Coordinated Justice: The Politics of Prosecution and Policing*

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Abstract

Criminal justice outcomes emerge from the coordinated actions of police and prosecutors, yet these institutions are typically studied in isolation. We lack a theoretical framework for understanding how the strategic incentives of police agencies and elected prosecutors interact to jointly determine enforcement patterns. This paper develops a game-theoretic model in which police choose evidence investment and enforcement allocation while prosecutors set evidentiary standards for charging. The analysis reveals a strategic complementarity between these choices that generates multiple equilibria, institutional path dependence, and electoral cycling in enforcement regimes. Identical formal policies can sustain sharply different enforcement environments depending on coordination history, and reforms that fail to account for this interdependence may produce null or heterogeneous effects. The framework yields direct implications for the empirical analysis of criminal justice reform, offering guidance for interpreting estimated reform effects.

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When Larry Krasner took office as Philadelphia's District Attorney in 2018, he adopted reforms to how cases were selected for prosecution, including a policy of declining to prosecute most low-level shoplifting cases. The reforms were framed as changes in evidentiary screening: weak cases would be filtered out earlier, and prosecutorial resources would be concentrated on stronger files. Over the ensuing years, these changes generated sustained controversy and tension with the Philadelphia Police Department. Yet despite the formal tightening of charging standards, citywide arrest and conviction rates did not exhibit a clear structural break. In March 2025, Krasner's office partially reversed course, and in November 2025 he was re-elected to a third term.

A similar reform agenda unfolded in San Francisco. When Chesa Boudin took office as District Attorney in January 2020, he likewise revised charging priorities and evidentiary screening practices, including the de-prioritization of low-level shoplifting. As in Philadelphia, the reforms provoked backlash from police officials. Unlike in Philadelphia, however, the reforms coincided with visible changes in enforcement patterns and became focal points of political contestation. In 2022, Boudin was removed from office in a recall election.

These cases highlight a puzzle. Prosecutors in two large cities adopted broadly similar changes to evidentiary standards, yet the apparent system-level consequences diverged sharply. When different consequences follow similar reforms, it is tempting to conclude that some reforms succeed while others fail. But the two reforms differed less in their formal content than in how police and prosecutors had been coordinating before reform, and that observation has direct consequences for inference. Existing empirical designs treat changes in charging or conviction rates as direct reflections of prosecutorial policy, but if police behavior responds endogenously to prosecutorial standards, those quantities conflate selection into the prosecutorial pipeline with conditional outcomes, and standard designs may misattribute reform effects or fail to detect them entirely. Criminal justice enforcement is the joint product of strategic interaction between prosecutors and police, and as I show in this paper, that interaction is where much of the politics of criminal justice actually resides.

I develop a theory of criminal justice as a coordination problem between police and prosecutors. Police typically identify suspects, collect evidence, and construct case files; prosecutors exercise discretion over whether to file charges and what charges to bring. But prosecutor and police incentives are not naturally aligned, because they operate under different institutional constraints

and accountability regimes. Prosecutors, especially elected ones, make decisions about the standard for prosecuting a case in the shadow of electoral accountability. Police allocate effort across different areas of law enforcement in anticipation of those standards. Prosecutorial charging rules and police evidence investment can therefore be understood as strategic complements. The consequence is that criminal justice enforcement has the structure of a coordination game, which means that phenomena like path dependence, equilibrium multiplicity, and reform fragility are inherent features of the institutional system, not artifacts of measurement or implementation failure.

Understanding this interaction reshapes how we should study the politics of criminal justice. The prosecutorial-discretion literature models prosecutors as if the pool of cases they face is exogenous (e.g., Gordon and Huber 2002, Landes 1971, Rehavi and Starr 2014), but that pool is itself endogenous to the prosecutor's announced standards. The policing literature models police behavior as if downstream charging standards do not shape upstream enforcement decisions (e.g., Wilson 1968), but those standards function as a form of implicit delegation that restructures police incentives without any direct command authority (e.g., Richman 2003, Sklansky 2018). And the empirical literature evaluating criminal justice reform treats aggregate outcomes—arrest rates, conviction rates, charging rates—as informative about policy effects, but those aggregates conflate the selection of cases into the prosecutorial pipeline with the probability of conviction conditional on entry (e.g. Agan, Doleac and Harvey 2023, Agan et al. 2025, Arnold, Dobbie and Yang 2018). When prosecutors and police are studied jointly, each of these analytic habits turns out to be incomplete in ways that matter for inference.

I formalize the interaction in a model in which a prosecutor chooses an evidentiary threshold for filing charges and police respond by allocating effort across areas of criminal law and investing in evidence production. Three results follow. First, higher charging standards need not reduce conviction rates: they operate on the selection margin and induce compositional changes in the pool of prosecuted cases, contradicting the intuition that tightening standards must produce fewer prosecutions. Second, prosecutorial standards shape police effort and priorities, generating multiple enforcement equilibria that differ in both evidence production and charging behavior; identical formal policies can therefore sustain qualitatively different enforcement environments depending on how police and prosecutors coordinate. Third, reforms that do not alter the underlying coordination may fail to produce observable changes in aggregate outcomes even when they meaningfully change

formal policy—stability that reflects equilibrium persistence in a system of strategic complements, not the irrelevance of prosecutorial discretion.

The framework speaks to a growing empirical literature on the effects of prosecutorial reform on case outcomes (e.g., Agan, Doleac and Harvey 2023, Agan et al. 2025, Bandyopadhyay and McCannon 2014, Dobbie, Goldin and Yang 2018, Goncalves and Mello 2023, Pfaff 2017, Soliman 2022) and on police behavior (e.g., Ba et al. 2021, Clark 2024, Eckhouse 2022, Mummolo 2018), but virtually no existing work models the joint production of public safety by police and prosecutors in strategic interaction (but see Ouss 2020, Richman 2003, Sklansky 2018). Treating criminal justice as an equilibrium outcome of coordinated behavior clarifies why empirical evaluations may yield null or heterogeneous effects, identifies observable regime signatures that distinguish enforcement equilibria, and shows that the tools political scientists use to evaluate reform must account for the coordination dynamics that produce them.

1 Prosecutors and Police

Recent literature has developed two increasingly sophisticated but largely separate research programs on the central actors in American criminal law enforcement. One studies prosecutors: their unilateral charging authority, the role of electoral accountability in shaping their behavior, and the consequences of their discretion for who is prosecuted and on what terms. The other studies police: their organizational incentives, resource allocation decisions, and the determinants of enforcement patterns. Each tradition has generated important insights, but each also takes as given features of the institutional environment that are, in fact, endogenous to the other actor's choices. The result is that our theoretical understanding of criminal justice politics is built on a foundation that treats as separate what is, in practice, a single interdependent system. By operating largely in isolation, these literatures overlook important dynamics that complicate their inferences.

1.1 Discretion, accountability, and resource allocation

Prosecutors exercise unilateral formal authority over charging decisions and are directly accountable to the public; police are far less electorally accountable. The literature on prosecutorial discretion emphasizes the consequences of that discretion for who is prosecuted and on what terms (e.g.,

Barkow 2019, Clark Forthcoming, Davis 2007, Gordon and Huber 2009, Landes 1971), and treats electoral accountability as the prosecutor's primary constraint (e.g., Gordon and Huber 2002). But these analyses typically model the prosecutor as facing an exogenous distribution of cases. As I show below, that assumption is untenable once we recognize that police anticipate and respond to prosecutorial standards: the pool of cases a prosecutor faces is itself a strategic object, shaped by the policies the prosecutor adopts.

Prosecutors depend heavily on police as collaborators in the provision of public safety. Police largely determine which cases are investigated, what evidence is collected, and how cases are packaged for prosecution, and they make internal policy decisions about enforcement priorities and investigative practices (Goldstein 1963, Greenwood, Chaiken and Petersilia 1977, Lee 2020). Whereas police often benefit from broad public support and are largely immune to political accountability, prosecutors are typically held accountable via elections for the state of public safety.

The literature on police behavior and organizational incentives has examined these dynamics extensively (e.g., Goldstein 1963, Mas 2006, Skolnick 1966, Wilson 1968), and some work studies how the penalties associated with various crimes shape police effort allocation (e.g., Goncalves and Mello 2023, Soliman 2022). But this research largely treats downstream charging standards as fixed rather than as strategic choices that reshape police incentives. A law enforcement agency anticipating strict prosecutorial screening will find it costly to pursue cases without the requisite evidentiary foundation and may redirect effort toward categories where prosecutable evidence can be reliably produced. Conversely, when prosecutors adopt permissive standards, the marginal return to thorough investigation declines, and police may instead prioritize arrest volume over case quality (Forst and Brosi 1977, Pfaff 2017). Prosecutorial standards thus function as a form of institutional delegation, affecting the composition and quality of cases that enter the criminal justice system without prosecutors exerting direct authority over policing (Sklansky 2018, Stuntz 2011).

1.2 The separation of authority and influence

This institutional arrangement creates a separation between formal authority and practical influence: prosecutors control charging, but police control the informational inputs on which charging decisions are based. That separation has important consequences for understanding the politics of criminal justice. Because prosecutors have unilateral authority over charging decisions, their inter-

nal policies and evidentiary standards have the potential to shape police behavior. Past research has noted this possibility, but our theoretical understanding of its implications remains underdeveloped (e.g., Richman 2003, Stuntz 2001).

The strategic interaction takes place in the shadow of a court. The risk of acquittal and the reputational consequences of failed prosecutions constrain the range of cases a prosecutor can viably charge, making the quality of police-generated evidence a matter of political salience rather than administrative preference (Bandyopadhyay and McCannon 2014, Bibas 2004, Boylan and Long 2005, Eisenstein and Jacob 1977, Nardulli, Eisenstein and Flemming 1988). The constraint propagates backwards: prosecutors screen cases with an eye toward trial viability, and police, anticipating prosecutorial screening, produce evidence that meets the prosecutor's threshold (Albonetti 1987, Forst and Brosi 1977). The court's shadow therefore propagates through *two* strategic actors, not just one—a feature the standard principal-agent framework, with its exogenous case pool, cannot capture.

Together, these features imply that political pressures on prosecutors—electoral accountability or public demand for enforcement or reform—need not translate mechanically into charging outcomes. Because police anticipate prosecutorial screening and reallocate effort in response (Stuntz 2006, Wilson 1968), the mapping from public preferences to enforcement outcomes is mediated at every stage by the strategic interaction between the two actors (Gordon and Huber 2002, Huber and Gordon 2004).

