Can Social Pressure Foster Responsiveness? An Open Records Field Experiment with Mayoral Offices

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February 5, 2020

Abstract

This paper examines the extent to which social pressures can foster more responsiveness among public officials. I conduct a non-deceptive field experiment on 1400 city executives across all 50 states and measure their level of responsiveness to open records requests. I use two messages to prime social pressure. The first treatment centers on the norm and duty to be responsive to the public's request for transparency. The second treatment is grounded in the peer effects literature, which suggests that individuals change their behavior in the face of potential social sanctioning and accountability. I find no evidence that mayors are affected by priming the officials' duty to the public. The mayors who received the peer effects prime were 6-8 percentage points less likely to respond, which suggests a 'backfire effect.' This paper contributes to the growing responsiveness literature on the local level and the potential detrimental impact of priming peer effects.

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President Woodrow Wilson idealized the concept of self-government and believed that individuals had an inherent right to direct public affairs. To make it possible for everyday citizens to hold government accountable, he highlighted the importance of the free flow of information and the corrupting influence of secrecy: "Publicity is one of the purifying elements of politics. Nothing checks all the bad practices of politics like public exposure."[1] Transparency is a social good for effective democratic governance. One way for the public to exercise their right-to-know is by petitioning the government to release specific public records through open records laws. These laws exist at all levels of government to enable citizens, interest groups, and members of the media to gain access to information which otherwise would not be in the public light.

Open records requests have played an essential role in citizens gaining information to hold elected officials accountable. In recent years, legal battles have ensued with local government officials about their reluctance to release emails deemed in the public's interest. For example, the City of Chicago has fought to keep email communication between the mayor and others out of the public's eye. Only after a court order, the City released emails depicting a potentially problematic relationship between the mayor and requests for city services by big political donors (Felsenthal 2016). New York City's mayor has also been embroiled in an open records request controversy. Emails by Mayor Bill de Blasio gave the public an inside look into the debates on funding public projects and the management style of a leader who controls one of the largest local bureaucracies in the country (Goodman and Mays 2018).

Mayoral offices are a perfect setting to test theories of social pressure and responsiveness. Mayors lead local bureaucracies that oversee a full range of public services from zoning restrictions, to trash-pickup, to authorizing business licenses. These offices are tasked with being responsive to media, interest groups, and requests from the public under budget and time constraints. Two sequential steps exist under open records laws: (1) respond to the request, and (2) comply with the request. I study the first stage in this process. Mayors and their offices have a

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[1]Woodrow Wilson, *The New Freedom: A Call for the Emancipation of the Generous Energies of a People* New York: Doubleday, Page & Company, 1918, p. 115.

considerable amount of discretion (legal or extra-legal) in the extent to which they are respon-siveness to requests.[2] Knowing this, can priming social pressures improve responsiveness?[3]

To explore this question, I conduct a large-scale non-deceptive correspondence experiment requesting three months of non-private government emails from more than 1400 mayors in 50 U.S. states. I attempt to blend institutional motivations for mayoral responsiveness with messages traditionally developed by behavioralists. I examine two theories of social pressure: (1) the norm of transparency and the duty of elites to be responsive to the public; and (2) peer effects through accountability. The first builds on work that elected officials, and their bureaucrats have built-in norms to respond to the public's wishes (Key 1961; Mayhew 1974; Saltzstein 1992). The message is crafted to acknowledge a norm of transparency, and the fact that the public believes the local government has not met expectations. Thus, I hypothesize that priming the duty to respond to a request for transparency will increase responsiveness to such requests. The second prime incor-porates the idea of peer effects as a social norm that elected officials, like ordinary individuals, change their behavior in the presence of peer expectations (March and Olsen 1989, 1995; Scott 2006; Gerber, Green, and Larimer 2008). I expect that notifying mayors that their peers received the same request and that a report will be sent to them will induce responsiveness through the *potential* for 'naming and shaming.'

Analyzing the 729 replies, I find that mayors do not respond in differential ways to messages about their duty. Contrary to expectations, I find that peer effects decrease the likelihood of receiving a response, which suggests a "backfire effect." This paper contributes to the growing literature on local government responsiveness and improves our understandings of the potential disadvantages of peer effects.

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[2] One example of this occurred in 2017 when two news agencies, the Atlanta Journal and Channel 2 Action News, requested travel records for the mayor of Atlanta under Georgia's sunshine law. The media found text messages between employees that suggest the mayor directed officials to not respond to the sunshine request (Trubey, J. Scott. "No action needed: Texts show possible Kasim Reed role in records request." *The Atlanta Journal-Constitution* https://www.ajc.com/news/local/action-needed-texts-show-kasim-reed-role-records-request/ayGINvRtGAjp1CgjlLwNoO/ accessed: Oct. 25, 2019).

[3] Responsiveness and compliance to open records requests are different concepts. Responsiveness examines the extent to which the request received a written response. Compliance is the extent to which the city government fulfilled the request. In this study, I examine responsiveness. See Appendix D for further discussion.

Theories of Responsiveness to Open Records Requests

Sunshine laws were created to foster a mechanism for citizens to hold public officials accountable. If these laws were effective, there should be no variation in responsiveness and compliance. Yet, there exists wide variation within and between states on their compliance with open records requests. Some have noted that government entities routinely fail to fulfill such requests (Geraghty and Velez 2011).[4]

Many researchers have used open records requests as an avenue to answer questions about responsiveness, compliance with laws, and the impact of controversial requests (Ben-Aaron et al. 2017; Wood and Lewis 2017; Cuillier and Davis 2010; Lowande 2018, 2019). While Ben-Aaron et al. (2017) found that local governments are more likely to fulfill open records requests when they know peer governments have also fulfilled similar requests, Cuillier and Davis (2010) found that non-threatening requests were more likely to be fulfilled.

I build on these previous works to examine the extent to which social pressures may induce responsiveness to transparency requests. I lay out two theories that could influence responsiveness. One approach is based on the duty of elected officials to respond to the public's requests. The other is derived from the idea that peer group monitoring influences behavior.

Responsiveness as a Duty to the Public

Dahl (1971) argues that transparency or the free flow of information is a fundamental aspect of democratic regimes. Without it, he suggests, representation can never truly exist. Open records laws establish the norm of transparency at the state and local government levels. It is widely believed that elected officials also have the duty to be responsive to the public's concerns. Key (1961) best articulates this duty: "governments must concern themselves with the opinions of their citizens" (p. 7). Enforcement among elites may occur in two ways: (1) the electoral incentive, and (2) the internal sense of duty to the public. Institutionalists have traditionally focused

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[4] Their study, in particular, was examining southern criminal justice institutions and their responses to requests for public records.

on the former. A sizable literature has confirmed that elected officials and bureaucrats indeed follow public opinion (Arnold 1990; Bartels 1991; Guisinger 2009; Kousser, Lewis, and Masket 2007; Saltzstein 1992; Wlezien 1995).

Beyond electoral accountability, political elites may have an internal sense of duty to respond to the public. Works on voter mobilization has found that informing citizens of their duty/obligation to vote is a potential positive form of social pressure (Green and Gerber 2008, 2010). Reminding mayors that a norm of governmental transparency exists may heighten officials' awareness and lead to an increase in responsiveness to open records requests. This leads to my first hypothesis.

H1 *City government executives will be more responsive to requests for transparency when primed with their civic duty to uphold norms of sharing information.*

Peer Effects

Growing literature by social scientists suggests that political elites can be affected by their peers (Masket 2008; Holden, Keane, and Lilley 2017; Harmon, Fisman, and Kamenica 2018). According to Goodin (2003), peer accountability is "based on mutual monitoring of one another's performance within a network of groups[...]" (p. 378). Peer accountability occurs when political entities are accountable to their professional community. In many cases, this accountability lacks formal sanctions. March and Olsen (1989) suggests that the influence of conduct is driven by a *logic of appropriateness* or an internalized professional norm of appropriate actions. Under this theory, "actors seek to fulfill the obligations encapsulated in a role, an identity, *a membership in a political community or group,* and the ethos, practices and expectations of its institution" (March and Olsen 2011). These types of peer effects are inherently social and 'soft' in the sense that they do not rely on formal/legalistic rules that punish behavior. Scott (2006) argues that the fear of 'naming and shaming' or the loss of reputation drives the accountability effect.

