An Explanation of the Enactment of Nonconsensual Pornography Policies within States: External and Internal Pressures

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Abstract

Nonconsensual pornography entails the sharing of intimate images, along with personal information and details, within the Internet realm. It is commonly referred to as "revenge porn" because of its vindictive nature. Out of all 50 states, only 27 states have a policy criminalizing the distribution of nonconsensual pornography in effect. For a policy that associates Internet usage with a question of women's rights, and a theme denoting a sexual connotation, why haven't more states taken up efforts to enact this particular policy? I argue that the studies of policy diffusion and policy dispersion help explain the enactment of nonconsensual pornography policies. Policy diffusion involves external pressures, such as one government's policy choices being influenced by the previous choices of other government. Policy diffusion involves internal pressures, such as attitudes of legislators or composition of the state government.

In this context, two sets of internal pressures and two sets of external pressures are examined. The internal pressures include characteristics of each individual state and the evaluation of a state score that corresponds to current Internet regulation policies in effect. The external pressures include geographic clustering, which includes diffusion of policies influencing neighboring states, and analyzing the wording that relates to the degree of punishment associated with the act of distributing nonconsensual pornography. Analyzing the wording of the punishment will help draw the effect neighbor-to-neighbor flow had on the policy enactment. Exploring both internal and external pressures affecting each state allows for an in depth study into a topic not widely discussed, nonconsensual pornography, but also a better look at the rate of success in enacting a criminalization policy.

Research Question and Hypotheses

With Internet usage growing more and more every year within each state, there has been a developing need for laws to be enacted that would protect individuals from harmful acts on the Internet. One of the more harmful acts that individuals can witness and be subject to on the Internet is the distribution of intimate pictures on image hosting websites. This distribution of intimate images has developed a term – nonconsensual pornography. Therefore, there is a need to criminalize the distribution of nonconsensual pornography in order to protect individuals from the damaging repercussions. But currently there are only 27 states, including Washington D.C., that have put in place a law that would protect individuals from the negative impacts of intimate images of themselves from being shared online (see figure 1 for states that have an explicit nonconsensual pornography policy in place[1].) Several other states that do not have the specific law have modified their right to privacy law in order to incorporate acts that would fall under sharing nonconsensual pornography.

The first state to adopt a policy that would incorporate acts of sharing explicit material of an ex-lover was Alaska. Alaska broadened the state's cyberstalking and online abuse laws to cover acts of nonconsensual pornography in 2003. In the following year, 2004, New Jersey incorporated acts of nonconsensual pornography distribution to the state's already existing invasion of privacy provision. But then we see a degree of stagnation in nonconsensual pornography policy enactment. The next state to put into effect the law was California in 2013, almost a decade after the initial action taken by Alaska. Currently, there are 27 states criminalizing acts that would fall under the distribution and act of sharing nonconsensual

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[1] All maps presented were made by the author using diymaps.net.

pornography. For the purpose of this paper, when the enactment of a nonconsensual

pornography policy is discussed, I am referring to both an individual law being adopted and an

already existing law being broadened to incorporate nonconsensual pornography.

Figure 1

States with Nonconsensual Pornography Policies

● – States With Policy

Source: diymaps.net (c)

Therefore, *what can be used to explain why the 27 states have enacted a specific*

nonconsensual pornography law or have broadened existing laws to incorporate

nonconsensual pornography? In the case of the 27 states that have the law, I argue that the

specifics detailed within the concepts of policy diffusion and policy dispersion can be used to explain the policy enactment of nonconsensual pornography laws. I argue that there are two external pressures and two internal pressures that would result in the state enacting a nonconsensual pornography law. The external pressures will be in the form of the neighbor-to-neighbor flow of the policy and assessment of the similarities in specific wording associated with the policy. Analyzing these two external pressures will determine the degree of enactment diffusion taking place across regional areas of states. The internal pressures will be in the form of state characteristics, such as having a unified government and the level of the state being liberal, and the score given to each state in correspondence with the state's degree of Internet regulation. These two internal pressures will determine the level of pressure being noted within each state that would ease the enactment of a nonconsensual pornography policy.

Introduction of Nonconsensual Pornography

Imagine this situation: Blondie is an individual over the age of 18, who had been in a long-term committed relationship with her boyfriend, Dagwood. During their relationship, Blondie had sent intimate and explicit photographs to Dagwood with the expectation that no one else would see the photos. There was never a discussion between the two about nondisclosure because it never crossed Blondie's mind to ask Dagwood to not share the images. After several years of being together, Blondie and Dagwood had a bitter breakup. A short time after separating, Blondie found her intimate and explicit photographs online with her personal information attached. Dagwood's actions of sharing the intimate photographs had a negative impact on Blondie's life by the means of invading her privacy and destroying her reputation. Situations like this are increasing due to the large amount of current Internet usage.

This fictional situation has caused for the coining of the term distributing "nonconsensual pornography," or better known as "revenge pornography." Nonconsensual pornography involves violating an individual's right to privacy, and therefore requires a law to protect this individual's right. While acts of nonconsensual pornography can affect both men and women, majority of court cases that come before state courts involve women. Therefore for the purpose of this research, I will be focusing the attention towards increasing and protecting women's rights through enacting this policy.

Currently there is no federal law criminalizing nonconsensual pornography, so it is up to states to regulate and criminalize this type of behavior. The legislation should be aimed at deterring the offenders from committing the act and deterring website hosts from publishing sources of nonconsensual pornography. Each state has its own variation of what a nonconsensual pornography policy would look like. For example, the Maryland statute has nonconsensual pornography categorized under 'Stalking and Harassment,' whereas the malicious act is categorized under 'Invasion of Privacy in the Third Degree' in New Jersey. While I note that there is a degree of variation of the legislation and the policies within each state, I will be focusing on the policies of nonconsensual pornography as a whole. It doesn't matter if it is regarded and defined under some statute in one state and another statute in another state. The state is still protecting individuals from harassment on the Internet and has a nonconsensual pornography law in the books. Therefore, my dependent variable in this study is whether the state has a nonconsensual pornography law or not. The dependent variable is a dichotomous indicator of whether yes (1) or no (0) the state has a nonconsensual pornography law in effect.

In the *Campbell Law Observer* there was an article published by Hope Robertson discussing the need to criminalize nonconsensual pornography within states. Robertson is a year-three law student who argues that there are adequate societal reasons for why a state should enact a nonconsensual pornography law. She argues that there should be criminal codes in place that can keep up with the cultural and growing use of technology. Robertson states,

"First, [nonconsensual pornography] harms society because it negatively affects the economy. The posts remove capable workers from the job force because their employers will likely Google a potential employee's name and choose not to hire that employee because of the photos. [Nonconsensual pornography] also causes a psychological burden on society because of the damaging mental effects it has on victims. [Nonconsensual pornography] also has a damaging effect on the construction of society. [The normality of seeing private and intimate photos of individuals on the Internet] is not good for society. It will negatively affect sexual and intimate relationships, as well as platonic relationships; people will act differently if they know everyone, including employers, co-workers, and friends, has seen them naked or engaging in sexual activity. [Nonconsensual pornography] websites "devoted … to demeaning, harassing and humiliating individuals … surely threaten … the 'moral ecology' of society." Society cannot afford this type of change, and "criminalizing [nonconsensual pornography] 'would deter damaging privacy invasions and send the powerful message that posting someone's most private moments, most often in a breach of their trust and without their permission, is unacceptable" (Robertson 2015).