1.3 The case for a unified framework

Taken together, the extant literature has a consistent pattern. Studies of prosecutorial discretion model the case pool as exogenous. Studies of police behavior model charging standards as fixed. Studies of electoral accountability focus on the prosecutor's response to voters without incorporating how police themselves respond to prosecutors. And empirical evaluations of reform examine aggregate outcomes that, as I argue, conflate selection and conviction margins whose relative importance depends on the coordination between prosecutors and police. A growing literature studies the electoral accountability of prosecutors and its consequences for charging behavior (e.g., Bandyopadhyay and McCannon 2014, Dyke 2007, Gordon and Huber 2002), but virtually no existing work examines the joint determination of prosecution and policing outcomes—that is, how the strategic

interaction between an electorally accountable prosecutor and a law enforcement agency shapes what laws get enforced, who is prosecuted, and how effectively the system discriminates between strong and weak cases.

Formal models of prosecution have largely treated the prosecutor's case pool as exogenous and focused on optimization within it: investigative resource allocation and plea bargaining (Baker and Mezzetti 2001), charging under case-level uncertainty (Bjerk 2007), or the objectives prosecutors pursue in selecting among federal cases (Glaeser, Kessler and Morrison Piehl 2000). Related work on optimal law enforcement (Shavell 1993) models enforcement intensity but not the strategic production of evidence by a separate agency with distinct accountability. The present model differs in treating prosecution and policing as a joint coordination problem, in which equilibrium multiplicity and institutional path dependence arise endogenously from the strategic complementarity between an electorally accountable principal and a semi-autonomous evidence-producing agency.

By modeling the interplay of prosecutorial standards, police evidence investment, and electoral incentives within a unified institutional setting, I examine how the institutional relationship between prosecutors and police mediates the translation of political pressures into the implementation of criminal law. The analysis shows that criminal justice enforcement is not a sequence of independent decisions but a coordination game whose equilibrium properties—multiplicity, path dependence, and regime persistence—have direct consequences for how scholars study and interpret the effects of criminal justice reform.

2 The Model

I model an institutional setting in which a police agency produces evidence and an elected prosecutor exercises charging discretion under electoral accountability. The model isolates two strategic channels: (i) how police-produced information affects prosecutorial charging decisions, and (ii) how prosecutorial evidentiary standards shape police priorities and investment incentives across different areas of law enforcement. For expositional convenience, I describe the model as a single-case game. Conceptually, however, the game is played repeatedly across a large number of cases, and the analysis below treats equilibrium behavior as generating outcomes over a portfolio of cases.

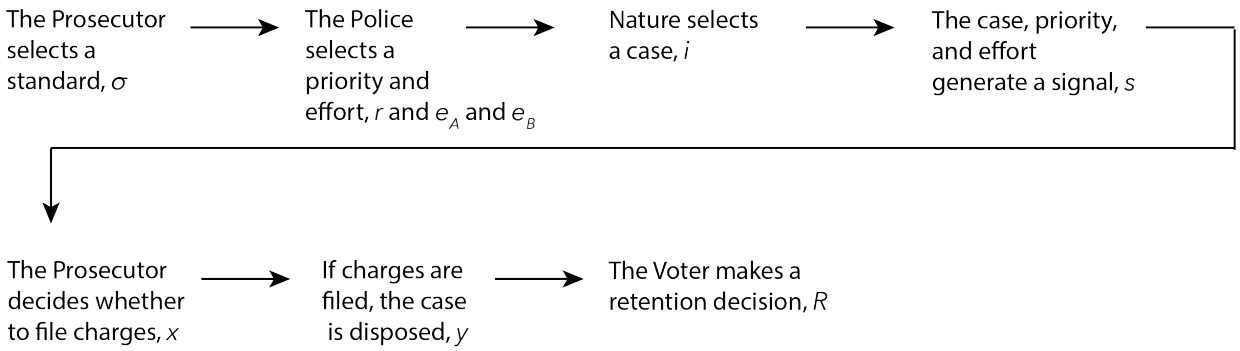

Figure 1: Timing of events in the model

2.1 Sequence of Play

There are two strategic players—an elected prosecutor P and a police agency L—and two non-strategic actors—a trial court J and a voter V. The game entails six steps, as follows.

1. **Prosecutorial policy choice.** The prosecutor chooses an evidentiary standard $\sigma \in \{\text{strict}, \text{lenient}\}$. This standard is publicly observed by the agency and functions as a commitment device governing how signals will be treated at the charging stage.

2. **Police agency priorities and investment.** The agency chooses:

   - a priority parameter $r \in [0, 1]$ determining the distribution of cases across activity types $i \in \{A, B\}$,
   - evidence investments $e_A, e_B \in [0, \bar{e}]$.

3. **Case emergence and signal generation.** Nature draws a representative case, $i \in \{A, B\}$, where $\Pr(i = A|r) = r$ and $\Pr(i = B|r) = 1 - r$) with an unobserved underlying state $\theta \in \{0, 1\}$. The common prior is that conditional on i, θ is realized with $\Pr(\theta = 1 \mid i) = \pi_i$, where $\theta = 1$ indicates a "convictable" case—i.e., one in which the defendant can be proven to be guilty. Conditional on (θ, i, e_i), the case file produces a binary signal $s \in \{H, L\}$ representing evidentiary strength:

$$\Pr(s = H \mid \theta = 1, i, e_i) = \alpha_i(e_i), \qquad \Pr(s = H \mid \theta = 0, i, e_i) = \beta_i(e_i),$$

   I assume $\alpha_i'(e) > 0$ and $\beta_i'(e) \geq 0$ and that $\alpha_i'(e) > \beta_i'(e)$. That is, the more effort the police

agency invests, the greater the likelihood they produce a strong file, and their effort increases that probability more in the context of a convictable case. The prosecutor observes (i, s) but does not observe θ or e_i.

4. **Charging.** After observing (i, s), the prosecutor chooses $x \in \{0, 1\}$ subject to the constraint imposed by σ. Under $\sigma =$ strict:

$$x(i, H) = 1 \quad \text{and} \quad x(i, L) = 0.$$

Under $\sigma =$ lenient:

$$x(i, H) = 1 \quad \text{and} \quad x(i, L) \in \{0, 1\}.$$

5. **Adjudication.** If $x = 1$, the case proceeds to court and produces outcome $y \in \{0, 1\}$, where $y = 1$ denotes conviction. Conviction probability depends on the underlying state and the signal:

$$\Pr(y = 1 \mid x = 1, \theta, s) = q(\theta, s),$$

with conviction as more likely when the underlying legally convictable and the evidentiary signal is high.[1] I assume the shape of $q()$ is exogenous and reflects the judicial environment in which a case is prosecuted. If $x = 0$, no adjudication occurs.

6. **Elections.** The voter observes coarse, aggregate summary measures of prosecutorial performance generated by the portfolio of cases handled during the period (e.g., convictions, failed prosecutions, and declinations), as well as the prosecutor's announced evidentiary standard σ. Based on these summaries, the voter decides whether to retain the prosecutor, $R \in \{0, 1\}$, with $R = 1$ denoting the decision to retain the prosecutor. Below, I formalize the mapping from aggregate performance to retention.

Table 1 summarizes the model parameters and choices and the roles they play in the game, and Figure 1 summarizes the timing.

[1] Formally, we might just assume that q is increasing in θ and in s, but of course each of those is dichotomous.

Parameter	Definition
$\sigma \in \{\text{strict}, \text{lenient}\}$	The prosecutor's *evidentiary standard*. This is an ex ante policy choice that constrains how signals are translated into charging decisions.
$r \in [0,1]$	The police agency *priority choice*. It determines the distribution of cases across activity types $i \in \{A, B\}$.
$e_i \in [0, \bar{e}]$	Police agency *evidence investment*. It affects the quality and diagnostic value of the case file.
$\theta \in \{0,1\}$	The *underlying legal state*. $\theta = 1$ denotes a legally convictable case ("guilty" in the evidentiary sense), and $\theta = 0$ a non-convictable case. This state is never directly observed.
$s \in \{H, L\}$	The *evidentiary signal* contained in the file. This is what the prosecutor observes about the case.
$x \in \{0,1\}$	The prosecutor's *charging decision*. $x = 1$ denotes filing charges; $x = 0$ denotes declination.
$y \in \{0,1\}$	The *adjudication outcome*. Conditional on $x = 1$, $y = 1$ denotes conviction and $y = 0$ denotes failure to convict.

Table 1: Key model objects and their roles

2.2 Elections and Aggregation

Although the sequence of play is written at the level of a single case, the model should be interpreted as describing a representative case drawn from a larger portfolio of cases handled over an election period. The Voter does not condition reelection on any one case outcome in isolation. Instead, she observes coarse summary measures of office performance (e.g., charging rates, conviction rates, and salient failures) generated by the portfolio.

Let $\Gamma(\cdot)$ map aggregate summary measures of performance into the prosecutor's probability of retention. For expositional convenience, I write Γ as a function of convictions, acquittals, and declinations, though the formal objects are the corresponding election-period rates (or their expectations). Specifically, let

$$\bar{y} \equiv \mathbb{E}[y], \qquad \overline{x(1-y)} \equiv \mathbb{E}[x(1-y)], \qquad \overline{(1-x)} \equiv \mathbb{E}[1-x],$$

where the expectation is taken over the election-period distribution of cases (induced by r and equilibrium evidence investment). The prosecutor's retention probability is then

$$\Pr(R = 1 \mid \text{history}) = \Gamma\Big(\bar{y},\ \overline{x(1-y)},\ \overline{(1-x)},\ \sigma\Big).$$

This interpretation preserves the single-case decision problem while capturing the fact that electoral accountability is generated by performance aggregated across many cases, including cases not prosecuted (declinations). Also, I impose minimal structure on $\Gamma(\cdot)$, allowing voters to evaluate performance using either conditional outcomes (e.g., conviction rates among prosecuted cases) or unconditional outcomes (e.g., conviction or declination rates across all cases). The results below do not depend on this distinction, and hold for a broad class of evaluation rules that reward successful prosecutions and penalize failed or unjustified cases.

2.3 Preferences

Prosecutor. I assume the prosecutor values convictions, dislikes losing charged cases, dislikes wrongful prosecution, and values holding office. Normalize the per-case payoff as

$$U_P \;=\; b \cdot y \;-\; a \cdot x(1-y) \;-\; \lambda \cdot x(1-\theta) \;+\; \rho \cdot \Pr(R = 1 \mid \text{history}),$$

where $b > 0$ captures benefits from convictions, $a > 0$ captures the reputational/political cost of failed prosecutions (especially salient acquittals), $\lambda > 0$ captures normative or political costs of pursuing non-convictable cases, and $\rho > 0$ is the value of reelection/retention. I normalize to 0 the payoff from declining to charge.