City executives belong to an ever-growing network and routinely interact with their fellow executives (Einstein and Glick 2017). These connections leave officials susceptible to reputational

pressures. I expect the potential for 'naming and shaming' will increase responsiveness to open records requests.

H2 *City government executives will be more responsive to requests for transparency when primed with a message about peer accountability.*

Design and Methods

To determine whether social pressures drive the behavior of local officials, I contact a sample of mayors with open records requests via email. According to the 2010 U.S. Census, there are 2,098 cities with a population over 20,000. To generate a subset of mayors to contact, I retrieved email addresses from individual municipal websites and the United States Conference of Mayors (USCM). Though the USCM primarily represents cities with a population over 30,000, they still serve some mayors and city executives from cities with smaller populations.[5] I made every effort to include individual addresses that go directly to the office of the mayor, instead of the general or city council accounts. My sample contains 1,409 city government executives across all 50 U.S. states.[6]

Correspondence experiments are routinely used to test theories of responsiveness. Submitting open records requests through direct messages to individual holders of the records resembles how private citizen and news entities request public records in reality. I craft an email that includes both the necessary elements of the open records request and the primes.[7] I ask for three months of non-private governmental emails archived from the inbox and outbox of the mayor. Mayoral emails fall under the definition of public records, and there exists some level of political risk in producing such records that breed discretion (See Appendix D for a further discussion about email records and ethics surrounding this study).

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[5] There are 52 cities with a population under 30,000 in my sample. See Appendix A for a more detailed description of the sample.

[6] I conducted a power analysis under two scenarios before implementing the experiment. The results suggest that I would be able to recover an effect size of 8%. See Appendix C for further discussion of power.

[7] According to the National Freedom of Information Coalition, open records requests have three parts: (1) an invocation of the state's law; (2) a description of the records or information sought, and (3) the purpose of the request.

Figure 1: Treatment Email

Hello,

We are hoping your office can help us fill a public records request, under the [public records act in state]. [Treatment]

We are requesting a copy of official mayoral emails from January 1, 2018 to March 31, 2018 (inclusive) and we would like to access as much data as is feasible for those months. Ideally, we would have access in electronic format to all of the non-private emails archived from the inboxes and sent boxes to the office of the mayor. We understand that in some instances there may be fees to cover search and electronic delivery; in such circumstances, we kindly request that an estimate be provided so that we can manage our project budget accordingly.

This is part of a [University] research study, under the direction of Professor [Name] to understand patterns in the ways local governments employ email to communicate both internally and with those outside of government. We are hoping your office will help us understand best practices in transparency and accessibility with regard to official electronic communications.

We are more than happy to correspond with any staff to assist in this public records request for emails.

Cordially,

-Researcher's Name-
Department of Political Science
-University-
-Email-

Table 1: Treatment Conditions

Treatment	Message in Email
Duty	As you may know, Americans believe governments have a civic duty to share information with their constituents. However, according to the Pew Research Center, only half of Americans believe local governments are effectively sharing data with the public.
Peer Effects	We have sent this request to 1400 other city government executives and plan to publish a report about our results. We will send a copy of this report to all city executives we have contacted.
Control	[N/A]

To effectively prime social pressure, I follow a two-step process: (1) establish the norm (or type of pressure), and (2) trigger its application.[8] For the duty prime, I establish the norm by explicitly stating there exists a duty to share information. Second, I triggered the application of the norm implicitly by paraphrasing a Pew Research Center poll published in 2015 that discussed Americans' views about open governmental data. I use the poll to raise awareness that the public is concerned with the lack of transparency.

To test the peer effects hypothesis, I layout two necessary elements:[9] (1) acknowledge a peer group; (2) establish a potential for surveillance and enforcement. Because mayors are the actors to be studied, I first identify the request was sent to other city government executives that serve as their comparison group. Next, I establish the potential for surveillance and accountability by stating that I will create a report and send it to the peer group. Upon receiving this peer accountability prime, one mayor in the largest city of a midwestern state asked, "[are you] ranking us to others?" This provides some evidence that the peer prime raises awareness that others will know if and how they responded to the request. I also undertook three post-experiment interviews where I sent mayors in the control condition the two treatment primes and asked them to detail their thoughts about the wording. The mayors interviewed collectively saw the peer effects prime as a tool to *shame* them into complying with the request and the duty prime as a tool to spur thinking about the legal and public obligations to respond to the request.[10]

I define responsiveness (*Initial Response*) as an indicator of whether any public official responded. The majority of the initial responses acknowledged their receipt of the email or stated

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[8] This two-step process is similar to the three step process outlined by Green and Gerber (2010): "[S]ocial pressure communications typically involve three ingredients: they admonish the receiver to adhere to a social norm, indicate that the receiver's compliance will be monitored, and suggest that the monitored behavior will be publicized" (pg. 331-332). To prime civic duty, Gerber, Green, and Larimer (2008) include two messages: (1) "Do you Civic Duty-Vote" and (2) "Remember your rights and responsibilities as a citizen. Remember to vote."

[9] This prime is similar to the neighbors prime in voter mobilization studies. For example, Gerber, Green, and Larimer (2008) deploy this type of social pressure in two components: (1) show the recipient whether their neighbors have voted in the past, and (2) inform them that the researchers intend to let their neighbor know whether they voted or not in the current election.

[10] I fielded a survey of mayors after the experiment and found that respondents were sharply divided on whether the language would increase or decrease the likelihood of responding. I discuss the finding of the survey in Appendix H.

that they forwarded it to a staff member. I use two estimators: intent-to-treat (ITT) and complier average treatment effect (CACE). The ITT estimator corresponds to the average response rate by each treatment group. This approach, however, assumes all of the emails were received and opened. Using an instrumental variables approach, the CACE will overcome the potential bias in differing open rates among the treatment groups (See Coppock 2018 and Montgomery et. al. 2018 for a discussion of post-treatment bias in political science research). I use an indicator of whether the email was opened as an instrument for receiving the intended treatment message.

Results

The total open rate for the experiment is 78%.[11] Out of 1409 emails sent, the overall response rate is 51%.[12] Conditional on being opened, the response rate is 66%. The control condition, which cites the open records law with no further treatment message, has a response rate of 53.5%. The descriptive evidence indicates that social pressure, as encapsulated by the *Duty* prime, increased responsiveness by 1.5 percentage points (55%-53.5%). The *Peer Effect* prime decreased responsiveness by 6.8 percentage points (46.7%-53.5%).

Table 2: Response Rates by Treatment Condition

	Response Rate	N
Control	53.5	251/469
Duty	55.0	258/469
Peer Effect	46.7	220/471

Note: This table reflects the raw number of responses and the response rates by experiment condition.

I next examine whether response rates differ by social pressure using a regression framework, which allows the construction of reliable estimates and standard errors. The first model in Table 3 shows the ITT with robust standard errors. The *Duty* treatment increases responsiveness by

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[11] All treatment group emails were opened at similar rates (See Appendix B). I standardized the subject line for all emails.

[12] Costa (2017) found that political elites respond to constituent communication between 48% and 57% of the time.

approximately 1.5 percentage points; however, the estimate is not statistically significant. The *Peer Effects* treatment decreases responsiveness by 6.8 percentage points with a p-value of less than 0.05. The second model shows the estimated treatment effects under the instrumental variable approach. The *Duty* condition continues to show a non-distinguishable impact, while the *Peer Effects* condition shows a stronger effect by decreasing responsiveness by 8.7 percentage points. In short, I find no support for hypothesis 1 and find evidence counter to hypothesis 2. I explore the heterogeneous effects in Appendix F. I find no substantive results when examining institutional or personal characteristics of the city and the mayor.

Table 3: The Effect of Social Pressure on Responsiveness

	Dependent variable:	
	Responsive	
	(ITT)	(CACE)
Peer Effect	-0.068^{**}	-0.087^{**}
	(0.033)	(0.043)
Duty	0.015	0.019
	(0.032)	(0.040)
Constant	0.535^{***}	0.535^{***}
	(0.023)	(0.023)
N	1409	1409
F-Stat./Wald test	3.70^{**}	3.63^{**}
Res. Standard Error	0.499	0.504

Note: *p<0.1; **p<0.05; ***p<0.01. Robust standard errors are used across all models in the parentheses. I correct p-values for multiple comparisons in Appendix G.

