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13 July 2020

Online at <https://mpra.ub.uni-muenchen.de/102084/>
MPRA Paper No. 102084, posted 28 Jul 2020 10:12 UTC

The Impact of Sodomy Law Repeals on Crime

Riccardo Ciacci¹

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Abstract

We exploit variation in the timing of decriminalization of same-sex sexual intercourse across U.S. states to estimate the impact of these law changes on crime. We provide the first evidence that sodomy law repeals led to a decline in the number of arrests for disorderly conduct, prostitution, and other sex offenses. Furthermore, we show that these repeals led to a reduction in arrests for drug and alcohol consumption.

Keywords: sodomy laws; LGBTQ; crime

JEL: I18; J15; K14; K38

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1. Introduction

Sodomy laws criminalize oral and anal sex (as well as bestiality). American colonies inherited these laws from the British Empire: sodomy was a crime punishable by death in most American colonies. Even after the U.S. declaration of independence and throughout the XX century, sodomy was a crime often punishable by a life sentence. Between 6,600 and 21,600 people, mostly men, are estimated to have been arrested each year between 1946 and 1961 for non-conforming gender or sexual behaviors. In the same period, tens of thousands of homosexuals were detained, blackmailed, or harassed by police officers (Eskridge, 2008). Sodomy laws were used against sexual minorities to limit their rights to adopt or raise children, to justify firing them, and to exclude them from hate-crime laws (ACLU, 2019). Before the U.S. Supreme Court deemed sodomy laws unconstitutional in 2003 (*Lawrence v. Texas*), the penalty for violating sodomy laws ranged from a \$500 fine in Texas to a maximum life sentence in Idaho (GLAPN, 2007).

This paper contributes to an extremely limited literature on sodomy laws not only in economics, but also in public health and other social sciences. A few studies have looked at the determinants of sodomy laws (Asal et al., 2013; Frank et al., 2010), or the effect of legalizing homosexuality across countries on attitudes toward sexual minorities (Kenny and Patel, 2017). To our knowledge, there is no study specifically looking at the impact of sodomy laws on crime.

This paper contributes to two fields. Within the literature on sexual minorities, this paper is related to a growing number of studies estimating the impact of LGBT policies such as anti-discrimination laws and same-sex marriage legalization on health and labor market outcomes (Burn, 2018; Dee, 2008; Sansone, 2019). Moreover, this paper is linked to a strand of the literature in crime economics exploring the effect of family and vice laws (Cáceres-Delpiano and Giolito, 2012; Heaton, 2012; Stevenson and Wolfers, 2006).

More generally, this paper provides a new and important contribution to the literature on the economic effects of civil and social right reforms affecting stigmatized and marginalized populations such as the Civil Right Act (Donohue and Heckman, 1991), the legalization of interracial marriage (Fryer, 2007), the Americans with Disabilities Act (Acemoglu and Angrist, 2001), abortion and family-planning reforms (Donohue and Levitt, 2001; Goldin and Katz, 2002), and the banning of sex discrimination in schools (Stevenson, 2010).

2. Data and methodology

This paper uses the 1995-2018 FBI's Uniform Crime Reporting Program arrest database. This database collects arrest data for 28 offenses as reported from law enforcement agencies. Since a person might be arrested multiple times in the same year, this dataset measures the number of times persons are arrested rather than the number of individuals arrested. It is then possible to estimate the following event study:

$$Arrest_rate_{st} = \alpha + \sum_{k=\underline{T}}^{\bar{T}} \beta_k Sodomy_{st}^k + \delta_s + \mu_t + x'_{st}\gamma_1 + LGBT'_{st}\gamma_2 + \varepsilon_{st}$$

where $arrest_{st}$ is the reported arrest rate (per 1,000,000 residents) for a given crime in state s at time t . $Sodomy_{st}^0$ is an indicator equal to one if state s had decriminalized sodomy at time t , zero otherwise. $Sodomy_{st}^k$ are the resulting lead ($k < 0$) and lag ($k > 0$) operators.³ The specification includes state (δ_s) and year (μ_t) fixed effects. The vector of time-varying state-level controls (x'_{st}) includes unemployment rate, income per capita, and the number of agencies reporting their crime data to the FBI. In order to control for additional factors potentially related to sodomy laws, $LGBT'_{st}$ accounts for other policies such as constitutional and statutory bans on same-sex marriage, same-sex marriage legalization, same-sex domestic partnership legalization, same-sex civil union legalization, LGBTQ anti-discrimination laws, and LGBTQ hate crime laws.⁴ Standard errors are clustered at the state level (Bertrand et al., 2004).

A key concern when interpreting difference-in-difference estimates as causal is that the timing of the sodomy decriminalization in each state should not reflect pre-existing differences in state-level characteristics. In this context, it is important to emphasize that unlike other policy reforms such as unilateral divorce laws (Stevenson and Wolfers, 2006), sodomy laws in the 1990s were struck down following judicial decisions, not legislative processes. The exact timing of the court decisions was plausibly unexpected. Moreover, judges often served lengthy terms and were less subject than politicians to the public opinion on homosexuality.

It is also worth mentioning that, even if one may worry that the most gay-friendly states were the first ones to introduce LGBTQ reforms such as the legalization of same-sex sexual activity and the introduction of marriage equality, this hypothesis is not supported by the fact that the order in which states decriminalized consensual sodomy is rather different from the order in which states legalized same-sex marriage. For instance, Massachusetts was the first state to legalize same-sex marriage (2004), but it was among the last ones to decriminalize sodomy (2002). New York, one of the states with the largest LGBTQ populations, was not among the first states to legalize sodomy (1980) nor same-sex marriage (2011).

3. Results

The key finding of the paper is that sodomy law repeals led to a significant and persistent reduction in the arrest rates for crimes directly related to sodomy. Indeed, Figure 1 shows a decline in arrests for sex offenses such as offenses against chastity, common decency, and morals. In line with (Ciacci, 2019), Figures 2-3 reports similar reductions in arrests for prostitution and disorderly conduct (i.e., any behavior that tends to disturb the public peace or shock the public sense of morality), respectively. It is worth noting that, in all the graphs, none of the lead operators is statistically significant, thus supporting the parallel trends assumption. Moreover, the impact of

³ Section A of the Online Appendix describes in detail the historical context underlying this econometric strategy.

⁴ All variables are described in detail in Section B of the Online Appendix.

decriminalizing sodomy on these crimes can be detected both in the year in which the law was abolished, as well as in the years afterwards, thus suggesting that these reforms had long-term effects.

We then provide evidence supporting the hypothesis that sodomy law decriminalization not only led to a direct decline of individuals arrested for related crimes, but it also had more general effects. In line with the hypothesis that these law changes reduced minority stress (Meyer, 1995) and led to a reduction of drinking and drug use as a coping mechanism, Figure 4 reports a clear and significant drop in the number of arrests for driving while mentally or physically impaired as the result of consuming alcoholic beverages or using drugs.