Police agency. The police agency values having cases charged (and, optionally, convicted) and incurs costs of (i) allocating enforcement attention across categories and (ii) producing evidentiary files. Let $r \in [0, 1]$ denote the induced share of cases in category A. The police agency's expected payoff is

$$\begin{aligned}\mathbb{E}[U_L] \;&= r\Big(v_A \Pr(x = 1 \mid A) + w_A \Pr(y = 1 \mid A) - c(e_A)\Big) \\ &\quad +\; (1-r)\Big(v_B \Pr(x = 1 \mid B) + w_B \Pr(y = 1 \mid B) - c(e_B)\Big) \;-\; C(r),\end{aligned}$$

where C and c are increasing and convex. Here $c(e_i)$ is interpreted as the (per-case) resource cost of generating evidentiary quality in category i. $C(r)$ measures institutional frictions—bureaucratic inertia, political constraints on reallocation, organizational costs of shifting patrol assignments or

detective units—that incentivize against the police agency simply allocating all of its resources into the category of crime where effort has the most return in terms of producing high quality files. These frictions keep the priority choice (r) smooth (and, as we will see below, interior).[2]

2.4 From representative cases to aggregate outcomes

Although the model is written as a representative-case game, the objects of empirical interest are aggregates computed over a large portfolio of cases within an election period. It is therefore useful to make explicit how individual case realizations map into observable quantities. A *case draw* corresponds to a single realization of (i, θ, s) induced by agency choices (r, e_A, e_B). The priority parameter r determines the distribution of case types, with $\Pr(i = A) = r$ and $\Pr(i = B) = 1 - r$, while evidence investments e_i determine the signal distribution via $\alpha_i(e_i)$ and $\beta_i(e_i)$. The joint distribution of (i, s, θ) therefore depends endogenously on agency behavior.

Observed outcomes are frequencies over this induced distribution. Let

$$\bar{x} \equiv \Pr(x = 1), \quad \bar{y} \equiv \Pr(y = 1), \quad \bar{d} \equiv \Pr(x = 0)$$

denote the charging rate, unconditional conviction rate, and declination rate, respectively, where probabilities are taken over the equilibrium distribution of cases. The conditional conviction rate is $\Pr(y = 1 \mid x = 1)$. Because police agency choices determine the distribution of cases that enter the system, they also affect the denominators underlying these quantities. In particular, the set of "potential cases" is itself endogenous: changes in r shift the composition of cases across categories, while changes in e_i affect the likelihood that cases generate high- or low-quality signals. As a result, both the numerator and denominator of observed rates reflect equilibrium behavior.

Changes in observed charging or conviction rates may therefore arise from shifts in prosecutorial decisions, changes in the composition of cases induced by police behavior, or both, a point that shapes the empirical implications developed below.

[2] Comparable results can be brought about by imposing a budget constraint on total effort investment, for example.

2.5 Notable modeling choices

There are several choices in the model set-up that bear discussion. First, I model the prosecutor's evidentiary standard as a discrete, publicly observed choice. Moreover, σ is not a costless announcement or aspirational guideline. Rather, it is a commitment device that constrains the prosecutor's subsequent charging decisions. Formally, the choice of σ restricts the set of admissible charging rules available to the prosecutor after observing (i, s). This formulation captures the idea that internal screening rules—such as corroboration requirements, mandatory body-camera compliance, or supervisory approval thresholds—shape which cases may be filed, even though prosecutors retain discretion within those bounds.

The binary specification deserves a more explicit defense, because one could instead model σ as a continuous evidentiary threshold. I make the discrete choice for three reasons. First, institutional realism: real prosecutorial offices do not publish continuous evidentiary thresholds. They adopt coarse, enumerable policies—case-type declination rules, mandatory corroboration, bright-line filing criteria tied to specific evidentiary categories—that approximate a binary distinction between stringent and permissive regimes far better than a continuum (cf. Barkow 2019, Davis 2007). The two case studies motivating the paper—the Krasner and Boudin reforms—are routinely described by both reformers and critics in categorical terms, as shifts between qualitatively different charging postures. Second, commitment logic: a binary, publicly observed standard is easier to make credible than a continuous threshold. Precisely because it is coarse, it is verifiable: staff, journalists, and police can identify whether the office is observing the rule, which is what gives the standard its commitment bite in the first place. A continuous threshold would have to be either implemented as a fine-grained internal rule that is difficult to monitor, or coarsened in practice into a binary one, returning to the present formulation. Third, analytic tractability and focus: the core mechanism of the paper—the strategic complementarity between police evidence investment and prosecutorial screening, and the multiplicity it generates—does not depend on having more than two values of σ. Adding a continuum would reintroduce notational complexity without changing the qualitative results characterized below. The binary formulation therefore isolates the substantive interaction of interest while maintaining transparency about which conclusions depend on which modeling assumptions. In practice, internal screening rules are more nuanced, but the binary formalization

captures the core distinction between offices that require extensive corroboration before filing and those that do not.

Second, I assume that the prosecutor does not directly observe the police agency's evidence investment e_i. Instead, the prosecutor conditions her choice on the police file, s (i.e., the noisy signal generated in part by effort), and on her own standard σ, which pins down the equilibrium investment level. This captures the realistic feature that a prosecutor can evaluate the strength of the case file she receives but cannot perfectly monitor the effort that went into producing it.

Third, I simplify the courtroom environment by representing it with the exogenous function $q()$. In typical local criminal courts, prosecutors play extremely influential roles, with repeated, regular appearances before judges who often defer to them. Endogenizing judicial behavior is an important question, but one I set aside in order to focus analytic attention on the police-prosecutor interaction.

3 Analysis

To analyze the model, I first describe the core logic underlying the prosecutor and police agency's decision calculus. I then turn to an equilibrium analysis and the behavioral properties that arise in equilibrium. Section 4 then builds on this characterization to examine coordination, equilibrium selection, and the implications of multiplicity for reform.

3.1 The Prosecutor's Charging Condition

Although the prosecutor's evidentiary standard σ is chosen ex ante as a commitment device, not every standard is compatible with the prosecutor's incentives given the police behavior it induces. Let the prosecutor's *charging compatibility condition* be the incentive condition under which a given evidentiary standard can be sustained in equilibrium. The condition does not describe discretionary case-by-case behavior in isolation. Rather, it characterizes how prosecutorial preferences and electoral incentives jointly discipline both charging decisions and the equilibrium police investment that the prosecutor rationally anticipates under a chosen standard.

To that end, let $\mu_i(s;\sigma)$ denote the prosecutor's posterior belief that a case from activity type

i is convictable, the evidentiary signal s and the prosecutor's chosen standard σ. Formally,

$$\mu_i(s;\sigma) \equiv \Pr(\theta = 1 \mid i, s, \sigma) = \frac{\pi_i \Pr(s \mid \theta = 1, i, \sigma)}{\pi_i \Pr(s \mid \theta = 1, i, \sigma) + (1 - \pi_i) \Pr(s \mid \theta = 0, i, \sigma)},$$

where $\pi_i \equiv \Pr(\theta = 1 \mid i)$ is the common prior belief about the distribution of convictable cases of type i. Note that because the evidentiary standard σ is publicly observed and shapes police agency incentives, it pins down an equilibrium level of police evidence investment $e_i(\sigma)$, which is not directly observed by the prosecutor. The prosecutor therefore conditions her charging decision on σ, and the induced distribution of signals.

Next, define the per-case *electoral marginal incentive* from charging as

$$\Delta_E(i, s; \sigma) \equiv \rho \left(\mathbb{E}[\Gamma(\cdot) \mid x = 1, i, s, \sigma] - \mathbb{E}[\Gamma(\cdot) \mid x = 0, i, s, \sigma] \right).$$

This object captures how the electoral environment rewards or penalizes the act of filing charges, conditional on the evidentiary class of the case and the prosecutor's announced standard.

With these objects in hand, the prosecutor's charging condition is direct. For any (i, s) for which charging is permitted by the chosen standard σ, the prosecutor files charges if and only if the expected payoff from charging weakly exceeds the payoff from declination:

$$\begin{aligned} x(i, s; \sigma) = 1 \quad \Longleftrightarrow \quad & b \cdot \Pr(y = 1 \mid x = 1, i, s) - a \cdot \Pr(y = 0 \mid x = 1, i, s) \\ & - \lambda \cdot \Pr(\theta = 0 \mid i, s, \sigma) + \Delta_E(i, s; \sigma) \geq 0, \end{aligned}$$

where

$$\Pr(y = 1 \mid x = 1, i, s) = \mu_i(s;\sigma)\, q(1, s) + (1 - \mu_i(s;\sigma)) q(0, s).$$

This charging condition reveals the central incentive tradeoff at the heart of the model. The prosecutor weighs the substantive and electoral benefits of a potential conviction against three countervailing forces: the reputational cost of an acquittal, the normative or political cost of prosecuting a non-convictable case, and the electoral consequences of filing charges. Importantly, because beliefs about case quality depend on the police response induced by σ, the condition simultaneously determines (a) which evidentiary standards can be sustained in equilibrium and (b) how police in-

vestment must adjust to make those standards incentive compatible. As I show in the equilibrium analysis below, these constraints play a central role in shaping police priorities and the existence of distinct equilibrium charging regimes.

3.2 Police priority allocation and effort investments

Consider next the police agency's incentives. The agency chooses both an allocation of effort across the two areas of law enforcement and an investment of resources within each area. The core tension the police agency faces is between deciding how much to invest in policing, given how effort shapes the content of the agency files (i.e., likelihood of a high quality signal) and how the prosecutor will make charging decisions, in light of the evidentiary standard, σ. To see how these forces interact, let

$$\Pi_i(\sigma) \;\equiv\; v_i \Pr(x{=}1 \mid i, \sigma) \;+\; w_i \Pr(y{=}1 \mid i, \sigma)$$

denote the police agency's expected per-case payoff from a case in category i under prosecutorial standard σ, evaluated at the equilibrium evidence investment induced by σ. Given σ, the agency chooses the priority parameter r to solve

$$\max_{r \in [0,1]} \; r\,\Pi_A(\sigma) + (1-r)\,\Pi_B(\sigma) - C(r).$$

An interior solution satisfies the first-order condition

$$\Pi_A(\sigma) - \Pi_B(\sigma) = C'(r), \tag{1}$$

which implicitly defines the equilibrium priority choice $r^*(\sigma)$. Because C is increasing and convex, $r^*(\sigma)$ is increasing in the relative return to category A.[3] The prosecutor's evidentiary standard therefore affects police behavior along two margins: it shapes evidence investment *within* categories, and it shifts enforcement priorities *across* categories by altering the relative payoff to different types of cases. (This observations will be central to several results below about the empirical implications of prosecutorial reform.)

