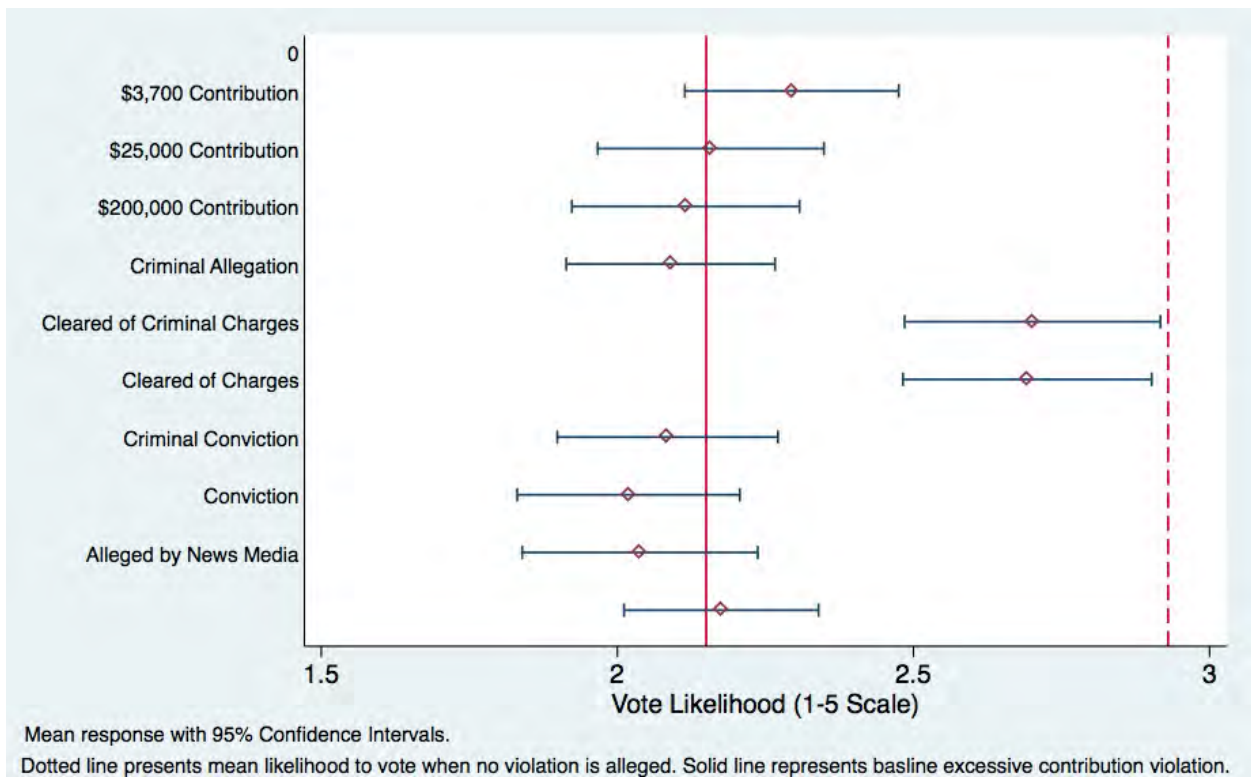


Figure 2: Mean responses for Variations of Excessive Contributions



Appendix:

Sample Experimental Conditions

1. Control

THE CLEVELAND TRIBUNE TUESDAY JUNE 21, 2016

A4

Representative Asher Undecided on Pending Campaign Finance Legislation

By JOHN MARTIN

US House Representative Sam Asher has not indicated how he will vote next week on proposed amendments to the Federal Election Campaign Act.

The proposed amendments will increase the number of filing deadlines for campaign contributions in federal elections. Congressional leaders expect to bring the amendments to a vote in the coming week.

“Public officials hold positions of trust,” said Victor S. O. Song, political analyst at the Center for Legislative Accountability. “Citizens expect that politicians will adhere to strong ethical standards and that they will uphold the highest levels of integrity.”