The Online Appendix reports several extensions and robustness checks. The main results do not change when measuring arrests in logarithms rather than levels (Figures C1-C3), when restricting the time frame (Figure C4-C6), when increasing the number of leads and lags (Figure C7-C9), or when estimating difference-in-difference models rather than event studies (Table C1). We observe similar reductions in the number of arrests for drug abuse (Figure C10) and liquor laws violations (Figure C11). Finally, we show as placebo tests that sodomy law repeals had no impact on the number of arrests for gambling (Figure C12) or arson (Figure C13).

4. Conclusions

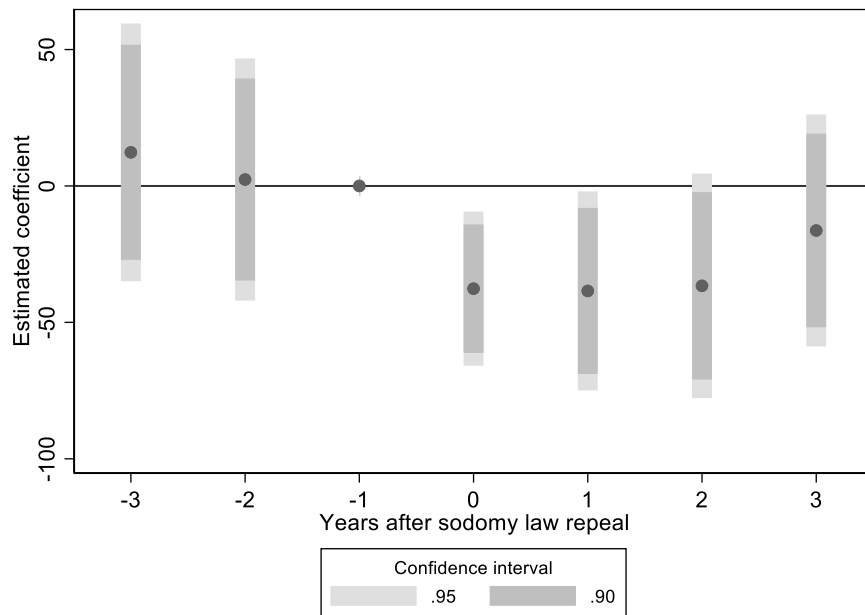
This paper has provided the first evidence that sodomy law repeals had an economic impact: they led to a reduction in the number of arrests due to sex offenses, prostitution, or disorderly conduct, as well as a decline in arrests linked to alcohol and drug consumption. These findings are important from a policy perspective. Institutionalized homophobia is still prevalent worldwide: as of 2020, 70 countries have laws criminalizing homosexuality. In 11 of these countries, homosexuality is punishable by death (ILGA, 2019). This study is a first step towards helping international institutions evaluate more accurately the costs and benefits of suspending foreign aids to countries in blatant violation of basic human rights (Economist, 2014). Furthermore, this analysis emphasizes the potential benefits from repealing sodomy laws still standing in other countries.

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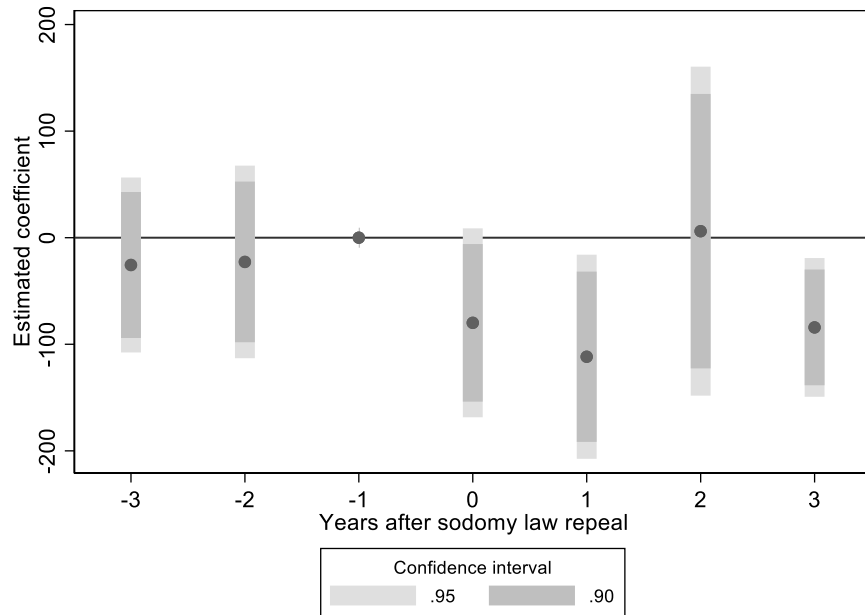
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Figure 1: Effect of sodomy law repeals on arrests for sex offenses.



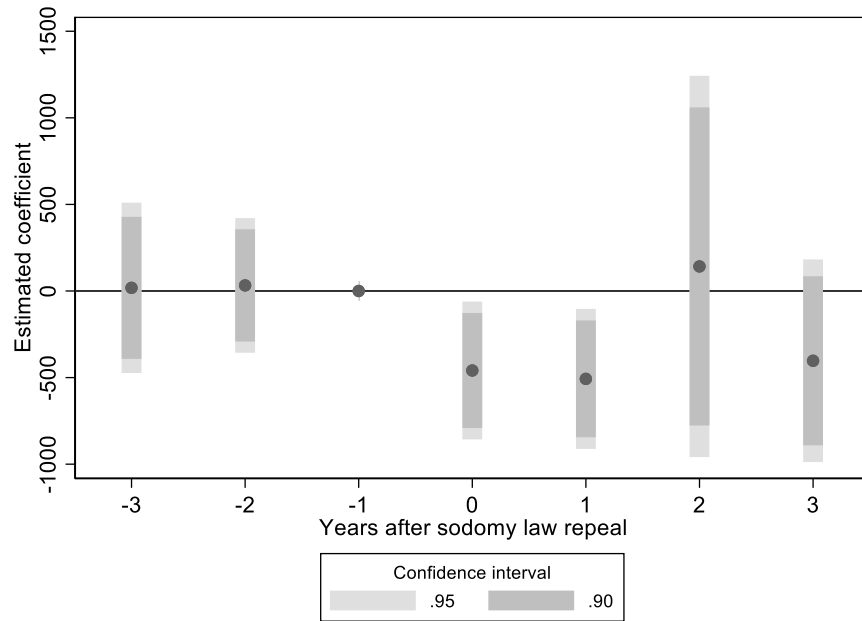
This figure analyzes the effect of sodomy law repeals on the arrest rate for sex offenses (excluding rape and prostitution). First lead normalized to zero. See Data and Methodology Section. N=1,189.

Figure 2: Effect of sodomy law repeals on arrests for prostitution.



