

Representing Non-Citizen Latinos: An Assessment of Legislative Voting Behavior

1.1 Introduction to Voting Analysis

As noted at the end of chapter 2, there are many factors that work against non-citizen representation, including the fact that first and foremost, these individuals cannot vote. However, there are reasons to believe that this group will remain relevant to a lawmaker, especially in certain contexts. As seen in chapter 3, the size of the broader Latino population and particularly, the non-citizen and first-generation subgroups within this population, are continuing to grow across the nation and within certain states. The question now becomes whether these populations are having an effect on political activity and whether the presence of these groups in specific legislative districts is enhancing the political representation of non-citizen Latinos in society.

In this chapter, I apply my theory of legislative behavior to begin answering this question. Using results from public opinion data (presented in chapter 2), I develop specific hypotheses to test whether short-term and/or long-term reelection populations may be motivating lawmakers to represent non-citizen interests. Specifically,

I examine how first-generation Latinos (the short-term reelection constituency) and non-citizen Latinos (the long-term reelection constituency) are affecting a specific type of substantive legislative behavior: roll-call voting.

In addition, following the conclusions reached in extant scholarship, I test whether factors beyond the electorate specifically, the identity of the lawmaker, may also be influencing behavior. While my theory predicts that identity will have the clearest effect on more policy-driven activities, such as bill sponsorship, in this chapter, I nonetheless find that among both Democratic and Republican lawmakers, racial/ethnic identity significantly enhances the probability of voting in favor of non-citizen interests as well.

1.2 Background Literature

Prior to moving forward with my hypotheses and analysis, I wish to consider previous studies on representation, many of which shed light on the research question at hand. While no existing analyses (to my knowledge) consider the representation of non-citizen Latinos specifically, much work has been done in the field of minority representation more broadly. Collectively, scholars have found that both demographic features of the district and characteristics of the lawmakers themselves contribute to representational outcomes for both Black and Latino subgroups.

Many studies of minority representation conclude that the composition of the district matters and particularly that the size of a given group in a district affects legislative behavior. That said, disagreement remains on how large a given population must be in order to ensure substantive outcomes in favor of that group. In the literature on African American representation, some scholars have found that Black voters have the largest influence on legislative outputs when they constitute a majority of the population in a district (Canon, 1999), while others find evidence to suggest that even if the Black population does not constitute a majority, there is still a posi-

tive relationship between the percentage of Blacks in a district and representation of Black interests (Lubin, 1997). Still others posit that there may be a threshold effect, in which Blacks have no influence on legislative behavior until they reach a minimum level of strength (McClain and Stewart, 1995). In some cases, scholars have noted that until a minority population reaches a certain threshold, lawmakers will work to address the concerns of White voters in their district who may be threatened by an increasing minority presence.¹ It is only when the minority population becomes large enough to potentially affect a lawmaker's reelection prospects that he or she will become more engaged in minority interests and begin to view these interests as a priority. This argument ties in with previous claims that context conditions representational outcomes. Here we see that only when African Americans hold a sufficient degree of voting power (Bartels, 1998) will they begin to affect legislative activity.

Evidence concerning the effects of the size of the Latino population on political representation of this group is less conclusive. While some have argued that the size of the Latino population has no direct influence on legislative behavior (Hero and Tolbert, 1995), others suggest that the size of the Latino population in a district does matter. Kerr and Miller (1997) for instance, find that Democratic representatives from districts that are at least 5% Hispanic vote more consistently in-line with Latino preferences when compared to other lawmakers (as measured by SWVRI scores).² What these studies do collectively conclude is that, regardless of the size of the Hispanic population in a lawmaker's district, a lawmaker's race/ethnicity matters. Lawmakers who are descriptively representative (i.e. who are themselves Latino)

¹ The make-up of the white population, perhaps in terms of ideology, may matter in this instance. While this is not directly addressed in the existing literature, it is something that I consider in my conclusion and hope to address more thoroughly in future research.

² Southern Voter Research Institute scores represent "the extent to which votes [by members of Congress] coincide with the Hispanic state legislators' views on issues (SVRI, 1989).

are more likely to vote in accordance with Latino preferences than their non-Latino colleagues (Hero and Tolbert, 1995; Casellas, 2007; Preuhs, 2007). This is also true of African American representation as Black lawmakers, when compared to White lawmakers, have been found to better reflect the interests and viewpoints of Black constituents (Canon, 1999; Mansbridge, 1999; Haynie, 2001; Minta, 2009).

Much of the research that has been conducted on the political representation of African Americans and Latinos has analyzed the behavior of federal lawmakers, but as noted in chapter 3, it is also important to examine minority representation at the state and local level. This is because these levels of government deal with more issues that directly influence the lives of minorities. For instance, states are responsible for education, public safety, housing, and implementing welfare and other benefit programs that significantly affect Blacks and Latinos in particular. In addition, across state and local legislative districts, there is much more variation in the ethnic and racial make-up of the population. Also, there is more diversity in terms of who serves in the legislature. This means that analyses at a lower level of government allow for more nuanced conclusions to be drawn about the nature of descriptive representation and its effect on substantive outcomes.

Although analyses of Latino political representation at lower levels of government have been limited, there have been a handful of studies that assess how the local environment and demographics affect the behavior of state and local politicians. Some studies have found that the presence of minorities at the local level can lead to positive benefits for these groups (Jones-Correa, 2004), while others have discovered that a rapid growth in the minority population can lead to negative political backlash and the creation of more restrictive policies (Esbenshade, 2007). New studies have also looked into how the make-up of the legislature itself is affecting the representation of minority groups at the state level. Findings from these analyses suggest that both racial and gender diversity within state lawmaking bodies has significant implications

for the substantive representation of women, Latinos and Blacks in society (Bratton and Haynie, 2008; Haynie and Reingold, 2012).

In general, while the above-mentioned analyses shed light on the factors that drive minority group representation more broadly, many do not examine what motivates lawmakers to represent specific subgroups within these larger populations. For the most part, these studies assume (although often tacitly) that all members of a given group, for example, Latinos, have the same opinions on policies and thus when represented in government, they are represented to the same degree (for instance, see (Hero and Tolbert, 1995; Kerr, 1997; Lubin, 1997; Casellas, 2007)).³ However, as seen in chapter 2, attitudes across minority groups are not uniform. Specifically in the case of Latinos, attitudes not only vary between citizens and non-citizens, but also across generational cohorts. It follows from these conclusions that in order to thoroughly understand Latino political representation, one must consider which Latino *subpopulations* are having their views represented by lawmakers and why.

In this and the following chapter, I move beyond existing analyses to examine the factors that may be driving lawmakers to address the interests of a particularly important and distinct subgroup of Latinos: non-citizens. Working to disentangle the concept of Latino political representation, I address the larger theoretical question of why at least some lawmakers are working to represent the needs of this non-voting, non-citizen population.

1.3 Short-Term Reelection Incentives

In assessing the political representation of non-citizen Latinos in this chapter, I begin by examining the immediate reelection incentives of lawmakers. In line with the existing literature, I argue that in order to win an upcoming election, lawmakers will

³ While many of these scholars do acknowledge the variations that exist across different Latino subgroups, the measurements they employ in their analyses (and thus their results) do not sufficiently account for these variations.

engage in position-taking behaviors to appease their current electoral supporters. As stated in chapter 1, applying this part of my theory to the question of non-citizen representation presents a bit of a puzzle due to the fact that non-citizens are not included in the pool of current voters. Thus, the question remains, if lawmakers representing non-citizen Latinos are working to meet short-term reelection goals, then who are they appealing to?

Drawing from public opinion results presented in chapter 2, it is clear that policies addressing the specific interests of non-citizen Latinos do not receive equal levels of support across the larger population. Looking at attitudes of White, Black and Latino citizens, I find that as a whole, Latinos are the most supportive of non-citizen interests. Following from this, it may initially be predicted that lawmakers voting in favor of legislation to benefit non-citizens are working to appease their current Latino voters, a group who is included in the short-term reelection constituency and has had increased voting power in recent years. Drawing from the congressional literature, it is expected that in general, larger groups within the pool of electoral supporters will attract more of a lawmaker's attention and have more influence on behavior than smaller groups (Fiorina, 1974). Thus, at the very least, it is predicted that as the size of the voting age Latino population in a district increases, a legislator will be more likely to support the interests of all members of this population, including non-citizens.

However, while this prediction may hold true in some instances, it remains incomplete. For one, by only considering the influence of the Latino population on lawmaker behavior, we may overlook the potential backlash effects that may occur as a result of increases in the size of certain minority populations. As evidenced in the literature on African-American and Latino representation, initial increases in a minority population may stimulate negative reactions from White voters and thus decrease a lawmaker's short-term incentive to engage in behaviors to benefit certain

minority subgroups (Blalock, 1967; Bullock and Jr., 1976; Giles and Buckner, 1993; McClain and Stewart, 1995; Esbenshade, 2007). Thus, as the size of the Latino population within a district increases, a lawmaker may initially be hesitant to support their interests for fear of losing short-term electoral support from White voters who, as shown in chapter 2, are the least likely to support policies to benefit non-citizens and the most likely to favor restrictionists measures directed at this group. This suggests that legislative efforts to support the Latino population will be electorally beneficial in the short-term only when the size of this population in a member's geographic district is large enough to outweigh potential backlash effects. For instance, there may be a threshold effect or representation may require that the Latino population constitute a majority of the entire district population.

Overall, it is possible that Latinos must constitute a majority of the district population in order to gain attention from reelection-minded officials, especially given recent evidence on the relative lack of voting power Latinos possess compared to Whites (Griffin and Newman, 2013). However, the fact that Latino voters have been the target of recent electoral campaigns and were seen as having a significant affect on the results of the 2012 presidential election (Segura and Barreto, 2012) may mean that their relative power in American politics is increasing and perhaps that they may only need to be viewed as a swing voting population in order to receive legislative attention.⁴

A further concern with the argument that lawmakers will be more likely to support non-citizen interests as the size of the voting age Latino population increases is drawn from more careful analyses of Latino public opinion. Beyond discovering that

⁴ All of this is to suggest that Latino voter preferences will be most influential when a legislator's reelection prospects hinge on Latino voter support. Ultimately, representation of the Latino population will depend on three things: the size of the voting age Latino population, the make-up of the non-Latino population, and the expected vote (i.e. the probability a legislator has of winning the next election). That said, in this dissertation, I am primarily focusing on the first factor, which is the effect of the Latino population on behavior.