Representative Asher could not be reached for comment, and his office did not respond to multiple inquiries on the matter.

Asher, a Democratic representative from Ohio, is on his third term in the United States House of Representatives, winning his last re-election bid in a close contest. He campaigned on a platform of higher living standards, increased job growth, and economic reform.

2. Campaign Faces Allegations of Medium Excessive Contribution, DOJ investigation

THE CLEVELAND TRIBUNE TUESDAY JUNE 21, 2016

A4

Representative Asher Faces Allegations of Campaign Finance Violation

By JOHN MARTIN

The Department of Justice has launched a criminal investigation into US House Representative Sam Asher after Asher's campaign was accused of accepting donations that exceeded the maximum legal contribution limit.

Federal law limits individual contributions to Congressional candidates to \$2,700. Asher is accused of receiving a contribution from district resident Frank Holzwarth of \$25,000.

“Public officials hold positions of trust,” said Victor S. O. Song, political analyst at the Center for Legislative Accountability. “Citizens expect that politicians will adhere to strong ethical standards and that they will uphold the highest levels of integrity.”

Representative Asher could not be reached for comment, and his office did not respond to multiple inquiries on the matter.

Asher, a Democratic representa-

tive from Ohio, is on his third term in the United States House of Representatives, winning his last re-election bid in a close contest. He campaigned on a platform of higher living standards, increased job growth, and economic reform.

Question Wording

If you lived in Representative Asher's district, how likely do you think you would be to vote for him?

5 point: Very Unlikely – Very Likely

Based on what you know about Representative Asher, how would you rate the job he is doing as a representative?

5 point: Not Well at All – Extremely Well

How do you feel about Representative Asher as a person? (Most Negative [0] - Most Positive [100])

In your opinion, how well does the word “trustworthy” describe Representative Asher?
5 point: Not Well at All – Extremely Well

In your opinion, how well does the word “intelligent” describe Representative Asher?
5 point: Not Well at All – Extremely Well

In your opinion, how well does the word “ethical” describe Representative Asher?
5 point: Not Well at All – Extremely Well

In your opinion, how well does the word “competent” describe Representative Asher?
5 point: Not Well at All – Extremely Well

How would you describe the political views of Representative Asher?
7 point: Very Liberal – Very Conservative

Reviewer Supplemental Material

Below are the means, standard errors, and tests of mean differences across the treatments for our dependent variables.

Table A1

Dependent Variable	Excessive Contributions (\$)		
	3,700	25,000	200,000
	a	b	c
Likely Vote	2.29 (.10)	2.16 (.10)	2.12 (.10)
Sig Different	c*		
Job Approval	2.40 (.07)	2.37 (.08)	2.38 (.07)
Sig Different			
Thermometer	36.81 (1.74)	35.06 (1.98)	36.63 (1.85)
Sig Different			
Trustworthy	1.97 (.06)	1.68 (.05)	1.85 (.07)
Sig Different	b***; c*	c**	
Intelligent	2.53 (.08)	2.54 (.07)	2.61 (.08)
Sig Different			
Ethical	1.85 (.06)	1.54 (.06)	1.65 (.07)
Sig Different	b***; c***	c*	
Competent	2.41 (.08)	2.36 (.08)	2.58 (.08)
Sig Different	c*	c***	
Perceived Ideology	3.25 (.13)	3.21 (.15)	3.19 (.13)
Sig Different			

* p<.1 (one-tailed); ** p<.1 (two-tailed); *** p<.05 (two-tailed)

