

Chapter in Monica Varsanyi, ed., *Taking Local Control: Immigration Policy Activism in U.S. Cities and States*, Stanford University Press, 2010.

ABSTRACT: This chapter seeks to advance our understanding of local government ordinances on issues related to unauthorized immigrant residents including day labor markets, housing, unlicensed businesses, and cooperation with federal immigration authorities. We attempt to answer the question of why such ordinances are considered, passed, or fail to pass in some municipalities and not others. Some factors expected to explain the consideration and passage of restrictionist ordinances were demographic changes, labor market outcomes, and political factors. One of the strongest explanations for restrictionist versus “pro-immigrant” proposals is the proportion of Republicans and Democrats in the county. Controlling for demographic characteristics, Republican areas are twice as likely to propose restrictionist ordinances, and one half as likely to propose “pro-immigrant” ones. Similar effects can be found when examining passage of such legislation as the relevant outcome. Other factors, such as the growth of the Latino population and the size of linguistically-isolated Spanish-speaking households, were not associated with a greater likelihood of proposing or passing restrictionist legislation. Thus, demographic factors are not as important as political factors in accounting for ordinances passed by local governments related to unauthorized immigration, either pro or con.

Chapter 4

Partisanship, Not Spanish: Explaining Municipal Ordinances Affecting Undocumented Immigrants

S. Karthick Ramakrishnan and Tom (Tak) Wong

Though there is widespread recognition that localities are playing a more significant role in regulating the lives of low-skilled immigrant residents, there is little systematic understanding of why some localities may adopt restrictionist policies while others may adopt more permissive policies or do nothing at all. Part of the difficulty in understanding why these ordinances are being proposed in some places but not in others is the fact that many of the localities considering restrictionist ordinances are small municipalities that rarely get coverage in state newspapers and wire stories, let alone in national outlets such as the *New York Times* and *Washington Post* or more regional newspapers like the *Chicago Tribune*. Thus, as suggested by a number of chapters

We thank the ACLU, Migration Policy Institute, and Fair Immigration Reform Movement for sharing their data on local ordinances, and we are grateful for comments from participants in the 2007 Omaha Cumbre, Politics of Race, Immigration, and Ethnicity Consortium, and Warren Institute Roundtable at the University of California, Berkeley. We thank the Chief Justice Earl Warren Institute on Race, Ethnicity, and Diversity for supporting this research.

in this volume, the dominant understanding of the factors compelling local action on immigration is shaped by heavy coverage of such places as Hazelton, Pennsylvania, Carpentersville, Illinois, San Bernardino, California, and Farmers Branch, Texas, with likely explanations centering around the size and growth of Latino populations and attendant challenges such as overcrowded schools and housing, growth of Spanish-language communities, erosion of wages among native-born workers, and perhaps xenophobia or racial prejudice among native-born populations (Scolforo 2006; Kotlowitz 2007).

Although these demographic explanations are clearly relevant in the ways that policy analysts, local officials, community advocates, and journalists make sense of these ordinances, it is important to expand the analysis to the larger universe of over twenty thousand municipalities in the United States to gain a better understanding of whether demographic pressures are indeed of the utmost salience in explaining the recent rash of immigration-related ordinances. Also, it is important to consider other factors that have heretofore been marginal in explanations of local ordinance activity related to immigration, including the partisanship and ideology of local voters and the political empowerment or fallout from the spring 2006 immigration rallies. Finally, it is important to examine the proposal and passage not only of restrictionist ordinances (Esbenshade 2007; Hopkins 2010) but also of various “pro-immigrant” ordinances at the local level, including so-called sanctuary laws.

In this chapter we show that partisanship and politicization are crucial in explaining why some localities have considered or passed restrictionist ordinances while a few others have considered “pro-immigrant” ordinances and—just as importantly—why most communities have done nothing at all on the issue. Political factors remain significant even after controlling for factors related to the competing explanation of “local demographic pressures,” including the growth of Latino populations, the prevalence of recently arrived immigrants, overcrowded housing, and rising poverty rates at the local level. Thus, as a number of the case studies in this volume suggest, while demographic pressures at the local level may be a common feature to many

localities that have considered restrictionist ordinances, political factors are important in shaping how such pressures find policy expression at the local level.

Emerging Questions on Local Government Policies (level 1)

There is a long tradition in political science of studies on the role of immigrants and racial minorities in local governance. Early pluralists such as Robert Dahl (1961) pointed to an assimilationist trend in immigrant political incorporation based on the mobilization of potential electorates. Others such as Steven Erie (1988) and Gerald Gamm (1989) demonstrated the problem of incorporation of immigrants into local party structures, while those in the tradition of minority political incorporation (Browning, Marshall, and Tabb 1984) pointed to the need for minority groups to forge electoral coalitions with white liberals and Democrats. Contemporary studies of immigrants and local political structures (Jones-Correa 1998; Ramakrishnan and Lewis 2005; Rogers 2006; Wong 2006; Ramakrishnan and Bloemraad 2008) suggest that the pluralist vision is largely inapplicable to contemporary immigrants and that significant barriers to entry remain among both political and civic institutions.