[3]Recall, the evidentiary return to effort in category A is weakly higher than in category B, and the function C serves to capture institutional friction that mitigates against the police reallocating all of its resources to that law enforcement area.

The police agency's within-category decision about how much effort to allocate is governed by an analogous tradeoff. For a given standard σ, the optimal evidence investment e_i equates the marginal cost of investigative effort with its marginal return through case outcomes. Formally, e_i satisfies

$$v_i \frac{\partial \Pr(x{=}1 \mid i)}{\partial e_i} \;+\; w_i \frac{\partial \Pr(y{=}1 \mid i)}{\partial e_i} \;=\; c'(e_i).$$

The right-hand side is the resource cost of producing a stronger file. The left-hand side reflects two channels through which evidence quality generates value for the police: it raises the probability that the prosecutor files charges (weighted by v_i) and the probability of eventual conviction (weighted by w_i). Crucially, the relative importance of these two channels depends on σ. Under a strict standard, charging is sensitive to evidentiary strength, so both terms are active and investment carries a dual return. Under a lenient standard, the prosecutor charges regardless of signal quality, so $\Pr(x{=}1 \mid i)$ is approximately invariant to e_i and the first term vanishes—the only return to investigative effort is through the conviction margin.

This distinction drives the conditions that support distinct types of equilibrium behavior in the following analysis: the value of investigative effort to the police agency depends on whether downstream charging is responsive to evidence, which in turn depends on the prosecutor's choice of screening standard. The analysis I present next characterizes how this strategic interdependence between prosecutorial charging policy and police evidence production gives rise to equilibrium behavior.

3.3 Equilibrium Regimes

To solve the model, I characterize pure-strategy Perfect Bayesian Equilibria (PBE). A PBE comprises (i) a prosecutor policy choice σ and charging rule $x(i, s; \sigma)$, (ii) police agency choices r and $e_i(\sigma)$, and (iii) posterior beliefs, such that:

(a) the prosecutor's choice of σ and subsequent charging rule $x(\cdot)$ maximize $\mathbb{E}[U_P]$ given police strategies and Γ;

(b) the police agency choices of r and $\{e_i\}$ maximize $\mathbb{E}[U_L]$ given σ and the induced charging

rule; and

(c) posterior beliefs $\mu_i(s;\sigma)$ are derived via Bayes' Rule wherever applicable.

Because Γ is a reduced-form function of aggregate case outcomes, the voter does not engage in strategic optimization. The equilibrium is therefore fully characterized by the strategies of the prosecutor and police agency together with the prosecutor's posterior beliefs about case quality.

It will be useful throughout the equilibrium analysis to define the *net marginal gain from charging* a case of type i with signal s under standard σ:

$$\Phi(i,s;\sigma) \;\equiv\; b\cdot \Pr(y{=}1 \mid x{=}1,i,s) \;-\; a\cdot \Pr(y{=}0 \mid x{=}1,i,s) \;-\; \lambda(1-\mu_i(s;\sigma)) \;+\; \Delta_E(i,s;\sigma). \quad (2)$$

By assumption, the prosecutor charges when the case file is strong under either standard. That assumption imposes the parameter constraint that $\Phi(i,H;\sigma) > 0$, for $i \in \{A,B\}$, which in turn imposes constraints on the parameters themselves. What equilibrium can be supported therefore depends on (i) the sign of $\Phi(i,L;\sigma)$—the net gain from charging a weak-evidence case when such charging is admissible—and (ii) the prosecutor's (*ex ante*) expectations about payoffs under each standard. For the latter, let

$$V_P(\sigma) \;\equiv\; \mathbb{E}[U_P \mid \sigma,\, r^*(\sigma),\, e^*(\sigma)]$$

denote the prosecutor's expected payoff under standard σ, evaluated at the police agency's best response $(r^*(\sigma),\, e^*(\sigma))$. For σ to be an equilibrium strategy, then, it must be *ex ante* optimal for the prosecutor—i.e., $V_P(\sigma) \geq V_P(\sigma')$ for $\sigma' \neq \sigma$. (Recall there are only two values of σ.)

These comparisons give rise to three distinct equilibrium regimes, each arising from a distinct balance of incentives: the unscreened regime arises when electoral pressure dominates evidentiary discipline; the screened regime arises when costs of weak prosecutions dominate electoral pressure; and the category-dependent regime arises when cross-domain heterogeneity creates evidentiary discipline only in some domains. Because the analytic goal here is to connect the model to empirical work on criminal justice reform, I describe each regime in two complementary ways: by its formal structure (what prosecutors and police do in equilibrium) and by its *empirical signature*—the distinctive pattern of charging, evidence production, and case composition the regime produces in observable data. I label each regime accordingly. The unscreened regime produces *high-throughput*

enforcement: charging is decoupled from evidentiary strength and enforcement tilts toward high-volume categories. The screened regime produces *evidence-driven enforcement*: charging tracks evidentiary strength and police invest in diagnostic effort. The category-dependent regime produces *domain-differentiated enforcement*: screening and evidence investment concentrate in some domains while others look unscreened. Result 1 below collects these signatures; I first lay out the equilibrium objects and, in the next section, evaluate when the system selects into one regime or another.

3.3.1 Unscreened Charging Regime (High-Throughput Enforcement)

The first regime arises when electoral incentives reward visible enforcement (i.e., charging) over evidentiary discipline (i.e., conviction). The prosecutor adopts a lenient standard and charges all cases regardless of evidentiary strength. Anticipating that evidence quality does not affect charging decisions, police underinvest in diagnostic evidence and concentrate enforcement on high-volume categories. The observable signature of this regime is therefore *high-throughput enforcement*: elevated charging rates, weak responsiveness of charging to case strength, low evidence quality, and a case mix tilted toward categories where large numbers of cases can be generated at low investigative cost.

Proposition 1 (Unscreened charging equilibrium) *Suppose that* (a) $\Phi(i, L; \textit{lenient}) \geq 0$ *for all* $i \in \{A, B\}$ *and* (b) $V_P(\textit{lenient}) \geq V_P(\textit{strict})$. *Then there exists a PBE in which:*

1. *the prosecutor adopts* $\sigma = \textit{lenient}$;
2. *charging is unscreened on evidentiary strength:* $x(i, H) = x(i, L) = 1$ *for all* i;
3. *police priorities satisfy*

$$r^*(\textit{lenient}) = \arg\max_{r \in [0,1]} \{r\,\Pi_A(\textit{lenient}) + (1-r)\,\Pi_B(\textit{lenient}) - C(r)\},$$

   where $\Pi_i(\textit{lenient}) = v_i + w_i \Pr(y{=}1 \mid i)$; *and*

4. *police evidence investment satisfies*

$$w_i \frac{\partial \Pr(y{=}1 \mid i)}{\partial e_i} = c'(e_i).$$

The two conditions necessary to support this equilibrium ensure that the prosecutor is willing

to accept the consequences of charging weak files for both types of cases and that the prosecutor cannot do better with a strict standard, given the changes in police behavior that standard would induce. Specifically, Condition (a) requires that for each case type, the electoral benefit of charging a weak file exceeds the combined reputational cost of acquittal and normative cost of wrongful prosecution. Condition (b) requires that the prosecutor prefers the portfolio of outcomes under lenient screening—given the police behavior it induces—to those attainable under strict screening with the higher evidence investment strict would elicit.

When the prosecutor charges without screening under σ = lenient, evidence quality does not affect charging. Police priorities are therefore driven by baseline charging and conviction returns rather than by the productivity of investigative effort. Because charging does not depend on evidence quality, the police agency faces little incentive to invest in diagnostic evidence, and evidentiary signals carry limited diagnostic content. (Section 4 shows why, in the lenient regime, this low-investment environment can be self-sustaining.)

3.3.2 Screened Charging Regime (Evidence-Driven Enforcement)

A second regime arises when failed prosecutions are politically salient and wrongful charging carries meaningful costs. That incentivizes prosecutors to carefully scrutinize a file to ensure a high likelihood of convictability. The prosecutor commits to a strict standard, filing charges only when the case file is strong. The police agency responds by investing in evidence quality, concentrating effort on cases where investment can reliably produce strong files. The observable signature of this regime is *evidence-driven enforcement*: lower charging rates, strong sensitivity of charging to evidentiary strength, higher evidence quality, and a shift toward categories with high investigative productivity.

Proposition 2 (Screened charging equilibrium) *Suppose* $V_P(\textit{strict}) > V_P(\textit{lenient})$. *Then there exists a PBE in which:*

1. *the prosecutor adopts* $\sigma = \textit{strict}$;
2. *charging is screened on evidentiary strength:* $x(i, H) = 1$ *and* $x(i, L) = 0$ *for all* i;
3. *police priorities satisfy*

$$r^*(\textit{strict}) = \arg\max_{r \in [0,1]} \left\{ r\,\Pi_A(\textit{strict}) + (1-r)\,\Pi_B(\textit{strict}) - C(r) \right\},$$

where $\Pi_i(\textit{strict}) = v_i \Pr(s{=}H \mid i, e_i) + w_i \Pr(y{=}1 \mid i)$; *and*

4. police evidence investment satisfies

$$v_i \frac{\partial \Pr(x{=}1 \mid i)}{\partial e_i} + w_i \frac{\partial \Pr(y{=}1 \mid i)}{\partial e_i} = c'(e_i).$$

Strict screening introduces another incentive channel: evidence investment raises the probability that a case clears the charging threshold. The police agency therefore reallocates both investigative effort and case selection toward categories where evidence production is most effective. (Thus, as noted above, optimal effort investment includes the effect it will have on charging.) This is more likely to hold when the reputational cost of acquittals (a) is large, the wrongful prosecution cost (λ) is high, voters penalize failed cases, and the courtroom environment ($q()$) imposes meaningful scrutiny on weak evidence. That is, prosecutors face a tradeoff between inducing police effort but risking not charging cases because the agencydid not produce a strong enough file, or risking losing cases because they charge cases with weak evidentiary bases.

Comparing the agency first-order conditions across regimes reveals the key incentive shift. Under strict screening, evidence investment increases the probability that a case clears the charging threshold (the v_i term), a channel that is absent under unscreened charging. The police agency therefore shifts from volume-maximizing enforcement toward diagnostic investigation. They also reallocate resources toward categories where strong evidence can be produced at relatively low cost, yielding a pattern of fewer, stronger cases.

