



TO: Gary K. Ostrander, Deciding Official  
Vice President for Research

FROM: Diana Key, Research Integrity Officer (RIO)  
Director, Research Compliance Programs

*Diana Key*  
7/30/19

Attached is the final report from the Inquiry Committee. Please review this document and, as Deciding Official, determine next steps in this case. Please mark your response below as appropriate.

I accept the findings and recommendations of the Inquiry Committee, and direct the RIO to proceed in accordance with FSU policy and procedures.

I do not accept the findings and recommendations of the Inquiry Committee. I direct the RIO to reconvene the Inquiry Committee for further fact-finding and analysis as follows:

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I override the findings and recommendations of the Inquiry Committee with the following determination/decision:

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Deciding Official Signature/Date:

*Gary K. Ostrander* 8/1/19

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FSU Case # RM-JQ50

Date: 07-29-2019

Florida State University  
Inquiry Report Concerning  
Allegations of Research Misconduct against  
Eric Stewart

**1. Name and position of the Respondents**

Eric Stewart, Professor, Criminology

**2. Description of the allegations of research misconduct**

Please see the allegation dated 05/30/2019 and the documents provided by Justin Pickett, State University of New York, who was a co-author on one of the papers in question.

**3. The external support pertinent to the allegation**

The National Science Foundation supported the paper labeled "Stewart et al 2015." No funding sources were disclosed in the other papers in question.

**4. The names and titles of the committee members and experts who conducted the inquiry**

Karin Brewster, Professor, Sociology;  
Sonja Siennick, Professor, Criminology;  
William Bales, Professor, Criminology;

**5. Summary of the inquiry process used**

The committee members reviewed the materials provided, interviewed the respondent, and then met as a committee and discussed the evidence and findings to form a consensus recommendation.

**6. List of the research records reviewed**

Articles named in allegations:

1. Johnson BD, Stewart EA, Pickett J, Gertz M. 2011. "Ethnic threat and social control: Examining public support for judicial use of ethnicity in punishment." *Criminology*, 49(2), 401-441. REF Johnson, et al. (2011).
2. Stewart EA., Martinez R, Baumer EP, Gertz M. 2015. "The social context of latino threat and punitive Latino sentiment." *Social Problems*, 62(1), 69-92. REF Stewart, et al. (2015). Funding source NSF grant #1023337 to Stewart/FSU and 1023333 to Martinez/NU.
3. Mears DP., Stewart EA, Warren, PY, Craig MO, Arnio AN. 2019. "A legacy of lynchings: Perceived black criminal threat among whites." *Law & Society Review*, 53(2), 487-517.
4. Stewart EA., Johnson BD, Warren PY, Rosario JL, Hughes C. 2019. "The social context of criminal threat, victim race, and punitive black and latino sentiment." *Social Problems*, 66(2), 194-221. REF Stewart, et al. (2019).
5. Stewart EA, Mears DP, Warren PY, Baumer EP, Arnio AN. 2018. "Lynchings, racial threat, and whites' punitive views toward blacks." *Criminology*, 56(3), 455-480. (2018).

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Also sent with the Allegations was a list of articles referenced by year the survey was conducted as listed below:

## 2008 Survey

1. Johnson BD, Stewart EA, Pickett J, Gertz M. 2011. "Ethnic threat and social control: Examining public support for judicial use of ethnicity in punishment." *Criminology*, 49(2), 401-441. REF Johnson, et al. (2011). Funding source not disclosed.
2. Stewart EA., Martinez R, Baumer EP, Gertz M. 2015. "The social context of latino threat and punitive Latino sentiment." *Social Problems*, 62(1), 69-92. REF Stewart, et al. (2015). Funding source NSF grant #1023337 to Stewart/FSU and 1023333 to Martinez/NU.

## 2013 Survey

1. Mears DP., Stewart EA, Warren PY, Craig MO, Arnio AN. 2019. "A legacy of lynchings: Perceived black criminal threat among whites." *Law & Society Review*, 53(2), 487-517. REF Mears, et al. (2019). Funding source not disclosed.
2. Stewart EA., Johnson BD, Warren PY, Rosario JL, Hughes C. 2019. "The social context of criminal threat, victim race, and punitive black and latino sentiment." *Social Problems*, 66(2), 194-221. REF Stewart, et al. (2011). Funding source not disclosed.
3. Stewart EA, Mears DP, Warren PY, Baumer EP, Arnio AN. 2018. "Lynchings, racial threat, and whites' punitive views toward blacks." *Criminology*, 56(3), 455-480. REF Stewart, et al. (2018). Funding source not disclosed.

