

Unpacking Representation in State Immigration Policy: Latino Composition, White Racial Threat, and Legislator Partisanship

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Abstract

Most research studying minority representation concludes that minorities enjoy better representation when they constitute a larger share of a constituency, but only through the partisanship and race/ethnicity of the representative. Other research finds that minorities receive worse representation when they constitute a larger share of a constituency. We argue that minority composition will have an independent effect on representation, but that this effect will differ depending on the representative's partisanship. We apply our theory to Latino composition and state legislative voting on immigration policy and find that Latino composition has no effect on voting among Democratic legislators, who are less likely to vote in a restrictive direction on immigration than Republicans regardless of the Latino composition in their district. However, Republicans are more likely to vote to restrict immigration as Latinos comprise a larger share of their district. Our findings suggest that scholars should consider the moderating effect of legislator partisanship when examining minority composition and representation.

Keywords

minority representation, minority composition, racial threat, Latino politics, immigration policy, partisanship

Most studies of minority representation conclude that minorities enjoy better representation of their interests when they constitute a larger share of a constituency, a finding

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consistent with what we term “racial influence theory.” The bulk of research finding support for this theory, however, concludes that the size of the minority constituency matters only by influencing the partisanship and race/ethnicity of the candidate elected (Canon 1999; Griffin and Newman 2008; Kerr and Miller 1997; Lublin 1997; Swain 1993; Whitby 1997; Whitby and Krause 2001). That is, legislator partisanship and ethnicity mediate the relationship between minority composition and substantive representation, but minority composition has no direct effect on representation after controlling for the partisanship and race/ethnicity of the representative. This suggests that a Democrat/Republican from an all-white district will provide the same level of representation of minorities as a similar Democrat/Republican from a district with a large percentage of minorities, despite significant differences in preferences between minorities and whites¹ on many important issues (Barreto and Segura 2014; Canon 1999; Kinder and Winter 2001; Tesler 2016). Concluding that minority composition does not matter beyond affecting the partisanship or race/ethnicity of the legislator elected is inconsistent with the broader literature on the effect of constituency preferences on representation (e.g., Bartels 1991; Caughey and Warshaw 2018; Erikson, MacKuen, and Stimson 2002).

In contrast to research supporting racial influence theory, other studies find that minorities sometimes receive *worse* representation of their interests when they constitute a larger share of a constituency or its voters (Avery and Fine 2012; Fine and Avery 2014; Griffin and Newman 2007; Preuhs 2007). This is consistent with racial threat theory, which predicts that whites will support candidates who promote policies that maintain whites’ dominant position in politics and society (Blalock 1967; Huckfeldt and Kohfeldt 1989; Key 1949). As with studies finding support for racial influence theory, research consistent with racial threat theory often finds that legislator partisanship and race/ethnicity matter, such that the negative effect of percent minority is ameliorated when Democrats and minorities are elected (Griffin and Newman 2007; Preuhs 2007; Preuhs and Juenke 2011).

The current study takes a new look at the influence of minority composition on minority representation in the context of Latino representation and state immigration policy. We develop a theory that predicts partisan differences in the influence of minority composition on minority representation. This can be applied to other policy domains, but we view state immigration policy as the ideal first step for testing our theory.² Whereas other research examining state immigration policy focuses on state-level policy outputs, we shift the level of analysis to legislative voting, allowing for more precise tests of racial influence and racial threat theories. Consistent with the bulk of research, we find that Latino composition does not independently influence voting on immigration-related bills among Democratic legislators, who are less likely than Republicans to support restrictive immigration policy regardless of the ethnic composition of their districts. However, consistent with racial threat theory, we find that Latino composition exerts an independent influence in districts represented by Republicans, who are more likely to support policy aimed at restricting immigration as Latinos constitute a larger share of their district. We find no effect of Latino composition for bills that expand immigrant rights. Our findings suggest that studies of

minority representation must consider how representative partisanship moderates—not just mediates—the influence of minority composition on minority representation.

Minority Constituencies and Representation

Much of the literature examining minority representation finds support for racial influence theory, concluding that minorities enjoy better representation when they constitute a larger share of a constituency. This positive influence, however, is limited to the effect minorities have on the partisanship and race/ethnicity of the candidate elected. Partisanship is the strongest predictor of legislative support for minority interests, with Democrats providing substantially better representation than Republicans (e.g., Canon 1999; Griffin and Newman 2008; Lublin 1997; Swain 1993; Whitby 1997). While not as strong an influence as partisanship, descriptive representation also matters, as minority legislators provide better representation of minorities than their white counterparts (Canon 1999; Juenke and Preuhs 2012; Kerr and Miller 1997; Preuhs 2007; Preuhs and Juenke 2011; Tate 2003; Whitby 1997; Whitby and Krause 2001). Given the importance of these factors, larger minority constituencies may receive better representation because they can help elect Democratic and minority representatives. Outside of this effect, most studies conclude that the percent minority does not matter (e.g., Casellas 2007; 2011; Griffin and Newman 2008; Hero and Tolbert 1995; Lublin 1997; Preuhs 2005; Whitby 1997).³ In the few studies that do find an independent positive effect of percent minority, the effect is either limited (Canon 1999), quite small (Grose 2005), confined to a few states (Casellas 2011), or only observed when the legislators' race/ethnicity is omitted (Whitby and Krause 2001).