Discussion

Having conducted an open records experiment on U.S. mayoral offices, I fail to find strong evidence that social pressures affects city executives in intended ways. A message crafted to

remind mayors of their civic duty to respond to requests did not significantly increase the probability of responding to such requests. Contrary to expectations, I find evidence that priming peer accountability *decreased* the likelihood of responding to request for transparency. This suggests a 'backfire' effect.

One reason the duty prime failed was that the language might not have been strong enough. A survey conducted, after the experiment, revealed that only 43% of mayors were more likely to respond after knowing the public's belief about transparency (See Appendix H). Another reason the duty prime could have failed to show a distinguishable increase is the professionalization of local bureaucrats. Mladenka (1981) suggests that having a process routinizes certain services that leave little room for discretion. For example, once emails are received, the mayor (and their staff) filter emails based on importance and decide which ones require a response. Under this scenario, open records requests- since already required by law- should have an institutionalized process by which they respond. This process leaves little discretion on the extent to which requests will receive a response.

I expected the peer effects prime to yield an increase in responsiveness. Empirical research has traditionally found positive effects of monitoring or threat of surveillance (Gerber, Green, and Larimer 2008; Panagopoulos 2014*a*,*b*). This paper suggests the opposite. The results point to a 'backfire' effect. Literature in social psychology finds that under strong pressures, individuals may devalue actions being promoted or blatantly refuse to submit to pressures. This theory of reactance is also called the "boomerang[ing] effect" by others (Ringold 2002).[13] This negative pattern has also been observed, unintentionally, in other audit experiments that use negative social pressure (Terechshenko et al. 2019). Mayors seem to be divided on whether the peer language would increase or decrease their likelihood of responding (See Appendix H for further discussion).

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[13]Negative effects of strong social pressure and messages have been found in studies of smokings (Wolburg 2006), healthy lifestyle promotion (Dillard and Shen 2005; Fitzsimons and Lehmann 2004; Hyland and Birrell 1979), and other pro-social behavior (Burgoon et al. 2002).

In the context of this experiment, the message about other mayors and accountability might be seen as a heavy-handed way to get compliance. Gerber, Green, and Larimer (2008) theorized that appeals to neighbors through implied accountability is a stronger social pressure than appealing to civic duties. Under the same framework, appeals to duty are a mild form of social pressure, while the appeal to peers and publication applies the maximal social pressure. The negative effect of peer pressure may have shown mayors' adverse reaction to overt pressure. Future experiments designed to distinguish positive versus negative theories of social pressure are needed for greater certainty about the mechanism.

Conclusion

Open records laws enable individuals to peek into the black box of governmental deliberation and decision-making. Though many see open records request as purely part of the administrative process, city executives exercise discretion in both the responsiveness and compliance with the laws. This paper sought to explore the extent to which social pressures may influence how city government officials respond to request for transparency.

I induced social pressure in two ways: (1) norms and transparency and duty to respond; and (2) peer accountability. I find no evidence that priming duty impacts responsiveness. Contrary to expectations, the peer effects treatment causes a lower response rate. The psychological theory of reactance may explain this counterintuitive result. Mayors react negatively to strong social appeals that heighten awareness of their peers. My finding necessitates future research on how theories of negative social pressure- that we know affects average individuals- might also generalize to political elites.

Regarding requests for greater transparency, citizens, the media, and researchers must be cautious about how they request information because the language might cause unintended consequences.

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Appendix

This appendix contains 8 sections that include additional details about the study. The first appendix provides summary statistics of the cities in the sample and the extent to which covariates were balanced with respect to the treatment assignment (See Appendix A). Appendix B discusses the open rates for the emails. Appendix C shows the two power analyses completed before implementing the experiment. In Appendix D, I discuss the ethical concerns surrounding asking municipal governments to respond and comply with open records requests. In Appendix E, I report an analysis based on time-to-response. I discuss heterogeneous treatment effects in Appendix F. I correct p-values for multiple comparisons in Appendix G. Using both interviews and a survey, I present a post-treatment manipulation check to examine how mayors understood the content of the open records requests in Appendix H.

- Appendix A Descriptive Statistics and Balance

- Appendix B Open Rates

- Appendix C: Power Analysis

- Appendix D: Ethics

- Appendix E: Time

- Appendix F: Heterogenous Treatment Effects

- Appendix G: P-Value Corrections

- Appendix H Manipulation Check

A   Descriptive Statistics, and Balance

Table A.1: Summary Statistics

Statistic	N	Mean	St. Dev.	Min	Max
Population	1409	94230	184019	1216	3792621
Avg. Age of Pop.	1409	35.6	05.4	19.1	73.5
Perc. Female	1409	51.3	01.6	39.5	59.8
Perc. Black	1409	12.7	16.2	00.1	93.5
Perc. White	1409	69.8	18.6	03.2	98.0
Perc. Renter	1409	39.6	13.7	04.5	95.1

Note: This table shows descriptive statistics of the cities in the experimental sample.

Table A.1 shows descriptive statistics from the sample. The sample is large and includes a wide variety of cities with differing characteristics from across the United States. This provides leverage in generalizing the results. Exploring the sample further, the average age of the population ranges from 19 to 73 years old. The Lakewood Township in New Jersey has an average age of 19 years old. This township is home to Beth Medrash Govoha, one of the largest Orthodox Jewish yeshivas in the world. New Jersey is also home to the oldest average population at 73. Holiday City-Berkeley, New Jersey, is largely built around a retirement community. The largest white community is Clarence, New York, and the largest black community is the City of Warrensville Heights, Ohio.

Balance and Predicting the Treatment Assignment

Table A.2 shows the results from the randomization check. The probabilities represent the p-value of the residual deviance test from the logistic regression model predicting the assignment of each group given observed covariates. The p-values are generated from the χ^2 distribution. The high p-values indicate randomization was successful (Public Concern-$\chi^2(6) = 5.301, p = 0.506$. Peer Effects-$\chi^2(6) = 4.917, p = 0.554$. Control-$\chi^2(6) = 4.281, p = 0.639$.). All of the regressions strongly imply that randomization was successful.

Table A.2: Randomization Check

Treatment	Probability	N
Duty	0.506	469
Peer Effects	0.554	471
Control	0.639	469

For a more individualistic examination of specific variables, I ran a a series of logistic regressions predicting treatment assignment. As shown in Table A.3, no variable significantly predicts assignment to the treatment groups.

Table A.3: Logistic Regression Predicting Treatment Assignment

	Dependent variable:		
	Duty	Peer	Control
	(1)	(2)	(3)
Population	−0.00000	0.00000	−0.00000
	(0.00000)	(0.00000)	(0.00000)
City: Age	−0.005	0.021	−0.016
	(0.013)	(0.013)	(0.013)
City: Female	0.050	−0.011	−0.039
	(0.043)	(0.043)	(0.042)
City: Black	0.002	−0.005	0.003
	(0.005)	(0.006)	(0.006)
City White	0.001	−0.004	0.003
	(0.005)	(0.005)	(0.005)
City: Renter	0.007	−0.001	−0.006
	(0.005)	(0.005)	(0.005)
Constant	−3.456*	−0.545	1.903
	(2.097)	(2.073)	(2.049)
Observations	1,355	1,355	1,355
Log Likelihood	−859.358	−858.846	−861.927
Akaike Inf. Crit.	1,732.715	1,731.693	1,737.853

*p<0.1; **p<0.05; ***p<0.01

B Open Rates

Table B.1 shows the percentages and numbers of emails that were opened in each treatment condition. The overall open rate was 78.6%. Though the open rates differ by treatment, the differences are not statistically significant. For the analysis, I used robust standard errors to account for the differences in open rates across treatment groups. According to Gerber and Green (2012), one should use robust standard errors when the treatment and control groups are of different sizes (see footnote 5 pg. 103)

Table B.1: Email Open Rates

	Open Rates	N
Control	77.60	364/469
Duty	80.17	376/469
Peer Effect	77.92	367/471

Note: This table reflects the percent and number of emails that were opened in each treatment condition.