Although these newer studies shed some light on the continued relevance of earlier models of political incorporation, the current state of knowledge on local politics is inadequate to understand the entry of local governments into questions that have heretofore been the purview of the federal government (Varsanyi 2008). Indeed, in recent years, news stories and reports by organizations such as the Migration Policy Institute and the Puerto Rican Legal Defense and Education Fund point to a rise in the consideration and use of local ordinances targeting immigrants, especially undocumented immigrants. Examples of restrictionist ordinances include attempts to compel landlords to verify the legal immigrant status of tenants, denying business licenses or city contracts to those who hire illegal immigrants, using local police to facilitate deportations in conjunction with Immigration and Customs Enforcement (ICE), and establishing English as a city's official language. On the other hand, there also has been a steady increase in

the number of cities passing measures explicitly designed to shield undocumented immigrants, including “sanctuary ordinances” that limit cooperation with ICE to matters of national security, establishing or funding day labor centers that protect the rights of workers regardless of their legal status, and even providing city-issued identification cards for residents, even those who are in the United States illegally.

There is a small but growing number of studies that examine local government policies toward immigrants (Jones-Correa 2004; Ramakrishnan and Lewis 2005; Varsanyi 2008; Esbenshade 2007). While these studies have helped to lay some important theoretical groundwork on new types of policies that specifically target immigrants or undocumented immigrants, this chapter presents one of the first national studies of local government policies toward immigrants, especially as they relate to restrictive and permissive policies toward unauthorized or undocumented immigrants.

The chapter examines variation in municipal government policies related to low-skilled immigrant labor in localities across the United States. It builds on prior research conducted in California, which indicates that city policies toward immigrants vary according to local population size and the partisanship of local jurisdictions, and that these effects hold true even after controlling for demographic factors such as the proportion of the population that is foreign born or recently arrived in the United States (Ramakrishnan and Lewis 2005). While California is important to the study of local government policies, it is also important to compare policies across states, each with its own history of immigration and varying rules and institutional arrangements on matters such as partisan local elections, ballot initiatives, and local government autonomy.

Our research questions revolve around the extent to which city governments consider and pass restrictionist or permissive policies regarding issues such as day labor markets, housing, unlicensed businesses, and cooperation with federal immigration authorities.¹ In addition to

¹ The restrictive ordinances in our sample include measures whereby local governments use their official capacities to enforce federal immigration laws or to address perceived negative societal consequences of

answering the “what” and “where” questions of the passage of such ordinances, we also seek to answer the question of why these policies are considered in some places but not in others and, once they are considered, why they pass in some localities but fail in others. Answering these “why” questions entails the collection of various kinds of contextual data (on demographic changes, local economies, and local political opportunity structures) and using such data in a multivariate regression context to assess the relative significance of each in relation to local efforts to legislate on immigration-related issues.

Assessing Competing Explanations (level 1)

The simplest explanation for the consideration and passage of restrictionist ordinances across the United States centers on the demographic changes associated with recent migration and the socioeconomic dislocations resulting from such migrations. However, localities with restrictionist policies are but a small fraction of the thousands of communities in the United States that are transforming due to recent international migration. Thus, while demographic changes and labor market outcomes may be necessary factors, they are unlikely to be sufficient ones.

Past research on local government policies toward immigrant integration indicates that the ideological and partisan leanings of governing institutions and the electorate play an important role. For instance, in a 2003 survey of more than three hundred California cities, Ramakrishnan and Lewis found that municipal governments with Republican-leaning electorates and conservative city councils were less likely to provide translation of City Hall documents and interpretation services in public meetings. We believe that partisanship may play an even stronger role today than in 2003, given that immigration reemerged as a salient and sharply partisan issue

illegal immigration. Illegal Immigration Relief Act (IIRA) ordinances and variants of them constitute the majority of these restrictive measures. IIRAs commonly refer to the fiscal and governance challenges arising from the presence of illegal immigrants. The pro-immigrant ordinances in our sample include resolutions and mandates that express opposition to immigration raids and restrictionist national legislation, those barring the use of public funds to enforce immigration laws, and those with explicit “sanctuary” policies whereby local officials do not inquire about legal status and do not notify immigration authorities about the status of individuals unless they are convicted of serious crimes.

in 2005 when the U.S. Congress considered a measure (H.R. 4437) to make illegal immigration a federal felony. Thus we hypothesize that Republican-majority areas are more likely to sponsor restrictionist ordinances, either because residents in these regions are more likely to clamor for measures to repel undocumented immigrants from their cities or because such regions afford policy entrepreneurs with the opportunities to seek political office or pass particular policies by framing undocumented immigration as one of the most significant problems for local governance.

In some ways, the proportion of Republicans in a region can be seen as a proxy for political ideology and issue preferences on immigration at the local level: not only are registered Republicans more likely than registered Democrats to describe themselves as ideologically conservative, but they are also more likely to take conservative positions on the issue of illegal immigration in particular (Ramakrishnan et al. 2007). At the same time, evidence from Arizona and elsewhere suggests that the proportion of Republicans in a region also indicates the extent to which candidates can challenge incumbents in Republican primaries or expand the base of Republican voters in the general election (Lelyveld 2006; Roarty 2008).