The lack of a relationship between minority composition on minority representation after controlling for partisanship and race/ethnicity may not be surprising. Frymer (1999) makes a strong case that members of both political parties who are trying to capture the median voter have little incentive to represent African Americans when their preferences differ substantially from the white majority. As Canon (1999) concludes, “. . . white representatives from districts that are 30–40 percent black can largely ignore their black constituents, and many do” (p. 13). We might expect the same on issues where Latinos and whites have considerable differences in opinion.

However, the general finding that minority composition has no effect on minority representation after controlling for partisan and descriptive representation is puzzling. Many studies show that representatives often reflect the preferences of constituents in their legislative behavior beyond the effect of partisanship (e.g., Arceneaux 2001; Bartels 1991; Caughey and Warshaw 2018; Erikson, MacKuen, and Stimson 2002). In addition, legislators who know the preferences of their constituents are more likely to vote in that direction (Butler and Nickerson 2011; Kousser, Lewis, and Masket 2007). Moreover, representatives often pay an electoral price when their behavior is out of step with constituent attitudes (Canes-Wrone, Brady, and Cogan 2002; Kassow and Finocchiaro 2011). Thus, research suggests representatives have an incentive to consider constituent preferences in policymaking. As scholars have observed large racial/ethnic differences in opinion on a number of salient policy issues (Barreto and Segura

2014; Canon 1999; Kinder and Winter 2001; Tesler 2016), there is reason to expect better minority representation as their size increases.

Complicating this puzzle is research finding that in some cases minorities actually receive *worse* representation of their interests when they comprise a larger share of a constituency. Racial threat theory asserts that large or growing minority populations will lead whites to feel threatened and support policies meant to maintain majority economic, political, and cultural power (Blalock 1967; Huckfeldt and Kohfeld 1989; Key 1949). The bulk of research supporting racial threat theory focuses on the influence of minority composition on whites' racial attitudes and voting behavior (e.g., Enos 2016; Giles and Buckner 1996; Taylor 1998), not minority representation. The few studies that do examine minority representation find that the negative effect of percent minority persists after controlling for the partisanship and race/ethnicity of representatives (e.g., Avery and Fine 2012; Fine and Avery 2014; Griffin and Newman 2007; Preuhs 2007), though having a Democratic or minority representative can mitigate this effect (Griffin and Newman 2007; Preuhs 2007; Preuhs and Juenke 2011).

Studies finding support for racial threat theory are not necessarily at odds with those finding support for racial influence theory. Rather, the influence of minority composition on representation may differ depending on the context. One context that seems likely to moderate the effect of minority composition is the partisanship of the representative. Research on representation often implicitly assumes that legislators across parties will respond to the same phenomena in the same way. However, Democratic and Republican legislators likely view their constituencies in distinct ways, and act accordingly. Indeed, some research finds that the effect of minority composition on representation is at least somewhat dependent on the partisan context (e.g., Avery and Fine 2012; Zingher 2014). Below, we posit a theory of minority representation predicting that the influence of minority composition—positive or negative—on minority representation will depend on the partisanship of the representative.

The Moderating Effect of Partisanship

There are two primary mechanisms through which legislators represent the interests of constituents. The first views the relationship between citizens and representatives through the lens of “sanctions,” whereby legislators are rewarded or punished by constituents based on the quality of representation they provide (Mansbridge 2009). Under a sanctions approach, legislators respond to constituents as they rationally pursue reelection (Mayhew 1974). These members may be past or forward looking, depending on whether they are trying to deliver on promises made to a past electorate or whether they are trying to please a potential future electorate (e.g., Mansbridge 2003; 2009). This type of behavior is consistent with the notion of “direct” representation (Wlezien 2004) or “mandate”/“delegate” behavior (e.g., Mansbridge 2003; McCrone and Kuklinski 1979; Rehfeld 2009), and it comports with studies examining the linkage between public opinion and legislative behavior dating as far back as the work of Miller and Stokes (1963). Members should be most concerned about sanctions on

issues that are both important to constituents and likely to garner enough attention that the legislators' behavior will be more visible (Arnold 1992).