If these societal reasons were enough to make an impact, then all 50 states would have this policy in place. Therefore, there has to be other reasons behind why a limited amount of

states are enacting nonconsensual pornography policies. I argue that there are more complex internal and external pressures that are prompting states to take this matter into consideration.

Introduction of Policy Diffusion and Policy Dispersion

In the field of political science there are two concepts that can be used to describe how state jurisdictions enact a particular policy. The concepts are policy diffusion and policy dispersion. The topic of policy diffusion is described as involving one government's policy choices being influenced by the previous choices of other governments (Shipan and Volden 2012, p.788). A classic view of policy diffusion involves geographic clustering on particular policies. The force of diffusion in a particular region is measured by the number of neighboring states that have adopted a similar policy. For example, a strong force of diffusion would be Colorado having a certain policy, and then having all six neighboring states enact the same policy shortly after. It is often the case that neighboring states undergo similar types of problems and opportunities around the same time as one another, and thus influencing a regional policy adoption. Policy diffusion can best be described as involving external pressures. On the other end of the policy enactment spectrum is policy dispersion, which involves internal pressures. Policy dispersion is not as complex as policy diffusion. It is explained as a state having its own internal and individual set of factors within its local jurisdiction that causes a state to put in place a particular policy.

Government capabilities are important for explaining the effect policy dispersion can have on the enactment of a particular policy. This notion can be characterized as the government's ability to achieve a desired policy goal that was advocated for and, in turn, protects its citizens. There are several factors that could hinder government capabilities. The

first is a divided government. If the state legislative branch differs in party line compared to the state executive branch, then enacting a particular policy may be difficult. This is especially true if the policy topic is of a sensitive political nature, i.e. abortion laws. If the state legislative branch is Democratic and the executive branch is Republican, then enacting an abortion law may take considerable time due to opposition and discussion periods. A way to ensure that a policy is enacted without complication is introducing the policy in a time when the government is unified within the state legislative and executive branches. This would be considered an internal pressure.

The example of local antismoking policy efforts as discussed by Shipan and Volden may be used as a pattern for the importance of internal efforts being taken to enact a policy. They explain, "In states with an active and strong health lobby in the state legislature, local adoptions positively influenced the likelihood of state adoptions, as these lobbyists could point to favorable local experiences. States without strong health lobbyists were not only less likely to adopt antismoking restrictions overall, but even less likely still to do so if localities had already adopted a number of restrictions (Shipan and Volden 2012, p.791)." In the case of nonconsensual pornography policies, lobbying would come in the form of advocacy groups. While the number of advocacy groups for nonconsensual pornography policies present in each state is difficult to find, I argue that the effect of lobbying efforts can be noted more generally for policy enactment. This example illustrates how internal pressures, derived from policy dispersion, within each state can come in many form but the intended goal is successful policy enactment.

These internal lobbying efforts may also come in the form of being a set of similar policies being previously enacted that resemble or influence the current policy under

discussion. For example, there may have been a regulation on tobacco before an antismoking policy was enacted. The regulation on tobacco allows for more policies (antismoking policies) to be discussed by the state. In relation to nonconsensual pornography, states discussing Internet regulation may be an important first step in getting a nonconsensual pornography policy in effect.
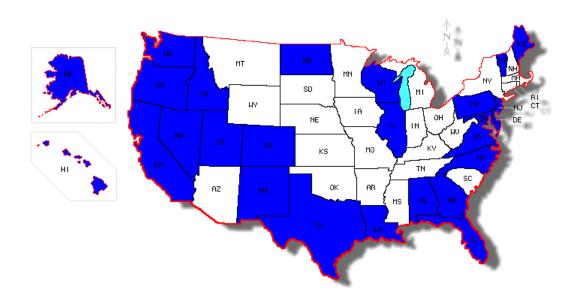
External pressures derived from policy diffusion can also be used to describe government capabilities. For example, the willingness of a state to learn from another state government will influence whether or not a state decides to enact a policy that is structured after another state's policy. This willingness can be measured by observing other regional policy adoptions that a particular state has undergone. The purpose of these policies is to ensure the wellbeing of its citizens is being upheld and protected. Both external and internal pressures can be used to describe why an individual state has or would want to enact a particular policy. This is especially true in the case of the enactment of nonconsensual pornography policies within states.

External Pressures

Figure 1.1

States with Nonconsensual Pornography Policies

● — States With Policy

Source: diymaps.net (c)

From the image above it is clear that there are areas of states that all have adopted a form of nonconsensual pornography policy, even though there are also some outliers. Geographic clustering is one explanation as to why certain states have adopted this policy. To explain the importance of this external pressure, I think it would be useful to compare previous policies that have been enacted due to geographic clustering. For example, the antismoking policies previously discussed can be used to draw this inference as to how one state may adopt a policy based on the policy actions of neighboring states. In the case of antismoking policies, once one locality within California decided to ban smoking in various establishments did the

whole policy idea catch popularity in the state as a whole. The force of diffusion in regards to nonconsensual pornography policies closely mirrors that of the antismoking policy (Shipan and Volden 2012).

In an article published at The Ohio State University in 2006, Craig Volden analyzes policy diffusion in regards to the Children's Health Care Insurance Program from 1998 to 2001. The basis of the article is that states that implemented successful policies are more likely to be imitated than those with failing policies. The study of policy diffusion has a strong stake in geographic proximity influencing policy enactment. Volden comments,

"The most commonly studied external diffusion consideration is the flow from neighbor-to-neighbor. Specifically, a Neighbors variable is often included, taking a value equal to the fraction of the state's neighbors that already have the policy. A positive coefficient on such a variable indicates that states with a larger percentage of their neighbors having the policy are more likely to adopt it themselves. Other diffusion variables could be incorporated in this framework, such as the similarity of states' ideological leanings (Grossback, Nicholson-Crotty, and Peterson 2004) or other demographic and fiscal similarities (Case, Hines, and Rosen 1993)." Comparing neighboring states helps characterize external pressures. External pressures compare influences that neighboring states have on the state in question.

This analysis present in Volden's study can be applied to the study of policy diffusion in regards to nonconsensual pornography. The "flow from neighbor-to-neighbor" has been noted as a strong force when it comes to the enactment of nonconsensual pornography policies, thus concluding that external pressures and geographic clustering play an important role in this study.