Latinos as a whole are more supportive of non-citizen interests, I find that differences remain across Latino subgroups. In many cases, citizen and non-citizen Latinos preferences on policies directed at non-citizens are significantly different. Beyond this, *within* the Latino citizen population, further distinctions remain. In assessing attitudes on issues such as providing a path to citizenship for undocumented immigrants, immigration enforcement measures, and programs to benefit non-citizens, I find that while later generation Latinos (i.e. second-generation and higher) are more opposed to policies directed at aiding non-citizens, first-generation Latino citizens hold more favorable opinions, that are often indistinguishable from the opinions held by non-citizens themselves. Thus, when lawmakers represent non-citizens, they are distinctly working in line with the preferences of both the non-citizen and the first-generation Latino citizen population.

Overall, what this suggests is that beyond the size of the voting age Latino population, the generational make-up of this population will matter to the lawmaker and condition decisions on non-citizen representation. Specifically, I claim it is the first-generation Latino population that affects legislative decision-making in the short-term and that indirect representation of non-citizens will occur as the size of the first-generation population in a member's district increases. In this case, as the size of the first-generation citizen population increases, this group begins to make-up a larger portion of the short-term reelection constituency, which means they have increased voting power and in turn, will attract more attention from representatives.

Following this logic, the hypothesis drawn from the short-term reelection portion of my theory is that:

H1: Lawmakers from districts with large voting age Latino populations will be more likely to vote in favor of interests of non-citizen Latinos as the proportion of first-generation Latino citizens in their district increases.

1.4 Long-Term Reelection Incentives

Beyond the indirect representation of non-citizen Latinos, by way of first-generation Latino citizen representation, I claim that direct representation of this group may also occur. In line with my theory, I argue that lawmakers may directly appeal to non-citizen Latinos in an effort to gain electoral support for the future. As previously stated, over the past 30 years, we have seen a rise in number of career politicians (Woods and Baranowski, 2006). This suggests that in many cases, lawmakers are not only concerned about winning the most immediate election, and thus appealing to a short-term reelection constituency, but are also thinking more long-term and as a result, will work to address the needs and interests of prospective future voters.⁵

Because Latinos are becoming a growing political force in the United States (Taylor and Fry, 2007; Frey, 2008; Segura and Barreto, 2012) lawmakers working to appeal to future Latino voters, including non-citizens, may be acting strategically.⁶ Following this argument, I propose that lawmakers from districts with large non-citizen Latino populations will be more likely to support the interests of this population than lawmakers from districts with small non-citizen Latino populations.

However, as previously stated, in making calculations about future electoral payoffs, a lawmaker cannot ignore her immediate reelection prospects. Because it is risky to pursue policies to benefit future voting populations, I contend that lawmakers will only act on these long-term reelection goals if it is not sufficiently costly in the short-term. On one hand, if it is assumed that lawmakers are constantly “running scared” (Jacobson, 1987), then they will only pursue long-term goals if these goals work in tandem with short-term goals. Thus, a legislator will directly represent non-

⁵ This partially aligns with Monogan’s argument (2012) regarding the dynamic strategy of political parties.

⁶ This is only true, however, if lawmakers believe that there is or will be a path to citizenship for those who are currently not citizens.

citizens in her district only if she is also reflecting the interests of a current voting population, in this case, a first-generation Latino citizen population. On the other hand, if a lawmaker is not “running scared,” she may be willing to incur some short-term costs. Particularly when a legislator enjoys a comfortable degree of electoral security, she may accept some short-term electoral losses in order to enhance the chance of continuing her legislative career well into the future. Therefore, as long as a lawmaker is safe (i.e. the potential long-term benefits of appealing to future voters outweigh any potential short-term costs), I predict that she will directly respond to the non-citizen Latino population in her district.

Tying these considerations together, I develop two additional hypotheses:

*H2: Lawmakers⁷ from districts with large voting age Latino populations will be more likely to vote in favor of non-citizen Latino interests as the proportion of first-generation Latino citizens **and** the proportion of the non-citizen Latinos in their district increase.*

*H3: Lawmakers will be more likely to vote in favor of non-citizen Latino interests as their electoral safety increases **and** as the proportion of non-citizen Latinos in their district increases.*

To reiterate, I claim that both short and long-term reelection goals of lawmakers will be most clearly reflected in legislative voting behavior, as voting is the least costly way a lawmaker can appeal to electoral supporters. This entire reelection portion of my theory, as it applies to legislative voting on policies concerning non-citizen Latinos, is illustrated in Figure 1.1.

⁷ Who weigh both their immediate reelection prospects and the value of strengthening a base of core supporters for the future

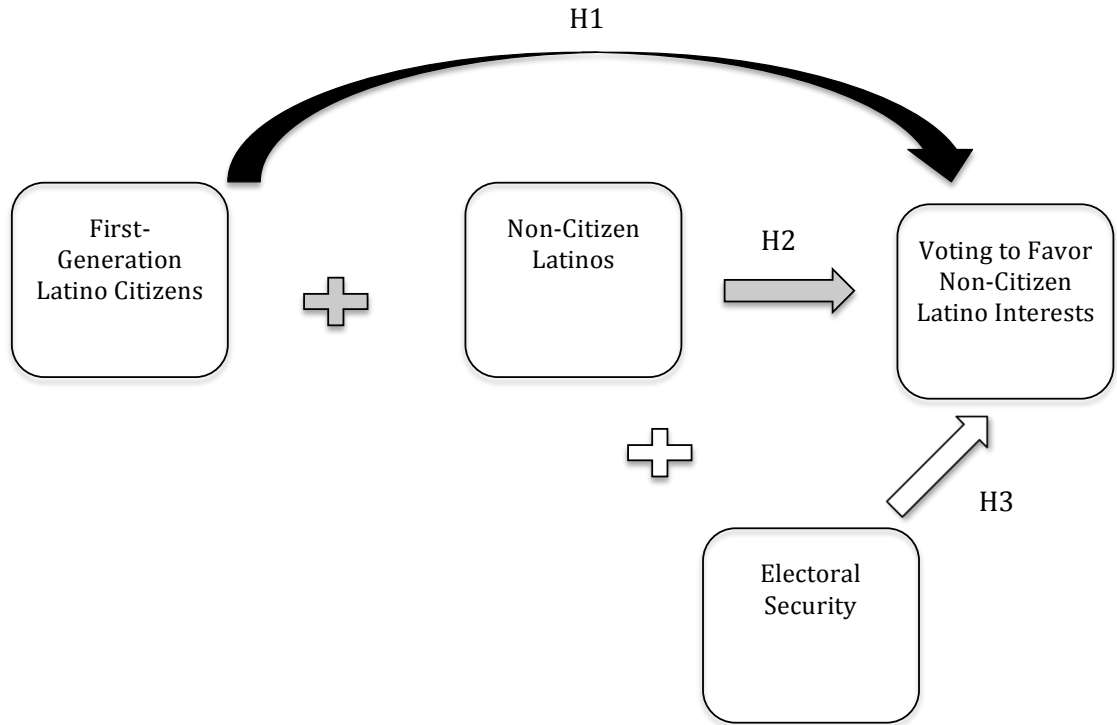


FIGURE 1.1: Short-term and Long-term Motives: Voting on Non-Citizen Interest Legislation

1.5 Competing Explanation of Voting Behavior: Legislator Identity

Thus far, I have focused on the contextual factors that are driving lawmaker's to address the needs and interests of non-citizens. I devote two chapters to explaining public opinion and population distribution largely because such elements are crucial for understanding and testing the primary, reelection-based portion of my theory of legislative ambition. However, as outlined in the introduction, these contextual considerations may not be the only factors weighing on the minds of legislators. In addition to ensuring their reelection, I argue that lawmakers may also hold a personal interest in generating good public policy and that, beyond electoral considerations, these policy goals may also be driving non-citizen representation.

While I claim that policy goals will be most clearly reflected in sponsorship ac-

tivities, it is possible that they are also revealed in legislative voting decisions. Thus, in addition to testing whether short-term and long-term reelection constituencies are motivating lawmakers to vote in favor of non-citizen interests, I test the alternative explanation that policy goals also matter. Drawing from the good public policy theory of behavior, I claim that of the numerous factors that may be driving policy interests, one key factor may be personal identity, and specifically racial/ethnic group identity. In this instance, despite the fact that opinions differ across Latino subpopulations (including across both citizen and non-citizen populations and across different generational groups), I argue that Latino lawmakers will have more of a personal concern with the interests of Latino non-citizens than non-Latino lawmakers.⁸ Although there are currently no non-citizen lawmakers,⁹ those that are Latino continue to share an ethnic group identity with Latino non-citizens which, to an extent, carries with it a shared sense of history and position in the American racial hierarchy. It is this shared identity that will motivate Latino lawmakers to take a deeper interest in policies to benefit the non-citizen subpopulation.

Explicitly, I hypothesize that:

H4: Latino lawmakers will be more likely to vote in favor of non-citizen Latino interests than non-Latino lawmakers.

Ultimately, Latino lawmakers, to a greater degree than all other lawmakers, believe that policies or programs to benefit non-citizens are good public policy and they place value on achieving good policy, in addition to, or even in spite of, their reelection prospects in the short- and long-term.

⁸ While Latino lawmakers may be more likely to identify with Latino citizens and even second-generation or higher Latino citizens, they will still be more likely to take a personal interest in policy to benefit non-citizens than non-Latino lawmakers.

⁹ While there are no current non-citizen lawmakers, under some state laws, there are no citizenship requirements for candidates seeking state office.

Again, I do not claim that voting is the strongest measure of policy-making. However, given that many existing studies have found that identity, and particularly racial/ethnic identity, has a significant affect on roll-call voting behavior (Hero and Tolbert, 1995; Canon, 1999; Mansbridge, 1999; Haynie, 2001; Casellas, 2007; Preuhs, 2007; Minta, 2009), I deem it necessary to examine whether these affects also arise in my roll-call voting analysis.

1.6 Data and Measurements

1.6.1 *Roll-Call Voting Data*

To test my theory and the hypotheses outlined above, the primary source I use is a new, original dataset containing information on legislation that concerns the specific interests of non-citizen Latinos. As described in the previous chapter, I selected four states from which I collected these data: Arizona, California, Florida, and North Carolina. Again, I choose these cases primarily because between the four, there is substantial variation in terms of the size and make-up of the Latino population across legislative districts, as well as significant variation in terms of location and political climate.

For each of these four states, I collected legislative data across a seven-year time span (2005-2011).¹⁰ In searching for relevant legislation (which I did using the Lexis Nexis State Capital search engine and search engines provided on state legislative websites),¹¹ I considered both bills that provide specific benefits to non-citizen Latinos and those that produce distinct costs for this group.¹² Legislation coded as

¹⁰ I chose this time period due to the fact that the American Community Survey did not begin collecting large enough samples to make inferences about state legislative district populations until 2005.