3.3.3 Category-Dependent Regime (Domain-Differentiated Enforcement)

A final regime I consider captures selective toughness: prosecutorial screening varies across policing domains even though preferences and formal authority are uniform. This regime arises when categories differ in baseline convictability, courtroom scrutiny, or the productivity of evidence investment. The observable signature of this regime is *domain-differentiated enforcement*: heterogeneous charging thresholds across categories, with evidence quality and sensitivity to case strength improving only in domains where prosecutorial screening is effective.

Proposition 3 (Selectively screened equilibrium) *Suppose, without loss of generality, that* $\Phi(A, L; \textit{lenient}) \geq 0$ *and* $\Phi(B, L; \textit{lenient}) < 0$*, and that* $V_P(\textit{lenient}) \geq V_P(\textit{strict})$*. Then there exists a PBE in which:*

1. the prosecutor adopts $\sigma = \textit{lenient}$*;*

2. *charging is unscreened in category A and screened in B:* $x(A,H) = x(A,L) = 1$, $x(B,H) = 1$, $x(B,L) = 0$*;*

3. *police priorities satisfy*

$$r^* = \arg\max_{r\in[0,1]} \{r\,\Pi_A + (1-r)\,\Pi_B - C(r)\},$$

where $\Pi_A = v_A + w_A \Pr(y{=}1 \mid A)$ *and* $\Pi_B = v_B \Pr(s{=}H \mid B, e_B) + w_B \Pr(y{=}1 \mid B)$*; and*

4. *police invest weakly in A and strongly in B.*

This regime features uniform priority allocation but differentiated investment: police tilt enforcement toward the permissive domain (where charges will be filed even in the context of a weak file) while concentrating investigative resources where prosecutorial screening rewards evidence quality. Residual discretion under σ = lenient then generates differential screening across categories. Importantly, this differential treatment does not require inconsistent preferences or discretionary favoritism; it is rational optimization in an environment where the marginal return to evidentiary discipline varies across domains.

3.4 Equilibrium Selection and Multiplicity

Unsurprisingly, under some parameter conditions, there are multiple equilibria to the game. The prosecutor's first-mover choice of σ is generically unique: she compares V_P(strict) and V_P(lenient) and selects the standard yielding the higher expected payoff. A subtler source of multiplicity, however, can arise *within* the lenient regime. Under σ = lenient, the prosecutor's commitment permits *but does not require* charging on weak files ($s = L$), and the payoff to charging weak files depends on the evidentiary environment induced by police investment. This residual discretion can therefore generate multiplicity of equilibria.

To make this interaction explicit, consider the *lenient continuation game*—the subgame that follows the prosecutor choosing σ = lenient. Let $z \in \{0,1\}$ denote the prosecutor's discretionary choice to charge low-signal cases, where $z = 1$ if and only if $x(i,L) = 1$, and let $e \in [0,\bar{e}]$ denote police evidence investment in the relevant category. Given an anticipated investment level e, the prosecutor chooses z by simply evaluating whether $\Phi(i,L;\text{lenient})$ is positive. Given an anticipated charging rule z, the police choose e to maximize their expected payoff net of investigative costs. An equilibrium of the lenient continuation game requires that these two best responses be mutually

consistent. This is the source of equilibrium multiplicity common in coordination games.

Proposition 4 (Multiplicity under lenient screening) *Fix a category i and suppose $\sigma = \text{lenient}$. Let $z \in \{0,1\}$ denote the prosecutor's discretionary choice to charge low-signal cases, $z = 1 \iff x(i,L) = 1$, and let $e \in [0, \bar{e}]$ denote police evidence investment in that category. Define the prosecutor's low-signal net gain $\Phi_L(e) \equiv \Phi(i, L; \text{lenient})$, where the posterior $\mu_i(L; \text{lenient})$ is computed at the signal distribution induced by e. Let $BR_P(e)$ be the prosecutor's best-response correspondence for z, and let $BR_L(z)$ be the police best-response correspondence for e.*

Assume:

(i) (Monotone incentives) *$\Phi_L(e)$ is strictly decreasing in e.*

(ii) (Investment complementarity) *For any $e \in BR_L(0)$ and any $e' \in BR_L(1)$, we have $e \geq e'$, with strict inequality for interior solutions.*

(iii) (Crossing) *$\Phi_L(\min BR_L(1)) > 0$ and $\Phi_L(\max BR_L(0)) < 0$.*

Then the lenient continuation game admits at least two PBE-consistent fixed points (z, e):

1. *a* low-investment, broad-charging *fixed point with $z = 1$ and $e \in BR_L(1)$; and*
2. *a* high-investment, selective-charging *fixed point with $z = 0$ and $e \in BR_L(0)$.*

Proposition 4 isolates the coordination logic that will drive the results in the next section. In particular, it implies that identical announced standards within the lenient regime can be paired with sharply different effective screening and evidentiary environments. For a wide range of substantive settings, a lenient formal prosecutorial standard can entail either selective screening and its associated pattern of police investment and resource allocation or an unscreened regime and its associated police effort and resource allocation. In the next section, I consider the consequences: how the system selects among equilibria, why history can matter, and what that means for the empirical interpretation of reform.

4 Coordination and Institutional Path Dependence

The equilibrium regimes characterized above describe how prosecutorial screening and police evidence production interact *within* a given institutional environment. This section shows that, even holding formal standards fixed, those interactions can generate coordination problems, equilibrium multiplicity, and institutional path dependence with direct implications for reform. In particular, I show both the consequences for what we can expect from a proposed reform and how to interpret empirical patterns associated with changes in prosecutorial policies.

4.1 Comparative statics and equilibrium behavior

To begin, consider how various model parameters determine what kind of equilibrium behavior can be supported. The regimes identified above arise from the interaction of three forces: electoral incentives, the costs of weak prosecutions, and the productivity of police evidence investment. These same forces also determine whether there is a unique or multiple equilibria.

First, recall that a lenient standard (either the unscreened regime or the selective screening regime) requires $\Phi(i, L; \text{lenient}) \geq 0$, for $i \in \{A, B\}$ (unscreened) or $i = A$ (selective screening). Let

$$\mu_i^L = \frac{\pi_i(1 - \alpha_i(e_i^L))}{\pi_i(1 - \alpha_i(e_i^L)) + (1 - \pi_i)(1 - \beta_i(e_i^L))}$$

denote the Prosecutor's belief that a case of type i is convictable, given $s = L$. Then, the conviction probability for that case is given by

$$Q_i^L \equiv \mu_i^L q(1, L) + (1 - \mu_i^L) q(0, L).$$

Thus, the condition for $\sigma = \text{lenient}$ rearranges to

$$(b + a) Q_i^L + \Delta_E(i, L; \text{lenient}) \geq a + \lambda(1 - \mu_i^L), \tag{3}$$

which is a convenient expression for examining how the model's parameters determine which kinds of equilibria can be supported. The following proposition formalizes the comparative statics implied by Condition (3) and the regime characterizations in Section 3.3.

Proposition 5 (Comparative statics of regime feasibility) *Holding other primitives fixed:*

(i) The set of parameter values satisfying $\Phi(i, L; \text{lenient}) \geq 0$ is weakly increasing in the electoral marginal incentive $\Delta_E(i, L; \text{lenient})$ and in the conviction benefit b, and weakly decreasing in the acquittal cost a and the wrongful-prosecution cost λ.

(ii) The set of primitives supporting the unscreened regime (Proposition 1) is therefore weakly increasing in electoral returns to visible charging and weakly decreasing in a and λ; the set of primitives supporting the screened regime (Proposition 2) has the reverse monotonicity.

(iii) The set of primitives supporting the selectively screened regime (Proposition 3) is weakly increasing in cross-category heterogeneity in the primitives $(\pi_i, \alpha_i(\cdot), \beta_i(\cdot), q(\cdot, \cdot))$ and vanishes under full symmetry across $i \in \{A, B\}$.

(iv) For fixed electoral and cost parameters, increases in the diagnostic productivity of evidence—

i.e., the gap $\alpha_i(e) - \beta_i(e)$ at the equilibrium investment level—and in courtroom sensitivity $q(1, L) - q(0, L)$ raise the return to screened charging through the v_i channel in Proposition 2, weakly expanding the set of primitives supporting screened enforcement.

Proposition 5 follows directly from the definition of $\Phi(i, s; \sigma)$ in equation (2) and the regime characterizations in Propositions 1–3: each claim is a sign statement about the partial derivatives of the relevant incentive conditions. I discuss each of the three main channels in turn.

Electoral incentives to charge. The electoral marginal incentive $\Delta_E(i, s; \sigma)$ shapes the prosecutor's willingness to file weak cases. When voters reward visible enforcement and weakly penalize acquittals or dismissals, $\Delta_E(i, L; \sigma)$ is positive even for low-quality files, pushing the system toward unscreened charging. When electoral rewards are tied to competence or successful outcomes, charging weak cases becomes costly, creating scope for selective screening. When prosecutors are disproportionately rewarded for charging lots of cases rather than for the distribution of case outcomes, they are less likely to impose strict standards, a result that follows immediately from part (i) of Proposition 5. As we will see below, that incentive in turn shapes the quality of policing in nuanced ways.

Costs of failed or unjustified prosecutions. The parameters a and λ raise the effective charging threshold by increasing the expected cost of acquittals and wrongful prosecutions. High values discipline charging behavior even under electoral pressure to be tough, supporting screened charging equilibria. When both costs are small, electoral incentives dominate, making unscreened charging more likely.[4]

Evidence technology, courts, and heterogeneity. The diagnostic productivity of evidence investment and courtroom scrutiny $q(\cdot, \cdot)$ determine how sharply weak files differ from strong ones. When investment is productive and scrutiny is meaningful, charging decisions become sensitive to evidence quality; when not, evidentiary distinctions carry little payoff. Heterogeneity across categories generates selectively screened equilibria, with discipline applied only in some domains—the content of parts (iii) and (iv) of Proposition 5.

[4]Notice that a appears on both sides of Condition (3) but is multiplied by a probability on the left-hand side but not on the right-hand side. Thus, increasing a makes the condition weakly harder to satisfy, consistent with part (i) of Proposition 5.

When is each regime unique? Propositions 1–3 give sufficient conditions for the *existence* of each regime. Because these sufficient conditions can sometimes be satisfied simultaneously with the conditions of Proposition 4, it is useful to state explicitly when each regime is the unique PBE regime of the game. The following proposition characterizes this uniqueness structure.

Proposition 6 (Uniqueness of the equilibrium regime) *Suppose the primitives of the game satisfy the generic condition* $V_P(\textit{strict}) \neq V_P(\textit{lenient})$.