C Power Analysis

Before implementing the experiment, I conducted two sample size/power analyses to see the extent to which the number of mayors in my sample would allow me to find a reasonably small treatment effect. In the first analysis, depicted in Figure C.1, I pre-specified three equal sample groups. I would be able to find an effect size of 10% with an 80% probability. I chose an effect size of 10% because it is reasonable in the experimental and responsiveness literature. The analysis suggests the optimal size of each group should be 323 individuals. Under this scenario, the optimal full sample size should be 969 mayors. In the second analysis, depicted in Figure C.2, I pre-specified the number of mayoral email addresses collected (around 1400). With each group having approximately 467 mayors, I would be able to find an effect of 8%.

Figure C.1: Power Analysis: Sample Size to Find a 10% Effect
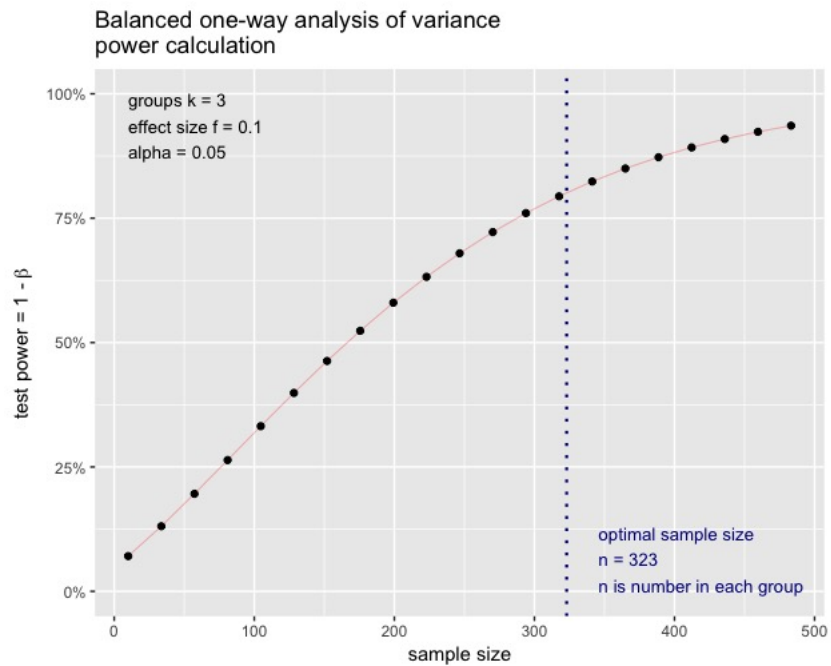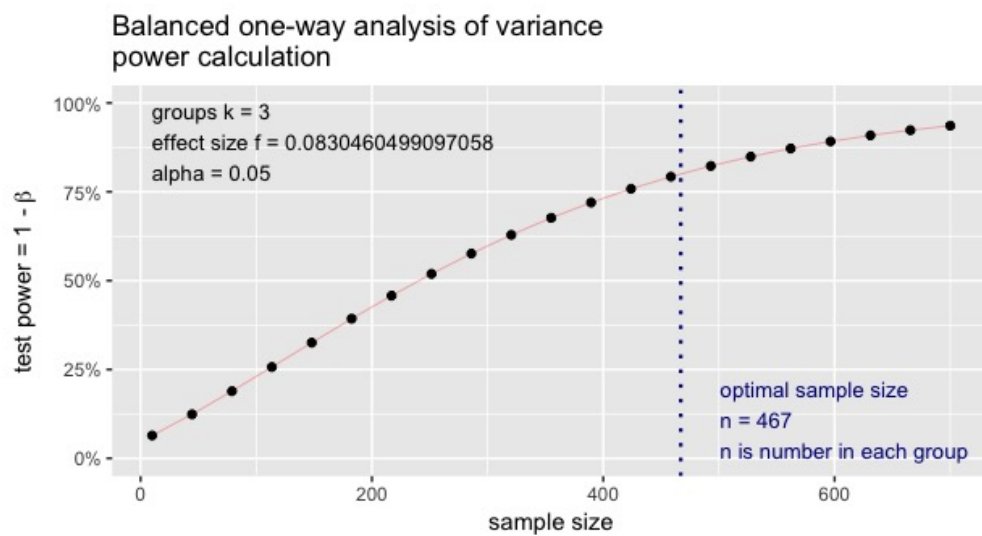

Figure C.2: Power Analysis: Expected Effect with Current Sample Size

D   Ethics

With the expansion of experimental fieldwork in political science, there has been a growing concern over (1) the use of deception, and (2) the cost-benefit considerations. I designed my experiment with both of these concerns in mind.

With regard to the first concern, the experiment reported in this paper does not use any form of deception. The email sent to all mayor identify the researcher, the school affiliation, and the purpose of receiving the records.[14] I also sent a report to mayoral offices that detailed my experience sending 1400 open records request across municipalities and highlighted best practices for making email retrieval more efficient.

Local governments routinely field open records requests for email archives. One mayor explained, "[p]ublic emails to elected officials are produceable [sic]. Our IT staff routinely fills similar requests" (See Appendix H, pg. A20). I made the request for email archives for two reasons. First, emails fall within the definition of public records under most, if not all, state open records laws. Second, the request had to be more than a simple service related request like producing zoning records or council meeting minutes. The request should have some level of political risk such that it allows the mayor or their office to use discretion in differential ways. In a survey, I asked whether mayors would respond to a similar request, one mayor questioned whether this information will be used for political reasons (See Appendix H, pg. A20). This statement underscores the calculation mayors make in responding to open records request and the potential risks of compliance. As such, email archives fits both the producible and non-trivial risk category.

With the nature of the request, I was concerned with placing too large of a burden on the city governments who complied with the request. I study *responsiveness* to requests instead of *compliance* in part because of this concern. Responsiveness examines the extent to which the request received a response. Compliance is the extent to which the city government fulfilled the request. There a many reasons why cities would fail to comply with the request: (1) deemed as

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[14] The experiment was approved by my university's Institutional Review Board: #201804001.

overburdensome under the law, (2) different definitions of *specificity*[15] of the records request, and (3) a range of researcher induced bias (i.e., my response time to email inquiries, the willingness to work with the city on amending the request, and the use of a budget to off-set cost). With these concerns in mind, I only study responsiveness. Responding to an open records request is substantively different (i.e., easier) than actually complying with the request.

I made an effort not to push cities to comply if they expressed concerns about the potential cost and time of the request. When asked to do so, I worked with municipalities to minimize the time and effort it took to fulfill the requests. For example, a few cities who were currently involved in a lawsuit expressed concern with the amount of time it would take to review email between the mayor and city attorneys. In this case, I amended the request to exclude all email content from the city attorney. Another city expressed concern about a personnel matter, which led to a staff member being fired. In this case, I accommodated the city by giving a blanket exemption from all emails to and from the human resource manager.

The overall project had a budget to help cities offset the cost of producing public records. In most cases, if the estimated costs were above a few hundred dollars, I swiftly withdrew my request citing financial cost. If the city expressed the overall time and expense could not be offset by paying the price of records, I withdrew my request. In short, I acknowledge that there are costs to research like this and took steps to minimize the burden by paying the cost, modifying, or withdrawing the request.

An important contribution of this project is not only testing theories of social pressure on responsiveness, but the data retrieved through the open records requests. Mayoral email data opens the door to a more extensive research agenda: I plan to (1) explore patterns of internal and external communication, (2) create text-based measures of latent concepts (i.e., management style), and (3) examine differential responsiveness in email communication. I will make the database publicly available after the emails are organized and cleaned.

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[15] Most states require request to articulate exactly the records to be produced. Municipalities have interpreted this require in different ways. Some argue that a request for 3-months of mayoral emails is not specific enough because it does not provide a topic discussed in emails.

E   Time Analysis

Timing matters when it comes to responsiveness. Most states require public officials to respond to public records request in a "reasonable amount of time." Though many states do not specify the exact number of days that are considered "reasonable," the plurality of states have decided that officials must respond in at least two weeks of receiving a request. Most laws allow cities to ask for an extension if the request disrupts the day-to-day operations of the government. The dependent variable in the time analysis is the number of *Days to Initial Response*.