¹¹ In order to find relevant legislation, I searched on the following key terms within the bill text: non-citizen, undocumented, immigrant, immigration, alien, unauthorized, citizenship, naturalized, permanent resident, legal status, in-state tuition, green card, legal resident, identification card, identification document, illegal and human trafficking.

¹² See chapter 2 for a more detailed description of non-citizen interest classification.

benefiting non-citizen Latinos includes measures to: provide non-citizens with access to benefits such as health care and education (including measures to grant non-citizens access to in-state tuition rates), allow the *matricula consular*¹³ to serve as an acceptable form of identification, remove citizenship requirements for access to children's benefits, prohibit the collection of immigration status information, provide non-citizens who are victims of human trafficking access to protection and benefits, and develop programs to assist non-citizens in the naturalization process. I also consider any programs designed to protect the health, welfare and safety of migrant workers or new (non-citizen) or illegal immigrants as specific non-citizen Latino interests.

Measures I examine that produce clear costs or restrict non-citizen Latinos include policies that: require proof of citizenship in order to obtain a driver's license or vehicle title, prohibit non-citizens from receiving certain public benefits (including welfare, health care and child care), exclude non-citizens from access to worker's compensation programs, require law enforcement or public housing authorities to determine the immigration status of person, make it easier for law enforcement officials to arrest and transport unauthorized immigrants, ban the state from accepting consular identification, or require employers to use the E-verify database (a federally run employment verification program) to determine the immigration status and eligibility of their workers. For examples of bills that are considered beneficial and those that are considered restrictive to non-citizen Latinos, see Appendix B.¹⁴

For all four states from 2005-2011, I collected a total of 170 bills that clearly benefit non-citizen Latinos and 259 bills that clearly restrict this group. The break down of each type of bill by state is shown in Figure 1.2. As one can see, most bills

¹³ The Mexican Consular Identification Card

¹⁴ If a bill contained portions to benefit non-citizens and portions designed to restrict non-citizens, it was not included in this analysis. While such bills do exist, they make up a very small portion of the total bills collected.

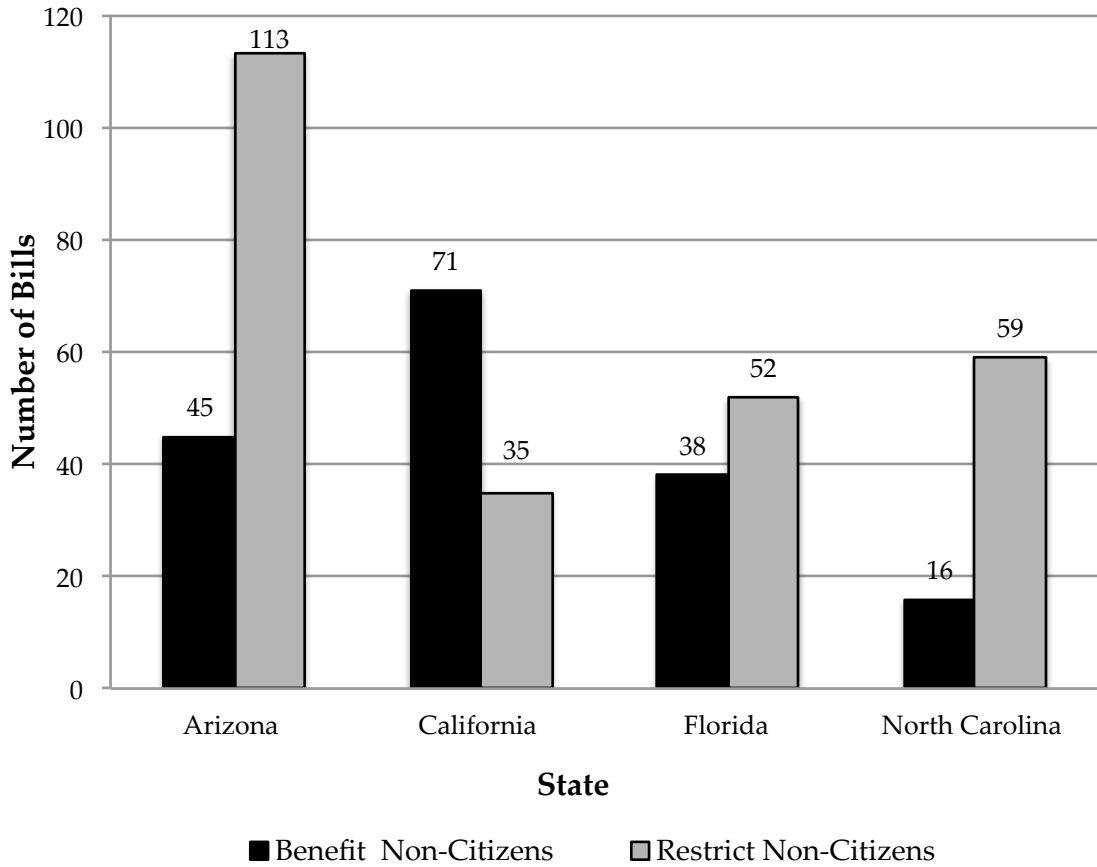


FIGURE 1.2: Distribution of Non-Citizen Latino Interest Bills Across States

were produced in Arizona and California, with Arizona introducing more restrictive bills and California introducing more beneficial bills overall.

I also collected the roll call voting data for each bill that received a vote in either the lower or upper chamber of each state legislature.¹⁵ While very few bills actually received votes in Florida (three in total) and North Carolina (seven in total), there were a total of 68 votes taken on these bills in the Arizona state legislature and 86 votes taken in the California state legislature.

My first dependent variable (*FavorVote*), which is assessed in this chapter, was

¹⁵ I only include non-unanimous votes.

generated by identifying votes on bills that either benefit or restrict non-citizen Latinos. This variable is coded as a “1” if a bill was designed to advance non-citizen Latino interests, there was a vote on the bill in the chamber, and an individual legislator voted “yes.” In turn, it is coded as a “-1” if the legislator voted “no” on such bills. This variable is also coded as a “1” if a bill was constructed to restrict non-citizen Latinos, there was a vote on the bill in the chamber, and an individual legislator voted “no.” Conversely, it is coded as a “-1” if the legislator voted “yes” on these restrictive bills. If a lawmaker abstained from voting on any among this set of bills, the variable is coded as “0.” Overall, across the seven-year time period, there were a total of 3,653 votes coded as “-1” (i.e. in opposition of non-citizen Latino interests) a total of 4,262 votes coded as “1” (i.e. in favor of non-citizen Latino interests) and 651 coded as “0” (noting abstention). I include abstentions in my analysis due to the fact that the choice of the lawmaker to abstain on this subset of bills may be consequential. While Arnold (1990) suggests that abstaining does not make sense for reelection-minded legislators, I claim that in some cases, such as when there are conflicting pressures on an issue (for example from the district or the party), abstention may be the least costly route. In this case, I argue those who choose not to vote on issues concerning non-citizens may be doing so in order to avoid having to choose between conflicting electoral or partisan pressures.¹⁶

Because reelection is the primary motive I assess in this analysis, my key independent variables are those concerning the demographic make-up of a lawmaker’s district. Of particular importance are variables accounting for the size of the first-generation Latino citizen population (*% first generation*), the non-citizen Latino population (*% non-citizen*) and the entire voting-age Latino population in a lawmaker’s district (*% VA Latino*). To collect these data for each state legislative

¹⁶ I do however, conduct robustness checks which exclude abstentions. Results of these analyses do not significantly deviate from those using my ordered measure of voting. One of these checks is presented in Table ?? of Appendix B.

district in my analysis (including both lower and upper chamber districts), I relied on the 2009 American Community Survey 5-year estimates.¹⁷ To measure the size of the first-generation Latino citizen population in a given district, I used Census Table B05007 (Place of Birth by Year of Entry by Citizenship Status for the Foreign-Born Population) and calculated the number of foreign-born citizens (those who have naturalized) by place of birth. For my measure of percent of the Latino population that is first-generation, I include all naturalized citizens from Latin America, other Central American countries,¹⁸ and South America.¹⁹ Using the same Census table (B05007), I also calculate the total number of non-citizen Latinos in a given legislative district.²⁰ In order to determine the percent first-generation and the percent non-citizen Latino, I take both the total number of foreign-born citizens and the number of foreign-born non-citizens divided by the total number of Latinos in a given district.²¹

The total number of voting-age Latinos in a district was calculated using Table B01001I (Sex by Age (Hispanic or Latino)) from the 2009 American Community Survey 5-year estimates. To generate my variable (*% VA Latino*), I divide the number of VA Latinos by the total district population over the age of 18. By including this variable in my analysis, I am able to determine whether the overall size of the Latino population in a district affects legislative decisions on whether to represent certain

¹⁷ I use 5-year estimates because these are the only publicly provided estimates for smaller areas or populations, including state legislative districts. In the future, I will be generating one-year estimates that contain even more detailed information on the Latino population within state legislative districts. These estimates will be generated using ACS micro-data files.

¹⁸ This includes the countries of Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama.

¹⁹ While Brazil is not considered a Hispanic or Latino origin country, there is no way to parse out Brazilians from the rest of the South American population using the Census files.

²⁰ This includes both undocumented and documented non-citizens.

²¹ I calculate the total number of Latinos in a district by adding together the number of foreign-born citizen Latinos, the number of foreign-born non-citizen Latinos and the number of native born Latinos (which is taken from Census Table B06004I: Place of Birth by Race (Hispanic or Latino))

Latino subpopulations, in this instance, non-citizens.

In my analysis, I also include a measure for the size of the black population in a given district (*% black*).²² The reason I include this variable is to control for possible competition effects that may occur in districts as the size of the black population rises. The extant literature leads me to predict that as the size of the black population in a district increases, lawmakers will be less likely to vote for or sponsor legislation to benefit any Latino subpopulation. This is because doing so may be seen as a threat to black constituents.²³

In addition to constituency variables, I also analyze factors unique to an individual lawmaker that may be conditioning behavior. Tied to the reelection theory, I account for a lawmaker's electoral security (see H3) by using the percent of the total vote share he or she received in the most recent election (*% vote*).²⁴ I also control for the number of candidates that an individual lawmaker competed against in the most recent election (*candidates*).²⁵ In addition, to test whether the ethnic or racial identity of a lawmaker is motivating a deeper interest in policy concerning non-citizen Latinos, I generate a variable denoting a lawmaker's ethnicity (*latino*), which identifies whether a lawmaker is Latino or non-Latino.²⁶ Data on a lawmaker's race and ethnicity was collected using state legislative websites and state legislative handbooks. This information was also cross-referenced with data provided by the National Association of Latino Elected and Appointed Officials (NALEO). For the distribution of Latino lawmakers by state and year, see Figure 1.3.