To understand the force of diffusion and the successfulness of this flow from state to state it is useful to look at the number of states bordering each other that have the nonconsensual pornography policy in place. The state can either have zero states bordering it that have the policy, one state bordering it that has the policy, two states bordering, or three or more states bordering it that has the policy in place. This correspondence of the number of states bordering will determine the state's score of either 0,1,2, or 3.   The state will receive a score based on how many states are bordering it with the policy. For example, Michigan will receive a score of 0 because it doesn't have any states surrounding it that have the policy in action. The scores will be determined based off of the previous map representation in Figure 1.1. The scores are represented and analyzed in Table 4 in the Data and Evidence for External Pressure #2 section. All states will be taken into account, even if the state does not have the policy in place. If the state does not have the policy but is surrounded by states that do have the policy, then the conclusion that geographic clustering may cause the state to enact a nonconsensual pornography policy at a later time can be drawn due to the force of diffusion from neighbor-to-neighbor flow.

To better test this force of diffusion from neighbor-to-neighbor flow an analysis of the wordings of charges and punishments associated with violating nonconsensual pornography laws is presented. This analysis is offered under the Data and Evidence for External Pressure #2 section of the paper. It is justifiable that if the geographic clustering and the neighbor-to-neighbor flow of the policy were an influence, then we would see similar wordings among the various states. The argument is based on if the policy was successful within one state, then neighboring states will enact a similar policy based on the rate of success.

Internal Pressures

I also argue that there is a set of internal institutional factors that allowed for a state to enact a nonconsensual pornography law. The question of if the state's government is unified or divided is important in determining if a state is able to enact this specific kind of policy. If the state has a unified government from 2013-2015, whether it's unified Republican or Democratic, then it will be more likely to enact a nonconsensual pornography law. As previously stated, if the state's government is unified under the same party, then legislation can flow through the process without any complication or backlash. If a nonconsensual pornography law was introduced during a time when the state was unified, then that state has a higher probability of enacting this policy. To support this claim, Alaska and New Jersey can be examples of a unified government passing this particular legislation. The nonconsensual pornography policy was enacted within Alaska in 2003 and was enacted within New Jersey in 2004. At the time, both of these states had unified governments. These states are important indicators because they fall far ahead of the nonconsensual pornography policy enactment curve that the other states followed. So before analyzing other internal factors, whether a state has a unified or divided government can be an important first guide towards the successfulness of this specific policy enactment.

The interest of government to pass this legislation can go beyond just having a unified government. In the Robertson statement previously presented she offers the claim: "Lastly, there is a strong government interest in the regulation of [nonconsensual pornography] because it is sexual exploitation, and can lead to other criminal activity. [Nonconsensual pornography] turns "unwilling individuals into sexual entertainment for strangers" and often leads to actual threats and actions against victims. Because it is so easy to find the victims posted, they often

receive threats of rape, sexual assault, and death, and some follow through with those threats. A goal of criminal law is to prevent victimization before the need for compensation arises. The need for compensation to victims is continuously arising every time a new photo is posted. The government's best interest and the most effective solution is to criminalize the activity (Robertson 2015)."

The number of women in the state legislature is a notable internal pressure as well. Female legislators are more likely to advocate for policies that would advance and protect women's rights. In the case of nonconsensual pornography, the issue has been predominately among women (while some men are victims of the crime). The enactment of a nonconsensual pornography policy would protect a women's right to privacy and would uphold her reputation within a given community. Therefore, if a state has a higher number of women in the state legislature, then that state would be more likely to have a nonconsensual pornography policy in place to achieve and uphold the protection of privacy and anti-defamation among women within the state. Party identity of the women in the state legislature also plays an important role. Democratic women would be more likely to support and advance a nonconsensual pornography policy based on the overall party's stance on women's rights. It is not to say that Republican women wouldn't support the policy enactment though. Some Republican women in the state legislature may choose to stay in accordance with party identity, while others may abandon the Republican Party's stance and support a women's right initiative.

Other internal factors that are in consideration include how liberal the state is considered. If the state were considered to be more liberal, then they would be more likely to enact a nonconsensual pornography law based on their ideological openness to policies regarding human sexuality and women's rights, i.e. gay marriage and abortion. If the state were

more conservative, then it would be more likely that said state wouldn't enact the law. But if the state is conservative and punitive, then the conservative state would be seen enacting the law based on the state's desire for intended punishment. Therefore, punitiveness is also added to the list of variables analyzed. Punitiveness is defined as being the measure of public support for being tough of crime. A higher number would indicate a high amount of support to criminalize nonconsensual pornography within the state. State policy mood is also in relation. State policy mood would indicate tendencies towards more liberal policies if a higher number were recorded. This number would also correspond with preferences towards size and scope of government given the necessary information on whether the institutional factors within a state have any significance in determining causation behind a state enacting the law.

Religious importance within the state is analyzed in order to also help explain why more conservative states have enacted a nonconsensual pornography law. If the state surveys religious importance above a 50% in the Pew Religious Landscape Survey, then it would be more inclined to protect an individual and the individual's rights, and therefore be more likely to put in place a nonconsensual pornography law regardless of the state's political ideology. Religion offers individuals guidance on what is right and wrong, and women being adversely impacted by acts of distributing nonconsensual pornography would be determined as a wrong for religious individuals. A statistical analysis of these variables is presented in the Data and Evidence for Internal Pressure #1 section.

Other internal factors based on policy dispersion would be regarding Internet regulations that are individual to each state. These regulations would include introducing regulation on Internet gambling legislation, restricting access to social media for employers and universities, Internet regulation in public schools and public libraries, and anti-phishing laws.

If a state regulates the Internet in these various forms, then it is already taking the initiative to protect citizens on the Internet and within the public sphere. This would cause the state to be more likely and open to go one step further and regulate the Internet in terms of punishing individuals who share explicit and intimate photos of another individual. More specifically in regards to each regulation, if a state has taken action in regulating the legalization of online gambling, then the state has already made a way to create transparency within its Internet regulation efforts. In regards to social media privacy, if a state has introduced legislation that prevents employers and universities from asking an individual for password and social media information, then it has taken an initial step of protecting an individual's right to privacy on the Internet and would be more likely to pass a nonconsensual pornography law. A state may also protect an individual's right to privacy within the Internet domain by passing state phishing laws. Phishing is a scam where fraudsters send spam messages or create misleading websites to lure financial or personal information from unsuspecting individuals. The messages or websites often look to be from credible or seemingly trustworthy entities, but instead collect information for fraudulent purposes (NCSL). Each of these regulations has to do with the state being able to control some dimension of the Internet in order to protect the interests of its citizens.

In order to best understand the lengths the state has gone to protect citizens on the Internet is to identify an Internet regulation score for each state. All fifty states will be under this Internet regulation score consideration. The highest score a state can obtain is a six. This maximum score is determined from the state having in place all six of the regulations previously explained: an Internet gambling legislation, a set of legislation restricting access to social media for employers and universities, Internet regulation legislation in public schools

and public libraries, and anti-phishing laws. The higher the score the state receives, the more open to Internet regulation that state is. This degree of openness can then be used to explain why some of these individual states have put in place a nonconsensual pornography law because the state has already taken the steps to regulate the Internet. The scores are demonstrated in Figure 2.1 in the Data and Evidence for Internal Pressure #2 section.