In analyzing the *Days to Initial Response*, I use a survival model. The majority of the responses were received in the first couple of days (See Figure E.1). As time went on, mayors were less likely to respond. This generally follows the pattern as expected. Fifty-nine mayors or mayoral offices responded on the same day my email went out. The highest amount of responses came after two days (with 134 responses). The second mode in the distribution occurs after ten days. This corresponds to the fact that many states are required to give a response after ten days.

Figure E.2 depicts the survival curves, which predicts the survival proportion at a given time. Everyone has roughly the same probability of responding to the email on the first day. The number of responses on the first day by treatment group are the following: 20 people responded from the control group, 22 from the duty group, and 17 from the peer group. As time moves on, the probability of responding by treatment groups diverges. By day 25, individuals in the peer condition were significantly less likely to respond than both the control and public concern prime. By day 25, 244 individuals in the control group have responded, 253 in the duty group, and 210 in the peer group.

Table E.1 shows the results form the proportional hazard model for the time-to-initial response variable. The *Duty* prime shows no statistically significant effect. The parameter estimate for the *Peer Effects* treatment is in the negative direction. There is a 0.184 unit decrease in the expected log of the relative hazard for each day that goes by under the peer effects prime. For substantive interpretation, I compute the hazard ratio by exponentiating the parameter estimates.

Figure E.1: Days to Initial Response

Days to Initial Response
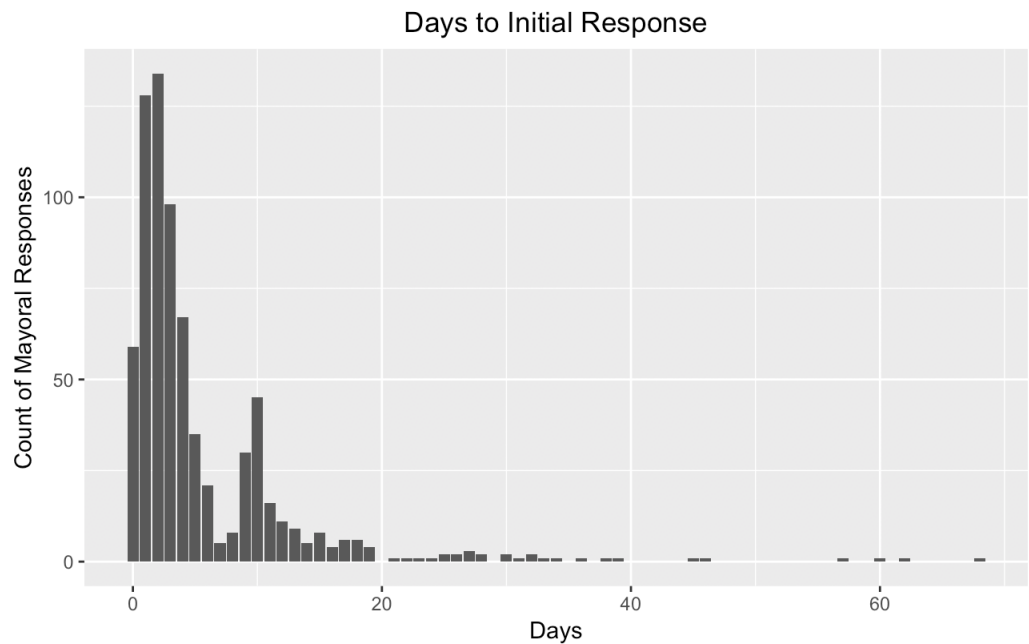
Notes: Depicts the distribution of initial responses by days. There were 59 mayoral offices that responded the day the email request went out. The highest day of initial responses was two days after the email date (134 initial responses).

Figure E.2: Survival Curve for Initial Responses

Survival Curve for Initial Responses
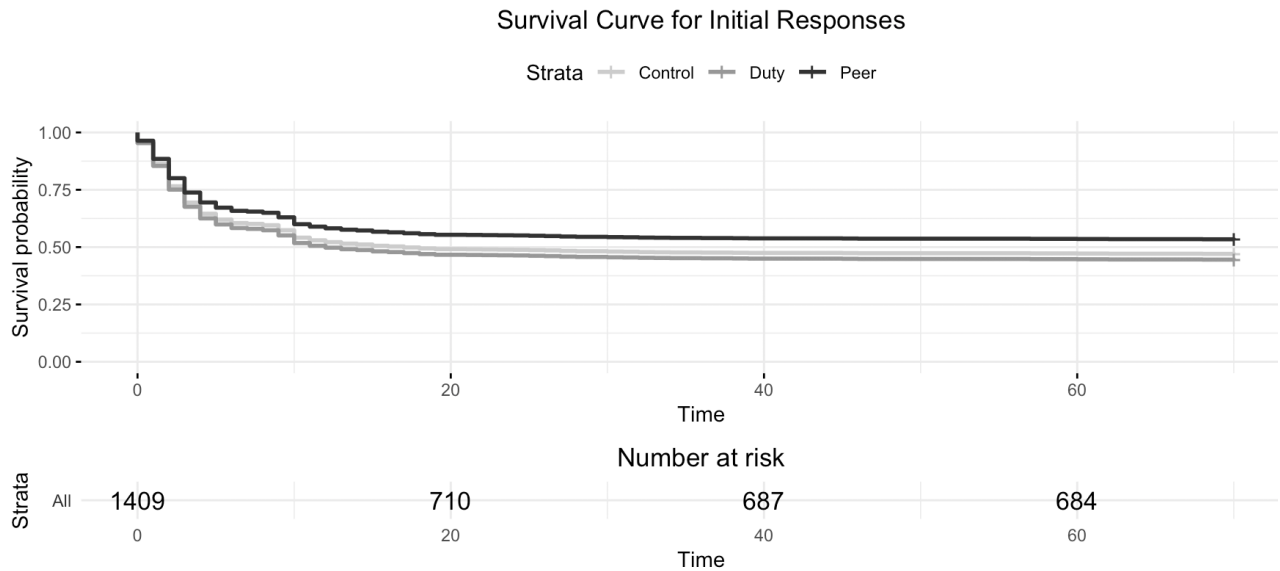
Note: Depicts the survival curve for initial response.

Receiving the *Peer Effects* prime decreases the expected hazard by almost 17% (1-0.8317=0.1683). In other words, mayors under the peer effects prime respond 17% slower compared to the baseline.

The results of the time analysis follow the pattern of the main results. I find no evidence that invoking a sense of duty increase responsiveness. Similarly, I find counter-intuitive negative consequences for the peer prime. Not only do mayors in this group respond less likely, but they also respond at a slower rate.

Table E.1: The Effect of Social Pressure on Time to Response

	Initial
Duty	0.070
	(0.089)
Peer Effect	-0.184^{**}
	(0.092)
Observations	1,409
R^2	0.006
Log Likelihood	$-5,048.393$
Wald Test (df = 2)	8.020^{**}
LR Test (df = 2)	8.186^{**}

Note: *p<0.1; **p<0.05; ***p<0.01. The first model shows the coefficients for the model Cox-Hazard Proportion Model with *Days to Initial Response* as the dependent variable.

F   Heterogenous Treatment Effects

One of the more puzzling findings of my experiment is that signaling peer accountability leads to a lower and slower response rate. This finding is contrary to the positive effect I expected. Heterogeneous effects or alternative theories could drive the results. I examine *Strong Time, Strong Mayor, Partisanship, Term Limit,* and *Term Length.*

Though all states have laws that require a response to open records requests, the laws vary in their language. The Better Government Association and the National Freedom of Information Coalition created a report card that classified the strength of open records laws. One of the variables, response time, measures the ambiguity of the law concerning the time at which requested need an official response. I measure *strong time* in a binary form: 1 indicates whether the law requires a specific response time between 1-30 days; zero otherwise.[16] I expect having strong language in the open records law will increase the likelihood of the mayor responding. City governments are traditionally divided between strong-mayor systems and council-manager systems. I expect cities that have a strong mayoral system- a single elected executive that has almost total administrative powers- will respond at a higher rate compared to cities with a city manager. Mayors under council-manager systems serve a more ceremonial role. The majority of scholars in the area of urban and city politics suggest that elected mayors are more responsive to the public (Svara 1990; Ruhil 2003).