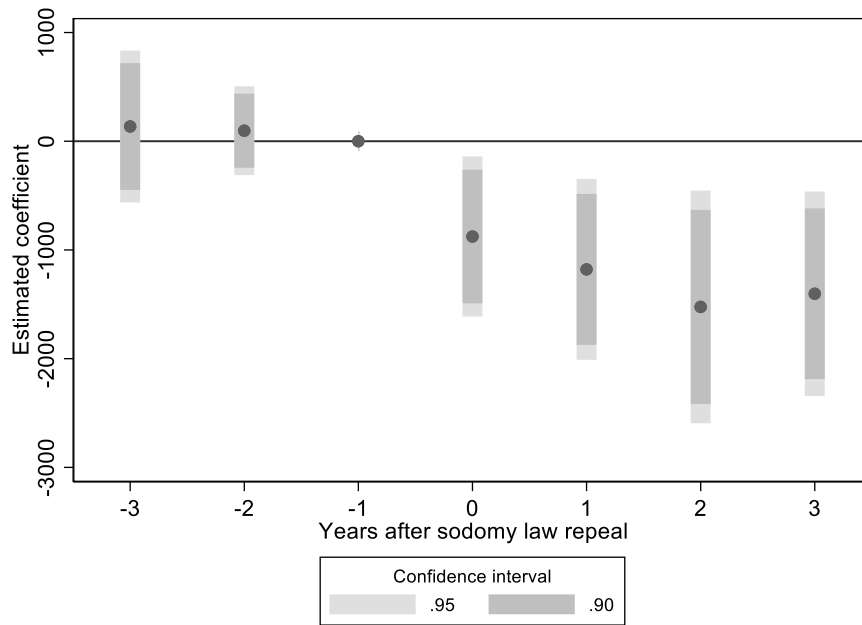
This figure analyzes the effect of sodomy law repeals on the arrest rate for prostitution and commercialized vice. See notes in Figure 1. N=1,188.

Figure 3: Effect of sodomy law repeals on arrests for disorderly conduct.



This figure analyzes the effect of sodomy law repeals on the arrest rate for disorderly conduct. See notes in Figure 1. N=1,179.

Figure 4: Effect of sodomy law repeals on arrests for driving under the influence.



This figure analyzes the effect of sodomy law repeals on the arrest rate for driving after consuming alcoholic beverages or using drugs. See notes in Figure 1. N=1,188.

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Online Appendix

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Appendix A. Institutional context underlying the econometric strategy.

The sexual acts indicated as *sodomy* historically referred to both oral and anal sex, as well as bestiality. Sodomy laws are laws that criminalize these specific sexual activities. American colonies inherited these laws from the British Empire, and they retained them after their declaration of independence. As the U.S. expanded its territorial claims, almost every new state admitted to the Union had a sodomy law (Eskridge, 2008). The years after WWI were characterized by a real “gay panic”, a widespread belief that homosexuals were sexual predators targeting children and susceptible young adults to make them gay. There was a boom of anti-homosexual laws, regulations, and police practices at the federal, state, and municipal levels, as well as tougher sentences. There was a rapid jump in the number of arrests, with thousands of individuals arrested each year between 1946 and 1961 (Eskridge, 2008).

Sodomy law decriminalization occurred in two ways: repeal through state legislatures and state supreme court decisions ruling the laws unconstitutional (Table 1). Before 1980, the call for decriminalization was primarily made by legal experts trying to persuade states to modernize their criminal codes. Illinois became the first state to decriminalize consensual sodomy in 1961. Connecticut did the same in 1969. Slowly, gay and lesbian movement activists, rather than legal experts, became responsible for initiating the attempts to decriminalize sodomy in the last two decades of the 20th century (Bernstein, 2003). At the same time, there was also a shift in the primary policy venue used to challenge sodomy laws: as legal activist organizations specializing in judicial challenges began to lead the battle to decriminalize sodomy, they shifted the movement’s attention to the courts rather than the legislative arena. The move to the courts was largely based on the assumption that judges would be less influenced by public opinion than legislators would, which was particularly important as the federal and state legislatures entered the more conservative Reagan and Bush years (Clendinen and Nagourney, 1999; Kane, 2007).

At the federal level, the gay and lesbian movement attempted to decriminalize sodomy in the early 1980s through a challenge of the Georgia state sodomy law. The challenge reached the U.S. Supreme Court in 1986 (*Bowers v. Hardwick*). However, by a 5 to 4 decision, the Georgia law was found constitutional and the Court ruled that states had the right to criminalize specific sexual acts. Following this defeat, gay and lesbian activists started to challenge sodomy laws under state constitutions, which can add to rights guaranteed by the U.S. constitution. Thanks to this strategy, homosexuality was decriminalized in Kentucky in 1992 (*Commonwealth v. Wasson*), Tennessee in 1996 (*Campbell v. Sundquist*), and Montana in 1997 (*Gryczan v. Montana*). By the end of 2002, 36 states plus the District of Columbia had decriminalized sodomy in their statutes (GLAPN, 2007; Eskridge, 2008). Finally, the U.S. Supreme Court ruled 6-3 that Texas’ sodomy law was unconstitutional (*Lawrence v. Texas*) on June 26, 2003, making all remaining sodomy laws invalid.

Table A1: Sodomy law repeal before *Lawrence v. Texas* (2003).

State	Year	Method	Notes
Illinois	1961	Legislative	Enacted in 1961, effective in 1962
Connecticut	1969	Legislative	Enacted in 1969, effective in 1971
Colorado	1971	Legislative	Enacted in 1971, effective in 1972
Oregon	1971	Legislative	Enacted in 1971, effective in 1972
Delaware	1972	Legislative	Enacted in 1972, effective in 1973
Hawaii	1972	Legislative	Enacted in 1972, effective in 1973
Ohio	1972	Legislative	Enacted in 1972, effective in 1974
North Dakota	1973	Legislative	Enacted in 1973, effective in 1975
California	1975	Legislative	Enacted in 1975, effective in 1976
Maine	1975	Legislative	Enacted in 1975, effective in 1976
New Hampshire	1975	Legislative	Enacted in 1975, effective in 1975
New Mexico	1975	Legislative	Enacted in 1975, effective in 1975
Washington	1975	Legislative	Enacted in 1975, effective in 1976
Indiana	1976	Legislative	Enacted in 1976, effective in 1977
Iowa	1976	Legislative	Enacted in 1976, effective in 1978
South Dakota	1976	Legislative	Enacted in 1976, effective in 1977
West Virginia	1976	Legislative	Enacted in 1976, effective in 1976
Nebraska	1977	Legislative	Enacted in 1977, effective in 1978
Vermont	1977	Legislative	Enacted in 1977, effective in 1977
Wyoming	1977	Legislative	Enacted in 1977, effective in 1977
Alaska	1978	Legislative	Enacted in 1978, effective in 1980
New Jersey	1978	Legislative	Enacted in 1978, effective in 1979
New York	1980	Judicial	<i>New York v. Onofre</i>
Pennsylvania	1980	Judicial	<i>Commonwealth v. Bonadio</i>
Wisconsin	1983	Legislative	Enacted in 1983, effective in 1983
Kentucky	1992	Judicial	<i>Commonwealth v. Wasson</i>
DC	1993	Legislative	Enacted in 1993, effective in 1994
Nevada	1993	Legislative	Enacted in 1993, effective in 1993
Tennessee	1996	Judicial	<i>Campbell v. Sundquist</i>
Montana	1997	Montana	<i>Gryczan v. Montana</i>
Georgia	1998	Judicial	<i>Powell v. Georgia</i>
Rhode Island	1998	Legislative	Enacted in 1998, effective in 1998
Maryland	1999	Judicial	<i>Williams v. Glendening</i>
Arizona	2001	Legislative	Enacted in 2001, effective in 2001
Minnesota	2001	Judicial	<i>Doe et al. v. Ventura et al.</i>
Arkansas	2002	Judicial	<i>Jegley v. Picado</i>
Massachusetts	2002	Judicial	<i>GLAD v. Attorney General</i>

Main Source: GLAPN (2007); Kane (2007); Eskridge (2008).