The second mechanism leading to representation is "selection" of like-minded representatives (Mansbridge 2009). According to this perspective, constituents choose an elected official who shares their preferences. Once elected, legislators exercise their own judgment rather than following public opinion. This is consistent with a "trustee" model of representation (Mansbridge 2003; Rehfeld 2009) or "indirect" representation (Wlezien 2004). The extent to which these legislators provide good substantive representation of the district's interests hinges on how well the member's own preferences happen to align with the preferences of constituents who elected them.

These theories of legislative behavior assume that the preferences of constituents and/or legislators are most important, and they say little about how partisanship might affect representation. We argue that partisanship is driving the way in which legislators interact with constituents. Specifically, we argue that Republicans and Democrats will represent different core constituencies, regardless of whether that occurs through "sanction" or "selection." Fenno (1978) notes that one view of constituency focuses on the reelection coalition, a subset of the overall district population. From a sanctions perspective, the reelection constituency is more likely to see its preferences followed by legislators because these individuals rationally follow the preferences of those who constitute a winning coalition who can reelect them. A selection approach would view congruence between the reelection constituency and the representative as driven by the contours of the election—constituents who are part of a member's winning coalition may be more likely to elect a member who shares their specific preferences rather than the preferences of the entire constituency (or some broader constituency, like the entire state or nation). Therefore, while legislators share the desire for reelection, this may manifest itself in distinct ways for Democratic and Republican elected officials, who have different reelection constituencies (e.g., Stonecash, Brewer, and Mariani 2003). Democratic representatives, for example, should vote more in line with the interests of minorities, who constitute a larger share of their reelection constituency since minorities overwhelmingly support Democrats (e.g., Stonecash, Brewer, and Mariani 2003). Minorities may have little incentive to defect to the Republican Party (Frymer 1999). However, better minority representation may act to mobilize minorities (Banducci, Donovan, and Karp 2004; Barreto, Segura, and Woods 2004; Rocha et al. 2010) and, consequently, still provide incentive for Democrats to better represent minority interests in hopes of increasing their base in the next election. Moreover, white Democratic constituents are likely to share the more liberal preferences of their minority co-partisans, especially since partisanship has become more polarized on issues related to minority interests (Barreto and Segura 2014; Kinder and Winter 2001; Tesler 2016). Thus, white Democrats are unlikely to feel the sort of threat from minorities predicted by racial threat theory. Even if white Democrats are more moderate than minorities on many issues (e.g., Canon 1999; Leal 2007; Tesler 2016), they are unlikely to defect to the Republican Party in the current political environment defined by partisan polarization based on fundamental distrust (Hetherington and Rudolph 2015) and affective "loathing" (Iyengar, Sood, and Lelkes 2012) of members of the other

political party. In summary, Democratic legislators have many potential benefits and few costs for responding to large minority constituencies. Even if they are not trying to be responsive (i.e., if selection is the mechanism of representation), their preferences are more likely to correspond with Latino interests. Consequently, we expect Democratic representatives to exhibit behavior consistent with racial influence theory.

Republicans, however, are more likely to vote in line with the interests of threatened white constituents who consistently support Republicans over Democrats (Enos 2016; Giles and Buckner 1996; Giles and Hertz 1994; Stonecash, Brewer, and Mariani 2003), and therefore constitute part of Republicans' reelection constituency. Republicans also have little incentive to support minority interests as the racial and ethnic divide across partisanship has become polarized on issues related to race and ethnicity (Barreto and Segura 2014; Kinder and Winter 2001; Tesler 2016). Any electoral gains made through minority support by Republicans will likely be offset by the loss of support among threatened whites who, while unlikely to defect to a Democratic candidate, may support a primary challenger if their Republican representative moves further left on issues that divide white Republicans and minorities (Brady, Han, and Pope 2007; Nicholas 2013). Consequently, while Democratic candidates have little to lose by supporting minority interests given that white Democrats are more likely to share minority preferences, Republicans have much to lose by moving left on these issues. And, again, even if Republicans are not specifically trying to represent the interests of threatened white constituents, threatened whites are more likely to elect Republican representatives who share their interests. Subsequently, as minorities constitute a larger share of Republicans' constituencies, we expect them to provide worse representation of minority interests, consistent with racial threat theory. Teasing out whether the mechanism linking constituency preferences with legislative behavior is sanctions or selection is beyond the scope of the current paper. Our purpose is simply to establish that there is reason to expect minority composition to matter beyond its effect on the partisanship or race/ethnicity of the candidate elected and that how it matters should vary across legislator partisanship. Support for these expected partisan differences may explain at least some of the null findings present in the existing literature, since a positive effect of percent minority among Democrats and a negative effect among Republicans may cancel each other out in aggregate analyses.