Partisan elections serve as a useful heuristic to hold elected officials accountable. In the absence of party labels, Hansen (1975) finds that cities have weaker representation. Following this logic, cities with *Partisan* electoral systems, as opposed to non-partisan elections, are expected to have a higher response rate. I expect mayors under a *Term Limits* will have a lower response rate, given that these systems free the mayor to act without electoral consequences. Lastly, *Term Length* is the number of years a mayor is elected in one term. The length of mayoral terms ranges from 1 year to 4 years. I expect lower term lengths to be more responsive.

I also examine the interactive effect of the treatments and partisan characteristics of the mayors. The majority of mayors run in non-partisan races. Out of the partisan races, the majority of mayors are members of the Democratic Party. For the Democratic and Republican interaction models, I subset the data to only include partisan races.

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[16] BGA's original variable consists of a 5 point scale: 0 represents the failure of the state to provide a definition of reasonable response time; 1 represents states that only offer ambiguous language for response time; 2 represents states that must provide a response in 16-30 days; 3 represents states that require a response in 8 to 15 days; and 4 represents states that require a response in 1 to 7 day(s).

Figures F.1 and F.2 depict the first-order interaction effects for the *Peer* and *Duty* conditions. None of the interactive effects reach statistical significance. In general, I find no substantive heterogeneous effects. Furthermore, all models with interactive effects had a larger root mean squared errors compared to the full model with no interactions.[17] This suggests that the interaction models are not better at fitting the given data than the full model without interactions.
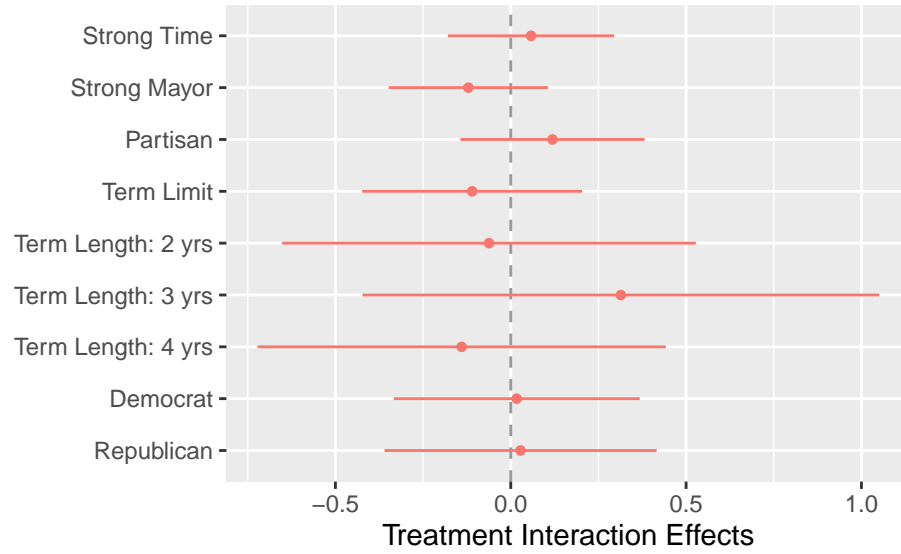
Figure F.1: Heterogeneous Effects of Peer Accountability on Responsiveness
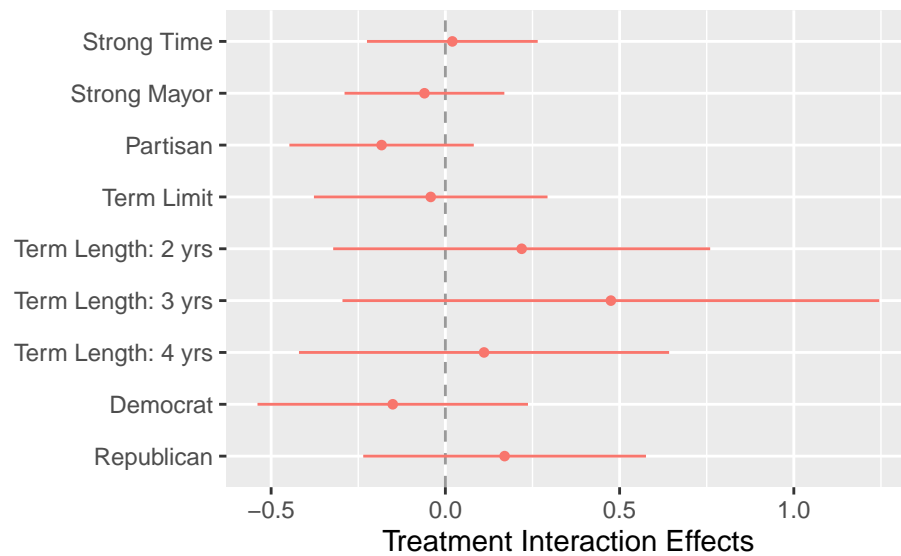
Notes: Results of a linear probability model that examines the effect of the *Peer* treatment and other variables on responsiveness. The coefficients correspond to interactive effects between the *Peer* prime and covariates. No interaction is statistically significant at the 0.1 p-value cutoff.

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[17]In an analysis not shown in the paper, I ran a *F-Test* individually comparing the interactive model and the full model.

Figure F.2: Heterogeneous Effects of Duty on Responsiveness

Notes: Results of a linear probability model that examines the effect of the *Duty* treatment and other variables on responsiveness. The coefficients correspond to interactive effects between the *Duty* prime and covariates. No interaction is statistically significant at the 0.1 p-value cutoff.

G   P-Value Corrections

To address concerns with multiple comparisons, I present two corrections to the p-values reported in the paper. The first is the Bonferroni corrections. Because this correction is the most conservative, it drastically lowers the probability of a false positive but raises the likelihood of a false-negative. The second correction follows the Benjamini and Hochberg (BH) standard. Table G.1 shows that the results are robust to the 0.1 p-values cut off.

Table G.1: P-Value Corrections

	Model	Treatment	Raw P-Value	Bonferroni	BH
1	ITT	Duty	0.647	1.000	0.647
2	ITT	Peer	0.037	0.073	0.073
3	CACE	Duty	0.646	1.000	0.646
4	CACE	Peer	0.041	0.081	0.081

H   Manipulation Check

To better understand how mayors interpreted the content of the primes, I conducted two types of manipulation checks. The first was a post-experiment interview with three mayors. The second was a survey of newly elected mayors fielded in October 2019.[18]

H.1   Over-the-Phone Interview

I conducted three over the phone interviews. The mayors I interviewed were in the experimental control group. Before the interview, I sent them a copy of the duty and peer primes and asked them to think about the contents of the email requests. When asked what they thought of the email that includes references to "duty," they saw the wording as a way to increase responsiveness and compliance. One mayor, in particular, stated that the purpose was to remind them that (1) the public cares about this issue, and (2) his constituents will hold him accountable.[19] With regards to the peer effects prime, all of the mayors thought the report was going to be used to pressure them to respond and comply with the request. One mayor brought up the potential for this report to be used by their opponents in the next election. Another mayor suggested the media might write an article about their non-response. All discussion centered on the potential to increase responsiveness based on the text of the request. No one brought up the potential to decrease responsiveness.

H.2   Survey

For a more systematic approach, I survey individuals who missed the cut off in the original experiment to examine how mayors understood the language in the request. I previously collected the near-universe of mayors who serve a population over 20,000. Individual email addresses of the other city executives in my target population were not available. To overcome this challenge,

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[18] The survey was approved by my university's Institutional Review Board: #201910047.

[19] Transparency in government is one of the planks this mayor ran on in his most recent election.

I selected newly elected mayors from cities already in my sample. Using information from the U.S. Conference of Mayors and individual city websites, I collected email addresses from 112 mayors who were elected after the conclusion of my experiment. I asked the city executives to complete a short survey on open records requests. I fielded the survey in October 2019. Out of the 112 mayors contacted, 16 participated in the survey (14% response rate). The average time it took to complete the survey was 6 minutes.