In the process of testing the importance of local partisanship, we also analyze the relative merit of other factors that may arguably be related to the proposal of restrictionist ordinances:

- *The Latino share of the citizen population* is a measure of the potential electoral strength of Latinos to push for liberal measures and to counteract conservative measures on immigration. We expect the Latino share of the citizenry to be positively related to the proposal of “pro-immigrant” ordinances and negatively related to the proposal of restrictionist ordinances.
- By contrast, *the growth of recent immigrants to the United States* would be associated with less electoral strength for immigrants and also with greater challenges to local manifestations of rapid demographic change such as:

High proportions of households that are linguistically isolated. One of the most prominent concerns about recent migration to new destinations, especially of Latino immigrants, is the

fear of linguistic balkanization and the visibility of Spanish in public spaces (Huntington 2004).

Wage competition with blacks and whites. We expect the effects of wage competition due to low-skilled migration and group conflict over resources to be felt most strongly among those whites and blacks living below the poverty line (Borjas 2006). Indeed, for assessments of the explanatory power of group conflict over resources, it is the difference in poverty rates among blacks, whites, and Latinos that may be most important (Gay 2006).

Overcrowded housing. Past research on the politics of immigration at the local level has shown that issues of overcrowding are more common in immigrant destination cities. However, these problems are rarely addressed by municipal governments (Ramakrishnan and Lewis 2005), so we may fail to see a positive association between overcrowded housing conditions and city ordinances related to immigrant tenants.

- *The existence of immigrant protests in the area.* There was some concern among political analysts that the immigrant protests of spring 2006 would spark a backlash among nativists. The proposal of ordinances in many localities in the summer of 2006 reinforced the plausibility of this assertion. Here we can test whether such protests did indeed spark a restrictionist backlash or whether there was no such effect.
- *Places with industries that are heavily dependent on immigrant labor,* such as agriculture, mining, and construction, may be less likely to pass restrictionist ordinances because of the importance of low-skilled migrants to the local economy.
- Finally, the *state-level policy climate* toward immigrants may itself bear a significant relationship to ordinance activity at the local level. For instance, a municipality may be more likely to consider a restrictionist ordinance in states where recent policies have been pro-immigrant. Similarly, those seeking to pass such policies may be less likely to do so in places where there have been restrictionist measures passed at the statewide level. On the other

hand, having restrictionist legislation may bear a positive relationship to similar measures at the local level, with either serving as a precursor or model for the other.

Given the number of potentially competing explanations, we cannot rely on a few case studies to explicate the relative importance of each. Thus we have created a database of local ordinances and enriched it with contextual data at the state and local level. First we obtained lists of municipalities that have proposed restrictive ordinances and regulations from various sources, including the American Civil Liberties Union, the Puerto Rican Legal Defense and Education Fund, the Fair Immigration Reform Movement, the National Immigration Law Center, and the Migration Policy Institute. We also derived lists of jurisdictions that have proposed “sanctuary” or “limited cooperation” ordinances from these sources. We then validated these lists by making phone calls to jurisdictions noted as considering or passing ordinances, as well as by monitoring news stories on local ordinances. We merged information on the proposal and passage of ordinances with census data on various demographic factors.² Finally, we came up with a measure of state-level legislative activity on immigrant integration based on reports from the National Conference of State Legislatures from 2005, 2006, and 2007, and included any measures that bear a significant relationship to illegal immigration.

In order to capture the partisan and/or ideological dimension of local politics, we use the 2000 vote share of Bush versus Gore (an open-seat presidential election) at the county level. Thus we can talk of municipalities in “Republican areas” and “Democratic areas.” Using this right-left measure presents two challenges: First, while it would be ideal to also include measures of party registration, such data are not readily available across states (and, indeed, are not public information in several states). Nevertheless, given the relatively high correlation between Democrat-Republican party identification and presidential vote choice, the latter can serve as an

² The census data are primarily from 2000. More recent data are not available for the majority of places where restrictionist ordinances have been proposed or in the universe of census places more generally.

adequate measure of partisanship at the local level. The second challenge is that we are using information on “proportion Republican” at the county level but information on ordinances at the municipality level. The error associated with this measure is related to a municipality’s share of the county population. We ran an alternative, weighted least squares model based on the municipality’s share of the total county population. This correction for heteroskedasticity does not invalidate our findings regarding the significance of partisanship at the local level.

Findings (level 1)

Based on our compilation of data from various sources, by July 2007 ninety-eight municipalities had proposed restrictionist ordinances and seventy-eight had proposed pro-immigrant ordinances, including measures limiting cooperation with federal authorities on deportations (table 4.1). On the restrictionist side, approximately 55 percent of proposals had passed, about 15 percent had been voted down or tabled, and more than a quarter were still pending. On the “pro” side, the vast majority of proposals had passed, with only one pending and three classified as failed or tabled.