Appendix B. Variable description.

B.1 Key variables.

Number of arrests. The Uniform Crime Report (UCR) Program Data is a collection of agency-level data published by the FBI. The FBI website reports complete UCR annual data for the years 1995-2018.³ Because a person may be arrested multiple times during a year, the UCR arrest figures do not reflect the number of individuals who have been arrested; rather, the arrest data show the number of times that persons are arrested, as reported by law enforcement agencies to the UCR Program. We have analyzed the following crimes by dividing the number of reported arrests by the state population:

- Prostitution and commercialized vice: unlawful promotion of or participation in sexual activities for profit.
- Sex offenses (except rape, prostitution, and commercialized vice): Offenses against chastity, common decency, morals, and the like.
- Disorderly conduct: any behavior that tends to disturb the public peace or decorum, scandalize the community, or shock the public sense of morality.
- Driving under the influence: driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.
- Liquor laws: the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Federal violations are excluded.
- Drug abuse violations: violation of laws prohibiting the production, distribution, and/or use of certain controlled substances. This includes the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics, i.e. manufactured narcotics that can cause true addiction (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).
- Gambling: to unlawfully bet or wager money or something else of value; assist, promote, or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase, possess, or transport gambling equipment, devices, or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage.
- Arson: any willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

³ Source: <https://ucr.fbi.gov/crime-in-the-u.s/>. Accessed: Mar/1/2020

Population records the estimates of the civilian noninstitutional population ages 16 and older computed by the Census Bureau.⁴

Sodomy law repeal is an indicator variable equal to one in all states and time periods in which sodomy laws regarding same-sex sexual activities (both oral and anal sex) had been repealed/decriminalized; zero otherwise. This variable has been set equal to one even in cases when a state or federal Supreme Court had found sodomy laws unconstitutional, although sodomy laws were still included in the state statute, since they were inapplicable. The enactment date has been used to code this variable (as shown in Table A1, all sodomy laws repealed in the time frame considered in the main analysis, i.e. 1995-2018, have the effective date in the same years as the enactment date). Whenever noted, some minor variations of this variables have been used in the event studies and difference-in-difference models. These data have been primarily obtained from the Gay and Lesbian Archives of the Pacific Northwest.⁵

B.2 State-level controls.

Number of agencies records in each year and state the number of agencies that reported their crime statistics to the UCR.

Unemployment rate records the state-month unemployment rates for the civilian noninstitutional population ages 16 and older, not seasonally adjusted as computed from the Bureau of Labor Statistics.⁶ From this, we have computed the average unemployment rate in each state.

Income per capita records the state-year personal income, not seasonally adjusted. The data have been retrieved from FRED, Federal Reserve Bank of St. Louis.⁷

B.3 LGBT policy variables.

SSM legal is an indicator variable equal to one in all states and time periods when same-sex marriage was legal; zero otherwise. The effective date has been used to code this variable. These data have been primarily obtained from the National Center for Lesbian Rights.⁸

SSM ban is a series of indicator variables equal to one in all states and time periods in which same-sex marriage was banned in the state constitution or state statute; zero otherwise. These indicators remain equal to one even in later years after the legalization of same-sex marriage in a given state. When more than one statutory ban was passed in a state, the oldest one has been used to code the state statute ban variable. These data have been primarily obtained from the Freedom to Marry campaign.⁹

⁴ Source: <https://www.bls.gov/lau/rdsncp16.htm>. Accessed: Oct/1/2019.

⁵ Source: <https://www.glapn.org/sodomylaws/usa/usa.htm>. Accessed Oct/1/2019.

⁶ Source: <https://www.bls.gov/lau/rdsncp16.htm>. Accessed: Oct/1/2019.

⁷ Applied filters: income; not seasonally adjusted, per capita, state. Source: <https://fred.stlouisfed.org/>. Accessed: Oct/25/2019

⁸ Source: <http://www.nclrights.org/wp-content/uploads/2015/07/Relationship-Recognition.pdf>. Accessed Oct/1/2019.

⁹ Source: <http://www.freedomtomarry.org/pages/winning-in-the-states>. Accessed Oct/1/2019.

Domestic partnership is an indicator variable equal to one in all states and time periods in which same-sex domestic partnerships were legal; zero otherwise. This indicator remains equal to one even in later years when\if a state had converted same-sex domestic partnerships into marriages. These data have been primarily obtained from the National Center for Lesbian Rights.¹⁰

Civil union is an indicator variable equal to one in all states and time periods in which same-sex civil unions were legal; zero otherwise. This indicator remains equal to one even in later years when\if a state had converted same-sex civil unions in marriages. These data have been primarily obtained from the National Center for Lesbian Rights.¹¹

Anti-discrimination law is an indicator equal to one in all states and time periods in which employer discrimination based on sexual orientation was not allowed; zero otherwise. This variable has been set equal to one even if the law covered only sexual orientation, not gender identity, or if a law protecting trans individuals was passed at a later date. Laws protecting only public employees have not been considered. These data have been primarily obtained from the Freedom for All Americans campaign.¹²

Hate crime is a series of indicator variables equal to one in all states and time periods in which there was a law specifically addressing hate or bias crimes based on sexual orientation only, or on sexual orientation and gender identity; zero otherwise. Since some states passed these laws after 2009, these variables have not been set equal to one for all states after President Obama signed the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act into law on October 28, 2009. These data have been primarily obtained from the Human Rights Campaign.¹³

¹⁰ Source: <http://www.nclrights.org/wp-content/uploads/2015/07/Relationship-Recognition.pdf>. Accessed Oct/1/2019.