(i) If $V_P(\textit{strict}) > V_P(\textit{lenient})$*, the screened regime of Proposition 2 is the unique PBE regime, and on-path play is invariant across PBE.*

(ii) If $V_P(\textit{lenient}) > V_P(\textit{strict})$*, the regime played in equilibrium is determined in the lenient continuation game:*

- *(a) if* $\Phi(i, L; \textit{lenient}) \geq 0$ *for all* $i \in \{A, B\}$ *at every* $e \in BR_L(0) \cup BR_L(1)$*, the unscreened regime of Proposition 1 is the unique PBE regime;*
- *(b) if, without loss of generality,* $\Phi(A, L; \textit{lenient}) \geq 0$ *and* $\Phi(B, L; \textit{lenient}) < 0$ *at every* $e \in BR_L(0) \cup BR_L(1)$*, the selectively screened regime of Proposition 3 is the unique PBE regime;*
- *(c) if, in at least one category, the crossing condition of Proposition 4 holds, both the unscreened (or selective) and the high-investment/selective-charging fixed points are PBE-consistent, and multiplicity obtains* within *the lenient regime.*

Proposition 6 sharpens the relationship between the first-mover policy choice and the continuation game. The prosecutor's choice of σ is generically unique—the knife-edge $V_P(\text{strict}) = V_P(\text{lenient})$ is a measure-zero set of primitives—so multiplicity of regimes never arises across the strict–lenient boundary. Instead, all genuine multiplicity in the model is *intra-regime*: it lives inside the lenient continuation game, where the prosecutor's residual discretion over weak files interacts with police investment to support more than one mutually consistent pair of best responses. The upshot is that the three regimes partition the primitive space into well-defined cells (cases (i), (ii.a), and (ii.b) of Proposition 6), with a distinct cell (case (ii.c)) in which the unscreened and selective regimes coexist as equilibria. This partition motivates the discussion of equilibrium selection and reform in the remainder of the section.

4.2 Strategic complementarity and institutional path dependence

Case (ii.c) of Proposition 6—the region in which the crossing condition of Proposition 4 holds in the lenient continuation game—is the substantively interesting part of the primitive space. It is here that the coordination logic between prosecutors and police generates institutional path dependence,

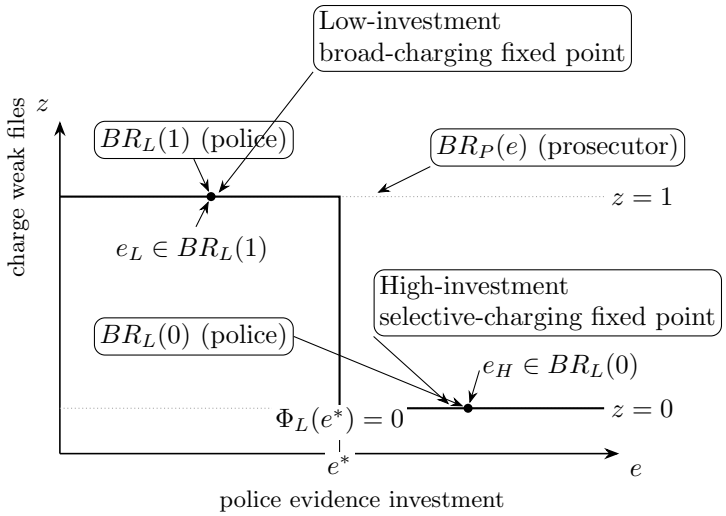

Figure 2: Best responses in the lenient continuation game. The prosecutor's best response $BR_P(e)$ is a threshold rule in police investment e. The police best response yields lower investment when weak files are charged ($z = 1$) and higher investment when weak files are declined ($z = 0$), generating two self-sustaining fixed points.

and it is here that reform can fail to shift observed behavior.

The mechanism can be read directly off Condition (3). Somewhat counterintuitively, a lenient charging standard is harder to sustain when police under-invest in effort. When police under-invest, $s = L$ is a less reliable signal of a case's convictability, which shrinks Q_i^L toward $q(0, L)$—the conviction probability for a truly non-convictable case. The lenient regime therefore requires the prosecutor to tolerate charging weak files, but the regime itself causes weak files to be especially uninformative. A lenient prosecutorial standard thus requires *more* police effort to sustain, not less. Conversely, when police invest heavily, $s = L$ more reliably signals non-convictability, tilting the prosecutor toward selective (rather than broad) charging. The two best responses bend toward each other, and two self-sustaining fixed points emerge.

Figure 2 illustrates the coordination logic. When police investment is low, weak and strong files are difficult to distinguish, making broad charging privately optimal and sustaining low investment. When investment is high, weak files more reliably signal non-convictability, making selective charging optimal and sustaining high investment. The interaction therefore generates institutional path dependence: observed enforcement practices reflect not only current policies but the system's inherited position among multiple equilibria.

4.3 Screening, reallocation, and where reforms can "move" the system

This coordination logic interacts with the cross-category priority mechanism emphasized above. Under strict screening, evidence investment affects not only conviction probability but also the probability of being charged, which increases the marginal return to investigative effort in categories where evidence is productive. This yields the following reallocation implication (restated here to bridge from equilibrium characterization to reform):

Proposition 7 (Screening and police reallocation) *Holding police agency preferences fixed, a shift from a lenient to a strict evidentiary standard weakly increases agency priorities toward categories in which evidence investment more strongly raises the probability of charging.*

Proposition 7 clarifies why reforms that credibly harden screening can change not only charging rates but also the *composition* of enforcement. But the multiplicity result implies a further caution: even if a reform changes formal standards or increases the prosecutor's stated commitment to screening, police behavior (and therefore observed outcomes) may remain similar if the reform does not shift the equilibrium selection problem in Figure 2.

Those observations in turn have direct bearings on empirical analyses of prosecutorial reform and its effects on the criminal justice system. For example, Agan et al. (2025) find that the election of reform prosecutors leads to reduced charging and conviction rates in misdemeanor cases without a similar effect in felony cases. Mitchell et al. (2022) document evidence that selecting a reform prosecutor leads to reduced racial disparities in who is charged with a crime. Further, this finding has immediate implications for the nascent literature that examines how police priorities and enforcement efforts respond to expectations about how suspected criminals will be treated in later stages of the criminal justice system (e.g., Goncalves and Mello 2023, Soliman 2022). In all of these instances, our inferences from empirical relationships between policy reform and policing and prosecutorial decisions are complicated by the coordination dynamic that drives equilibrium selection.

4.4 Reform with and without change

First consider reform without observed change. In this situation, we have persistence of behavioral patterns that is due to multiplicity of equilibria that remains after reform. To state the formal result

cleanly, define reform as a parameter shift that affects payoffs or institutions but not necessarily equilibrium selection.

Definition 1 (Reform as a parameter shift) *Let ω denote the relevant primitives (e.g., $a, \lambda, \rho, \Gamma, \{\alpha_i, \beta_i\}$). A* reform *is a shift $\omega \to \omega'$. Let $\mathcal{E}(\omega)$ denote the set of PBE under primitives ω.*

Under this definition, reform might be thought of as any change in the players' preferences or the technology that maps police effort into case files. Recall from above that the prosecutor's choice of charging standard is generically unique, because the model parameters determine whether $V_P(\text{strict}) > V_P(\text{lenient})$. Thus, reform in the sense of a formal change in policy requires a change in these primitives.

Proposition 8 (Reform may not change observed outcomes under equilibrium persistence) *Fix a category i and suppose that under ω the lenient continuation game sustains two equilibria: a low-investment/broad-charging equilibrium $(z, e) = (1, e_L)$ and a high-investment/selective-charging equilibrium $(z, e) = (0, e_H)$ with $e_H > e_L$.*

Consider a reform $\omega \to \omega'$ such that:

(i) both fixed points remain PBE-consistent under ω' (i.e., both remain in $\mathcal{E}(\omega')$), and

(ii) post-reform behavior remains coordinated on the pre-reform fixed point (equilibrium persistence).

Then the reform need not meaningfully change observed aggregate outcomes (e.g., charging rates, conviction rates, declination rates), even though primitives have shifted.

Proposition 8 captures the sense in which institutional practices can persist in the face of formal change. The mechanism is not merely "inertia"; it is that best responses remain mutually consistent at the pre-reform fixed point. In the low-investment equilibrium, prosecutors face an inherited evidentiary environment in which weak files do not reliably signal non-convictability, making broad charging privately rational; police, observing broad charging, have little reason to invest in diagnostic evidence. A reform that changes office policy statements or marginally shifts payoffs can fail to move the system if it does not eliminate the old fixed point or create a credible transition that changes expectations.

Next, consider when reform *must* bring about behavioral change. The model identifies when reforms should have large, discontinuous effects: when they push the system out of the multiplicity region by eliminating one of the fixed points in Figure 2.

Proposition 9 (Reforms that eliminate a fixed point generate nonmarginal change) *Fix*

i and suppose multiplicity obtains under ω as in Proposition 8. If a reform $\omega \to \omega'$ shifts primitives so that, in the post-reform continuation game, either

$$\Phi'_L(\max BR'_L(0)) > 0 \quad or \quad \Phi'_L(\min BR'_L(1)) < 0,$$

then the lenient continuation game under ω' admits a unique equilibrium, and equilibrium behavior (and thus aggregate outcomes) must change relative to at least one pre-reform equilibrium.

Proposition 9 clarifies the practical difference between reforms that merely *tilt* incentives and reforms that *change the structure of the coordination problem.* Increasing courtroom scrutiny (sensitivity of q to the state, θ), increasing the electoral penalty for failed prosecutions through Γ, raising the costs a or λ, or improving the diagnostic productivity of evidence production (steepening $\alpha'_i(e) - \beta'_i(e)$) can each shift $\Phi_L(e)$. But unless the shift is large enough to remove one intersection in Figure 2, observed outcomes may remain close to pre-reform levels due to persistence.

4.5 Empirical implications and how to read "null effects"

The analysis above implies that commonly observed outcomes—charging rates, conviction rates, and their responses to reform—are equilibrium objects jointly determined by prosecutorial screening and police behavior. As a result, these quantities do not map cleanly onto prosecutorial policy alone. Instead, each reflects both (i) the selection of cases into prosecution and (ii) the distribution of case quality induced by police priorities and evidence investment.

This distinction yields a sharp, model-specific prediction: reforms that tighten evidentiary standards should reduce charging rates without a corresponding decline in conviction rates conditional on charge, because stricter screening draws charged cases from a stronger pool. Models in which case quality is exogenous predict that stricter screening reduces both charging and conditional conviction rates.