An internal pressure that can be used to describe why a state may **not** have a nonconsensual pornography law in place is presented in terms of the state policy-maker's knowledge of the subject. It is described as being when a researcher has the decision-maker's goals correctly attributed to them, but the decision-maker lacks the facts as to how their behavior affects policy outcome. For example, the policy-makers may lack the information or the percentages associated with the numbers of nonconsensual pornography cases within their state or the policy-makers may lack information or the ability to predict how this number would increase and cause harm to citizens. This would then result in the policy to not be enacted due to a general lack of information on the policy-makers side (Nagel).

Outside of the arena of external and internal pressures is the discussion of the nonconsensual pornography law itself. Shipan and Volden present the question, "Do differences across the complexity or compatibility of laws affect the nature of policy diffusion (p.792)?" In other words, how do the characteristics of the law affect its ability to spread throughout state jurisdictions? The answer to this question is simple. Complex policies spread more slowly, while simple and compatible policies spread more quickly. In terms of the nonconsensual pornography policies, I argue that when a state expands an already existing law to incorporate acts of nonconsensual pornography (i.e. harassment, stalking, invasion of

privacy, etc.), then the policy can be deemed "simple and compatible" and will spread quickly through states. If the states in a region are creating a new policy (i.e. dissemination/distribution of intimate images), then the policy may be so separated and unique that it becomes slightly more difficult to spread. To test this concept, I will use the analysis of the external pressure of evaluating the wording associated with the degree of punishment for offenders of a nonconsensual pornography law within the five regions (Pacific, South, West, Midwest, Northeast). If the theory is correct, I expect to see states with similar wordings in each of the region. For example, if in the West most of the states created an entirely new law for nonconsensual pornography, I would expect to see other states within that region taking the same lead just at a slower pace. The same logic can be applied for states that are expanding already existing laws. Table 5 in the Data and Evidence for External Pressure #2 section will include the presentation and analysis of this theory.

Literature Review

Volden (2006) presents an argument that shows strong evidence and a strong relationship between states with successful policies being more likely to be imitated than states with failing or weak policies. The evidence of success is shown to be especially true when the policy change lowers cost and the change is made by legislatures rather than administrative agencies. The article takes into account comparing states' demographic, political, budgetary, and some geographic similarities for policy diffusion. The argument presented can be applied to nonconsensual pornography policies because it lowers the cost of defamation and harm being done to the victims. Rather it is increasing the cost of offenders. Increasing the cost in the form of punishment is a means of deterring individuals from committing acts that would fall

under the topic of nonconsensual pornography acts. It also can be applied due to the nature of legislatures making the change. I apply the concepts of comparing states' demographic, political, budgetary, and geographic similarities for policy diffusion in terms of external pressures influencing nonconsensual pornography enactment in a later analysis.

Shipan and Volden (2012) offer a basic introductory overview of policy diffusion. They define policy diffusion as "one government's policy choices being influenced by the choices of other governments (p. 788)." Using the seven lessons on policy diffusion that are derived from empirical studies, literature, and previously applied policy debates helped bolster the discussion on nonconsensual pornography policy enactment. From this literature, I was able to derive the concepts of internal and external pressures for my discussion that can be used to explain the happenings of enactment from the view of outside and within the jurisdictions of states that have this law on record. The discussion on policy diffusion also allows for the concept of policy dispersion to have some light shed upon it. From the context, policy dispersion is defined as a state having its own internal and individual set of factors within its local jurisdiction that causes a state to put in place a particular policy.

The literature on nonconsensual pornography is very limited. But to create a tie between the policy enactment and women's rights, which is an important tie for the discussion of nonconsensual pornography, is the author Tracy Osborn. Osborn (2012) examined the ways in which political parties shape the creation of women's policy issues in the American political realm. She argues that there are two ways parties facilitate how women represent women in the state legislature. First, since women run for office as partisans, women will enter the legislative process with ideas on how to shape women's policy issues based on the party identity they ran for office under. Second, depending on the party controls and the strength of controls within the

legislative process this may have the potential to reinforce or lessen the women's partisan inclination when it comes to addressing women's policy issues. Osborn states, "[W]hen women legislators represent women's issues because of gender identity, they will do so in a way that is consistent with their party identity. For the most part, this means Democratic and Republican women will support and proffer alternatives to women's issues policy problems rooted in their respective partisan beliefs (Osborn, p. 22)." This logic applies to nonconsensual pornography in that the women in the state legislature at the time of the policy proposal will be likely to support the policy aligned with their party identity. The study would show Democratic women in the state legislature supporting the policy because it advances and protects women's rights, and Republican women may not support the policy because they are closely aligned with party identity that would limit support for protecting promiscuity (in a sense). Although, it may be the case that Republican women in the state legislature will identify more closely with the nonconsensual pornography policy issue and will then abandon party identity. To determine if the party identity of women in the state legislature had an effect on the policy enactment of nonconsensual pornography in states, a logistic regression model will be used. All 50 states will be taken into account, and it will be determined if the state had a unified Democratic legislature or a unified Republican legislature during the year when the law was passed. Then the proportion of women in each state legislature will be compared and added to the unified ideology. The end variable will be a proportion of Democratic women to Republican women in the state legislature in the year of enactment. For states that the law never passed in, the middle year of 2014 was used to account for the proportion of Republican and Democratic women in the state legislatures.

Data and Evidence for Internal Pressure #1

Descriptive Statistics

Variable	Obs	Mean	Std. Dev.	Min	Max
Religious importance	50	52.7755	10.7499	32	77
Unified or Divided Gov. when Policy Enacted (2013-2015)	51 (includes D.C.)	0.3921	0.4930	0	1
State Policy Mood	50	40.3481	4.8721	31.237	54.972
Punitiveness	50	51.1217	3.1387	0	1
Liberal	50	18.7104	5.2409	11.0765	33.4051
Proportion of Women in State Legislature (2013-2015)	50	0.2397	0.0691	0.1203	0.4133

Table 1: Logistic Regression Model of Internal Pressures #1 (Bivariate)

Religious Importance	- 0.0624* (0.0302)
Unified or Divided Government when Policy Enacted (2013-2015)	- 1.1155* (0.6114)
State Policy Mood	0.1043 (0.0649)
State Punitiveness	- 0.2378* (0.1118)
State Percent Liberal	0.1432* (0.0644)
Proportion of Women in State Legislature (2013-2015)	5.4273 (4.3747)
Proportion of Democratic Women in State Legislature in the Year of Enactment	0.5796* (0.2896)
Proportion of Republican Women in State Legislature in the Year of Enactment	- 0.3873 (0.4832)

Table of Results: N=50 Cells contain coefficients and standard errors in parentheses.