²² This was calculated using Table DP05: ACS Demographic and Housing Estimates: 2005-2009

²³ See McClain (2010) for a review of this literature.

²⁴ These data were collected and shared by Carl Klarner as a part of the State Legislative Election Returns Project

²⁵ For descriptive statistics of all of my variables, see Appendix B Table ??.

²⁶ I also identify African American lawmakers and include a dummy variable for these members in robustness checks. Such checks assess whether, to paraphrase Suzanne Dovi (2002), "any [minority] will do" in terms of representing minority interests, in this case, non-citizen Latino interests, or

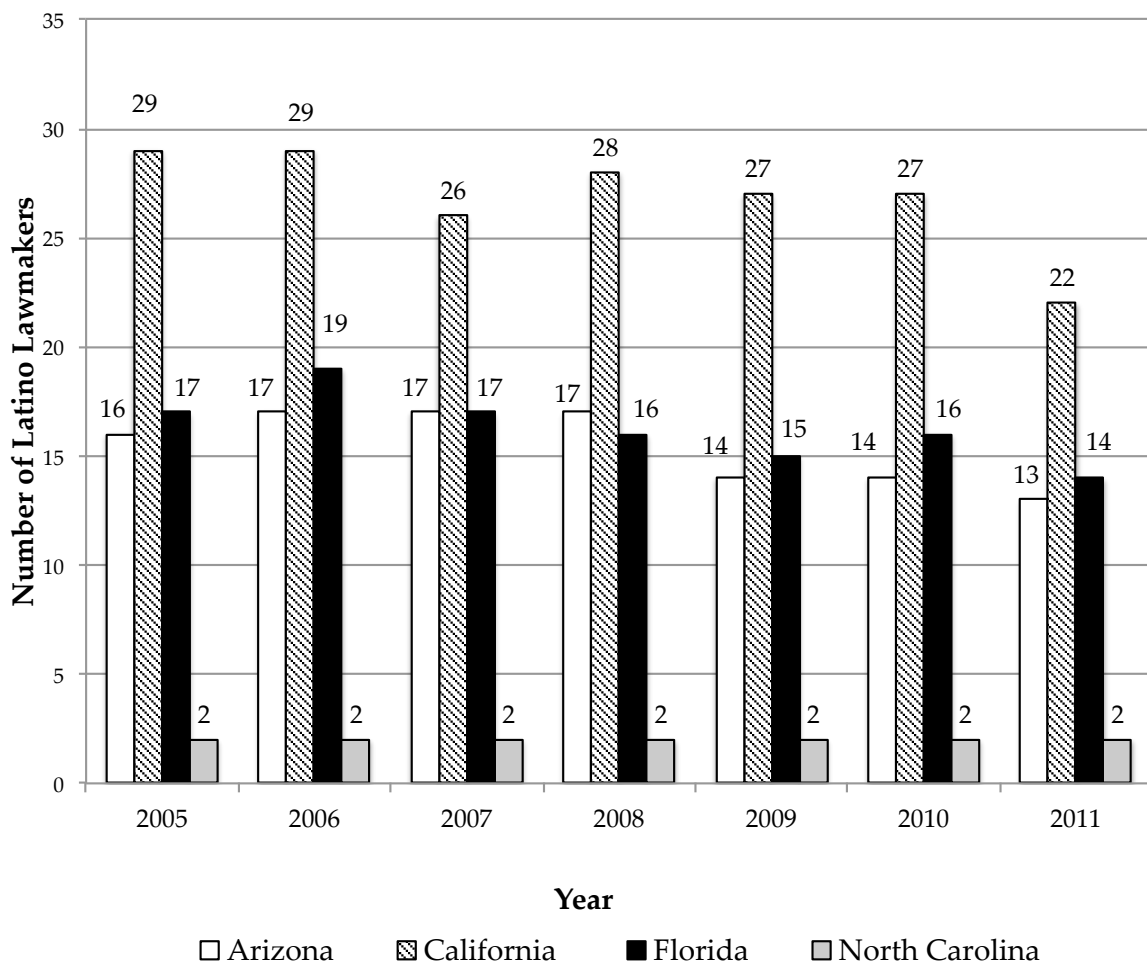


FIGURE 1.3: Latino Lawmakers by Year and State

Other individual lawmaker factors that are controlled for in my analysis include gender (*male*), which I code as “1” for male and “0” for female, and party identification (*Democrat*), which I code as a “1” for Democrat and “0” for Republican.²⁷ I also control for state-by-state variation by including indicator variables for each state in my analysis.

whether clear preference differences across minority lawmakers lead to divergent behaviors.

²⁷ There were no lawmakers in my sample identifying as Independent or third party.

1.6.2 Survey of Current State Lawmakers

In addition to relying on data on legislative activity to test my hypotheses, I draw on data collected from an original survey of state lawmakers. This survey, conducted January through February of 2012, was sent by both mail and email to elected officials of both the upper and lower chambers of the state legislature in seven states (Arizona, California, Colorado, Florida, New Mexico, New York and North Carolina). The total survey sample was 934 lawmakers and the final number of respondents was 140 (15% response rate).

The survey was designed to obtain information on how state lawmakers view their districts and how they make decisions on policies affecting certain populations, including the Latino population more broadly and the non-citizen Latino population more specifically. Lawmakers were also asked to provide information on the demographics of their districts and their personal demographics, including their race/ethnicity, ideology, age, gender, education, income, and the margin of victory they had over their closest opponent in the most recent election.

While the number of responses from this survey is small, there remains sufficient data to conduct some empirical analyses, including difference of means tests and simple regressions. When possible, such analyses serve as additional checks of my main results regarding voting behavior and sponsorship (presented in the following chapter). In addition, the survey provides a great deal of useful qualitative information. Given that the main question in this project centers on legislative ambition, or what drives lawmakers to do what they do, information provided from open-ended questions proves particularly insightful. By asking each individual to explain why certain subpopulations, including non-citizen Latinos, are important to them and why or why not they chose to vote for or sponsor legislation to benefit this group, I am better able to unpack the thought processes behind certain actions.

1.7 Analysis and Results

1.7.1 Testing Short-Term Reelection Effects

In the first stage of my analysis, I assess the effect of a lawmaker's short-term reelection constituency on roll-call voting behavior in particular. As revealed in the introduction, the immediate reelection constituency, or current voters in a lawmakers district, are the most important population to lawmakers. Results from my survey suggest that relative to the interests of voters, the interests of non-voters are somewhat less important on average. Overall, 35% of respondents said non-voter interests were somewhat or much less important than the interests of voters (see Table ?? in the Introduction). And when asked about the importance of given groups to their general voting patterns, lawmakers consistently reveal that the interests of citizen voters are a top priority (see Figure ?? in the Introduction).

When asked directly about voting behavior on bills that address the non-citizen Latino population, similar patterns emerge.²⁸ The interests of citizen voters remain the most important to lawmakers (with an average rating of 8.19 out of 10), while the interests of non-voting citizens remain least important (with an average rating of 5.7 out of 10).²⁹ This result supports the general proposition that the short-term reelection constituency matters, however the question remains whether certain subgroups within this population have more affect than others on this set of issues.

To explore this question more thoroughly, I turn to my roll-call voting data. Using an ordered logit model,³⁰ I examine whether a distinct subpopulation within the

²⁸ The exact question wording is: "When making a voting decision on a bill that concerns the [documented/undocumented] non-citizen Latino population, how important are the interests of each of the following groups to you?" With groups being: citizens who always vote, citizens who sometimes vote, citizens who never vote, citizens over the age of 18, citizens under the age of 18, immigrant non-citizens, immigrant citizens, interest groups, party leaders, members of my political party, and members of my racial/ethnic group.

²⁹ A t-test confirms the significance of this difference.

³⁰ To test whether the dependent variable (*Favor Vote*), coded as "-1" (vote against non-citizen

short-term reelection constituency, the first-generation Latino citizen population, is affecting voting behavior on policies concerning non-citizens. Specifically, I test whether lawmakers are more likely to vote in favor of non-citizen interests as the size of the first-generation Latino citizen population in their district increases. Because I argue that a substantial voting-age Latino population must be present in a district before representation of any Latino subpopulation occurs, I also account for the size of the overall voting-age Latino population in my analysis. As a direct test my first hypothesis, I interact these two variables (*% VA Latino* and *% first-generation*) in my model.³¹

Estimating the effect of just the key variables of interest and the interaction between these variables,³² I find that both the size of the voting-age Latino population and the percent of the Latino population that is first-generation significantly affect voting decisions (See Table 1.1). While the interaction between these two variables is negative, the collective effect, as revealed by calculating predicted probabilities, is positive.³³ In districts with both small VA Latino populations (5%)³⁴ and small first-

interests), “0” (abstaining from voting), “1” (vote in favor of non-citizen interests, is ordered, I estimate a multinomial logit model. Results of this analysis confirm the ordered nature of this variable. In addition, these models support my prediction regarding abstentions, which is that lawmakers who abstain from voting on these issues are generally facing conflicting pressures. Overall, I find that lawmakers who are mostly likely to abstain are Republicans who come from districts with large VA Latino populations with higher proportions of first-generation citizens. In this scenario, the lawmaker may feel pressure from her party, and perhaps other Republican supporters in her district, to vote against non-citizen interests on one hand, yet may feel pushed by the Latino population in her district to vote in favor of these interests on the other hand,. In this case, in order to avoid electoral costs from either side, abstention may serve as a cost-effective solution.

³¹ I also ran this model, as well as all remaining models, with a variable for *% total Latino* population in a district. Using this variable as opposed to *% VA Latino* did not significantly alter my results.

³² Clustering standard errors at the district level

³³ Because it is difficult to assess the substantive effect of interactions within logit models, scholars such as Norton, Wang, and, Ai (2004) and Brambor, Clark, and Golder (2005) have suggested useful methods for interpretation, including calculating predicted probabilities.

³⁴ Two-standard deviations below the sample mean

Table 1.1: Short-Term Reelection Motives: Voting in Favor of Non-Citizen Interests (No Controls)

Variable	Coefficient	(Std. Err.)
% first-generation	11.237**	(4.248)
% VA Latino	4.559**	(1.620)
% first-generation:% VA Latino	-1.400	(14.188)
Intercept (Cut 1)	2.050**	(0.499)
Intercept (Cut 2)	2.420**	(0.502)

Std. err. clustered by district

Pseudo R^2 : 0.1105; N: 8566

† $p < 0.10$, * $p < 0.05$, ** $p < 0.01$

generation Latino populations (3%),³⁵ the probability of voting in favor of non-citizen interests remains low, at around 0.14 (with 95% confidence intervals of 0.06-0.21.) However, when the size of both the VA Latino population and the first-generation Latino population rise, in this case, to two standard deviations above the sample means (60% and 20% respectively), the probability of voting in favor of non-citizen interests increases substantially, to over 0.92 (with 95% confidence intervals of 0.84-0.99.)