Table 4.1 Proposal and Passage of Immigration-Related Ordinances at the Municipal Level as of July 2007

Ordinance	Status	Number	As Share of Total
Pro	Pending	2	
	Passed	69	
	Failed/tabled	1	
	<i>Subtotal</i>	72	0.3%
Restrictionist	Pending	28	
	Passed	51	
	Failed/tabled	13	
	<i>Subtotal</i>	92	0.4%
No action		24,944	99.3%
	<i>Total</i>	25,108	

These findings are significant for several reasons. First, it is important to note that the number of restrictionist proposals outnumbers pro-immigrant proposals. Further, the total number of proposals jumped from very few to nearly two hundred in the course of two years. Still, the overwhelming majority of cities (99.3 percent) have not taken any formal steps—“pro” or “con”—on the immigration issue. Another important finding is that a far greater proportion of pro-immigrant proposals have passed. This may indicate a greater selectivity among cities considering “pro” ordinances, choosing to propose only when there is a good chance of passage. It is also possible that restrictionist ordinances gain more opposition once they are proposed, although the presence of national advocacy groups that monitor, advocate, and file lawsuits on either side of the local ordinances debate suggests that differences in the selectivity of choosing ordinances (between backers on the pro-immigrant and restrictive side, respectively) may be the likelier explanation.³

What Characterizes Ordinance Cities? (level 2)

One of the conventional wisdoms about the recent spate of restrictionist ordinances is that they are being proposed in places that are experiencing new and rapid growth in immigration, especially by recent arrivals to the United States. Other potential explanations include resentment in places with high wage competition for low-skill jobs, lack of linguistic assimilation among recent immigrants, and potential backlash from nativists over the immigrant marches of spring 2006. In table 4.2 we provide comparisons for each of these factors to see whether reality is in line with the conventional wisdom. The data are presented for cities based on their proposal activity (whether restrictionist, “pro,” or none), although similar relationships hold when applied to the ultimate passage of such policies.

³ These include the ACLU, Fair Immigration Reform Movement, Mexican American Legal Defense and Education Fund, Puerto Rican legal Defense and Education Fund, and Southern Poverty Law Center (among others) on the pro side), and the Immigration Reform Law Institute, Federation for American Immigration Reform, and Minuteman Project (among others) on the restrictionist side.

Table 4.2 Characteristics of Cities Based on *Proposal* of Local Ordinances, 2000

Characteristic	Restrictionist	No Proposal	“Pro”
Percent with Republican majority in county***	71	67	25
Any pro-immigration protest (% likelihood)***	5	1	61
Latino share of population***	10.5	8.1	24.5
Latino share of citizens***	7.7	7.0	20.9
Growth in Latino population (%), 1990–2000	261	183	62.9
Percent of immigrants arrived since 1995***	25	19	29
Percent of Spanish linguistic-isolated households***	2.2	1.6	6.4
Percent employed in agriculture	1.1	2.6	1.0
Percent of households overcrowded***	1.9	1.7	6.7
Black poverty rate***	24.0	15.0	24.9
White poverty rate	9.7	10.3	11.1
Latino poverty rate***	20.4	16.9	24.0
Population***	58,779	8,621	907,671

*** significant at the 1% level

Comparing characteristics across these three types of cities reveals complicated relationships that are not apparent in examinations of restrictionist cities alone (Esbenshade 2007; Hopkins 2007). Thus, for instance, factors such as overcrowded housing and language isolation are slightly higher in restrictionist cities than in cities that have taken no action. However, these differences are not statistically significant, and the differences are indeed highest for cities that have proposed immigrant-friendly ordinances. Thus, for factors such as Spanish prevalence and overcrowded housing, we find non-significant differences on the restrictionist end when compared to cities that have taken no action, but statistically significant and counterintuitive relationships on the “pro-immigrant” end. Similar findings hold true for the Latino share of the population and the Latino share of the citizen population. Finally, we find very strong support for our hypotheses regarding partisanship and group political power. Restrictionist and pro-immigrant cities are distinguished

most by their partisan composition, with pro-immigrant cities much more Democrat than the U.S. average. Pro-immigrant ordinances are also most likely in those cities where Latinos account for a large share of the citizen population.

There is also evidence suggesting a nativist backlash to the immigrant rallies and protests, given that cities with restrictionist proposals were more likely than “no action” cities to have had immigrant rallies in spring 2006. However, we cannot rule out the possibility that nativist reactions to the presence of immigrants preceded the protests. Also, pro-immigrant cities are by far the most likely to have experienced immigrant protests in 2006, suggesting that the factor may represent different political dynamics when considering the pathway toward restrictionist or pro-immigrant proposals. The same can be said for the role played by the recency of the immigrant population: restrictionist proposals are more likely in places where the immigrant population is composed heavily of recent immigrants (25 percent of immigrants are recent arrivals, compared to 19 percent in cities that took no action). However, the same also holds for pro-immigrant cities (29 versus 19 percent), so the recency of immigration cannot be deemed to be determinative of restrictionist activity. Thus, while the recency of migration may pose challenges to local governance in terms of overcrowded housing, linguistic isolation, and the like, it is actually associated with pro-immigrant proposals in large, Democratic cities and with restrictionist proposals in smaller, Republican cities.

Finally, we find that pro-immigrant and restrictionist activity is not evenly distributed across municipalities in all fifty states. The number of pro-immigrant proposals is highest in California (sixteen), followed by Massachusetts and Oregon (five each), Alaska (four), and Illinois, Michigan, New Jersey, Ohio, and Pennsylvania (three each). On the restrictionist side, Pennsylvania had by far the highest number (twenty-five), followed by California (seven), Virginia (six), and Alaska and Texas (five each).

Multivariate Results (level 2)

While comparisons of city characteristics may provide a “reality check” on assumptions regarding restrictionist and pro-immigrant ordinances, they tell only part of the story. In order to arrive at systematic answers about the conditions under which cities may consider and pass restrictionist and pro-immigrant ordinances, it is important to run statistical analyses that can show the contribution of each factor while controlling for all other factors. At the same time, it is important to be attuned to issues of multicollinearity: Since some of these factors are highly correlated (see appendix table), we ran alternative model specifications instead of putting every factor in the same regression model. We report our findings from these alternative specifications where relevant in the text.