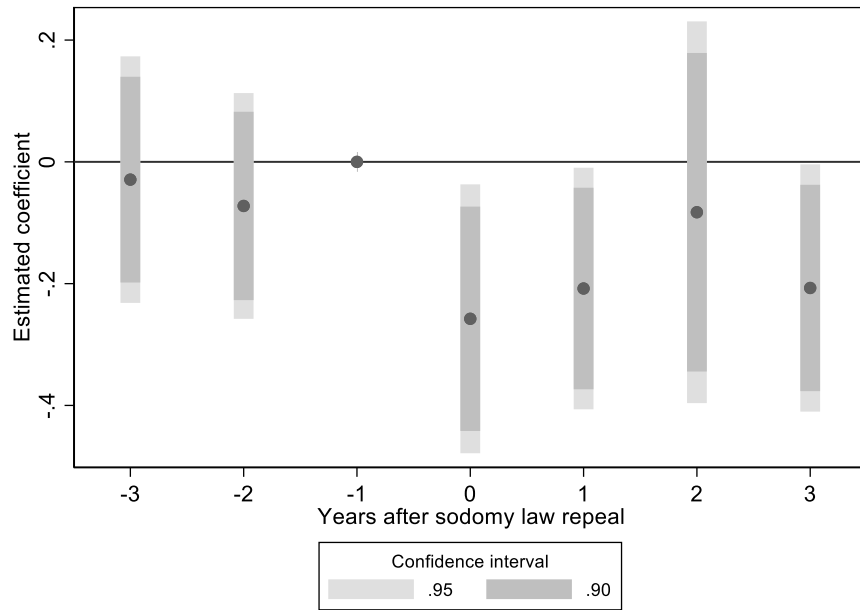
¹¹ Source: <http://www.nclrights.org/wp-content/uploads/2015/07/Relationship-Recognition.pdf>. Accessed Oct/1/2019.

¹² Source: <https://www.freedomforallamericans.org/states/>. Accessed: Oct/21/2019.

¹³ Source: <https://www.hrc.org/state-maps/hate-crimes>. Accessed: Oct/25/2019.

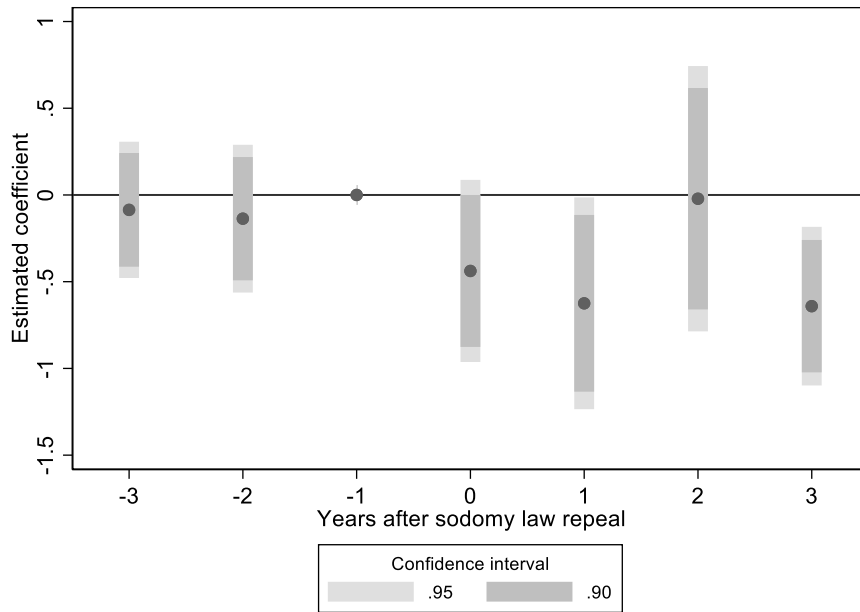
Appendix C. Additional tables and figures.

Figure C1: Effect of sodomy law repeals on arrests for sex offenses (in log).



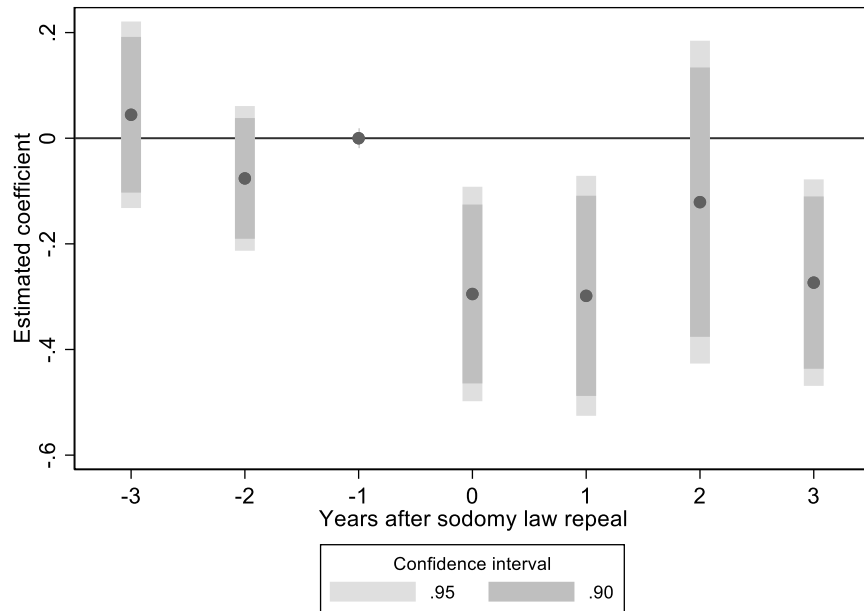
This figure analyzes the effect of sodomy law repeals on the arrest rate (in logarithm) for other sex offenses other than rape, prostitution, and commercialized vice. See also notes in Figure 1. Source: FBI 1995-2018. N=1,189.

Figure C2: Effect of sodomy law repeals on arrests for prostitution (in log).



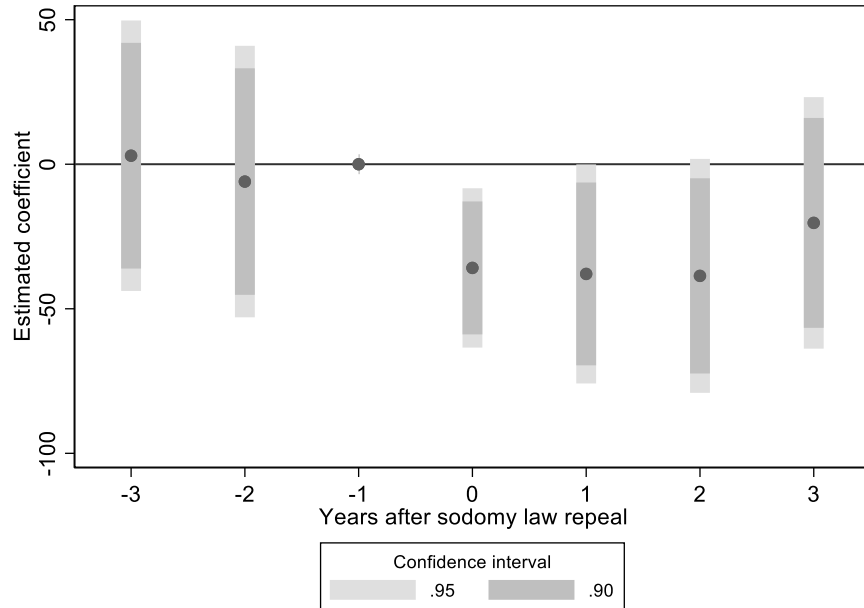
This figure analyzes the effect of sodomy law repeals on the arrest rate (in logarithm) for prostitution and commercialized vice. See also notes in Figure 1. Source: FBI 1995-2018. N=1,188.