Once the respondents consented to the survey, an automated system randomly assigned individuals into two groups: (1) the duty group, and (2) the peer group. The groups were asked to read the full open records request and answer questions about its content. Each group saw the request with the respective primes. The language of the request remained on the screen throughout the survey process. I reproduce the survey questions in Table H.1.

All groups answered the same first two questions. The first asked, "How likely are you to respond to this request?" Respondents were given a three-point scale to answer this question: not very likely, somewhat likely, very likely. The second question asked respondents to write their thoughts about the content of the request in an open response window.

There are a few takeaways from the survey. Some mayors felt more pressure to respond after reading information about the public's belief; however, the majority were overall indifferent. This is consistent with the positive, but insignificant results in the paper. Mayors were sharply divided in their perception about whether the peer accountability language would make them more or less likely to respond. The language surrounding the mechanism for accountability (the report) divided respondents equally. I find evidence against the following alternative hypotheses: (1) others having access to the email content might make mayors less likely to respond; (2) the request coming from a non-constituent researcher made them less likely to respond; and (3) the inclusion of 1400 other city executives made them less likely to respond. Though I initially hypothesized that peer accountability would unambiguously provide a positive effect, this survey suggests that some mayors do not agree. I theorize in the paper that the theory of reactance may

explain this divide. I address the specific findings of the survey by answering the questions below.

Were mayors likely to respond to this open records request?

The majority of mayors across both groups stated they were very likely to respond to the request. Out of the mayors who saw the duty prime, 100% stated they were somewhat or very likely to respond. Out of the mayors who saw the peer prime, 89% stated they were somewhat or very likely to respond (see Figure H.1).

When allowed to detail their thoughts about the content of the request, one mayor outlined the process that they would take after receiving this request: "We forward requests to the city clerk who works with the city attorney. The city clerk's office sends the request back to my office and I have a limited number of days to respond. Once I have responded, the city attorney then reviews all emails forwarded prior to sending them out to the requestor." Another mayor simple wrote, "we are legally required to respond to requests."

How strange did the mayors see this request?

I include text from the open response questions on page A20. One respondent wrote, "[p]ublic emails to elected officials are produceable [sic]. Our IT staff routinely fills similar requests." Another mayor stated, "The request seems straight forward. We already prove our email archives via a long-standing agreement with the local newspaper." Even the mayor who suggested the request might be deemed overburdensome, which allows cities to deny the request, points out that they "are required to respond."

Did knowing the public's belief increase their likelihood to respond? Overall, what did mayors think about the duty prime?

Figure H.2 shows the results from the group that saw the duty prime. The purpose of this prime was to increase responsiveness by triggering thoughts about their duty to the public. Forty-three percent stated that they somewhat agreed that knowing the public's belief made them more

likely to respond to the request. When asked whether the duty prime — overall — made them more likely to respond to the request, only 14% stated that they somewhat agreed. The results of the survey are largely consistent with the main results of the paper. The treatment effect for the duty prime was positive but insignificant. The fact that the majority of respondents neither agreed nor disagreed that the language made them more likely to respond explains the insignificance of the duty treatment.

Did mayors feel more pressure to respond after reading the peer accountability prime?

Figure H.3 shows how mayors thought about the peer prime. I find mixed results. When asked whether they would be more likely to respond given the peer prime, 38% either said somewhat or strongly agree, which coincides with my initial hypothesis. The findings of the experiment, however, were the opposite. Mayors were less likely to respond after reading the peer treatment. Twenty-five percent of respondents stated that they strongly disagreed that the prime made them more likely to respond.

What did the mayors think about the "report"?

The text of the peer effects prime suggested that a report will be published. Mayors are evenly split on whether knowing a report will be released would increase their likelihood of responding (38% disagreed, 25% neither agreed nor disagreed, 38% agreed). Mayors were similarly split on whether sending the report to other city executives will increase their likelihood to respond.

There is clear disagreement about how mayors interpret the peer accountability prime. On the one hand, some mayors agree that the report would make them more likely to respond. This is consistent with positive social pressure. On the other hand, some mayors disagreed that the report would increase their responsiveness. This theory leans towards ideas of reactance, which is consistent with the results of the experiment. Future experiments should be conducted to separate the positive and negative social pressures related to peer accountability.

Does the request coming from a non-constituent researcher affect the way mayors respond?

A potential concern with the experiment is that I identified myself as a researcher. Knowing the request came from a non-constituent researcher does not, on average, make mayors less likely to respond. In the duty group, 86% of the mayors neither agreed nor disagreed that this fact would decrease their likelihood to respond. Fourteen percent strongly disagreed. Only 12% (one person) in the peer group agreed that having this knowledge decreased their likelihood to respond, while 50% indicated that they disagreed. This evidence is consistent with the fact that most open records laws do not require requestors to be residents of the state.

Did knowing the request was sent to 1400 other city executives make mayors less likely to respond?

The survey suggests no. The majority of mayors either strongly disagreed or somewhat disagreed that knowing similar requests were sent to others made them less likely to respond. Only 12% indicated that they somewhat agreed with the statement.

Did knowing others, outside of the researcher, might have access to the email content make mayors less likely to respond?

The publication of the report might have cued mayors that individuals other than the researchers may have access to the content of the email, thus decreasing the likelihood of responding. The survey suggests no. I find that the 75% of respondents neither agreed nor disagreed with the statement, "Knowing other people outside of the requester might have access to the emails makes me less likely to respond." The rest of the respondents strongly disagreed.

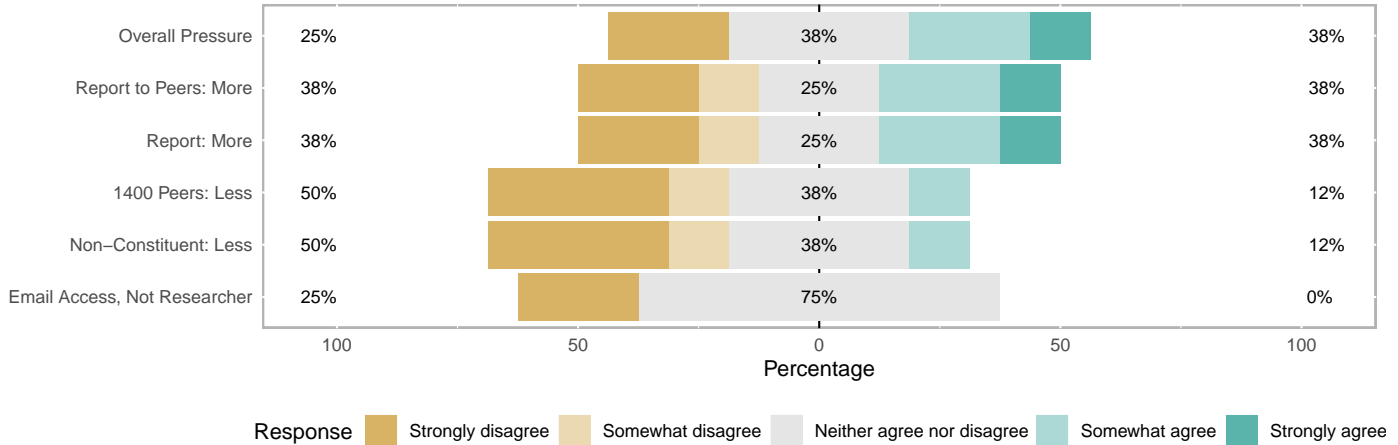**Figure H.1:** How Likely Are Mayors to Respond to the Request?
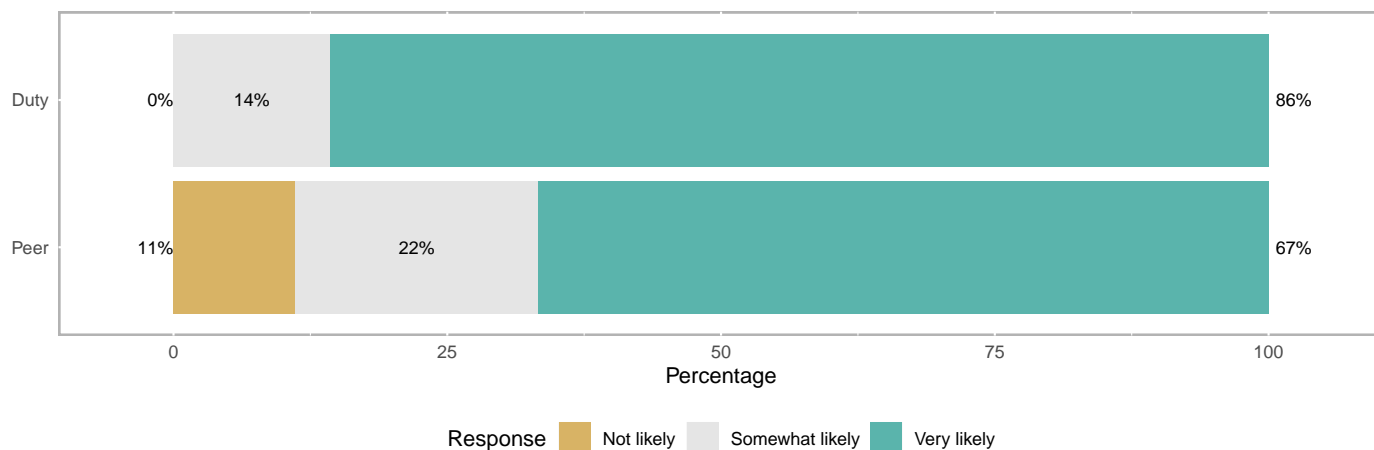
Notes: Depicts results from respondent being asked, "how likely are you to respond to the open records request?" There were three possible answers: not likely, somewhat likely, and very likely. The percent on the left corresponds to the proportion of respondent who stated they were not likely to respond. The percent on the right correspond to the proportion of respondents who stated they were very likely to respond. The percent in the middle of the corresponds to the proportion of respondents who stated they were somewhat likely to respond.