While the focus of the current paper is on the potential moderating effect of partisanship, it is important to acknowledge the potential influence of other legislator characteristics. As discussed above, research has found that descriptive representation also acts to mediate the relationship between minority constituency size and minority substantive representation, beyond the effect of partisanship. Studies of descriptive representation focus on the extent to which shared characteristics between legislators and constituents translate into better substantive representation of a group's interests (e.g., Mansbridge 1999; Pitkin 1967). Similar to partisanship, descriptive representation can operate through either a sanctions or selection view of representation. Under a sanctions approach, members with shared characteristics may be more prone to represent the interests of those with similar backgrounds because they are more attuned to the

preferences of their constituents, perhaps even interacting with those constituents more frequently than would a member who does not share those same characteristics with their constituents (e.g., Mansbridge 1999). However, descriptive representation might also translate into substantive representation through selection. From this perspective, constituents will elect legislators with shared characteristics who will then exercise independent judgment, providing better substantive representation of the group because shared backgrounds between legislators and constituents will lead to shared preferences. While some have argued that partisanship is more important than descriptive representation (see Swain 1993), more recent work underscores the importance of Latino descriptive representation on substantive representation (e.g., Avery, Fine, and Márquez 2017; Juenke and Preuhs 2012; Preuhs 2007; Preuhs and Juenke 2011). Another legislator characteristic that may influence their representation of minorities is their ideology. Considerable research has shown that African Americans and Latinos have more liberal preferences on many issues than do white Americans (Barreto and Segura 2014; Canon 1999; Kinder and Winter 2001; Tesler 2016). Consequently, we expect liberal legislators to provide better substantive representation of minorities than conservatives, beyond the effects of partisan and descriptive representation. Indeed, some studies of minority representation have used legislator ideology as a dependent variable, equating more liberal voting with better substantive representation (e.g., Juenke and Preuhs 2012; Lublin 1997). In the current paper, however, we use voting on immigration policy as our indicator of substantive representation of Latinos and include legislator ideology as an independent variable, expecting more liberal legislators to vote more in line with the majority of Latinos' preference for less restrictive immigration policy. As is the case with partisan and descriptive representation, legislator ideology may influence substantive representation through either sanctions or selection.

In the following section, we apply our expectations regarding the moderating effects of partisanship on minority representation to the case of Latinos and legislative voting on state immigration policy, a policy area that has received growing attention in recent years.

Latino Constituencies and State Legislative Voting on Immigration

Immigration policy has become central in American politics, especially with the 2016 presidential campaign and election of Donald Trump. Well before Trump's campaign, however, state governments were making headlines by passing restrictive immigration policies that many argued threatened the rights of Latino Americans and immigrants alike. Arizona's SB 1070, for example, drew national attention; while much of it was struck down by the U.S. Supreme Court, several other states used it as a model.

A number of studies examine the factors driving the restrictiveness of state immigration policy, many of which focus on the influence of state Latino composition.⁴ While some studies find that states with large or growing Latino populations are more

likely to pass restrictive immigration policy (Creek and Yoder 2012; Preuhs 2005; Ybarra, Sanchez, and Sanchez 2016), other research finds the opposite relationship (J. M. Chavez and Provine 2009). Still other research finds no influence of Latino composition (Butz and Kehrberg 2015; Reich 2017; Wallace 2014), or mixed effects, such that states with larger Latino populations are more likely to adopt restrictive policy, but growth in Latino population is associated with both more restrictive and more liberalizing laws (Márquez and Schraufnagel 2013; see also Filindra 2019). Recent research finds that Latino electoral power (as opposed to population size) matters such that states are less likely to pass restrictive policies when Latinos comprise a larger share of states' voters (Avery, Fine, and Márquez 2017) or voting age population (Zingher 2014). Clearly, research on the influence of Latino composition on state immigration policy produces conflicting findings (Filindra 2019), making it an excellent opportunity to test our expectation of a moderating influence of partisanship in linking minority composition with representation.