Figure C3: Effect of sodomy law repeals on arrests for disorderly conduct (in log).



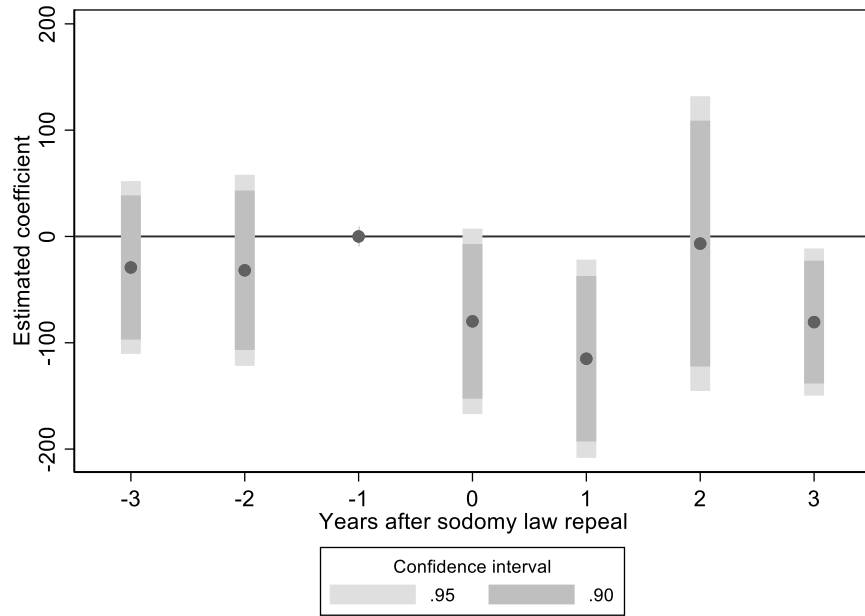
This figure analyzes the effect of sodomy law repeals on the arrest rate (in logarithm) for disorderly conduct. See also notes in Figure 1. Source: FBI 1995-2018. N=1,179.

Figure C4: Effect of sodomy law repeals on arrests for sex offenses (1995-2010).



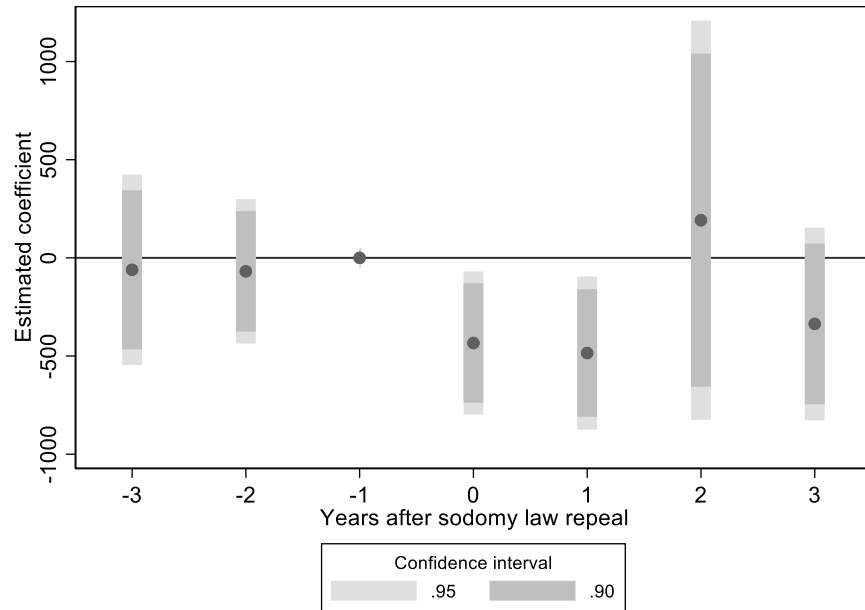
This figure analyzes the effect of sodomy law repeals on arrest rate for other sex offenses other than rape, prostitution, and commercialized vice. See also notes in Figure 1. Source: FBI 1995-2010. N=784.

Figure C5: Effect of sodomy law repeals on arrests for prostitution (1995-2010).



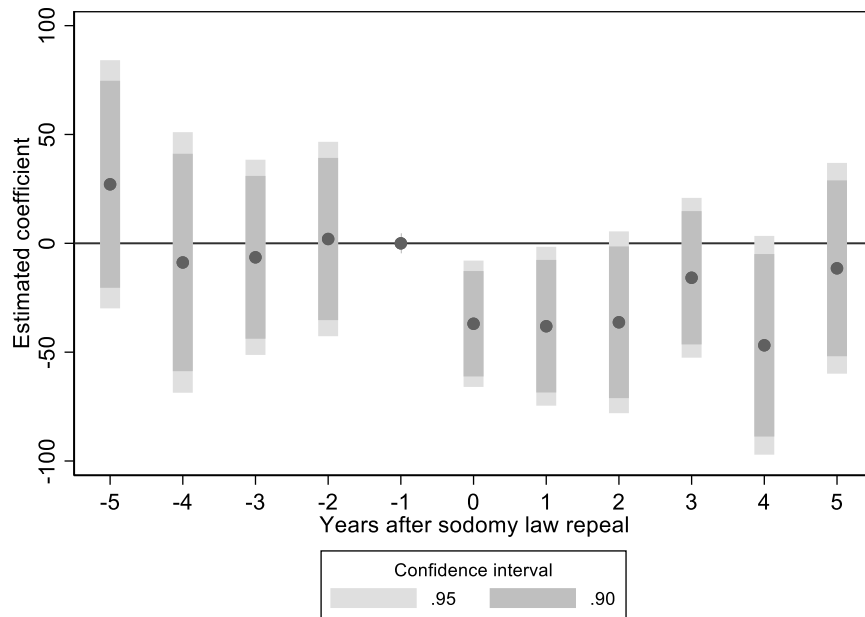
This figure analyzes the effect of sodomy law repeals on the arrest rate for prostitution and commercialized vice. See also notes in Figure 1. Source: FBI 1995-2010. N=783.

Figure C6: Effect of sodomy law repeals on arrests for disorderly conduct (1995-2010).