Data files and documents provided by Justin Pickett:

1. Excel file titled "Justin\_voting\_data" which contains 1,000 rows of data and six columns.
2. Excel file titled "Voting - Data".
3. Emails to FSU and a report regarding his request for the retraction of one of the articles named in the allegation.

Information provided by respondent:

1. Emails between Eric Stewart and the survey data provider Jake Pratton which included datasets from the 2008 survey by The Research Network and datasets from the 2013 survey (January 9, 2008, July 25, 2008, and May 8, 2017)
2. Stata output showing different samples from the Research Network.
3. Emails between Eric Stewart and journal editors.
4. Emails from Eric Stewart relating to the data issues raised.
5. Output from the statistical programs STATA and SPSS that contains the results from statistical analyses conducted by Eric Stewart.
6. Journal and newsletter articles related to the allegation.
  - a. Morenoff et al. 2001, *Criminology* (Published article addressing stability)
  - b. Pickett et al. 2012, *Criminology* (Published article addressing stability)
  - c. Rodriguez 2007, *Justice Quarterly* (Published article addressing stability)

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d. Morris and Perry 2016, Social Problems

e. Diekmann 2007, Journal of Applied Statistics (cited by John Smith - not enough zeros in 3<sup>rd</sup> decimal place)

f. Diekmann and Jann 2011, German Economic Review (critique of how scholars are using Benford's law and 3<sup>rd</sup> digit issue)

g. Stewart et al., correction, Criminology

h. Medium.com, "So, You Want to Blow the Whistle"

i. APS Observer, "A Call to Change Science's Culture of Shaming"

j. Bartlett 2018, Chronicle of Higher Education

k. Sciencemag.org, "Meet the 'Data Thugs' Out to Expose Shoddy and Questionable Research"

## 7. Summaries of Respondent Interview(s)

Each of the three committee members was afforded the opportunity to ask the respondent any questions they wished answered to and any of the committee members could ask followup questions. This process took quite some time and the respondent was very thorough in his answers to the initial questions and to any follow-up questions or requests for clarification of his answers.

The committee asked broad questions about the processes used to generate the data, analyses, and tables, and specific questions about the issues raised in the allegation. The respondent explained his role in producing and reporting the research results, the status of his ongoing examination of the issues raised in the allegation, and the details of his correspondence with the people bringing the allegations. To summarize, the respondent reported that the inconsistencies identified in the allegation stemmed from a complex rolling data collection strategy, errors in transposing the research results, and the complainant's misuse of posthoc techniques for validating research results.

## 8. Committee recommendation and the basis for the recommendation

Following the interview, the committee members deliberated for some time concerning the respondent's answers and agreed to reconvene after reviewing materials provided by the respondent (as noted in item 6, Information from Respondent.) This second meeting was held on Friday, July 19, 2019. Additional meetings were held on Wednesday, July 24, 2019 (by phone) and on Monday, July 29, 2019.

Based on our reviews of the published work and the supplemental materials as well as our interview of Dr. Stewart, we believe that no further investigation is necessary. We found no evidence that the data used by Dr. Stewart in the five papers at issue were fabricated. We did find evidence that Dr. Stewart incorrectly described the data used in the 2011 paper on which Dr. Pickett was a coauthor. In addition, we found errors resulting from insufficient care in recording research results. Below, we list our findings for each specific allegation.

### 1. Anomalies in standard errors and coefficients:

a. Standard errors are stable across models: Respondent provided output from ongoing reanalysis of the dataset in question and committee members observed that many of the standard errors in these models were stable to fourth decimal place. Although this degree of stability may seem unusual, it likely reflects the lack of shared variation between model controls

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(i.e., the variables that appeared in all models) and the predictors stepped (singly) into the models.

b. Lack of third-place zeroes: Committee did not have access to output from original analyses so we could not determine whether the original standard errors lacked ending zeros. We did have a copy of an email sent by the respondent to Dean Thomas Blomberg (5-28-2019) addressing this matter. In it the respondent states that he alters coefficients and standard errors that end with zero or have multiple zeros to the right of the decimal so as to minimize presumed concerns of reviewers. The committee members urge the respondent to either report results “as is” or to rescale variables likely to produce exceedingly small coefficients and/or standard errors.

2. Discordant means and standard deviations: These were explained by the respondent as errors made in transcribing results from output to manuscript tables.

3. Incongruent changes in Mears et al. (2019): Respondent provided the output that informed these changes and we are satisfied that the published tables accurately represent the analyses.