In applying the theoretical discussion above to the context of Latinos and state immigration policy, we must first establish that Latinos tend to oppose more restrictive immigration policies and, therefore, that voting against restrictive policies constitutes voting consistent with Latino interests. Survey research supports this claim. For example, a 2016 Gallup poll found that 36% of whites and 21% of Latinos support deporting undocumented immigrants, 41% of whites and 16% of Latinos support building a wall on along the U.S.-Mexico border, 82% of whites and 92% of Latinos believe immigrants living in the United States illegally should have a chance to become citizens, 88% of whites and 65% of Latinos support requiring business owners to check immigration status of workers, and 75% of whites and 85% of Latinos support expanding the number of short-term work visas for immigrants whose job skills are needed in the United States (Latino Decisions 2010). Clearly, neither group is monolithic. Significant numbers of whites oppose restrictive policies, and significant numbers of Latinos prefer more restrictive policies. However, on each of these issues, more whites take the restrictive position than do Latinos, with the largest difference found on attitudes toward building a wall along the U.S.-Mexico border and requiring business owners to check workers' immigration status, the latter of which is a provision found in many state immigration bills.⁵ Most importantly, on all five items, large majorities of Latinos prefer the less restrictive option. When asked about the specific provisions in Arizona's SB 1070, 81% of Arizona's Latinos opposed them and 70% were strongly opposed (Gallup, n.d.). In discussing Latinos' widespread opposition to restrictive immigration policies, Barreto and Segura (2014) conclude that "Issues [like Arizona's SB 1070] that cut to the heart of ethnic identity are particularly likely to transcend differences in nativity, generation, or national-origin group [among Latinos]" (p. 28). Latinos are not only overwhelmingly opposed to policies like SB 1070, but issues related to immigration have become increasingly salient for Latinos, and therefore have the potential to influence their decision to vote as well as their vote choice (Barreto and Segura 2014; L. R. Chavez 2013; Monogan and Doctor 2017).

It is also necessary to demonstrate that many whites feel threatened by immigrants and increased immigration, and that this threat is linked specifically with perceptions

of Latinos.⁶ While racial threat theory has traditionally focused on realistic conflict over scarce resources, and despite rhetoric in public debate, studies applying racial threat theory to the case of immigrant threat find little support for realistic economic competition as a source of threat among whites (Citrin et al. 1997; Hainmueller and Hopkins 2014). Instead, opposition to immigration tends to be rooted in natives' feelings of cultural threat. L. R. Chavez (2013) makes a forceful case for what he calls the "Latino Threat Narrative," whereby Latinos—regardless of immigrant status—are portrayed as an invading force seeking reconquest of the American Southwest. According to this narrative, Latinos are unwilling to acculturate to the protestant values that characterize American society and, ultimately, are not capable of citizenship because of these perceived cultural differences. Studies of public opinion suggest that many whites have adopted the Latino Threat Narrative. For example, whites' attitudes toward immigration are strongly tied to beliefs that immigrants violate civic norms (Schildkraut 2011; Wong 2010) and pose a cultural threat to the United States (Branton et al. 2011; Newman, Hartman, and Taber 2012; Schildkraut 2005). Importantly, opposition to immigration is often tied specifically to attitudes toward Latinos, including anti-Latino prejudice (Hartman, Newman, and Bell 2014), fear that Latinos will not acculturate (Branton et al. 2011), negative affect toward Latinos (Valentino, Brader, and Jardina 2013), and anxieties tied specifically to Latino immigration (Brader, Valentino, and Suhay 2008). These negative feelings about Latinos and immigrants are heightened in areas with larger Latino populations (e.g., Ha 2010; Stewart et al. 2015), and they have important implications. With immigration becoming more salient for white voters just as it has for Latinos, it has become an important issue in elections (Abrajano and Hajnal 2015; Hajnal and Rivera 2014; Wong 2017). Furthermore, state-level anti-immigrant attitudes are a strong predictor of state immigration policy (Butz and Kehrberg 2016).

The case of Latinos and state immigration policy is also an appropriate context for testing our expected partisan differences in representation because immigration attitudes have become closely linked to partisanship for both whites and Latinos (e.g., Masuoka and Junn 2013). Whites who feel cultural threat from immigrants and Latinos are more likely to identify as Republican and more likely to provide support for Republican candidates (Abrajano and Hajnal 2015; Hajnal and Rivera 2014). Moreover, this link between attitudes toward immigration and partisanship appears to be partially responsible for the aggregate shift from the Democratic Party to the Republican Party among whites that has taken place over the last 60 years (Abrajano and Hajnal 2015; Hajnal and Rivera 2014; Masuoka and Junn 2013). It has long been the case, however, that the majority of Latinos have identified with and provided support for the Democratic Party (Alvarez and García Bedolla 2003; García and de la Garza 1977; Hero 1992), and, at least for non-Cuban Latinos, support for the Democratic Party has been increasing in recent years (Barreto and Segura 2014; Nicholson and Segura 2005). Furthermore, like whites, Latino partisanship appears to be tied to attitudes toward immigration. A Gallup poll found that while only 41% of whites see the Democratic Party as being closer to their views on immigration, fully 60% of Latinos do (Gallup, n.d.). Thus, for many whites and Latinos, attitudes toward

immigration are closely linked to partisanship in ways consistent with the partisan differences we expect in legislators' responsiveness to preferences of minorities and threatened whites.