Given the potential for varying dynamics related to the same variable in predicting a shift from “no policy” to restrictionist policies versus a shift from “no policy” to permissive policies, we run two separate logit models, where the dependent variable takes on a value of -1 if restrictionist, 0 if no policy, and 1 if pro-immigrant.⁴ Finally, we also analyze the results separately with proposals as the dependent variable and with policy passage as the dependent variable.

As the regression results in table 4.3 indicate, the dynamics that explain the proposal of restrictive policies are indeed different from those that explain pro-immigrant proposals. Thus, for instance, the effects of immigrant-related protests, the recency of immigration, and being outside the U.S. South are significant in predicting liberal proposals but not restrictionist ones. On the other hand, the relative deprivation of blacks and whites relative to Latinos is significant in predicting restrictionist proposals but not liberal ones. The only factors that are significant for both Model I and Model II are city size and partisan composition.

⁴ If we conceive of policies along a continuum from restrictionist to status quo to explicitly pro-immigrant, it would be appropriate to use an ordered logit model. However, based on the way that policy processes have unfolded at the local level, it is more accurate to model policy making as starting in a neutral state, from which cities can go “pro” or “con.” Thus we need two separate models to estimate deviations from the neutral status-quo state. Another limitation of using an ordered logit model is that we may be forcing one model to fit two different types of policy pathways.

Table 4.3 Multivariate Model Estimations of Ordinance Proposal

	Model I	Model II
	<i>Logit</i>	<i>Logit</i>
	(<i>I = Restrictive</i>)	(<i>I = "Pro"</i>)
Republican majority in county	0.647 (0.264)**	-0.8 (0.337)**
Any protest	-0.641 (0.660)	2.054 (0.398)***
Hispanic share of citizens	-0.004 (0.014)	0.017 (0.012)
Growth in Hispanic population, 1990–2000	0.0001 (0.000)	-0.002 (0.002)
Agriculture jobs (share)	-0.037 (0.061)	-0.02 (0.045)
Percent of immigrants who are recent arrivals	0.0002 (0.007)	0.038 (0.013)***
Overcrowded households (% of total)	-0.022 (0.056)	0.032 (0.032)
Black relative deprivation (poverty)	0.011 (0.005)**	0.007 (0.013)
White relative deprivation (poverty)	-0.016 (0.008)*	-0.013 (0.019)
Population (ln), 2000	0.727 (0.092)***	1.109 (0.141)***
Anti-immigrant organizations	0.336 (0.246)	-0.322 (0.225)
State policy climate	0.017 (0.034)	0.055 (0.045)
Southern state	-0.19 (0.266)	-1.92 (0.541)***
<i>Constant</i>	-12.193 (0.890)***	-17.433 (1.615)***
<i>Observations</i>	18016	18007
<i>Pseudo-R2</i>	0.12	0.55

* significant at 10%; ** significant at 5%; *** significant at 1%, based on two-sided t tests
Significance (p) values in brackets

A similar divergence in explanations can be found with respect to models that predict the *passage* of restrictionist and liberal ordinances related to unauthorized immigrants (table 4.4). As before, protest activity is positively associated with the passage of liberal ordinances, as is being outside the U.S. South. Also, the only factors that are significant on both the pro and restrictionist

sides are population size and party composition. There are two factors on the restrictionist side, however, that bear special mention: the proportion of agricultural jobs in the locale reduces the likelihood of passage of restrictionist ordinances, while the growth in the Latino population (but not the immigrant population) increases the likelihood of restrictionist policies being enacted.

Table 4.4 Multivariate Model Estimations of Ordinance Passage

	Model I	Model II
	<i>Logit</i>	<i>Logit</i>
	(<i>l</i> = Restrictive)	(<i>l</i> = "Pro")
Republican majority in county	0.829 (0.357)**	-0.854 (0.345)**
Any protest	-1.299 (0.996)	2.141 (0.408)***
Hispanic share of citizens	-0.01 (0.020)	0.016 (0.012)
Growth in Hispanic population, 1990–2000	0.0002 (0.0000)*	-0.001 (0.002)
Agriculture jobs (share)	-0.403 (0.202)**	-0.021 (0.045)
Percent of immigrants who are recent arrivals	-0.003 (0.010)	0.038 (0.013)***
Overcrowded households (% of total)	0.04 (0.057)	0.036 (0.032)
Black relative deprivation (poverty)	-0.003 (0.010)	0.008 (0.013)
White relative deprivation (poverty)	-0.011 (0.012)	-0.012 (0.020)
Population (ln), 2000	0.75 (0.123)***	1.064 (0.143)***
Anti-immigrant organizations	0.407 (0.282)	-0.289 (0.223)
State policy climate	0.031 (0.046)	0.053 (0.046)
Southern state	-0.069 (0.358)	-1.823 (0.540)***
<i>Constant</i>	-12.851 (1.207)***	-17.052 (1.631)***
<i>Observations</i>	18019	18041
<i>Pseudo-R2</i>	0.15	0.55

* significant at 10%; ** significant at 5%; *** significant at 1% based on two-sided t tests

Significance (p) values in brackets

Given the difficulties in interpreting logit coefficients for substantive effects, we summarize the substantive effects of the statistically significant factors in the analyses in table 4.5.⁵ We see that city size is by far the most significant predictor of proposals and passage, with large cities nearly five times as likely as small cities to propose restrictive ordinances. Pro-immigrant ordinances are also eleven times more likely to be proposed in large cities than in small cities. Similar relationships also hold for proposal passage, suggesting that the relationship between city size and ordinance activity is a complicated one, increasing the likelihood of restrictionist proposals but also that of pro-immigrant proposals. This is in line with the bivariate findings in table 4.2, where restrictionist ordinances typically happen in medium-sized cities and “pro” ordinances appear in very large cities.