More generally, reforms may generate little or no observable change even when they alter underlying incentives. When the system admits multiple equilibria, police and prosecutors can remain coordinated on a pre-existing pattern of behavior despite a shift in formal policy. In such cases, continuity in charging or conviction rates reflects equilibrium persistence rather than policy irrelevance.

At the same time, equilibrium regimes differ not only in average outcomes but in the *structure*

of enforcement—specifically, in how charging responds to evidentiary strength, how police effort is allocated across categories, and how informative prosecutorial decisions are about underlying legal merit. These patterns are stable within equilibria but differ systematically across them, yielding observable *regime signatures*. Implication 1 summarizes these distinguishing features.

Implication 1 (Observable regime signatures) *Across equilibrium regimes, the model predicts:*

1. *The unscreened regime produces* high-throughput enforcement*: high charging rates, weak sensitivity of charging to evidentiary strength, low evidence quality, and case mixes tilted toward high-volume categories.*
2. *The screened regime produces* evidence-driven enforcement*: lower charging rates, strong sensitivity to evidence, higher evidence quality, and a shift toward categories with high investigative productivity.*
3. *The category-dependent regime produces* domain-differentiated enforcement*: heterogeneous charging thresholds across categories, with evidence quality improving only in domains subject to effective prosecutorial screening.*

These signatures provide a diagnostic basis for identifying which equilibrium a jurisdiction occupies. This is consequential for evaluating reform: in the region of multiplicity, a jurisdiction's current fixed point shapes whether policy changes will shift enforcement behavior or leave it largely unchanged. The model thus predicts that pre-reform enforcement patterns should predict post-reform responses, with jurisdictions remaining near their initial equilibrium unless reforms shift both prosecutorial screening and police incentives—in contrast to models without strategic complementarity, which predict more immediate and proportional responses to policy changes.

5 Discussion and Conclusion

Taken together, the analysis here helps recast our understanding of the politics of criminal justice by highlighting the implications of the coordination game that arises because neither prosecutors nor police act independently in shaping outcomes.

Strategic interdependence and institutional governance. The core implication of the model is that prosecution and policing are jointly determined equilibrium outcomes rather than sequential stages of enforcement. Prosecutorial standards and police evidence production are strategic complements: each actor's optimal behavior depends on expectations about the other's response. As a

result, formal authority over charging does not translate mechanically into control over enforcement outcomes.

This interdependence has three implications. First, it decouples authority from influence. Prosecutors set charging rules, but police determine the informational environment in which those rules operate. Screening standards shape police incentives to invest in evidence, and police investment shapes the posterior beliefs that make screening viable. Policy is therefore co-produced through equilibrium adjustment rather than imposed unilaterally. While past research has highlighted the role that police play in shaping their own internal policies (e.g., Eckhouse 2022, Mummolo 2018), in lobbying politicians for control and independence (e.g., Cheng 2024), and in setting crime-fighting priorities in the first instance (e.g., Goncalves and Mello 2023), this analysis shows subtler, systemic ways in which neither police nor prosecutors can shape outcomes unilaterally.

Second, the complementarity generates regime behavior rather than marginal change: identical formal standards can sustain qualitatively distinct enforcement environments depending on how police and prosecutors coordinate, with broad implications for policy evaluation and studies of reform effects on system performance and individual welfare (e.g., Agan et al. 2025, Bandyopadhyay and McCannon 2014, Dobbie, Goldin and Yang 2018, McIntyre and Baradaran 2013).

Third, strategic interdependence creates institutional path dependence: reforms that shift payoffs but leave the coordination problem intact may produce little observable change, so stability in enforcement patterns can reflect equilibrium persistence rather than bureaucratic inertia (cf. Sklansky 2018)—in this sense, *reforms might fail without failing.* More broadly, the analysis reframes prosecutorial reform as a problem of institutional governance in which delegation operates through endogenous information production and control depends on how oversight rules reshape agent incentives upstream. These dynamics are likely to arise in other policy domains where formally accountable principals rely on semi-autonomous agents to generate the information on which policy decisions depend.

Prosecutorial reform is fundamentally a coordination problem. Police resistance to prosecutorial reform is often attributed to differences in preferences about how to treat suspected criminals or tastes for punitiveness. The model highlights a subtler reason: when prosecutors demand stronger evidence, police are required to engage in costly effort to build stronger files, and even

selectively strict standards endogenously shift both the amount of police effort and its allocation across areas of law enforcement.

Future theoretical and empirical research. While the model highlights an underappreciated strategic interaction that affects criminal justice reform, there are important avenues that are beyond the scope of this paper. Perhaps most important, we know that police are politically active and interested actors (e.g., Cheng 2024, Karakatsanis 2025, Muir 1979, Rappaport 2016, Zoorob 2019). A natural next step would be to extend the framework here to incorporate expectations about who might become the prosecutor in the future if the current prosecutor loses reelection. In the examples of both Krasner and Boudin at the opening of this paper, police organizations were active in election and recall efforts, seeking to shape voter choices. We might also imagine that potential criminals anticipate the coordination dynamics between police and prosecutors, shifting their behavior and thereby affecting the mix of potential cases for arrest and prosecution.

Finally, the analysis highlights several avenues for future empirical scholarship. A first implication is that empirical work should move beyond average treatment effects of prosecutorial reform and instead study how charging decisions respond to evidentiary strength. The model predicts that equilibrium regimes differ primarily in the *sensitivity* of charging to case quality, not necessarily in aggregate charging or conviction rates. Studies that can measure or proxy evidentiary strength—through body-camera compliance, corroboration indicators, case file completeness, or dismissal reasons—can directly test whether reforms shift the charging function itself rather than headline outcomes alone. Relatedly, empirical designs must distinguish between changes in the composition of cases entering prosecution and changes in outcomes conditional on entry, since reforms that operate primarily on the selection margin may leave aggregate conviction or arrest rates largely unchanged even as the underlying evidentiary environment shifts.

A second implication is that empirical analyses should treat policing behavior as endogenous to prosecutorial policy. Because evidentiary standards alter the marginal return to investigative effort, reforms should generate systematic changes in police behavior, including shifts in effort allocation across offense categories and changes in the quality of case files. These responses may be heterogeneous across domains where evidence production is more or less productive, offering a diagnostic for identifying equilibrium regimes. Designs that jointly analyze police activity and prosecutorial

decisions—tracking changes in arrest composition, investigative effort, clearance rates, or dismissal patterns alongside charging and conviction outcomes—are therefore particularly valuable. Quasi-experimental variation in prosecutorial policies, internal office guidelines, or supervisory practices may provide leverage for identifying how changes in screening rules reshape both the pool of cases and their disposition.

Finally, the model implies that reform effects may be heterogeneous, delayed, or discontinuous because jurisdictions may remain coordinated on inherited equilibria. Empirical strategies that exploit timing, thresholds, or staggered institutional changes—such as reforms that alter courtroom scrutiny, internal screening rules, or supervisory review—can help distinguish marginal incentive shifts from reforms that eliminate entire enforcement regimes. More broadly, null or modest reform effects should not be interpreted as evidence that prosecutorial discretion is inconsequential; they may reflect equilibrium persistence in a system of strategic complements. The central empirical challenge is therefore not simply estimating treatment effects, but identifying the equilibrium in which those effects are realized. Without accounting for the coordination between prosecutors and police, empirical estimates risk conflating changes in policy with persistence in the underlying institutional environment.

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Appendix

A-1 Supplemental Results

Proof of Proposition 1 Suppose conditions (a) and (b) hold. Consider the strategy profile in which the prosecutor commits to $\sigma = \text{lenient}$ and charges in all contingencies, $x(i, H) = x(i, L) = 1$ for both i; the police agency chooses priorities r and investments (e_A, e_B) to maximize $\mathbb{E}[U_L]$ given this charging rule. On-path beliefs are Bayesian:

$$\mu_i(s; \text{lenient}) \;=\; \frac{\pi_i \Pr(s \mid \theta = 1, i, e_i^*)}{\pi_i \Pr(s \mid \theta = 1, i, e_i^*) + (1 - \pi_i) \Pr(s \mid \theta = 0, i, e_i^*)},$$

evaluated at the equilibrium investments $\{e_i^*\}$ characterized below.

Charging stage. On strong files, $\Phi(i, H; \text{lenient}) > 0$ by maintained assumption, so $x(i, H) = 1$ is sequentially rational. On weak files, condition (a) gives $\Phi(i, L; \text{lenient}) \geq 0$, so $x(i, L) = 1$ is (weakly) sequentially rational.

Police best response. Because the prosecutor charges regardless of signal, $\Pr(x = 1 \mid i, e_i, \text{lenient}) \equiv 1$, so evidence investment affects payoffs only through the conviction margin. Convexity of c then yields the interior FOC

$$w_i \frac{\partial \Pr(y = 1 \mid i, e_i)}{\partial e_i} \;=\; c'(e_i),$$

characterizing $e_i^*(\text{lenient})$. Given the implied per-case returns $\Pi_i(\text{lenient}) = v_i + w_i \Pr(y = 1 \mid i)$, the priority FOC (1) characterizes $r^*(\text{lenient})$.

Policy stage. Condition (b) gives $V_P(\text{lenient}) \geq V_P(\text{strict})$, so $\sigma = \text{lenient}$ is (weakly) optimal at the policy stage given the police best response. The strategies are mutually best responses and beliefs are Bayes-consistent on path; the profile is a PBE.

■

Proof of Proposition 2 Suppose $V_P(\text{strict}) > V_P(\text{lenient})$. The construction parallels Proposition 1: the prosecutor commits to $\sigma = \text{strict}$, σ enforces the screened charging rule $x(i, H) = 1$, $x(i, L) = 0$, the police best-respond, and on-path beliefs $\mu_i(s; \text{strict})$ are Bayesian at the equilibrium investments $\{e_i^*\}$.

The change relative to Proposition 1 is the police FOC. Under the screened rule, $\Pr(x = 1 \mid i, e_i, \text{strict}) = \Pr(s = H \mid i, e_i)$, so evidence investment now affects both the charging and conviction margins. The interior FOC becomes

$$v_i \frac{\partial \Pr(s = H \mid i, e_i)}{\partial e_i} \;+\; w_i \frac{\partial \Pr(y = 1 \mid i, e_i)}{\partial e_i} \;=\; c'(e_i),$$

which adds the v_i term absent under unscreened charging. Given the implied $\Pi_i(\text{strict}) = v_i \Pr(s = H \mid i, e_i^*) + w_i \Pr(y = 1 \mid i)$, the priority FOC (1) characterizes $r^*(\text{strict})$.