Data and Method

The existing literature on Latino composition and state immigration policy focuses on state policy outputs, examining the factors that influence the number of restrictive policies passed or the ratio of restrictive to expansive policies, for example. The current study departs from this trend by examining individual state legislators' voting on immigration-related bills. There are two advantages of extending the literature beyond an examination of policy outputs to that of legislative voting. First, there is simply greater variation in the percent Latino at the level of state legislative districts. While Latinos comprise a relatively small share of most state populations, many legislative districts have larger, even majority, Latino populations. As discussed more below, the percent Latino in districts in the current study ranges from nearly 0% to almost 96%. The second advantage is that observing legislative voting allows us to peer into the black box of state-level studies of aggregate policy outputs. State-level studies finding that states with larger Latino populations pass more restrictive immigration policies would conclude that Latino composition has a negative effect consistent with racial threat theory. It is possible, however, that Latinos exert significant influence on individual legislators that simply falls short of producing their preferred policy output because they do not constitute a large enough share of the state population overall. Similarly, whites living in districts with larger Latino populations may feel significant threat from Latinos, electing Republicans who support more restrictive immigration policies. Despite electing like-minded representatives, these whites still may not get their preferred policy output because they live in a state where Democrats dominate the legislature. In both of these cases, representation is happening that would go unobserved by state-level studies of policy outputs. Overall, examining state legislative voting provides greater opportunity for identifying representation consistent with racial influence and racial threat theories.

Our unit of analysis is the individual vote cast by legislators on immigration-related bills, including votes in both upper and lower chambers. We identified legislative votes on immigration-related bills for the years 2009 and 2010 because they are the most recent years for which we can match legislative voting with Latino composition in districts using data from the 2010 United States Census.⁷ We identified immigration-related bills using Project Vote Smart, which records state legislator voting on "key votes" related to a number of different issues including immigration. Key votes are selected and identified as restrictive or expansive by Vote Smart's community of advisors, which includes political scientists and journalists from every state. Key votes are identified as votes that are clearly either restrictive or expansive, have received media attention, and were passed or defeated by a close margin.⁸ These include the most salient state immigration bills of 2010. On one hand, more salient bills may be more likely to attract the attention of constituents, making constituency effects on

legislative voting more likely. On the other hand, more salient bills may provide legislators less leeway to stray from the party-line vote and provide greater consideration to constituent preferences that are in conflict with their party. Ultimately, whether more or less salient bills produce differences in legislative behavior is an empirical question. Table A1 in the appendix includes a list and brief description of each bill included in our analysis. This table shows that we have meaningful variation in legislators' levels of support for these bills, giving us leverage to see what factors affect voting. Restrictive bills include those that require state officials to comply with federal immigration laws, voter identification laws, English language laws, and proof of citizenship laws among others. Expansive bills include those that ease citizenship requirements, extend benefits to noncitizens, and repeal previously passed restrictive laws. This produced 15 bills per year, giving us 30 total bills, 22 of which were restrictive. There was only one immigration-related vote in some chambers, while others had as many as three votes in a chamber. Our sample includes 1,936 individual votes, cast by a total of 1,092 legislators across 12 states, and includes votes in 10 lower chambers and 8 upper chambers.

To construct our dependent variable, we combine restrictive and expansive bills, coding yea votes for restrictive bills 1, nay votes for expansive bills 1, nay votes for restrictive bills 0, and yea votes for expansive bills 0. Thus, we consider support for restrictive or opposition to expansive bills as "restrictive votes" and opposition to restrictive or support for expansive bills as "expansive votes." We combine restrictive and expansive votes into one measure, as many other studies do, because they share significance for immigrants, immigration policy, and, in some cases, the rights of non-immigrant Latinos. Rivera (2014), however, finds that restrictive and expansive bills may be substantively different. He argues that expansive bills are often symbolic and that politicians often support expansive policies to appease Latino constituencies. Restrictive bills, however, tend to have stronger and clearer policy implications, and politicians are more responsive to anti-immigrant sentiment when considering restrictive policies. Given Rivera's findings, we consider the possibility that our expected negative effect of percent Latino on restrictive voting among Democrats may be stronger for votes on expansive bills where Democrats may be trying to appeal to their Latino constituents. Our expected positive effect of percent Latino on restrictive voting among Republicans may be stronger for votes on restrictive bills as Republicans seek substantive change in policy consistent with the interest of threatened white constituents. Consequently, beyond testing for the partisan differences in the effect of Latino composition discussed above, we also consider how the nature of bills—restrictive or expansive—may moderate this relationship.