Figure H.2: What Do Mayors Think about the Duty Prime?
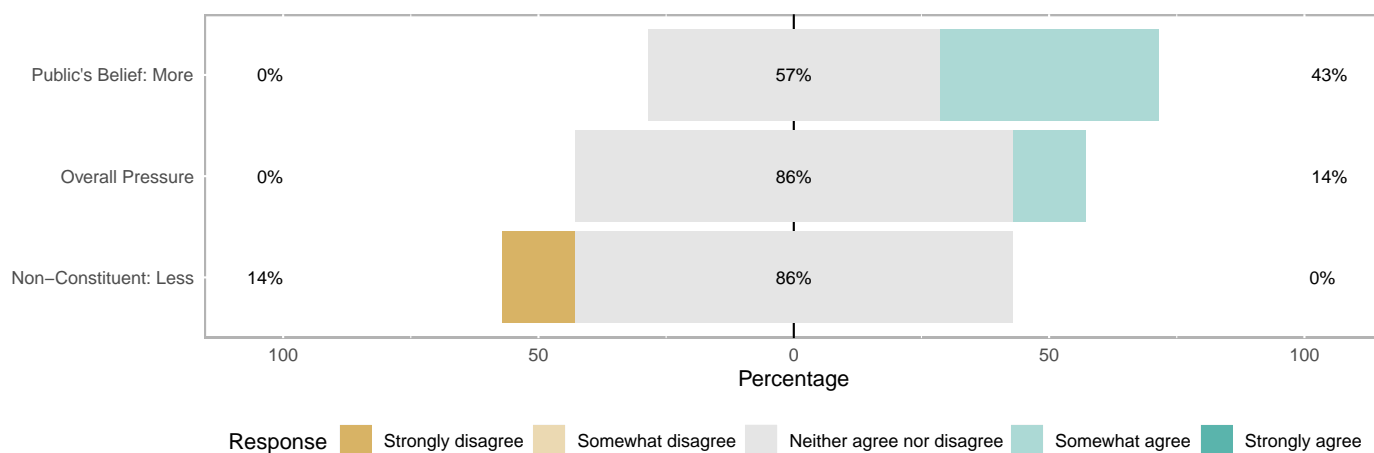
Notes: Depicts results from the respondent viewing the duty prime. The scale is a 5-point Likert scale from strongly disagree to strongly agree. The percentage on the left corresponds to the extent to which respondents strongly disagreed and somewhat disagreed. The percent on the right corresponds to the extent to which respondents somewhat agreed and strongly agreed. The percent in the middle corresponds to the respondent who chose neither agree nor disagree.

Figure H.3: What Do Mayors Think about the Peer Prime

Overall Pressure	25%	38%	38%
Report to Peers: More	38%	25%	38%
Report: More	38%	25%	38%
1400 Peers: Less	50%	38%	12%
Non–Constituent: Less	50%	38%	12%
Email Access, Not Researcher	25%	75%	0%

Response: Strongly disagree | Somewhat disagree | Neither agree nor disagree | Somewhat agree | Strongly agree

Notes: Depicts results from the respondent viewing the peer prime. The scale is a 5-point Likert scale from strongly disagree to strongly agree. The percentage on the left corresponds to the extent to which respondents strongly disagreed and somewhat disagreed. The percent on the right corresponds to the extent to which respondents somewhat agreed and strongly agreed. The percent in the middle corresponds to the respondent who chose neither agree nor disagree.

Survey Responses to the Peer Effects Prime

Public emails to elected officials are produceable. Our IT staff routinely fills similar requests.

We are legally required to respond to requests.

The request seems straight forward. We already provide our email archives via a long standing agreement with the local newspaper.

As I stated above, we already provide these emails to the media.

Will this information be used for political reasons?

[Name of City] has a wonderful track-record in fulfilling similar requests. We are dedicated to transparency.

Interesting topic. Clarity on content and purpose at the front end would increase the likelihood to respond.

Without information about content and purpose it's likely your email will go to a suspense file.

Survey Responses to the Duty Prime

We forward requests to the city clerk who works with the city attorney. The city clerk's office sends the request back to my office and I have a limited number of days to respond. Once I have responded the city attorney then reviews all emails forwarded prior to sending them out to the requestor.

I would respond. We keep emails for 30 days by city policy.

This request is on the edge of being overburdensome. We are required to respond, but not required to fulfill requests that ask for this much information.

Table H.1: Survey Questions

Group	Name	Text Wording	Choices
Duty	Duty	-How likely are you to respond to this request?	3-Point Likely Scale
Peer	Peer	-How likely are you to respond to this request?	3-Point Likely Scale
Duty	Non-Constituent: Less	-Knowing the open records request came from a non-constituent researcher makes me less likely to respond.	5-Point Likert Scale
Duty	Public's Belief	-Knowing that only half of the public believes local governments are effectively sharing information makes me more likely to respond.	5-Point Likert Scale
Duty	Overall Pressure	-I feel more pressure to respond because of the following statement, "American believe government have a civic duty to share information with their constituent. However, according to the Pew Research Center, only half of Americans believe local governments are effectively sharing data with the public."	5-Point Likert Scale
Peer	Non-Constituent: Less	-Knowing the open records request came from a non-constituent researcher makes me less likely to respond.	5-Point Likert Scale
Peer	1400 Peers: Less	-Knowing the open records request went to 1400 other city executives makes me less likely to respond	5-Point Likert Scale
Peer	Report: More	-Knowing a report will be released about the open records request makes me more likely to respond.	5-Point Likert Scale
Peer	Report to Peers: More	-Knowing a report will be sent to other city executives makes me more likely to respond.	5-Point Likert Scale
Peer	Email Access, Not Researcher	-Knowing other people outside of the requester might have access to the emails makes me less likely to respond.	5-Point Likert Scale
Peer	Overall Pressure	-I feel more pressure to respond because of the following statement, "We have sent this request to 1400 other city government executives and plan to publish a report about our results."	5-Point Likert Scale

Notes: The 3-point Likely Scale contains the following values: Not very likely, somewhat likely, and very likely. The 5-point Likert contains the following values: strongly disagree, somewhat disagree, neither agree nor disagree, somewhat agree, and strongly agree. I asked two open response questions. The first one appears the likelihood question. The second appears at the end of the survey. Both were used to elicit additional responses and reactions to the open records request.