Star levels (n.s. 1 * 0.05 ** 0.01)

Table 2: Logistic Regression Model of Internal Pressures #1 (Multivariate)

Religious Importance	- 0.0527
	(0.0530)
Unified or Divided Government when Policy Enacted (2013-2015)	1.1939
	0.6865
State Policy Mood	0.0184
	(0.1161)
State Punitiveness	- 0.0657
	(0.1400)
State Percent Liberal	0.01569
	(0.1531)
Proportion of Women in State Legislature (2013-2015)	- 5.2515
	(8.2123)
Proportion of Democratic in State Legislature in the Year of Enactment	0.6649
	(0.6237)
Proportion of Republican Women in State Legislature in the Year of Enactment	0.8666
	(0.9537)

Table of Results: N=50 Cells contain coefficients and standard errors in parentheses.
Star levels (n.s. 1 * 0.05 ** 0.01)

Table 3: Correlation Table

	Enacted Nonconsensual Pornography Policy	Religious Importance	Unified or Divided Government	State Policy Mood	State Punitive.	State % Liberal	Prop. of Women in State Legis.	Prop. of Dem. Women in State Legis.	Prop. of Rep. Women in State Legis.
Enacted Nonconsensual Pornography Policy	1.0000								
Religious Importance	-0.3051	1.0000							
Unified or Divided Government	0.2621	-0.307	1.0000						
State Policy Mood	0.2335	-0.4364	0.2137	1.000					
State Punitiveness	-0.3217	0.4679	-0.0186	-0.3827	1.0000				
State Percent Liberal	0.3290	-0.6431	0.1574	0.7575	-0.4749	1.0000			
Proportion of Women in State Legislature	0.1779	-0.7250	0.1402	0.5788	-0.3026	0.6386	1.0000		
Proportion of Democratic Women in State Legislature	0.2957	-0.3374	0.0252	0.4232	-0.3880	0.6621	0.2927	1.0000	
Proportion of Republican Women in State Legislature	-0.1174	0.2526	-0.1898	-0.5097	0.1204	-0.6180	-0.4077	-0.5380	1.0000

Findings for Internal Pressures #1

The data gathered and presented in the logistic regression model in Table 1 shows

statistical significance for the variables of religious importance, unified government, liberal,

state punitiveness, and proportion of Democratic women in the state legislature during the time

of a nonconsensual pornography policy enactment. Religious importance shows significance

because if the individuals in a state value religion on a high level, then they would be more likely to advocate for a law that would protect individuals from harm. The term "advocate" is important for this analysis because it indicates individuals within the state addressing the topic within their own means. In the past, religion has supported the protection of individuals in all stages and areas of life. This statistical significance supports this claim by showing a register of a high religious importance would indicate support for a law that would further protect individuals.

Next, statistical significance for unified government in 2013, 2015 and 2015 shows that the unified government did have an influence on states passing an effective nonconsensual pornography law. It is clear that having a unified government allowed for the proposal of the law to flow easily through the state's government.

The fact that the coefficient for the punitiveness variable is negative is interesting. I would argue that punitive states would want to pass more laws and policies that would criminalize more actions, thus creating a positive coefficient. But in this case we don't see that. It could be the condition that the opinion of this policy is affecting the enactment rate. For some cases (not all) individuals may have the opinion that the women "deserved" having their intimate images shared on the Internet because it was within their own action to share the images in the first place. Punitive individuals in opposition may not want to punish criminal, but would rather punish the victim in this particular situation.

The significance of the state percent liberal variable shows that there is a high degree of support for a nonconsensual pornography policy from individuals who identify as liberal. A more liberal constituency would indicate that they would support more liberal policies being brought forward in the legislature. Within this category of more liberal policies would be

policies involving women's rights and protecting individuals from harmful acts. Since a nonconsensual pornography policy encompasses both of these qualities, it is clear why liberal individuals would support the enactment of this policy. The degree of support for a particular policy is an important determining factor for enactment. If more individuals support putting a certain law into place, then that law would be more likely to go into effect. The ideology of this support group helps determine which types of policies are going to be supported.

In regards to party identity of women in the state legislature, by just running the variable of the proportion of Democratic women in the state legislature during the year of enactment with the dependent variable shows there is some degree of significance. This indicates that the proportion of Democratic women legislators had some significance in aiding the passing of the law. This significance helps support the liberal variable because it shows that individuals within the state government are upholding party identity.

It also is to claim that state policy mood, proportion of overall women in the state legislature, and proportion of Republican women in the state legislature did not have as great of an influence within the states. The conclusion for these variables can be drawn based on the fact that all three of these variables have similarities drawn between them and the other variables being tested. For example, state policy mood would indicate tendencies towards supporting more liberal policies. This tendency can also be tested with the state liberal variable. Another example is the variable of proportion of Republican women in the state legislature. This may not have any significance due to its relationship with the variable of proportion of Democratic women in the state legislature. I expected to see some Republican women in the state legislature to support a nonconsensual pornography policy, but it may be the case that it is a policy more attractive for Democratic women.

The findings previously stated were from the bivariate model. Once the variables are run with the other controls (religious importance, unified government, state mood, state punitiveness, and state liberal), then the significance of the individual variable is reduced. The inference drawn from this is that the other internal pressures are all having an influence on the legislation that it doesn't allow for any one variable to gain traction. For example, the variables of proportion of Democratic and Republican women in the state legislature lost significance. The proportion of Republican women in the state legislature shows no significance because Republican women in the state legislature during the time of enactment had no effect on the successfulness of the policy. The theory about Republican women abandoning their party identity in order to support a women's right policy was unresolved through this data.

The variables in general that were deemed significant were initially run just with the dependent variable. When the regression is ran with all controls (multivariate), the variables lose significance. This does not mean my findings are moot as they can still contribute to future analysis and gathering of internal and external pressures that may lead a state to enact nonconsensual pornography policies. It may just conclude that when multiple variables are present, it draws the significance away from one explicit variable. It may also be drawn that when a state has all these variables present it is harder to determine which one in particular is leading to the enactment of a nonconsensual pornography law. There are other variables that would be useful for my analysis, but they are harder to gather information on. For example, the number of women's rights advocacy groups present in each state and the exact number of nonconsensual pornography court cases may be two determining factors in that help persuade and influence legislators to enact the specific policy. There's no women's rights advocacy group or court case database that would allow me to gain more knowledge on these variables.