Table 4.5 Simulated Changes in the Likelihood of Ordinance Proposal and Passage

	Proposal		Passage	
	<i>Restrictive</i>	<i>Pro</i>	<i>Restrictive</i>	<i>Pro</i>
Republican majority in county	1.87	0.46	2.17	0.42
Any protest	—	1 (8.4)*	—	1 (9.7)*
Agriculture jobs (share)	—	—	0.36	—
Percent of immigrants who are recent arrivals	—	2.76	—	2.73
Growth in Hispanic population, 1990–2000	—	—	1.03	—
Overcrowded households (% of total)	—	—	—	—
Black relative deprivation (poverty)	1.20	—	—	—
White relative deprivation (poverty)	0.71	—	—	—
Population (ln), 2000	4.84	10.38	4.89	9.39
Southern state		0.17		0.19

⁵ We use CLARIFY (Tomz, Wittenberg, and King 2003) to simulate the effects on the dependent variable of changes in each individual variable while holding other variables at their means.

Note: Standardized effects on statistically significant variables are changes in probability of the outcome when the variable is moved from the 25th to 75th percentile and all other variables are kept at their means.

*Figures in () represent changes in probability of the outcome when the variable value changes from 0 to 1.

The next strongest set of effects is associated with political factors: Cities in Republican areas are about twice as likely as those in Democratic areas to propose and pass restrictionist legislation and about half as likely to propose or pass pro-immigrant measures. Also, the presence of protests does not support the hypothesis of nativist backlash leading to restrictionist legislation. Indeed, pro-immigrant ordinances are eight times more likely in protest areas than in areas without protests. This lends support to the hypothesis that the spring 2006 protests were related more to immigrant empowerment and system responsiveness than to restrictionist policy backlash.

What is also important to note from tables 4.3 through 4.5 is the number of factors that are weakly related to the consideration and proposal of immigrant-related ordinances. Below, we return to our initial set of hypotheses to examine how they fare in our models.

- *Party composition.* This factor has the strongest and most consistent effects after city size. Cities in Republican areas are nearly twice as likely to propose restrictionist ordinances and more than twice as likely to pass such ordinances compared to Democratic areas. Similarly, cities in Democratic areas are about twice as likely as those in majority-Republican areas to consider and pass pro-immigrant ordinances.
- *Growth of the Latino population.* This oft-cited factor for the rise in restrictionist ordinance activity has very weak effects, with slightly higher chances of restrictionist policies passing in cities with the highest percentage growth of Latino populations.
- *Latino share of the citizen population.* This factor does not bear any significant relationship to the proposal and passage of ordinances, either pro or con. This further reinforces findings from other studies of local immigrant incorporation that immigrant electoral power may be

less important in predicting local government policies toward immigrants today than in the past.

- *Recency of migration.* Having an immigrant population that is composed primarily of recent arrivals is not associated with restrictionist ordinances. Indeed, it is associated with a greater likelihood of pro-immigrant legislation. Other factors related to recent arrivals, such as the proportion of households that are Spanish-speaking and the proportion of households that are overcrowded, also bear no relationship to the proposal or passage of restrictionist ordinances.
- *Wage competition.* Higher levels of disadvantage to blacks relative to Latinos are associated with a slightly higher likelihood of proposals of restrictionist legislation. These results are in line with Claudine Gay's (2006) findings in Los Angeles neighborhoods, where economic competition between blacks and Latinos erodes African-American support for policies favorable to Latinos. A similar dynamic *cannot* be found for poor whites, where the relationship is indeed slightly positive where poverty rates among whites exceed poverty rates among Latinos. Another way to interpret this finding is that restrictionist legislation is happening in places where whites are better off than Latinos, on average, and blacks are worse off than Latinos. Finally, neither advantage nor disadvantage bears a significant relationship to policy passage.
- *Immigrant protests.* The 2006 protests are strongly associated with the proposal and passage of pro-immigrant legislation. However, their average effect is close to nil because, even though protests occurred in scores of municipalities across the United States in 2006, that number is still small compared to the twenty-five thousand or so cities in the country. Still, those cities that had protests were eight times more likely to have pro-immigrant legislation.
- *Local economic interests.* The prevalence of industrial sectors that are heavily dependent on immigrant workers was generally not significant, with one important exception: the likelihood of restrictionist policies being passed is much lower in places where agriculture accounts for a sizable number of jobs. It is important to note, however, that the effects are

evident in the stage of ordinance passage and not ordinance proposal. This suggests that policy entrepreneurs in agricultural areas may have overreached by pushing for restrictionist policies only to find an organized opposition from local businesses to such plans.