While these results provide initial support for the argument that the short-term reelection constituency is conditioning voting behavior on non-citizen interest legislation, it is not certain whether these effects remain significant when additional controls are included in the model. When I account for other theoretical predictors of vote choice in my analysis, I find that both % *first-generation* and % *VA Latino* remain positive and further that the coefficient on the interaction between

³⁵ Two-standard deviations below the sample mean

these two variables becomes positive and significant (See Table 1.2).³⁶³⁷ This result suggests that even beyond the effect of party, both the overall size of the VA Latino population *and* the proportion of this population that is first-generation continue to have an added effect on behavior.³⁸ I confirm the significance of this result using a likelihood ratio test between the model including my main variables of interest (*% first-generation*, *% VA Latino*, and the interaction between these terms) and the nested model. This results in a significant test statistic ($p < .01$) in favor of the fully specified, short-term reelection model.³⁹

Using the variance-covariance matrix to simulate the coefficients of the model presented in Table 1.2, I calculate predicted probabilities of voting in favor of non-citizen interests as both the *% first-generation* and *% VA Latino* in a member's district in-

³⁶ Here, it is important to note the difference in the functional form of the model with controls (Table 1.2) and the previous model (Table 1.1), which excludes them. In the model with controls, the coefficient on the interaction is of a different sign and is larger in absolute magnitude, while the coefficients on *% first-generation* and *% VA Latino* are much smaller. What this may suggest is that the effect of party is being picked up in the coefficients on *% first-generation* and *% VA Latino* in the model presented in Table 1.1, but when party is included as a control, the real, significant effect comes from the interaction term.

³⁷ As an additional robustness check, I examine whether the size of the second-plus generation population has the opposite effect on voting behavior. The prediction is that as the proportion of the Latino population that is second-plus generation Latino increases, a lawmaker will become less likely to support non-citizen interests. This is based on findings from the previous chapter, which suggest that second-plus generation Latinos are much less likely to support non-citizen interests. By estimating my model with a variable denoting *% second-plus generation Latino*, in line with my expectation, I find that the coefficients on this variable and the interaction between this variable and *% VA Latino* are indeed negative (for these estimations, see Table ?? of Appendix B.)

³⁸ Numerous robustness checks, which included additional controls noted as being potentially relevant in other studies of minority representation, continue to support this result. Overall, including year indicators (see Table ?? in Appendix B), industry (percent of the district industry agriculture and construction) and relative deprivation controls (black poverty and white poverty measures) (see Table ?? in Appendix B) does not substantively alter the effects of my key independent variables. Note that while the interactive effect in Table ?? is insignificant at conventional levels, the calculated effect of these variables remains substantive. I also conduct a further test excluding abstention votes. Results of this analysis, presented in Table ?? of Appendix B, show that even when using an alternate measures of vote choice, the effects of my key variables remain positive. Even though the interactive is insignificant ($p = .107$), again, the calculated effect of these variables remains substantive.

³⁹ For interested readers, both the baseline model and the fully specified model are presented side-by-side in Table ?? of Appendix B.

Table 1.2: Short-Term Reelection Motives: Voting in Favor of Non-Citizen Interests

Variable	Coefficient	(Std. Err.)
% first-generation	0.674	(1.829)
% VA Latino	0.895 [†]	(0.468)
% first-generation:% VA Latino	4.772 [†]	(2.748)
Democrat	3.288**	(0.155)
male	-0.260*	(0.123)
% black	-0.246	(0.662)
Arizona	0.931**	(0.197)
California	1.656**	(0.211)
Florida	1.090**	(0.302)
Intercept (Cut 1)	2.725**	(0.251)
Intercept (Cut 2)	3.358**	(0.250)

Std. err. clustered by district

Pseudo R^2 : 0.3555; N: 8566

[†] $p < 0.10$, * $p < 0.05$, ** $p < 0.01$

crease.⁴⁰ Figure 1.4 and Figure 1.5 present the 3D plots of these calculations for both Democratic and Republican lawmakers. Overall, what these figures demonstrate is that while party has the largest effect on vote choice,⁴¹ my key independent variables of interest remain important and actually work to explain differences between individual lawmakers, including those within the same party. For Democrats (Figure 1.4), the probability of voting in favor of non-citizen interests is significantly higher in districts with larger VA Latino populations and larger proportions of first-generation citizens (as noted by the darker shading) than in districts with smaller VA Latino and first-generation cohorts. For Republicans (Figure 1.5), the overall probability of voting in favor of non-citizen interests is much lower however, among this group, the make-up of the constituency still matters.

⁴⁰ This is calculated for Californian, male lawmakers, with % black set at the sample mean.

⁴¹ All else being equal, being a Democrat as opposed to a Republican increases a legislator's probability of voting in favor of non-citizen interests by 0.67.

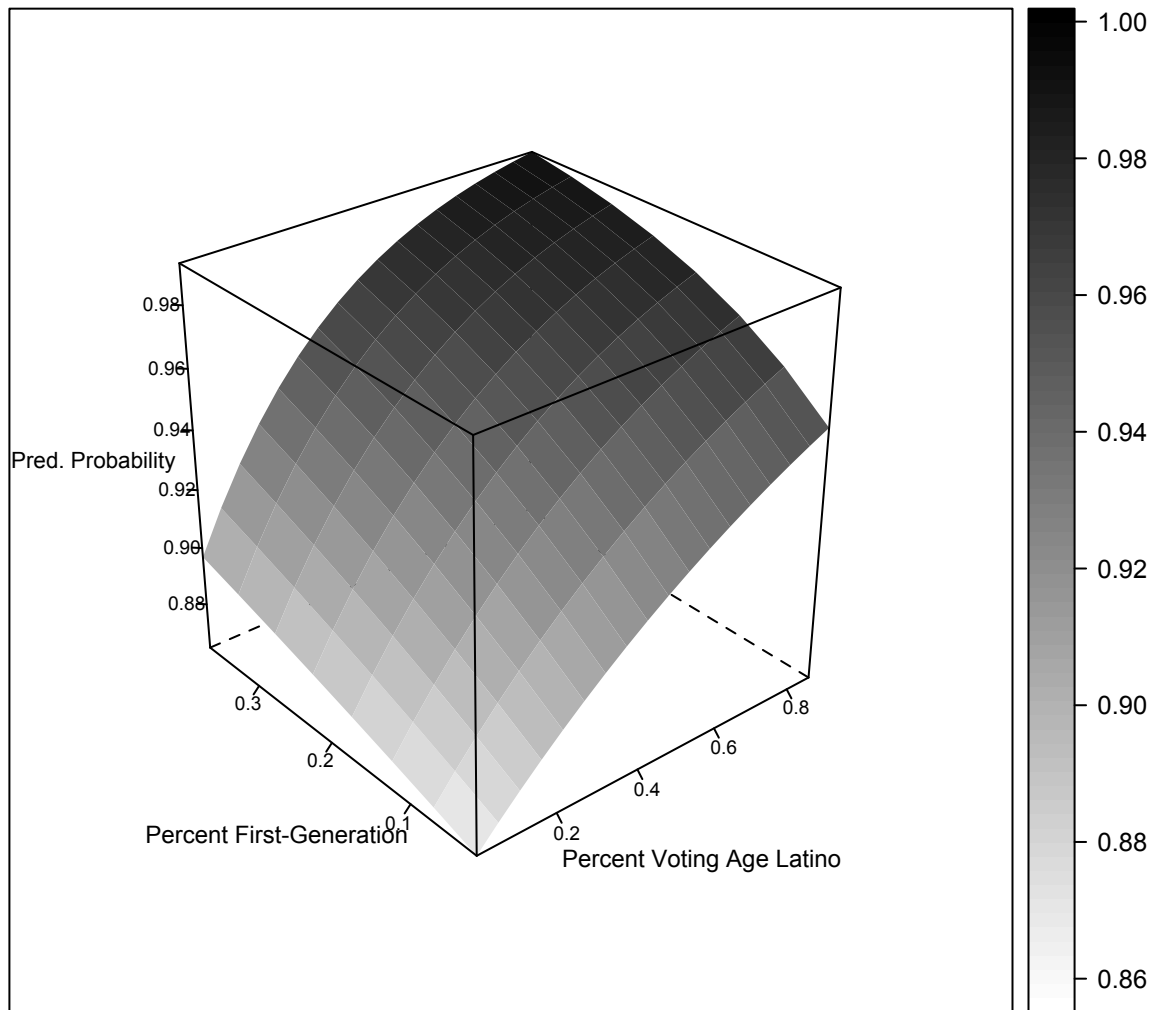


FIGURE 1.4: Predicted Probability of Voting in Favor of Non-Citizens: Democrats

1.7.2 Testing Long-term Reelection Effects

Up to this point, my results provide support for my first hypothesis and fall in line with standard reelection theories of behavior (Mayhew, 1974). But what about the long-term reelection constituency and thus, the long-term electoral goals of lawmakers? Are elected officials voting in favor of non-citizen interests also doing so to gain electoral support for the future?