The theoretical model included several independent variables that could be affecting my dependent variable. My full regression follows from the equation below:
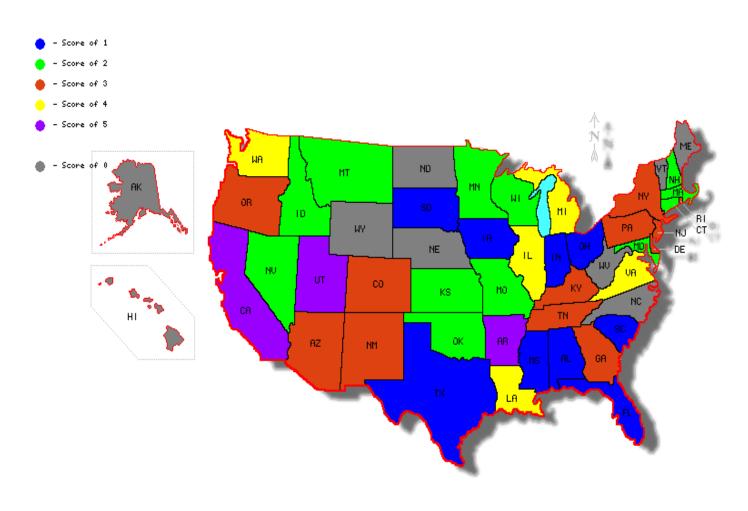
Enacted Nonconsensual Pornography:

$$= \beta o + \beta(\textit{Religious Importance}) + \beta(\textit{Unified Government When Policy Enacted})$$
$$+ \beta(\textit{State Policy Mood}) + \beta(\textit{State Punitiveness}) + \beta(\text{State Percent Liberal})$$
$$+ \beta(\textit{Proportion of Women in State Legislature})$$
$$+ \beta(\textit{Proportion of Democratic Women in State Legislature when Policy Enacted})$$
$$+ \beta(\textit{Proportion of Republican Women in State Legislature when Policy Enacted})$$

The loss in significance in the proportion of women in the state legislature may stem from the researcher (myself) incorrectly attributed the intended goal to the legislators or there may be a misperceived notion that legislators or decision-makers have relations between their decisions and their goals (Nagel). For example, if a state has put in place a nonconsensual pornography policy, it may be explained by the amount of women's advocacy groups present and their previous influence on other subject (i.e. abortion rights). The actual decision-makers in the government didn't bear the costs of persuading the state, yet they seem to reap the benefits of being noted for the successful enactment. Putting a policy into effect within a state has become internalized, so outside researchers look towards the government servants for answers as to why a certain policy was enacted.

Data and Evidence for Internal Pressure #2

Figure 2: State Score of Internet Regulation Policy

Score of 1
Score of 2
Score of 3
Score of 4
Score of 5
Score of 0

Source: diymaps.net (c)

States with Nonconsensual Pornography Policies

– States With Policy

Source: diymaps.net (c)

Findings for Internal Pressure #2

By comparing the map of states with a nonconsensual pornography policy in effect to a map with state's Internet regulation scores, it is clear that there is some degree of variation among the state's regulation scores and the states with the policy in effect. California and Utah are the two states that have the highest regulation score and have the policy in effect. I argue that these two states are proactive in protecting citizens from harm and threats on the Internet. This protection has come in the form of gambling regulations, social media restrictions for employers and universities, anti-phishing laws, and now nonconsensual pornography laws. Following these two state leaders, there is a bigger range in variation among the states. Some states that have the nonconsensual pornography law in effect received an Internet regulation score of 1, yet they are still protecting individuals from threats to their privacy, reputation, and fraud. A score of 1 still shows actions being taken to still protect citizens. It can be concluded that the relationship between Internet regulation score and if a state has a nonconsensual pornography law is an internal indicator. States are protecting individuals from harm on the Internet by introducing regulations, and therefore the state may be more likely to enact a nonconsensual pornography policy to take the regulation one step further.

Hawaii and Alaska are an interesting case. They both have a nonconsensual pornography law, yet they both scored a 0 on the scale of Internet regulation. The conclusion drawn in this situation relates back to geographic clustering and the lack of other state influence Alaska and Hawaii have more autonomy and can decide how far they deem Internet regulation to reach into the daily of their citizens. Alaska was the first state to introduce an expansive set of cyberstalking and online abuse laws to cover acts of nonconsensual pornography in 2003. The broadening of an already existing law would come as an effect to an internal factor present

in this individual state, not necessarily geographic clustering or neighbor-to-neighbor flow of

policy. This is especially true due to the early onset of the policy-timing element of the Alaskan

law case. Since the encompassed law went into effect in 2003, Alaska was more autonomous
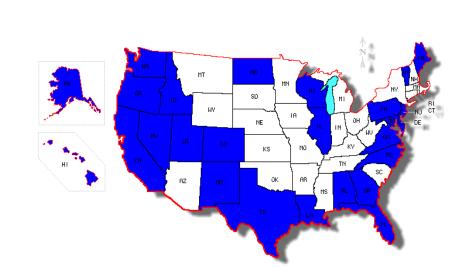
than the other states from an early point.

It can be inferred that states that have high Internet regulation scores but don't have a

nonconsensual pornography law in effect are taking other precautionary measures to protect

citizens from harm and threat on the Internet. The Internet regulations these states have in place

may be effective enough to deter offenders from committing acts that would be considered

under a violation of a nonconsensual pornography policy. It can also be inferred that a

nonconsensual pornography policy may come into effect in later years or months based on the

successfulness of existing Internet regulation policies and the number of neighboring states

with the policy.

Data and Evidence for External Pressure #1

Figure 1.2

States with Nonconsensual Pornography Policies

● – States With Policy

Table 4: Score Based on Number of Neighboring States with the Policy

0=bordering no states with the policy
1=bordering one state with the policy
2=bordering two states with the policy
3=bordering 3 or more states with the policy
(States with policy are in bold)

AL	2	HI	N/A	MA	0	NM	2	SD	1
AK	N/A	**ID**	3	MI	0	NY	3	TN	3
AZ	3	**IL**	1	MN	2	**NC**	2	**TX**	2
AR	2	IN	1	MS	2	**ND**	0	UT	3
CA	3	IA	2	MO	1	OH	1	**VT**	0
CO	2	KS	1	MT	2	OK	3	VA	2
CT	0	KY	2	NE	1	**OR**	3	WA	2
DE	3	**LA**	1	**NV**	3	**PA**	2	WV	3
FL	2	ME	0	NH	2	RI	0	**WI**	1
GA	2	MD	3	NJ	2	SC	2	WY	3

Findings for External Pressure #1

Based on the data presented in Table 4, with the use of Figure 1.2, it is concluded that the neighbor-to-neighbor flow of the nonconsensual policy was a determining factor in the enactment of the policy within the Western and Southern region of the country. California was the first state to enact the policy in late 2000's (2013) in this region. The law became effective in 2014 in Colorado and Utah, thus causing Nevada, New Mexico, Oregon, and Washington to conclude the regional enactment of nonconsensual pornography policies in 2015.

In the Southern region of the country, Alabama was the first state to enact the policy in 2013. After this initial enactment, Georgia, Virginia, Delaware and Florida deemed the law effective in 2014. In the following year, 2015, Texas, Louisiana and North Carolina all had their proposed nonconsensual pornography policy go into effect.

The regional areas such as the Pacific, Midwest, and Northeast have more leniencies when it comes to the enactment of this law. First, the states in the Pacific region, Alaska and Hawaii, aren't influenced by their surrounding states, yet the nonconsensual pornography law is effective in these states. It is therefore concluded that these states are more autonomous and can make policy decisions on their own terms and within their own timeframe. Since Alaska was noted to the first state to enact a nonconsensual pornography policy in 2003, then it allows for the conclusion that it has more autonomy from the mainland states to be more grounded.