Our independent variable of primary interest is the Latino composition in districts, which we measure as the percent of the population that was Latino in 2010, drawn from the U.S. Census Bureau's DataFerrett extraction tool. The percent of a district that is Latino ranges from 0.2% to 95.9% in lower chambers with a mean of 10.5 and standard deviation of 14.4, and from 0.5% to 89.1% in upper chambers with a mean of 11 and standard deviation of 13.8. Some research examining the effects of minority composition finds that *change* in the size of the Latino population matters more than

the total size, especially when considering racial threat (e.g., Creek and Yoder 2012; Newman 2013; Rocha and Espino 2009). The redrawing of state legislative districts following the Census precludes matching districts across Censuses, so we are unable to examine the effect of change in Latino composition. While we acknowledge that change in Latino composition may matter for legislative voting, research suggests that absolute size may be a more powerful predictor of state immigration policy (Filindra 2019).⁹

Our other primary independent variable is the partisanship of legislators. We used Project Vote Smart's database to identify legislator partisanship and code it 1 for Democrats and 0 for Republicans. The few legislators who are Independents are excluded from the analysis.

We control for a number of other factors that may influence legislators' votes on immigration bills, including whether the bill was restrictive or expansive. As discussed above, some research suggests that restrictive and expansive bills may be substantively different (Rivera 2014; see also Filindra 2019). We also control for two district-level variables that may influence voting beyond percent Latino. First, we include whether the district lies on the Mexican border because issues related to immigration may be more salient for border districts.¹⁰ Second, we include district ideology using Tausanovitch and Warshaw's (2013) measure of state and district public policy preferences, which draws on an average of 5,000 survey respondents in each state and uses multilevel regression and poststratification to estimate state- and district-level preferences. Higher values are associated with more conservative district ideologies. As discussed above, we also include two characteristics of legislators beyond partisanship, including legislator ethnicity and ideology. Our expectation is that Latino legislators and more liberal legislators will be less likely to cast restrictive votes than non-Latino and conservative legislators, respectively. Data on the ethnicity of legislators are drawn from the National Association of Latino Elected and Appointed Officials and are coded 1 for Latino legislators and 0 otherwise. For legislator ideology, we use Shor and McCarty's (2011) measures based on Project Vote Smart's National Political Awareness Test, which was administered to state legislative candidates and measures opinions on a wide range of policy issues. Ideology scores have a mean of 0.17, a standard deviation of 0.90, and range from -2.8 to 2.5, with high values associated with more conservative ideologies. Finally, we also include two state-level variables that may influence voting on immigration bills. The first is a dummy variable for whether the legislator represents a district in a southern state (1 if so and 0 otherwise) because the history of racial prejudice that continues to influence politics in the South (e.g., Kuklinski, Cobb, and Gilens 1997) is not limited to African Americans. Therefore, whites in southern states may be more supportive of restrictive immigration policy (e.g., Avery, Fine, and Márquez 2017; Matos 2017). Second, since some research suggests that the influence of Latino composition may be dependent on the party controlling the legislature (Zingher 2014), we include a dummy variable where a value of 1 indicates Democratic control and 0 indicates Republican control. Table A2 of the appendix reports descriptive statistics for all our variables for Democratic and Republican legislators.

As indicated above, our data include variables at three different levels: votes, nested within districts/legislators, and nested within states. Ignoring the multilevel nature of these data violates the assumption that the errors within Level 2 (districts/legislators) and Level 3 (states) are independent, increasing the chances of type I errors (i.e., rejecting the null hypothesis when no relationship exists; Steenbergen and Jones 2002). Given this, we estimate restrictive voting using multilevel logit models, which allow for the modeling of variables at the vote level, district/legislator level, and state level jointly, and estimate separate variance structures to produce unbiased standard errors.

We first examine the effect of Latino composition by estimating five different models. First, we test for an influence of percent Latino on restrictive voting that does not include legislator variables, but simply tests for whether districts with larger Latino populations tend to have legislators who vote alongside the groups' overwhelming preference for less restrictive policy when controlling for other district variables, state-level variables, and the dummy variable for whether the bill was restrictive. We then add legislator characteristic to our model to test for the mediating effects of legislator partisanship, ethnicity, and ideology, estimating separate models for each characteristic. If legislator characteristics have a significant influence on voting, and any statistically significant effect of percent Latino is diminished when including them, we can conclude that any influence of percent Latino found in our first model is, at least in part, mediated through these legislator characteristics. Our fifth model includes all three legislator characteristics to test for whether each has an independent influence on voting after controlling for the others. We then turn our attention to the expected moderating effect of partisanship by examining the interaction between percent Latino and legislator partisanship, testing our main hypotheses, which predict partisan difference in the influence of Latino composition on restrictive voting. We end by including a three-way interaction between percent Latino, legislator partisanship, and our dummy variable for restrictive votes, testing whether votes on restrictive and expansive policies are distinct.