On strong files $\Phi(i, H; \text{strict}) > 0$ implies $x(i, H) = 1$; on weak files the strict commitment enforces $x(i, L) = 0$. The hypothesis $V_P(\text{strict}) > V_P(\text{lenient})$ makes $\sigma = \text{strict}$ optimal at the policy stage.

■

Proof of Proposition 3 Suppose $\Phi(A, L; \text{lenient}) \geq 0$, $\Phi(B, L; \text{lenient}) < 0$, and $V_P(\text{lenient}) \geq V_P(\text{strict})$. The construction combines the two preceding proofs: the prosecutor commits to $\sigma = \text{lenient}$ with the category-dependent charging rule

$$x(A, H) = x(A, L) = 1, \qquad x(B, H) = 1,\ x(B, L) = 0,$$

the police best-respond, and on-path beliefs $\mu_i(s; \text{lenient})$ are Bayesian.
Charging stage. Strong files satisfy $\Phi(i, H; \text{lenient}) > 0$, so $x(A, H) = x(B, H) = 1$. On weak files, the assumed signs of $\Phi(\cdot, L; \text{lenient})$ make $x(A, L) = 1$ and $x(B, L) = 0$ sequentially rational.
Police best response. The two categories face different marginal incentives. In category A, charging is independent of e_A, so the police FOC reduces to the conviction-only condition of Proposition 1:

$$w_A \frac{\partial \Pr(y = 1 \mid A, e_A)}{\partial e_A} \;=\; c'(e_A).$$

In category B, charging requires $s = H$, so the FOC takes the dual-margin form of Proposition 2:

$$v_B \frac{\partial \Pr(s = H \mid B, e_B)}{\partial e_B} \;+\; w_B \frac{\partial \Pr(y = 1 \mid B, e_B)}{\partial e_B} \;=\; c'(e_B).$$

The added v_B term implies $e_B^* \geq e_A^*$, which is the investment ranking stated in the proposition. Given the implied Π_A and Π_B, the priority FOC (1) characterizes r^*.
Policy stage. The hypothesis $V_P(\text{lenient}) \geq V_P(\text{strict})$ makes $\sigma = \text{lenient}$ optimal.

■

Proof of Proposition 4 Fix a category i and $\sigma = \text{lenient}$. The prosecutor's best-response correspondence in z is the cutoff rule

$$BR_P(e) = \begin{cases} \{1\}, & \Phi_L(e) > 0, \\ \{0, 1\}, & \Phi_L(e) = 0, \\ \{0\}, & \Phi_L(e) < 0. \end{cases}$$

By assumption (ii), $\max BR_L(1) \leq \min BR_L(0)$.
Set $e_L = \min BR_L(1)$ and $e_H = \max BR_L(0)$. Assumption (iii) gives $\Phi_L(e_L) > 0$ and $\Phi_L(e_H) < 0$, hence $BR_P(e_L) = \{1\}$ and $BR_P(e_H) = \{0\}$. Both $(z, e) = (1, e_L)$ and $(z, e) = (0, e_H)$ are therefore mutually consistent best responses, supported by Bayesian beliefs derived from the signal distribution at the corresponding e. Assumption (i) is not needed for existence of these two fixed points but ensures Φ_L has a unique sign-crossing, ruling out further fixed points between e_L and e_H.

■

Proof of Proposition 5 Each part is a sign statement about how Φ in equation (2) and the prosecutor's value V_P depend on primitives.
Part (i). $\Phi(i, L; \text{lenient})$ is linear in b with coefficient $\Pr(y{=}1 \mid x{=}1, i, L) > 0$, linear in a with coefficient $-\Pr(y{=}0 \mid x{=}1, i, L) < 0$, linear in λ with coefficient $-(1 - \mu_i(L; \text{lenient})) \leq 0$, and additively separable in $\Delta_E(i, L; \text{lenient})$. The claim follows.
Part (ii). Proposition 1 requires $\Phi(i, L; \text{lenient}) \geq 0$ for both i and $V_P(\text{lenient}) \geq V_P(\text{strict})$.

Part (i) gives the monotonicity of the first condition. The same primitive shifts move $V_P(\text{lenient})$ in the same direction through the prosecutor's realized payoffs on charged-and-lost and wrongful-prosecution events, so the joint feasibility set inherits the stated monotonicity. The claim for Proposition 2 follows from reversing the payoff inequality.

Part (iii). The selectively screened regime requires $\Phi(A, L; \text{lenient}) \geq 0$ and $\Phi(B, L; \text{lenient}) < 0$. Under symmetry across i these coincide, so the supporting set is empty. The expansion under heterogeneity follows from continuity of Φ in $(\pi_i, \alpha_i(\cdot), \beta_i(\cdot), q(\cdot, \cdot))$.

Part (iv). Under $\sigma = \text{strict}$, the marginal return to evidence in Proposition 2 contains the term $v_i \, \partial \Pr(s{=}H \mid i, e_i)/\partial e_i$. Increases in $\alpha_i(e) - \beta_i(e)$ raise this term, and increases in $q(1, L) - q(0, L)$ raise the conviction payoff to charging strong relative to weak files. Both shifts weakly raise $V_P(\text{strict}) - V_P(\text{lenient})$, expanding the set on which screened enforcement is supported.

■

Proof of Proposition 6 Under $V_P(\text{strict}) \neq V_P(\text{lenient})$ the prosecutor has a strict preference at the policy stage, so the equilibrium value of σ is unique. Write $\Phi^i_L(e) \equiv \Phi(i, L; \text{lenient})$.

Part (i). If $V_P(\text{strict}) > V_P(\text{lenient})$, the prosecutor selects $\sigma = \text{strict}$. The strict commitment fixes the charging rule at $x(i, H) = 1$, $x(i, L) = 0$, and the police best responses (r^*, e^*) are pinned down by the FOCs in the proof of Proposition 2. On-path play is invariant across PBE.

Part (ii). If $V_P(\text{lenient}) > V_P(\text{strict})$, the prosecutor selects $\sigma = \text{lenient}$ and the equilibrium regime is determined by the lenient continuation game.

(a) If $\Phi^i_L(e) \geq 0$ for all $e \in BR_L(0) \cup BR_L(1)$ and both i, the prosecutor charges weak files everywhere on the relevant range, so $z = 1$ in both categories and the police best-respond on $BR_L(1)$. The unique fixed point is the unscreened regime of Proposition 1.

(b) If $\Phi^A_L(e) \geq 0$ and $\Phi^B_L(e) < 0$ for all $e \in BR_L(0) \cup BR_L(1)$, the prosecutor's category-by-category best response is $z = 1$ in A and $z = 0$ in B at every investment level. The unique fixed point is the selectively screened regime of Proposition 3.

(c) If, in at least one category, the crossing condition (iii) of Proposition 4 holds—$\Phi^i_L(\min BR_L(1)) > 0$ and $\Phi^i_L(\max BR_L(0)) < 0$—then by Proposition 4 the continuation game admits two PBE-consistent fixed points in that category, $(1, e_L)$ and $(0, e_H)$, and multiplicity obtains within the lenient regime.

■

Proof of Proposition 7 Under $\sigma = \text{lenient}$, $\Pi_i(\text{lenient}) = v_i + w_i \Pr(y{=}1 \mid i)$. Under $\sigma = \text{strict}$, $\Pi_i(\text{strict}) = v_i \Pr(s{=}H \mid i, e^*_i) + w_i \Pr(y{=}1 \mid i)$, evaluated at the equilibrium investment e^*_i characterized in Proposition 2. The change in the priority differential induced by switching to strict screening is therefore

$$[\Pi_A(\text{strict}) - \Pi_B(\text{strict})] - [\Pi_A(\text{lenient}) - \Pi_B(\text{lenient})] \;=\; v_A[\Pr(s{=}H \mid A, e^*_A) - 1] - v_B[\Pr(s{=}H \mid B, e^*_B) - 1].$$

The right-hand side is increasing in the relative responsiveness of $\Pr(s{=}H \mid i, e^*_i)$ to e_i: the category in which evidence investment more strongly raises the probability of charging contributes a larger (less negative) term. The priority FOC (1), $\Pi_A - \Pi_B = C'(r^*)$, combined with convexity of C, then implies that r^* shifts weakly toward that category.

■

Proof of Proposition 8 Aggregate outcomes (charging rates, conviction rates, declination rates) are determined by the equilibrium strategies (z, e) together with the components of ω that enter the signal and conviction technologies, $\{\alpha_i, \beta_i, q\}$. Let (z^*, e^*) denote the pre-reform fixed point on which play is coordinated. By hypothesis, $(z^*, e^*) \in \mathcal{E}(\omega')$ and post-reform play remains at (z^*, e^*), so equilibrium strategies are unchanged across the reform. Reforms whose primitive shift $\omega \to \omega'$ leaves $\{\alpha_i, \beta_i, q\}$ unchanged—i.e., shifts in payoff parameters such as a, λ, ρ, or Γ—therefore leave aggregate outcomes exactly unchanged. More generally, any reform that perturbs $\{\alpha_i, \beta_i, q\}$ only locally at (z^*, e^*) produces a correspondingly small change in aggregate outcomes. Hence the reform need not meaningfully change observed outcomes, even though primitives have shifted.

■

Proof of Proposition 9 Fix i. Multiplicity under ω requires both

$$\Phi_L(\min BR_L(1)) > 0 \quad \text{and} \quad \Phi_L(\max BR_L(0)) < 0$$

by Proposition 4. Reform reverses one of these inequalities.

Suppose first that $\Phi'_L(\max BR'_L(0)) > 0$. Since Φ'_L is decreasing in e by assumption (i), $\Phi'_L(e) \geq \Phi'_L(\max BR'_L(0)) > 0$ for all $e \in BR'_L(0)$, so $BR'_P(e) = \{1\}$ for every $e \in BR'_L(0)$. No element of $BR'_L(0)$ can therefore support $z = 0$, and the selective-charging fixed point is eliminated.

Symmetrically, if $\Phi'_L(\min BR'_L(1)) < 0$, then $\Phi'_L(e) < 0$ for all $e \in BR'_L(1)$, so $BR'_P(e) = \{0\}$ throughout $BR'_L(1)$ and the broad-charging fixed point is eliminated.

In either case only one branch survives, so the lenient continuation game has a unique equilibrium under ω'. Since both pre-reform fixed points $(1, e_L)$ and $(0, e_H)$ were equilibria under ω but only one branch remains, the post-reform equilibrium cannot coincide with both pre-reform fixed points; equilibrium behavior must change relative to at least one of them.

■