Second, the Midwest has the least amount of states where the nonconsensual pornography policy is in effect. This draws the conclusion that the states with the policy (Illinois, Wisconsin, and North Dakota) will have a geographical influence if the other states determine the need for criminalizing nonconsensual pornography in upcoming years. It may be the case that states surrounding Illinois, Wisconsin and North Dakota haven't been presented with a court case of nonconsensual pornography, and therefore have no need to protect citizens from this act. These states may have other avenues for protecting citizens from Internet harm. Take for example the state of Michigan. Michigan has an anti-phishing law, social media access protection laws, and a law for Internet regulation in public libraries. It is protecting its citizens, but there just hasn't been a need for protection from acts of sharing intimate and explicit material of an ex-lover on the Internet yet.

Lastly, the Northeast has four states, including Washington D.C. (Maine, Vermont, New Jersey, Pennsylvania), that have the nonconsensual pornography policy in effect. This is out of a total nine states. I conclude that since this area is compact and composed of smaller states, we will see an up rise in numbers of states in this region with the law in place. Due to the closeness of the states and the relative size of the states, the neighbor-to-neighbor flow and geographic clustering will have a positive effect for this policy, especially if there is a unified government in place in the upcoming months. The Northeast is an interesting case because within this region is New Jersey who enacted a nonconsensual pornography law in the year following Alaska, 2004. Therefore within this analysis, it would be considered the staple and original state for having this law. Surrounding states may have noted this enactment, but needed their own push to get them started on enacting the law on their own. This push came in 2015 when the following states of Maine, Vermont, and Pennsylvania took up the legislation to get a nonconsensual pornography law in the books.

Data and Evidence for External Pressure #2

Table 5: Charges Related with Violating Nonconsensual Pornography Law

State	Charges and Penalties
	Pacific
AK	Class A misdemeanor: Fines up to $10,000 and/or a jail sentence of up to 12 months, 2003
HI	Class C Felony: up to five years imprisonment; up to $5,000 fine, 2014
	West
CA	Misdemeanor, 2013

CO	Class 1 misdemeanor: Fines up to $5,000 and/or a jail sentence of up to 12 months, 2014
ID	Felony, 2013
NV	Category D Felony: imprisonment from 19 months-4 years and/or up to $5,000 fine, 2015
NM	Misdemeanor: up to 1 year imprisonment and/or $1,00 fine 4th degree felony if recidivist: up to 18 months in prison and a fine up to $5,000, 2015
OR	Class A Misdemeanor: Fines up to $6,250 and/or a jail sentence of up to 12 months Class C felony for recidivists: up to 5 years imprisonment, 2015
UT	Misdemeanor: up to 1 year imprisonment and/or $2,500 fine, 2014
WA	Gross misdemeanor: up to 1 year imprisonment and/or $5,000 fine, 2014
	South
DE	Class B Misdemeanor: violation of privacy; class G felony (aggravating factor present): up to 2 years imprisonment, 2014
FL	Misdemeanor first degree: Fines up to $1,000 and/or a jail sentence of up to 12 months Felony in third degree for repeat offenders: up to 5 years imprisonment; fines up to $5,000, 2015
GA	Misdemeanor: up to 1 year imprisonment and/or $1,000 fine, 2014
AL	Harassment in 2nd degree, 2013
LA	Nonconsensual disclosure of private image, 2015
MD	Stalking and harassment, 2014
NC	Class H Felony: 4-25 months imprisonment Class 1 misdemeanor if under age of 18, 2015
TX	Class A Misdemeanor: Fines up to $4,000 and/or a jail sentence of up to 12 months, 2015
VA	Class 1 misdemeanor: Fines up to $2,500 and/or a jail sentence of up to 12 months, 2014
	Midwest
IL	Class 4 Felony: 1-3 years imprisonment, 2015
ND	Misdemeanor: 1 year imprisonment and/or $3,000 fine, 2015
WI	Representations depicting nudity, 2014

	Northeast
ME	Class D Crime: 1 year imprisonment and/or $2,000 fine, 2015
NJ	Invasion of privacy, third degree, 2004
PA	2nd degree misdemeanor: Fines up to $1,000 and/or jail sentence of up to 6-9 months, 2015
VT	Disclosure of sexually explicit images without consent, 2015

Findings for External Pressure #2

If there were some degree of neighbor-to-neighbor and geographic clustering influence between states in the four regions, then we would expect to see the same wording of not only the law, but also the degree of punishment associated with violating the law. There isn't a strong relationship between the wordings of the laws and between states because some states have adopted a specific nonconsensual pornography law, while others have just expanded on already existing. If neighbor-to-neighbor flow were a strong factor in the enactment of nonconsensual pornography laws, then we would see states in the same region taking similar actions to draft and write a law that closely resembled that of a neighboring state. The same logic can be applied to the punishment associated with violating the state's nonconsensual pornography policy. As shown in Table 5, there is not a close similarity between the wordings in each region. For example, in the South there are some states that have classified the charge as a misdemeanor, while other states have determined the act as a felony. If the enactment of a policy were caused by a strong neighbor-to-neighbor flow of states, then we would expect to see the wording of the policy to also flow from neighbor to neighbor. It could be assumed that the successful enactment of a policy within one state was successful because of its wording.

Therefore, other states would be more likely to adopt similar wording in order to ensure the successful enactment of the policy in their own state. But we don't see that being the case with nonconsensual pornography. The success rate of a policy enactment is dependent on the state itself. Each state has its own unique set of citizens, laws, legislators, and policies. This unique set of factors would cause for each state to have a unique law in place to fit its own needs. What works for one state may not work for another neighboring state. I would argue that even a minor degree of neighbor-to-neighbor flow and instance of geographic clustering, as presented in the Findings for External Pressure #1 section, is enough to draw a conclusion that the external relationship between states does have an effect on the rate of enactment. A similarity in wordings among the punishments in states would have bolstered the geographic clustering argument, but the overall conclusion drawn is that there was an effect noted between the relationships of the states.

Implications and Future Research

From the usage and application of policy diffusion and policy dispersion, the concept of states having sets of internal and external pressures working towards the implementation of a particular policy was able to grow in significance. As presented, my research showed that in regards to nonconsensual pornography policies, there was one external pressure and one internal pressure that were the most successful in explaining the enactment and implementation of the policy. In particular, the external pressure argument for having a larger number of neighboring states with the policy being effective on surrounding states showcased the greatest amount of success for explaining the enactment of the policy. Within the internal pressure context, examining states with high Internet regulation scores and states with a nonconsensual

pornography policy in place showed success for states expanding Internet regulation towards nonconsensual pornography policies.

The punitiveness variable under the research for internal pressure #1 is interesting even though it did not suggest any significance for the overall study of states enacting a nonconsensual pornography policy. The fact that the variable was negative in light of states adopting and implementing another criminalization policy indicates that individuals in this circumstance would be more punitive towards something or someone other than the offender. This is noteworthy for the study of nonconsensual pornography because of the nature of the crime involving primarily women subjects. It raises the question of if individuals feel that when a woman shares an explicit image, does she deserve the consequences of that action? A negative coefficient for the punitiveness variables suggests this concept.