Evidence from my survey of current state lawmakers suggests that legislators do

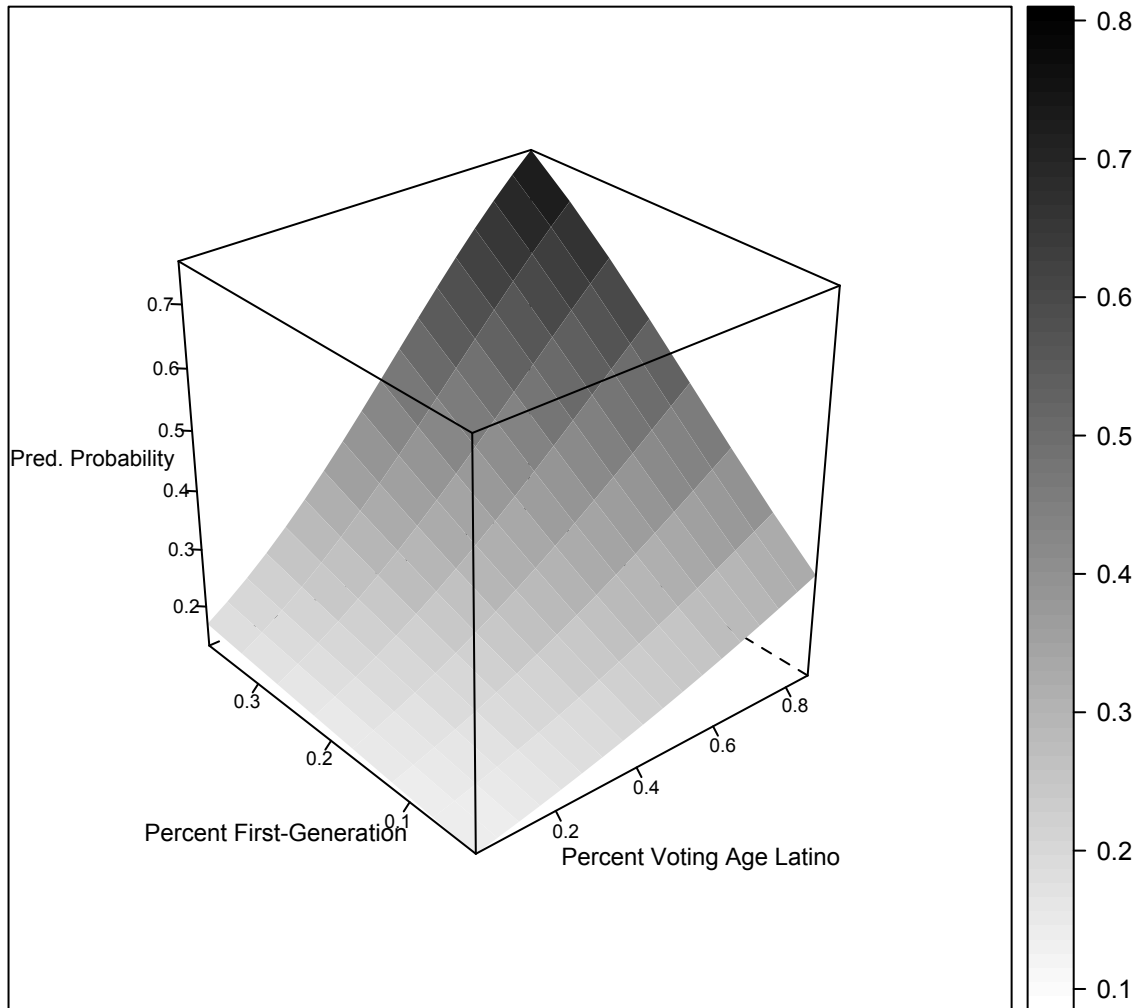


FIGURE 1.5: Predicted Probability of Voting in Favor of Non-Citizens: Republicans

think about more than the present and the interests of current voters. Drawing on responses to open-ended questions on legislative priorities and the relative importance of different Latino subpopulations, I find that many individuals care about the future of their districts and personal careers, and as a result, pay attention to what the population in their district (in this case, the Latino population), might look like in the long-run. In discussing current legislative goals, one lawmaker from my survey stated that he/she considers the “next generation” of Latinos to be of the “highest

priority” while another stated that Latino groups were important because they comprise a “growing population that will be a majority in the next 10 years.” A third member stated that he/she is working to send a message directly to non-citizens that “our state is NOT inhospitable or insensitive to their needs.”⁴² Further, this same lawmaker said it was “smart” to address non-citizen interests because of the possibility that these individuals are “potential future citizens.”

In an effort to test if this expressed interest in the future is reflected in current legislative behavior, I again rely on my roll-calling voting data. Overall, my goal is to determine whether the actual presence of a long-term reelection constituency, in this case, non-citizen Latinos, is what is driving concern with the future, and thus directly affecting legislative decision-making. Again, my prediction is that as the size of the non-citizen Latino population in a district increases, a lawmaker will be more likely to vote in favor of non-citizen interests. However, because I assume that a representative cannot ignore her immediate reelection prospects when pursuing long-term reelection goals, I argue that she will only pay attention to the non-citizen Latino population if there is also a large first-generation Latino citizen population in her district (H2) or if she is electorally secure (H3).

To test the first of these two predictions (H2), I estimate an ordered logit model with the main independent variables of interest being the size of the entire VA Latino population (*% VA Latino*), the size of the first-generation Latino citizen population (*% first-generation*) and the size of the non-citizen Latino population in a lawmaker’s district (*% non-citizen*), plus the interactions between these three variables. Estimating this model, I find that the three-way interaction is positive and nearly statistically significant (p=.108). However, because of the complicated nature of this function (with three two-ways and one three-way in total), it is difficult to determine exactly

⁴² Emphasis in original statement.

Table 1.3: Long-Term Reelection Motives: Effect of % Non-Citizen on Voting

Variable	Coefficient	(Std. Err.)
% non-citizen	2.069**	(0.705)
% first-generation	1.297	(1.917)
% VA Latino	0.494	(0.509)
% first-generation:%VA Latino	5.473 [†]	(2.855)
Democrat	3.230**	(0.161)
male	-0.256*	(0.121)
% black	-0.497	(0.630)
Arizona	1.353**	(0.249)
California	2.020**	(0.228)
Florida	1.284**	(0.303)
Intercept (Cut 1)	3.581**	(0.381)
Intercept (Cut 2)	4.216**	(0.375)

Std. err. clustered by district

Pseudo R^2 : 0.3574; N: 8566

[†] $p < 0.10$, * $p < 0.05$, ** $p < 0.01$

how each of these three variables is operating to effect behavior.⁴³ For this reason, I estimate a set of simpler models with different two-way interactions between these variables. Overall, I discover that while the interaction between % *VA Latino* and % *first-generation* remains positive and significant, there is no significant interactive effect between either % *first-generation* and % *non-citizen* or between % *VA Latino* and % *non-citizen* on voting behavior. Conducting likelihood ratio tests (with the nested model being that presented in Table 1.2), I find that while including the variable measuring the size of the non-citizen Latino population significantly improves the predictive power of the model (with a test statistic of $p < .01$) its effect is not conditional.⁴⁴ Table 1.3 shows that overall, the size of the non-citizen Latino population stands as a positive and independent predictor of legislator vote choice on non-citizen issues.

Overall I find that all else being equal, for Democrats, as the proportion of the

⁴³ For model estimations, refer to Table ?? of Appendix B.

⁴⁴ Refer to Table ?? of Appendix B for model comparisons.

Latino population that is non-citizen increases from two-standard deviations below the sample mean (9%) to two-standard deviations above the sample mean (47%), the probability of voting in favor of non-citizen interests increases by 0.10 (from 0.80 to 0.90).⁴⁵ For Republicans, the probability of voting in favor of non-citizen interests goes from 0.14 in districts with smaller non-citizen populations (9% non-citizen Latino), to 0.26 in districts with larger non-citizen Latino populations (47% non-citizen Latino).⁴⁶

These results provide initial support for the argument that the long-term reelection constituency, in this case, the non-citizen Latino population, is directly affecting legislative behavior. Yet, counter to my second hypothesis, I find no evidence to suggest that this effect is conditional on the make-up of short-term electoral constituency. That said, it is possible that other factors innate to a lawmaker's short-term electoral security may matter. Moving to examine my third hypothesis, I test whether the percent of the vote a lawmaker received in the most recent election affects behavior and specifically, whether lawmakers are more likely to directly appeal to a future voting population (i.e. non-citizens) as they become increasingly electorally secure.

To do so, I estimate an ordered logit model with the key variables of interest being the size of the non-citizen Latino population in a lawmaker's district (out of the total district population), the percent of the vote a lawmaker received in the most recent election (*% vote*) and the interaction between these two variables.⁴⁷ Through this analysis, I find that while both the size of the non-citizen Latino population and electoral safety positively affect voting on non-citizen interest legislation, the

⁴⁵ This is calculated holding *% first-generation*, *% VA Latino* and *% black* at the sample means and setting gender equal to 1 (male) and the state as California. The calculated difference in probabilities is significant at the $p < .05$ level.

⁴⁶ Again, this calculated difference in probabilities is significant at the $p < .05$ level.

⁴⁷ If electoral safety is allowing lawmakers to pay direct attention to future voters, then the short-term reelection constituency should not matter in this case. This explains the new *% non-citizen* variable, which is now calculated as a percent of the total district population rather than as a percent of the overall Latino population.

Table 1.4: Long-Term Reelection Motives: Effect of Electoral Safety on Voting

Variable	Coefficient	(Std. Err.)
% non-citizen (of total population)	4.028**	(0.856)
% vote	0.640 [†]	(0.379)
# candidates	0.065	(0.074)
Democrat	3.260**	(0.160)
male	-0.297*	(0.121)
% black	-0.716	(0.560)
Arizona	0.966**	(0.187)
California	1.726**	(0.198)
Florida	1.275**	(0.224)
Intercept (Cut 1)	3.174**	(0.391)
Intercept (Cut 2)	3.798**	(0.384)

Std. err. clustered by district

Pseudo R^2 : 0.3577; N: 8535

[†] $p < 0.10$, * $p < 0.05$, ** $p < 0.01$

interaction between these two variables is not significant.⁴⁸ Overall, as shown in Table 1.4, I again find, as in the previous model, that the size of the non-citizen Latino population has an independent effect on behavior.

This effect is more clearly shown in the graphs presented in Figure 1.6, which presents the predicted probability of voting in favor of non-citizen interests for both Democrats and Republicans (and the 95% confidence intervals on these estimations) as the size of the non-citizen Latino population in a legislative district increases. Re-estimating the model presented in Table 1.4 with an interaction between *Democrat* and *% non-citizen (of total district population)*, I find that an increase in the size of the non-citizen population has a larger effect on the behavior of Republicans. Among my sample, the mean size of the non-citizen Latino population within Republican districts is around 6%, and in these districts, the probability of voting in favor of non-citizen interests is quite low (around 0.2). However, some Republicans in my sample do have much larger non-citizen Latino populations. For example, Rene Garcia from

⁴⁸ I also find by conducting likelihood ratio tests that the inclusion of this interaction does not significantly improve the model fit.