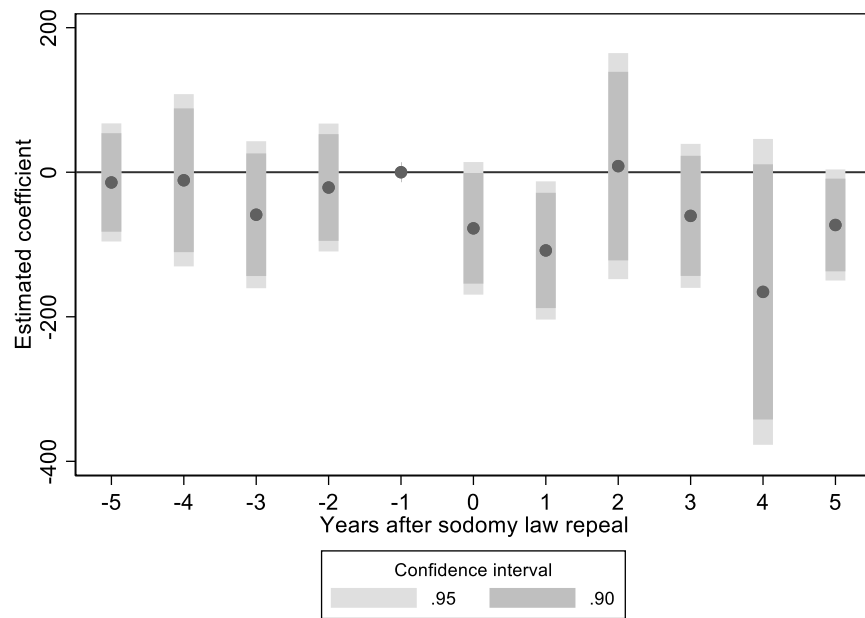
This figure analyzes the effect of sodomy law repeals on the arrest rate for disorderly conduct. See also notes in Figure 1. Source: FBI 1995-2010. N=774.

Figure C7: Effect of sodomy law repeal on arrests for sex offenses. Add leads and lags.



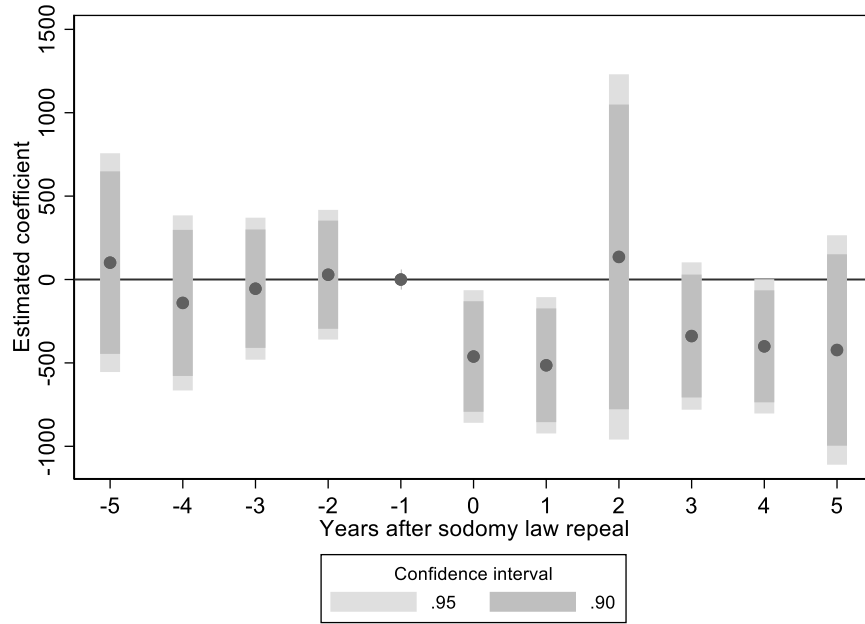
This figure analyzes the effect of sodomy law repeals on the arrest rate for other sex offenses other than rape, prostitution, and commercialized vice. See also notes in Figure 1. Source: FBI 1995-2018. N=1,189.

Figure C8: Effect of sodomy law repeals on arrests for prostitution. Add leads and lags.



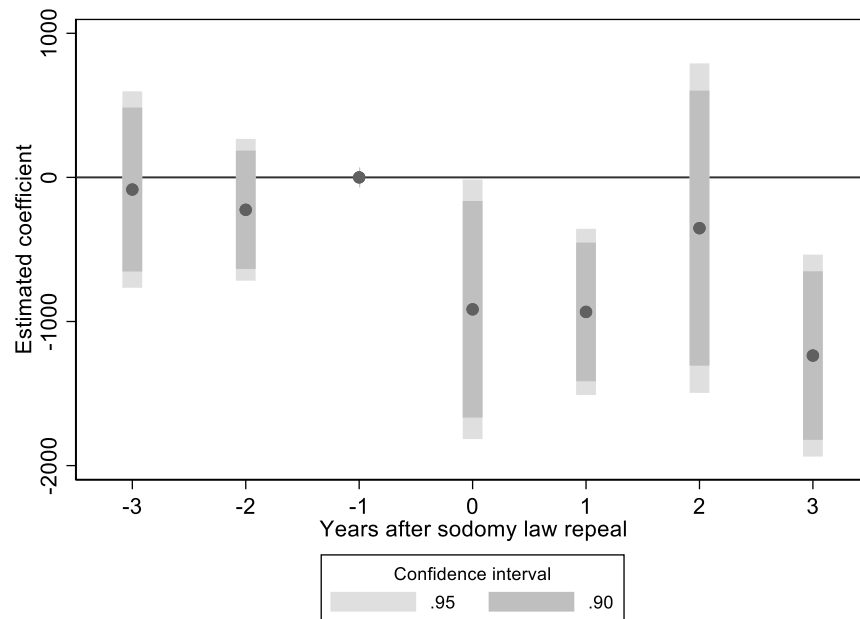
This figure analyzes the effect of sodomy law repeals on the arrest rate for prostitution and commercialized vice. See also notes in Figure 1. Source: FBI 1995-2018. N=1,188.

Figure C9: Effect of sodomy law repeals on arrests for disorderly conduct. Add leads and lags.



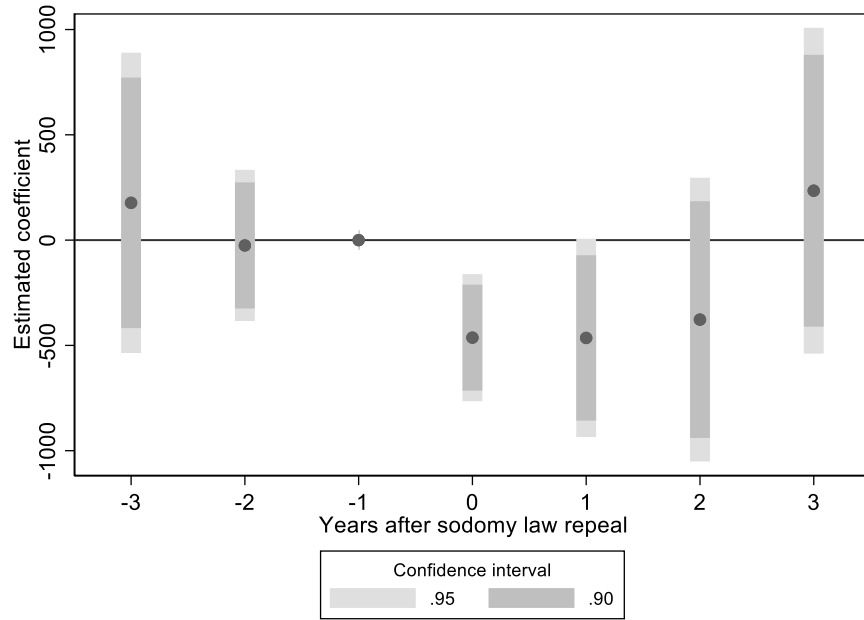
This figure analyzes the effect of sodomy law repeals on the arrest rate for disorderly conduct. See also notes in Figure 1. Source: FBI 1995-2018. N=1,179.