The lack of support for the other internal pressures and the external pressures does not fall short though. These findings may be used for future analysis on nonconsensual pornography policies or future policies in general. More defined and narrow research is needed though on the topic of nonconsensual pornography. Since the literature is limited and requires consulting multiple sources to ensure that the most up to date laws within the states are being reported allows for some research to fall through the cracks. Ironically, since the Internet is a major feature in the nature of nonconsensual pornography laws, it would be useful to have a website that is dedicated to updating the actions being taken by states to enact this law. One technique that I would recommend for future research is to narrowly define the nonconsensual pornography variable. Instead of assigning a 1 or 0 for the variable, I would recommend a more detailed description that would indicate if the law is an entirely new law or if the nonconsensual pornography statute was added to a previously existing stalking or harassment law.

The implications of this research are more than just quantitative or qualitative in nature. The discussion surrounding nonconsensual pornography hasn't been well broadcasted, so conducting research on the topic only opens the door for more discussion on why states may choose to or choose not to enact this particular policy. There is plenty more to be discussed, especially the outcome and use of this law within states that have successfully adopted a nonconsensual pornography policy.

Conclusion

As previously stated, examining the internal and external pressures related to enacting a nonconsensual pornography policy results in one instance of an external pressure and one instance of an internal pressure being more conclusive in the successful enactment of the policy in question. Examining the relationship between the states that have the law in effect with the number of neighboring states that reciprocated enactment of the law proved to be the most successful way of examining how states externally influenced the enactment of a nonconsensual pornography policy. The other external factor tested was through examining the wording of each punishment associated within the region of states turned up inconclusive. I would argue that while neighboring states influence other surrounding states in enactment, it is ultimately up to the individual state to assign a degree of punishment associated with the crime. Each state has a varying degree of constituents and constituent needs. Therefore to meet those needs, states need to adapt to their own set of internal demands. For these constituency reasons, it can be determined that examining the wordings would not be a useful mechanism to argue for neighbor-to-neighbor flow of a law. Success can be derived from looking at the proximity in closeness of states and time of enactment.

The internal pressure that was successful in analyzing the enactment of a nonconsensual pornography policy was the assessment of assigning each state an Internet regulation score, then comparing that state score to a map of states with a nonconsensual pornography policy. The relationship between states with a high Internet regulation score and states with the policy in effect determined that states that had previously existing Internet regulations in effect were then more likely to enact a nonconsensual pornography policy. The logic is that a nonconsensual pornography policy further regulates Internet action, so states that were already open to regulation would be even more open to allowing the policy to go into effect. There are some states discussed that have the policy in effect, but don't have a high Internet regulation score (i.e. Hawaii and Alaska). This discrepancy in results comes back to the argument about constituency needs and the argument about advocacy groups present. If the constituents deem Internet regulation too overreaching, they may not advocate for a various Internet regulation policies. But if there were a specific nonconsensual pornography court case that appears within the state court system, then advocacy groups would emerge to push for the policy to be enacted. Advocacy groups have the means to rally individuals around a certain cause, especially if the group support has been formulated around a related cause. For example, women's rights group that have been lobbying for abortion rights may take up arms to support a nonconsensual pornography policy because it would further the intended group goal.

The internal pressures that were inconclusive in the study were that of statistical analysis of individual state characteristics. These characteristics include religious importance, unified government, state punitiveness, state policy mood, state percent liberal, proportion of women in state legislature, and proportion of Democratic or Republican women in state legislature. When some of these variables were run just with the dependent variable they came

up as being significant. For example, unified government was highly significant since it indicated that a when a state's government is unified a policy can pass through the system without any objection. But realistically, a state doesn't just have one of these characteristics. I would expect to have a state with a nonconsensual pornography law to display all of these characteristics since they all, in their own way, support the enactment accomplishment. One variable shocked me in its lack of significance when ran with just the dependent variable. That variable was the proportion of women in state legislature. I was expecting to see a high degree of significance when ran, but it fell short. This lack of significance resulted in the realization that party identity may have a stake in the significance argument. I created the variable of proportion of Democratic and Republican women in the state legislature to test if party identity had an influence in the enactment of a nonconsensual pornography policy. The logic is that women would support the policy because it further protects women's rights, but also that Democratic women would support the policy since the policy fell within their party identity. The new variable resulted in some initial significance. But when the variable was run with the other internal variables tested, it resulted in no significance. This result of no significance with the combination of variables was a shocking let down. The limit of testing 50 states makes sense of why I would have some lack of significance when multiple variables are being run, and I am glad that I tested various variables together since it wouldn't be fair to my research to limit the success to just one of the significant variables examined.

Appendix A – Codebook

Variable Number	Variable Name	Variable Description	Years Available
1	religimp	Percentage Polled for Individuals on Religious Importance • Source: "Religious Landscape Study." *Pew Research Centers Religion Public Life Project RSS*. 11 May 2015. Web. 30 Nov. 2015. <http://www.pewforum.org/religious-landscape-study/#geography>.	2000-2016
2	divgov	Unified or Divided Government when Policy was Enacted • Source: Book of the States." *Book of the States*. Web. Nov. 2015. <http://knowledgecenter.csg.org/kc/category/content-type/content-type/book-states>.	2003, 2004, 2013-2015
3	mood	State Policy Mood • (Higher number would indicate tendencies towards more liberal policies; corresponds with preferences towards size and scope of government) • Source: Enns, Peter K., and Julianna Koch. 2013. "Public Opinion in the U,S. States: 1956 to 2010." *State Politics & Policy Quarterly* 13(3): 349-72.	2000-2010
4	punitiveness	State Punitiveness • Measures public support for being tough on crime • Higher numbers indicate a strong preference for punitiveness • Source: Enns, Peter K. Forthcoming. "The Public's Increasing Punitiveness and Its Influence on Mass Incarceration in the United States." *American Journal of Political Science*.	2000-2011
5	liberal	State Percent Liberal • A measure of the percentage of individuals who identify as political liberals • Source: Enns, Peter K., and Julianna Koch. 2013. "Public Opinion in the U,S. States: 1956 to 2010." *State Politics & Policy Quarterly* 13(3): 349-72.	2000-2010
6	womenpropall	Proportion of Women in State Legislature • Source: "Women in State Legislature." *NCSL*. Web. 12 Feb. 2016.	2013-2015

		<http://www.ncsl.org/legislators-staff/legislators/womens-legislative-network/women-in-state-legislatures-for-2015.aspx>.	
7	propdem	Proportion of Democratic Women in State Legislature • Source: *Center for American Women and Politics*. Web. 9 Mar. 2016. <http://www.cawp.rutgers.edu/fact-sheet-archive-women-state-legislatures-1975-2013>.	2013-2015
8	propreb	Proportion of Republican Women in State Legislature • Source: *Center for American Women and Politics*. Web. 9 Mar. 2016. <http://www.cawp.rutgers.edu/fact-sheet-archive-women-state-legislatures-1975-2013>.	2013-2015

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