Table A2

Dependent Variable	Type of Violation						
	None a	Excessive b	Late File c	Pers. Use d	Ill. Coord. e	Tax Evas. f	Sex g
Likely Vote	2.93 (.10)	2.16 (.10)	2.78 (.12)	1.70 (.09)	2.09 (.08)	1.77 (.08)	2.53 (.11)
Sig Different	b***; d*** e***; f***; g***	c***; d*** f***; g***	d***; e*** f***; g*	e***; g***	f***; g***	g***	
Job Approval	2.66 (.08)	2.37 (.08)	2.51 (.08)	1.96 (.07)	2.26 (.07)	2.15 (.07)	2.69 (.07)
Sig Different	b***; c*; d*** e***; f***	d***; f*** g***	d***; e*** f***; g**	e***; f** g***	g***	g***	
Thermometer	50.38 (2.18)	35.06 (1.98)	45.62 (1.80)	26.90 (1.95)	35.62 (1.72)	29.02 (1.67)	36.17 (1.80)
Sig Different	b***; c***; d*** e***; f***; g***	c***; d*** f***	d***; e*** f***; g***	e***; g***	f***	g***	
Trustworthy	2.49 (.08)	1.68 (.05)	2.26 (.07)	1.58 (.06)	1.90 (.07)	1.61 (.06)	2.03 (.08)
Sig Different	b***; c***; d*** e***; f***; g***	c***; d* e***; g***	d***; e*** f***; g***	e***; g***	f***	g***	
Intelligent	3.01 (.09)	2.54 (.07)	2.62 (.08)	2.23 (.08)	2.68 (.09)	2.42 (.07)	2.69 (.09)
Sig Different	b***; c***; d*** e***; f***; g***	d***; g*	d***; f***	e***; f*** g***	f***	g***	
Ethical	2.60 (.09)	1.54 (.06)	2.24 (.08)	1.46 (.07)	1.71 (.07)	1.47 (.06)	1.75 (.07)
Sig Different	b***; c***; d*** e***; f***; g***	c***; e*** g***	d***; e*** f***; g***	e***; g***	f***	g***	
Competent	2.86 (.09)	2.36 (.08)	2.24 (.08)	2.13 (.08)	2.66 (.08)	2.32 (.08)	2.73 (.09)
Sig Different	b***; c***; d*** e*, f***	d***; f*** g***	e***; g***	e***; f* g***	f***	g***	
Perceived Ideology	2.86 (.09)	3.21 (.15)	2.24 (.09)	2.13 (.08)	2.66 (.09)	2.32 (.08)	2.73 (.09)
Sig Different	b***; c***; d*** e*; f***	c***; d***; e*** f***; g***	e***; g***	e***; f* g***	f***	g***	

* p<.1 (one-tailed); ** p<.1 (two-tailed); *** p<.05 (two-tailed)

Table A3

Dependent Variable	Investigative Agency/Disposition						
	Alleg. FEC a	Alleg. DOJ b	Conv. FEC c	Conv. DOJ d	Clear DOJ e	Clear Ind. FEC f	Clear Camp. FEC g
Likely Vote	2.16 (.10)	2.09 (.09)	2.02 (.09)	2.08 (.09)	2.70 (.11)	2.33 (.11)	2.69 (.11)
Sig Different	e***; g***	e***; f** g***	e***; f*** g***	e***; f** g***	f***	g***	
Job Approval	2.37 (.08)	2.38 (.08)	2.24 (.07)	2.29 (.07)	2.64 (.07)	2.53 (.09)	2.70 (.08)
Sig Different	c*; e*** f*; g***	c*; e*** g***	e***; f*** g***	e***; f** g***		g**	
Thermometer	35.06 (1.98)	35.94 (2.13)	31.32 (1.60)	33.46 (1.64)	43.24 (1.95)	40.99 (2.01)	45.64 (1.92)
Sig Different	c*; e*** f***; g***	c***; e*** f**; g***	e***; f*** g***	e***; f*** g***		g**	
Trustworthy	1.68 (.05)	1.82 (.07)	1.73 (.05)	1.72 (.06)	2.24 (.08)	2.24 (.09)	2.38 (.08)
Sig Different	b*; e*** f***; g***	e***; f*** g***	e***; f*** g***	e***; f*** g***			
Intelligent	2.54 (.07)	2.52 (.09)	2.45 (.08)	2.54 (.07)	2.87 (.09)	2.83 (.09)	2.94 (.08)
Sig Different	e***; f*** g***	e***; f*** g***	e***; f*** g***	e***; f*** g***			
Ethical	1.54 (.06)	1.69 (.07)	1.56 (.06)	1.55 (.06)	2.20 (.08)	2.10 (.09)	2.24 (.08)
Sig Different	b*; e*** f***; g***	c*; d*; e*** f***; g***	e***; f*** g***	e***; f*** g***			
Competent	2.36 (.08)	2.35 (.09)	2.36 (.08)	2.37 (.08)	2.71 (.08)	2.80 (.10)	2.84 (.09)
Sig Different	e***; f*** g***	e***; f*** g***	e***; f*** g***	e***; f*** g***			
Perceived Ideology	3.21 (.15)	3.31 (.15)	3.16 (.13)	3.12 (.12)	3.47 (.15)	3.30 (.15)	3.12 (.12)
Sig Different			e*	e**	g**		