Figure C10: Effect of sodomy law repeals on arrests for drug abuse.



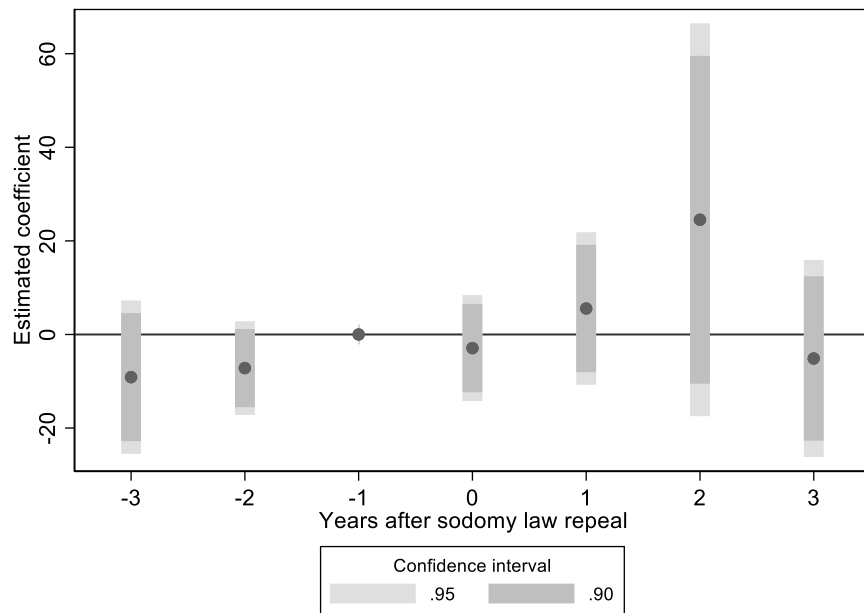
This figure analyzes the effect of sodomy law repeals on the arrest rate for drug abuse violations. See also notes in Figure 1. Source: FBI 1995-2018. N=1,189.

Figure C11: Effect of sodomy law repeals on arrests for liquor law violations.



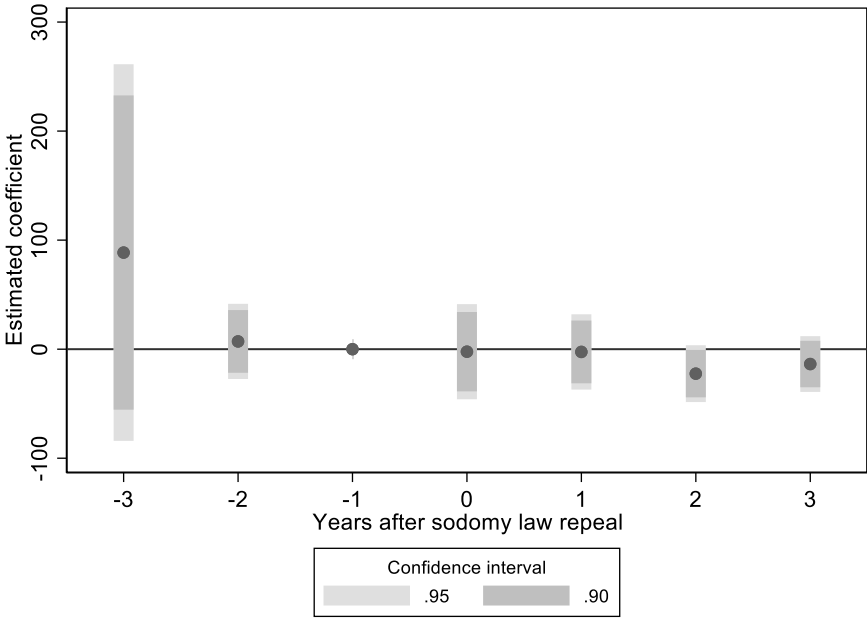
This figure analyzes the effect of sodomy law repeals on the arrest rate for liquor law violations. See also notes in Figure 1. Source: FBI 1995-2018. N=1,189.

Figure C12: Effect of sodomy law repeals on arrests for gambling.



This figure analyzes the effect of sodomy law repeals on the arrest rate for gambling. See also notes in Figure 1. Source: FBI 1995-2018. N=1,186.

Figure C13: Effect of sodomy law repeals on arrests for arson.



This figure analyzes the effect of sodomy law repeals on the arrest rate for arson. See also notes in Figure 1. Source: FBI 1995-2018. N=1,189.

Table 1: Effect of sodomy law repeals on sex offenses, prostitution, and disorderly conduct. Difference-in-difference.

	Sex offenses			Prostitution			Disorderly conduct		
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Sodomy law repeal	-32.255*	-0.170*	-0.199*	-56.890*	-0.464**	-0.547*	-379.656	-0.277***	-0.228**
	(19.148)	(0.094)	(0.107)	(31.844)	(0.176)	(0.304)	(267.840)	(0.092)	(0.107)
Year FE	✓	✓	✓	✓	✓	✓	✓	✓	✓
State FE	✓	✓	✓	✓	✓	✓	✓	✓	✓
Number of agencies	✓	✓	✓	✓	✓	✓	✓	✓	✓
State controls	✓	✓	✓	✓	✓	✓	✓	✓	✓
LGBT policies	✓	✓	✓	✓	✓	✓	✓	✓	✓
State and agency trends			✓			✓			✓
Observations	1,189	1,189	582	1,188	1,188	581	1,179	1,179	576
Adjusted R ²	0.797	0.762	0.879	0.761	0.681	0.796	0.798	0.822	0.934

This table analyzes the effect of sodomy law repeals on the arrest rate for sex offenses other than rape, prostitution, and commercialized vice (Columns 1-3); prostitution and commercialized vice (Columns 4-6); and disorderly conduct (Columns 7-9). The table reports the estimated β from the following difference-in-difference model: $Arrest_rate_{st} = \alpha + \beta Sodomy_{st} + \delta_s + \mu_t + x'_{st}\gamma_1 + LGBT'_{st}\gamma_2 + \varepsilon_{st}$ with the same state fixed effects (δ_s), year fixed effects (μ_t), state controls (x'_{st}), and LGBT policy controls ($LGBT'_{st}$) as in the event studies plotted in Figures 1-3. Arrest rate (per 1,000,000 state residents) is in level in Columns 1, 4, and 7, while it is in logarithms in Columns 2-3, 5-6, 8-9. Columns 3, 6, and 9 includes state-specific linear time trends and the interaction between state fixed effects and the number of agencies reporting from each state in each year. Since the last sodomy laws were abolished in 2003, Columns 2, 3, and 9 also restrict the time frame to the years 1995-2006. Source: FBI 1995-2018 (Columns 1-2, 4-5, and 7-8), and FBI 1995-2006 (Columns 3, 6, and 9). * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

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