- *State-level policy climate toward immigrants.* This factor bears no significant relationship to ordinance activity at the local level, on either the restrictive or permissive sides.

Diagnostics and Corrections to Multivariate Models (level 2)

There are a few potential issues with our multivariate models that merit examination. First, as we have already noted, county political data can be seen as a valid measure of political context (a city in a Republican county, for instance), but they may also be subject to heteroskedasticity if the variable is supposed to accurately capture party composition in the city itself. We ran weighted least squares models separately (weighting by the city's proportion of the county population and gaps in household income) and found that the effects of party composition remain significant. We also ran the logit models on a much smaller sample of cities because of potential biases and inflated standard errors in using the full sample for the analysis of rare events (King and Zeng 2001). We used a normal randomization technique to select a total of about one thousand cities. The coefficients for party composition remain significant in the models on pro-immigrant legislation but drop in statistical significance (albeit with the same signs) for the restrictionist models.

Conclusions (level 1)

Our analysis suggests that the *restrictionist* responses of local governments to undocumented immigration are largely unrelated to demographic pressures, whether it be the growth of recent immigrants or the proportion of Spanish-dominant households. They are also unrelated to the electoral empowerment of Latinos, given that places with large proportions of Latino residents and citizens are no more or no less likely to propose legislation, whether it be restrictionist or pro-

immigrant. Instead, we find that political factors are more important, most notably partisan composition and the politicization of national immigration reform legislation at the local level through protests and rallies.

The partisan composition of the area plays an important role, second only to city size, which is by far the most important predictor of policy proposal and passage. However, because city size is positively associated with both pro and restrictionist ordinances, party composition is the only factor that displays statistically significant and theoretically consistent effects (negative on the restrictionist side and positive on the pro side). Also, it is important to note that because we control for all factors simultaneously, the finding on party registration is not simply a function of demographic change or city size (since Republican party registration tends to be greater in smaller cities).

The politicization of federal immigration reform efforts is also relevant in terms of pro-immigrant policies by localities. In reaction to punitive policies being considered at the federal level, immigrants in hundreds of localities across the United States participated in rallies to plead for fair treatment by their host society. There was some concern about a backlash from local nativist populations, in the form of either legislation or hate crimes. Our evidence does not support the localized backlash hypothesis as it relates to restrictionist ordinances. Indeed, it supports the alternative hypothesis: immigrants protesting in relatively friendly jurisdictions. Thus pro-immigrant proposals, and not restrictionist ones, are more likely in cities that had protests, although it is still possible that policy backlashes occurred elsewhere in the same region or media market. Our findings suggest, therefore, that political factors (party composition at the local level and the receptivity of local jurisdictions to Latino protests) play a more important role in shaping local ordinance activity related to immigration than do demographic factors that capture economic or cultural challenges to local governments and native-born populations.⁶

⁶ It is possible that part of the weakness related to the demographic change explanations is the fact that information on residents in small localities is only available from the decennial census. However, even if

Having established, using large-N statistical analysis, that local partisan contexts matter greatly in accounting for the rise in ordinance activity related to the incorporation of undocumented immigrants, the next step is to explore *how* these factors play out in particular localities. For instance, it is difficult to ascertain from our dataset whether the dominant pathway for the relevance of partisanship is related to mobilization *from below* among conservative activists frustrated by the failure of immigration enforcement, or to mobilization *from above* by elected officials such as Lou Barletta in Hazleton, Pennsylvania, and policy entrepreneurs such as Joseph Turner in San Bernardino, California. We hope that case studies of particular municipalities across the United States, chosen with an eye to variation in outcomes and a few characteristics such as partisanship and demographic change, can help illustrate the ways in which demographic “realities” on the ground are shaped for political purposes, on both the “pro” and “con” sides of the immigration debate. Finally, we also need to obtain measures on the timing of such proposals and their geographic proximity to each other to say something about the diffusion effects of ordinances on each other. Findings about diffusion, however, are unlikely to change the fundamental results of this analysis, which are that local ordinances on immigration are related primarily to political factors such as partisan politics and immigrant protest activity and have little to do with the economic or cultural disruptions to local communities.

Works Cited (level 1)

Borjas, George. 2006. “Immigrants In, Wages Down,” *National Review*, April 25.

Browning, Rufus P., Dale R. Marshall, and David H. Tabb. 1984. *Protest Is Not Enough: The Struggle of Blacks and Hispanics for Equality in Urban Politics*. Berkeley, CA: University of California Press.

we had the most recent information on immigration in small localities, we would still find the number of cities with restrictionist proposals to be a very small portion of the number of cities experiencing large increases in the number of immigrants, alongside a large number of municipalities in regions such as rural eastern Pennsylvania with restrictionist proposals but very few immigrants.