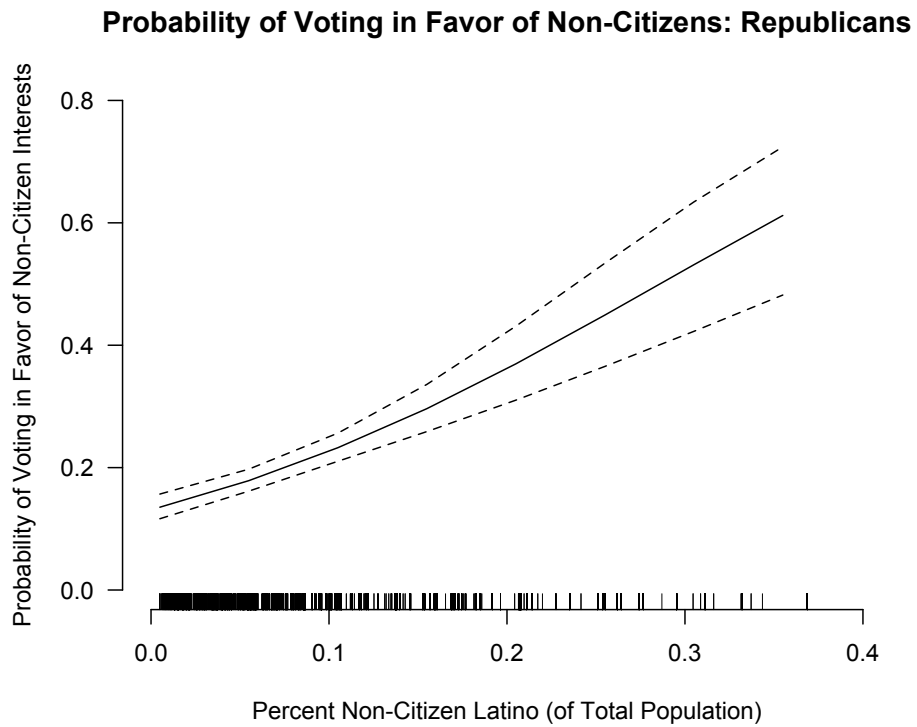
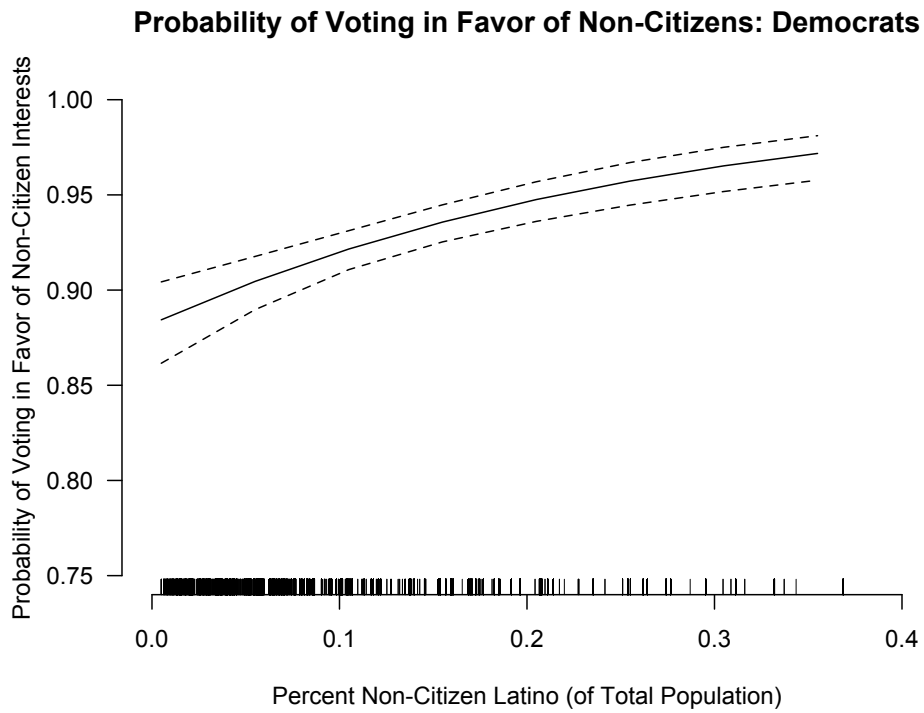


FIGURE 1.6: Effect of Size of Non-Citizen Latino Population on Voting Behavior: Democrats and Republicans

Florida served a House district that was 34% non-citizen Latino. Another Republican lawmaker, Danny Gilmore from California, served a district that was 21% non-citizen Latino. Overall, it is Republicans in these types of districts that have much higher probabilities (above 0.4) of voting in favor of non-citizen interests. Taking Rep. Gilmore's voting behavior as an example, I find that while he did not always vote to benefit non-citizens, he did vote in favor of these interests about a third of the time. Between 2009-2011, he voted in favor of non-citizen interests on 6 out of 18 bills, which is more times, on average, than his Republican colleagues.

To summarize, I find that the effect of the long-term reelection constituency on voting behavior is neither dependent on the make-up of the relevant short-term reelection constituency nor on a lawmaker's electoral safety. While both short-term voters (first-generation Latino citizens) and electoral safety positively and significantly affect voting on non-citizen interest legislation, these factors are not necessarily a precursor for direct non-citizen influence.⁴⁹

1.8 A Closer Look at the Effect of Party

Prior to moving forward to assess alternative explanations of voting behavior, I wish to address one aspect of my voting models more closely: the influence of partisan affiliation. As I have suggested, in terms of explaining voting behavior, it is obvious that party holds the most predictive power. All else being equal, being a Democrat as opposed to a Republican increases a legislator's probability of voting in favor of non-citizen interests by approximately 0.67.⁵⁰ That being the case however, it is possible that the party label itself is masking the true effect of other key predictors in my models. In line with the argument presented by Herbert Weisberg (1978), I claim

⁴⁹ Similar effects are also found using a binary dependent measure of vote choice, which excludes abstentions.

⁵⁰ This effect is calculated by taking the average effect of party across all voting models. In each model, I calculate the influence of party while holding all other variables at their mean values.

Table 1.5: Demographic Make-up of Districts by Party of Lawmaker

Party	VA Latino (Mean)	% 1st Gen Latino (Mean)	% Non-Cit. Latino (Mean)	Frequency
Republican	.200	.099	.249	3,709
Democrat	.347	.117	.308	4,206

that while party serves as a simple and useful baseline for predicting vote choice, it is important to consider what the party label actually stands for and what causes members to affiliate with a given party in the first place. In this case, it may be that part of the effect of party on voting can be explained by my key variables of interest, i.e. those concerning the make-up and size of the Latino population in a lawmaker's district. In other words, there may be an indirect effect of the demographic make-up of the Latino population on voting behavior that is being accounted for by party affiliation.

To assess this possibility, I first examine the make-up of districts represented by Republican and Democratic lawmakers in my sample. As shown in Table 1.5, I find that on average, Democrats have larger voting-age Latino populations in their districts and they tend to have a larger proportions of first-generation and non-citizen Latinos. What this could suggest is that part of the differences in the voting behavior of members of either party can be attributed to differences in the make-up of their districts.

As a simple test of the indirect effect of these district characteristics on voting behavior, I apply two related methods of estimating direct, indirect, and total effects in logit models, both of which are outlined by Erikson et al.(2005).⁵¹ I find that on average, the indirect effect of the demographic make-up and size of the Latino

⁵¹ I estimate this using the `ldecomp` function in STATA. For more information on this function see Buis (2010).

population in a lawmaker's district (this includes size of the VA Latino population, percent of the Latino population that is first-generation and percent of the population that is non-citizen Latino) accounts for approximately 12% of the total effect of party on voting behavior. In other words, 12% of the effect of party revealed in the models above can actually be explained by the presence and make-up of the Latino population in a member's district. This provides even more support for the original finding that both short-term reelection constituencies (first-generation Latino citizens) and future reelection constituencies (non-citizen Latinos) are affecting voting decisions on bills that pertain to the non-citizen Latino population.

1.9 Alternative Explanations: Testing the Effect of Legislator Identity

Thus far, my results have generally aligned with my predictions, with the exception being that the effect of the long-term reelection constituency (non-citizens) was not found to be conditional on either the size of the first-generation Latino citizen population or on a legislator's electoral safety. That said, there may be other reasons, beyond those currently explored, that explain why lawmakers are directly appealing to non-citizen (and thus non-voting) populations in their districts. First, it is possible that other members of a lawmaker's short-term reelection constituency (aside from first-generation Latinos) also support non-citizen interests and thus, when a lawmaker votes in favor of legislation to benefit this group, she is not voting against the preferences of current voters. This may be the case in districts with more liberal, educated, or morally tolerant individuals, for example.⁵² A further possibility is that lawmakers are reaching out to non-citizen Latinos in their district (and even outside of their district) for reasons beyond reelection. They may, for instance, be attend-

⁵² This conclusion follows from my public opinion analysis, which showed that in addition to race influencing preferences on non-citizen related policies, partisan identification, education, and moral tolerance also matter.

ing to the preferences of this population not because it will ensure their electoral security, but because it is a local or nationally salient issue or because it is meeting a personal goal to create good public policy. As alluded to above, while many factors may be driving legislative commitment to generating good policy, one relevant consideration is a legislator's personal identity, and specifically, her racial or ethnic identity. Again, while I claim that policy goals will be most clearly reflected in more labor-intensive forms of substantive representation, including bill sponsorship, I still wish to examine whether there is any evidence that they are also influencing voting behavior. Explicitly, I test whether the ethnicity of the lawmaker, in this instance, the Latino identity of the lawmaker, is affecting the probability of voting in favor of non-citizen Latino interests.

In beginning to tackle the question of whether personal identity is affecting legislative decision-making, I turn to my survey of current state lawmakers. While the sample of Latino legislators in this survey was quite small (18 out of 107 respondents who identified their race/ethnicity selected the Latino/Hispanic indicator), the responses of these individuals remain insightful. In line with my theory, as a group, Latino lawmakers reported having more of a personal concern with the Latino population and the non-citizen subpopulation when compared to other lawmakers. Assessing survey responses, I find that while non-Latino lawmakers rank the interests of the Latino population, on average as "somewhat important," Latino lawmakers rank the interests of this group as "very important."⁵³ In addition, when compared to non-Latino lawmakers, Latino lawmakers rank the interests of non-citizen Latinos significantly higher. While Latino officials rate the importance of non-citizen Latinos as a 7.78 on a scale from 1 to 10 (with 10 being "very important"), all other lawmakers rate the importance of this group much lower at 5.2 (which infers that they view this population as "neither important nor unimportant").

⁵³ Using a difference of means test, I find the divide between these rankings to be significant.