* p<.1 (one-tailed); ** p<.1 (two-tailed); *** p<.05 (two-tailed)

Table A4

Dependent Variable	Accuser			Candidate Response			Effect of Partisanship			
	None Spec. a	News b	Opponent c	None a	Mistake b	Deny c	Excess, D a	Excess, R b	Tax Ev, D c	Tax Ev, R d
Likely Vote	2.16 (.10)	2.04 (.10)	2.18 (.08)	2.16 (.10)	2.53 (.09)	2.32 (.09)	2.16 (.10)	2.00 (.09)	1.77 (.08)	1.60 (.07)
Sig Different				b***	c*				d*	
Job Approval	2.37 (.08)	2.19 (.06)	2.34 (.07)	2.37 (.08)	2.61 (.06)	2.50 (.06)	2.37 (.08)	2.18 (.07)	2.15 (.07)	2.11 (.07)
Sig Different	b***	c*		b***; c*			b**			
Thermometer	35.06 (1.98)	32.12 (1.73)	35.17 (1.77)	35.06 (1.98)	44.27 (1.49)	41.50 (1.60)	35.06 (1.98)	34.08 (1.83)	29.02 (1.68)	28.40 (1.73)
Sig Different				b***; c***						
Trustworthy	1.68 (.05)	1.82 (.06)	1.84 (.06)	1.68 (.05)	2.15 (.06)	2.03 (.06)	1.68 (.05)	1.76 (.06)	1.61 (.06)	1.69 (.07)
Sig Different	b**; c***			b***; c***	c*					
Intelligent	2.54 (.07)	2.61 (.07)	2.74 (.07)	2.54 (.07)	2.79 (.08)	2.96 (.07)	2.54 (.07)	2.63 (.08)	2.42 (.07)	2.42 (.07)
Sig Different	c**			b***; c***	c**					
Ethical	1.54 (.06)	1.65 (.06)	1.73 (.06)	1.54 (.06)	2.00 (.06)	1.98 (.06)	1.54 (.06)	1.69 (.07)	1.47 (.06)	1.51 (.07)
Sig Different	c***			b***; c***			b*			
Competent	2.36 (.08)	2.49 (.08)	2.55 (.08)	2.36 (.08)	2.58 (.07)	2.89 (.07)	2.36 (.08)	2.51 (.08)	2.32 (.08)	2.30 (.08)
Sig Different				b***; c***	c***		b*			
Perceived Ideology	3.21 (.15)	3.18 (.13)	3.18 (.13)	3.21 (.15)	3.42 (.12)	3.28 (.14)	3.21 (.15)	4.84 (.14)	2.32 (.08)	4.81 (.14)
Sig Different							b***		d***	

* p<.1 (one-tailed); ** p<.1 (two-tailed); *** p<.05 (two-tailed)