4. Identical descriptive statistics across different samples and samples of different sizes: This problem reflects the respondent’s method for constructing tables: For ease of formatting, he “overwrites” a table from a previous project. During his interview with the committee, respondent admitted to a lack of care and a failure to proofread.

5. Unusual changes in sample sizes over time:

a. Pickett’s allegation concerning the 2011 paper: An increase in sample size between a conference presentation ( $N = 868$ ) and published manuscript (1,184). In his review of his own records and data for this paper, Dr. Pickett found that 500 observations were duplicated—but this duplication was inadequate to explain sample size increase. During the interview, the respondent explained the change in sample size as reflecting his addition to the sample of new observations sent by the Research Network, a local polling firm. He also acknowledged the duplication as an error in merging the new observations into the original data, and noted that he has contacted the journal’s editor to expect a reanalysis using the corrected data.

b. “John Smith” allegations: A larger sample in the 2015 paper than in the 2011 paper, although both papers used the same data. In addition, as noted by a committee member during the committee’s interview with the respondent, the 2015 sample should be smaller, because it was based on non-Latino Whites but the 2011 sample included Black and Latino respondents as well as the non-Latino Whites. The respondent explained the Smith allegations and the committee member’s observations as a reflection of the “rolling data collection” procedures used by the Research Network.

The respondent provided two sets of materials, some of which speak to this issue (one set received during the interview, and more data documentation on 7-25-19 in response to a committee request made 7-24-19). The material received on 7-8-2019 shows that the respondent received three data files from the Research Network with a total of 1,372 observations ( $500 + 425 + 447$ ), approximately the size of the complete data set (1,379) noted in the 2015 publication. The material received on 7-25-2019 describes three data files that the respondent is using to re-do the analyses for the 2011 paper, with a total of 1,007 observations; the respondent did not share with the committee how he created these files.

6. Incorrect statistics and distributions: The respondent acknowledged errors in the estimation of the median and his reporting of the cumulative income distribution for the 2011

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and 2015 papers. These errors, combined with the respondent's reliance on "overwriting" tables (see item 4, above), produced the problems noted by "John Smith."

7. Improbable survey design and data structure:

a. Cell phone area codes are not a good representation of an individual's place of residence: During the interview, the respondent noted that zip codes, not area codes, were used to identify place of residence. This information was then aggregated to the county level.

b. Source of the 2013 data: The 2013 survey was conducted by students, under the guidance of personnel who had been employed by the Research Network. The respondent's receipt of data was confirmed by his email records.

c. Data were provided to the respondent through personal contacts with Research Network personnel. No external funding was used for data collection.

8. Number of counties and creation of the "county clusters": In his emails to Diana Key (6-10-2019 and 7-23-2019), Dr. Pickett noted that the 2011 paper reported using data for 91 counties, but respondents in the Research Network data actually represented 292 counties. In discussing this issue during his interview with the committee, Dr. Stewart acknowledged that, although the paper referred to counties and reported descriptive statistics for counties, in performing the analyses, he aggregated the counties into clusters. He provided no explanation for this decision, but committee members note that aggregating the counties allowed Dr. Stewart to use what was then an emerging statistical approach that could not have been supported by the county-level data. Nonetheless, the use of clustering may explain the discrepancy between the sample size presented in the paper and the sample size observed in the original data. This should have been described more clearly in the paper.

9. Failure to report handling of missing data: During the interview, Dr. Stewart noted that he relied on multiple imputation to handle missing data, yet none of the five papers addressed in our inquiry discuss imputation specifically or the handling of missing data more generally. Methods to resolve missing data have implications for results and it is standard practice for researchers to discuss missing data, even when they use a complete case approach (i.e., dropping observations with missing data on any variable).

9. Respondent comments on the draft report

are attached, or  the respondent chose not to provide any comments. 

10. Whether any other actions should be taken if an investigation is not recommended

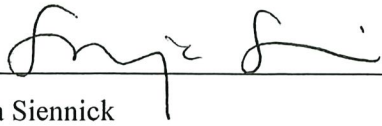
The committee recommends that Dr. Stewart contact the editors of Criminology (2011 paper) and Social Problems (2015 paper) regarding his original description of the "county clusters" as counties and his failure to report his reliance on imputation to handle missing data. The journals' editorial boards will need to decide what steps are necessary and we expect that Dr. Stewart will provide any assistance or information deemed necessary by the journals.

Report submitted by (name and signatures of all Committee members)



William Bales

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Sonja Siennick

See Addendum about  
Karin Brewster

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