- Dahl, Robert. 1961. *Who Governs? Democracy and Power in an American City*. New Haven, CT: Yale University Press.
- Erie, Steven P. 1988. *Rainbow's End: Irish-Americans and the Dilemmas of Urban Machine Politics, 1840-1985*. Berkeley: University of California Press.
- Esbenshade, Jill. 2007. "Division and Dislocation: Regulating Immigration through Local Housing Ordinances." Immigration Policy Center Special Report, American Immigration Law Foundation, Summer.
- Gamm, Gerald H. 1989. *The Making of New Deal Democrats: Voting Behavior and Realignment in Boston, 1920-1940*. Chicago, IL: University of Chicago Press.
- Gay, Claudine. 2006. "Seeing Difference: The Effect of Economic Disparity on Black Attitudes toward Latinos," *American Journal of Political Science* 50, no. 4 (October): 982-97.
- Hopkins, Daniel J. 2010. "Politicized Places: Explaining Where and When Immigrants Provoke Local Opposition." *American Political Science Review* 104(1).
- Huntington, Samuel P. 2004. "The Hispanic Challenge." *Foreign Policy* (141): 30-45.
- Jones-Correa, Michael. 1998. *Between Two Nations: The Political Predicament of Latinos in New York City*. Ithaca, NY: Cornell University Press.
- Jones-Correa, Michael. 2004. "Racial and Ethnic Diversity and the Politics of Education in Suburbia." Paper presented at the annual meeting of the American Political Science Association, Chicago.
- King, Gary, and Langche Zeng. 2001. "Logistic Regression in Rare Events Data," *Political Analysis* 9, no. 2: 137-63.
- Kotlowitz, Alex. 2007. "Our Town," *New York Times*, August 5.
- Lelyveld, Joseph. 2006. "The Border Dividing Arizona," *New York Times Sunday Magazine*, October 15.
- Ramakrishnan, S. Karthick, and Irene Bloemraad, eds. 2008. *Civic Hopes and Political Realities:*

- Immigrants, Community Organizations, and Political Engagement*. New York: Russell Sage Foundation.
- Ramakrishnan, S. Karthick, Kevin Esterling, David Lazer, and Mike Neblo. 2007. "What Do You Mean by 'Immigrant'?" Framing Effects and Attitudes towards Immigration in a Survey Experiment." Presented at the Politics of Race, Immigration, and Ethnicity Consortium, Riverside, California, February 2.
- Ramakrishnan, S. Karthick, and Paul Lewis. 2005. *Immigrants and Local Governance: The View from City Hall*. San Francisco, CA: Public Policy Institute of California.
- Roarty, Alex. 2008. "Kanjorski Remains Optimistic, Says Race Proceeding as Planned," *PolitickerPA.com: Inside Politics for Political Insiders*, October 20.
- Rogers, Reuel Reuben. 2006. *Afro-Caribbean Immigrants and the Politics of Incorporation: Ethnicity, Exception, or Exit*. Cambridge ; New York: Cambridge University Press.
- Scolforo, Mark. 2006. "Pa. Town Enforces Illegal Immigrant Rule," Associated Press, July 14.
- Tomz, Michael, Jason Wittenberg, and Gary King. 2003. "CLARIFY: Software for interpreting and presenting statistical results." *Journal of Statistical Software* 8(1): 1-30.
- Varsanyi, Monica W. 2008. "Immigration Policing through the Backdoor: City Ordinances, the 'Right to the City,' and the Exclusion of Undocumented Day Laborers," *Urban Geography* 29, no. 1: 29–52.
- Wong, Janelle S. 2006. *Democracy's Promise: Immigrants & American Civic Institutions*. Ann Arbor: University of Michigan Press.

Appendix

Table A.1. Correlation Matrix of Independent Variables (values 0.5 and higher in bold)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1 Percent Rep vs. Dem	1.00							
2 Any protest	-0.04	1.00						
3 Latino share of citizens	-0.09	0.06	1.00					
5 Growth of Latino population	0.06	0.00	-0.02	1.00				
6 Percent of immigrants who are recently arrived	0.02	0.06	0.00	0.17	1.00			
7 Spanish linguistically isolated	-0.07	0.07	0.84	0.05	0.08	1.00		
8 Percent of households crowded	-0.09	0.09	0.63	0.01	0.05	0.66	1.00	
9 Difference, black vs. Latino poverty	-0.03	0.01	-0.09	-0.05	-0.04	-0.09	-0.07	1.00
10 Difference, white vs. Latino poverty	0.00	-0.03	-0.13	-0.09	-0.15	-0.14	-0.10	0.62
11 Population (ln)	-0.20	0.24	0.09	0.01	0.23	0.08	0.13	0.08
12 Anti-immigrant organizations	-0.01	0.29	0.03	0.00	0.04	0.03	0.04	0.01
13 State-level policy measure (net + or -)	-0.12	0.02	0.07	-0.04	-0.05	0.06	0.03	0.02
14 Agriculture share of jobs	0.13	-0.02	0.30	0.00	-0.01	0.35	0.32	-0.10
15 Percent of jobs in agriculture, mining, construction	0.20	-0.04	0.30	-0.01	-0.06	0.31	0.26	-0.10

Table A.1. *continued*

	(9)	(10)	(11)	(12)	(13)	(14)	(15)
9 Difference, black vs. Latino poverty	1.00						1.00
10 Difference, white vs. Latino poverty	-0.14	1.00					-0.14
11 Population (ln)	-0.02	0.17	1.00				-0.02
12 Anti-immigrant organizations	0.01	0.11	-0.03	1.00			0.01
13 State-level policy measure (net + or -)	-0.06	-0.29	-0.03	-0.07	1.00		-0.06
14 Agriculture share of jobs	-0.03	-0.37	-0.03	-0.16	0.70	1.00	-0.03
15 Percent of jobs in agriculture, mining, construction	1.00						1.00