Beyond this, my survey reveals that when making voting decisions on bills that concern both documented and undocumented Latinos, Latino lawmakers rate immigrant non-citizen interests significantly higher than other lawmakers. When asked the question, “When making a voting decision on a bill that concerns the documented non-citizen Latino population, how important are the interests of the [immigrant non-citizen population] to you?”, Latino lawmakers rate this group much higher than non-Latino lawmakers on average (see Figure 1.7). When asked about the importance of immigrant non-citizens when making decisions on bills that concern the undocumented Latino population, similar trends emerge. As seen in Figure 1.7, while Latino lawmakers place immigrant non-citizens as an 8 out of 10, all other lawmakers place these individuals as a 5.8.⁵⁴

While it is possible that these interests of Latino lawmakers are drawn purely from their electoral constituency, and are thus tied to their reelection goals, further analysis reveals that this is not always the case. By estimating a set of simple regressions, I find that even beyond electoral factors, Latino identity still matters and positively affects attitudes on the importance of non-citizen subgroups.⁵⁵ As seen in, Table 1.6, when making voting decisions on both bills that concern the documented non-citizen Latino population (column 1) and those that concern the undocumented non-citizen Latino population (column 2), Latino lawmakers find non-citizen immigrants to be significantly more important when compared to other legislators, even

⁵⁴ Again, the significance of these differences are confirmed using difference of means tests.

⁵⁵ In this analysis, the dependent variable is continuous and goes from 0-10, with 10 representing non-citizen immigrants as being extremely important. Latino identity is measured using responses to the question: How would you describe your primary racial/ethnic background? In the model, Latino/Hispanic identity is coded as a “1” and all others are coded as “0.” The % *first-generation* is measured using responses to the question: Approximately what percent of the total Latino population in your district is foreign-born citizens?, while the % *non-citizen* variable is measured using responses to a similar question, asking about the percent of all Latinos that are non-citizen in the district. Responses to each of these questions are coded on 1-4 scale, where 1 is less than 10%, 2 is between 10-25%, 3 is between 25-50% and 4 is more than 50%. The ideology variable in this model is coded using a 1-7 scale with 1 being extremely liberal and 7 being extremely conservative.

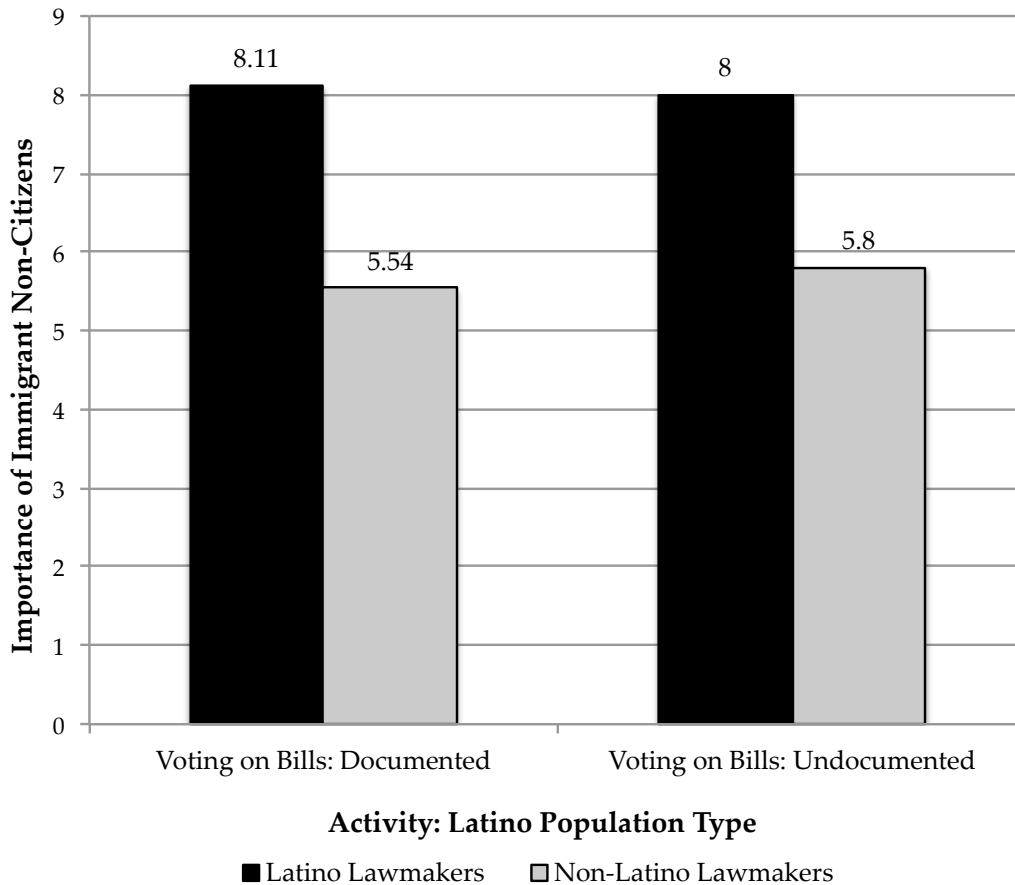


FIGURE 1.7: Importance of Immigrant Non-Citizens to Latino and Non-Latino Lawmakers

when controlling for the percent of the Latino population that is first-generation or non-citizen and legislator ideology.

Responses to open-ended questions on this survey also confirm the added importance of Latino identity on legislative behavior and attitudes. As an example, when asked why specific Latino subpopulations were important, one lawmaker stated that this group mattered because it is a “growth sector in our population” and “increasingly a majority of [his/her] constituents are Latino.” However, this individual also stated that he/she was “of that ethnic background” and as a result has “long taken a special interest in the well being of the Hispanic community.”

Table 1.6: Importance of Non-Citizen Immigrants: Survey Results

Variable	Coefficient (Std. Err.)	Coefficient (Std. Err.)
	Bills on Documented	Bills on Undocumented
Latino legislator	2.163* (0.880)	1.825† (0.972)
% first-generation	0.505 (0.484)	0.398 (0.535)
% non-citizen	-0.396 (0.504)	-0.221 (0.541)
ideology	-0.789† (0.408)	-0.801† (0.451)
Constant	5.364** (0.925)	5.429** (1.012)
N	82	78
Pseudo R^2	0.1345	0.1006

† $p < 0.10$, * $p < 0.05$, ** $p < 0.01$

Beyond assessing the importance of Latino identity using my survey, I also draw on results from my roll-call voting dataset. Using these data, I conduct further tests to determine whether Latino identity is influencing behavior, even in spite of primary reelection considerations (specifically, in this instance, the % first-generation and % non-citizen Latino populations in the member's district). Results of this analysis, presented in Table 1.7, suggest that Latino identity does matter and significantly enhances one's probability of voting in favor of non-citizen interests. Holding all else equal,⁵⁶ I find that among Democrats, being Latino significantly increases the probability of voting in favor of non-citizen interests by approximately 0.06 (from 0.85-0.91), while among Republicans being Latino significantly increases the probability of voting in favor of non-citizen interests by 0.09 (from 0.17-0.26).⁵⁷

⁵⁶ This is holding all demographic variables (*% first-generation*, *% non-citizen* and *%black*) and electoral safety measures (*% vote* and *# candidates*) at each party's sample mean.

⁵⁷ Conducting additional tests including an indicator for Black lawmakers (see Table ?? of the

Table 1.7: Good Public Policy Motives: Effect of Latino Identity on Voting

Variable	Coefficient	(Std. Err.)
Latino	0.540**	(0.142)
% first-generation	3.025*	(1.515)
% non-citizen	2.466**	(0.648)
% vote	0.432	(0.361)
# candidates	0.009	(0.076)
Democrat	3.150**	(0.174)
male	-0.277*	(0.123)
% black	-0.175	(0.636)
Arizona	1.700**	(0.230)
California	2.306**	(0.213)
Florida	1.385**	(0.301)
Intercept (Cut 1)	4.214**	(0.482)
Intercept (Cut 2)	4.839**	(0.472)

Std. err. clustered by district
Pseudo R^2 : 0.3594; N: 8535
† $p < 0.10$, * $p < 0.05$, ** $p < 0.01$

What these results suggest is that Latino members of both parties approach issues concerning the non-citizen subpopulation differently than their non-Latino partisans. This provides initial support for the competing argument that beyond reelection considerations, policy goals, which are drawn from a member’s group identity, also affect voting behavior. While I initially predicted that personal policy goals would be most clearly reflected in more labor-intensive behaviors, such as bill sponsorship, I find evidence here to suggest that they are also revealed in this less-costly form of substantive representation. Overall, this result aligns with existing studies of minority representation, which find that the racial/ethnic identity of the lawmaker significantly affects legislative behaviors, including roll-call voting (Hero and Tolbert, Appendix), I find that it not necessarily the case that simply being a minority makes one more likely to vote in favor of non-citizen Latino interests. While being Latino significantly increases an individual’s probability of voting in favor of non-citizen Latino interests, being Black has no significant effect. Thus, it is not the case that “any [minority] will do” (Dovi, 2002) in terms of enhancing the substantive representation of specific subgroups (in this case, non-citizen Latinos) in society. This result has important implications for future studies, particularly those assessing the benefits of descriptive representation for the many different minority subpopulations in society.

1995; Canon, 1999; Mansbridge, 1999; Haynie, 2001; Casellas, 2007; Preuhs, 2007; Minta, 2009).

1.10 Discussion of Voting Models

This chapter serves as a first step in assessing the political representation of non-citizen Latinos in U.S. society. Focusing on roll-call voting behavior, I find that both short-term and long-term reelection goals are driving lawmakers to vote in favor of non-citizen interests. More broadly, my results provide support for the argument that certain Latino subpopulations can positively affect legislative behavior, especially as they begin make up larger proportions of a member's district. Somewhat surprisingly, I also find that factors beyond the electorate are conditioning behavior. In testing the effect of good public policy goals, I discover that even when I account for key district demographic factors, the ethnic identity of the lawmaker significantly affects voting behavior on policies directed at the non-citizen population.

Beyond these key results, I also find interesting results regarding the influence of my control variables. Aside from the effect of party, discussed above, other indicators, including state and gender are also found to be relevant predictors of voting behavior. All of my models show that the likelihood of voting in favor of non-citizens interests is higher in Arizona, California, and Florida than in North Carolina. This is perhaps due to the fact that the Latino population, and particularly the foreign-born subpopulation in this state is fairly new and thus, legislative interest in the needs and preferences of this group remains lower in the aggregate.

Aside from these state level effects, I also find that the gender of individual lawmakers is significantly related to voting. In all of my models, it is shown that men are significantly less likely to vote in favor of non-citizen interests than women. Interestingly, many existing studies of Latino representation in particular do not account for the role of gender on representational outcomes for this group (Hero

and Tolbert, 1995; Griffin and Newman, 2007, 2008; Minta, 2009; Casellas, 2011). Given that this result may have important normative consequences, this ought to be explored further in future studies.

Finally, it is worth pointing out results concerning the effect of *% black*. I find that this variable is negatively related to voting in favor of non-citizen interests, yet does not reach conventional levels of significance. While the literature suggests that increases in the size of the Black population may cause lawmakers to decrease their support for Latinos, due to perceptions of competition (McClain and Stewart, 2010) I find no strong evidence to support this in my analysis.

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