Findings

Model 1 of Table 1 presents the results for the model that excludes legislator characteristics. Of most interest is the negative, statistically significant effect of percent Latino. Districts with larger Latino population are less likely to have legislators who vote in a restrictive direction on immigration policy, consistent with racial influence theory. The effect of percent Latino is small but not inconsequential. A one standard deviation increase in percent Latino is associated with a .06 decrease in the predicted probability of a restrictive vote, holding other variables at their mean or mode as appropriate. Thus, a change from a district with the mean percent Latino (8.5%) to two standard deviations above the mean (28.5%) is associated with a change from a .70 predicted probability of a restrictive vote to a .58 predicted probability of a restrictive vote. We find no effect for whether the district is on the Mexican border, whether the district is in a southern state,¹¹ or for partisan control of the legislature. However, the

Table 1. Predicting Restrictive Immigration Votes.

	Model 1	Model 2	Model 3	Model 4	Model 5
Vote level					
Restrictive bill	1.1 (0.72) ^{***}	0.94 (0.31) ^{**}	1.1 (0.34) ^{***}	0.68 (0.29) [*]	0.73 (0.30) [*]
District/legislator level					
Percent Latino	-0.04 (0.01) ^{**}	-0.001 (0.01)	-0.03 (0.02)	0.01 (0.01)	0.01 (0.01)
District ideology	3.7 (0.47) ^{***}	1.1 (0.33) ^{***}	3.6 (0.47) ^{***}	0.70 (0.27) [*]	0.64 (0.28) [*]
Border district	-2.3(2.1)	-1.7(1.9)	-1.8(2.2)	-1.3(2.3)	-1.1(2.5)
Partisanship (Democrat)		-4.1 (0.31) ^{***}			-1.1 (0.34) ^{***}
Latino legislator			-3.2(1.2) ^{**}	2.5 (0.15) ^{***}	-1.8 (0.93) [*]
Legislator ideology (conservative)					2.0 (0.21) ^{***}
State level					
South	0.13 (0.78)	0.63 (0.73)	0.10 (0.79)	0.64 (0.68)	0.68 (0.68)
Democratic control	1.1 (0.72)	1.7 (0.61) ^{**}	1.1 (0.72)	2.0 (0.15) ^{***}	2.0 (0.58) ^{***}
Constant	0.14 (0.62)	1.4 (0.55) [*]	0.14 (0.62)	-1.1 (0.50) [*]	-0.46 (0.54)
Random effects					
State	0.88 (0.46) [*]	0.60 (0.31)	0.88 (0.46)	0.53 (0.27)	0.53 (0.26) [*]
District/legislator	8.5 (1.7) ^{***}	2.8 (0.71) ^{**}	8.4 (1.7) ^{**}	0.96 (0.34) ^{**}	1.2 (0.42) [*]
Observations					
States	12	12	12	12	12
Districts/legislators	1,092	1,092	1,092	1,092	1,092
Votes	1,936	1,936	1,936	1,936	1,936

Note. Entries are maximum likelihood coefficients with standard errors in parentheses. Estimates were produced using Stata 13; data for replication are available from the authors at request.

* $p < .05$. ** $p < .01$. *** $p < .001$ (two-tailed test).

effect of the dummy variable for restrictive bills is positive and significant, suggesting that restrictive bills are more likely to get “yea” votes than expansive bills get “nay” votes. This finding is not surprising given that our samples include more restrictive bills than expansive bills, and most bills that make it through the legislative process to a vote ultimately pass, as is the case in our sample. Thus, we do not find this effect of substantive interest, but rather a product of our sample of restrictive versus expansive bills. Finally, as expected, district ideology has a positive, significant effect on restrictive voting, indicating that districts with more conservative publics are more likely to have legislators who vote restrictive on immigration bills.

We next seek to reproduce the general findings in the literature on minority representation that finds legislator characteristics to mediate the effect of minority composition on the quality of minority representation. To do so, we estimate three difference models. Model 2 of Table 1 replicates Model 1 but adds a dummy variable for legislator partisanship. Model 3 includes the dummy variable for Latino legislators, and Model 4 includes legislator ideology. In each of these three models, the effect of percent Latino is smaller than in Model 1 and fails to reach statistical significance, though the effect of percent Latino in Model 3, which includes the Latino legislator dummy, is only marginally smaller and is close to statistical significance ($p = .06$). The effect of each of the legislator variables, however, are in the expected directions and statistically significant; Democratic and Latino legislators are less likely to vote restrictive on immigration bills, while conservative legislators are more likely to vote restrictive. These findings suggest that the variation in restrictive voting explained by percent Latino in Model 1 is at least partially accounted for by these legislator characteristics.

Finally, we estimate a model that includes all three legislator characteristics to test for the independent effect of each (Model 5). The results show that all three legislator characteristics have an independent, statistically significant effect on restrictive voting when controlling for the effect of the others. Moreover, these effects are substantively significant. Using the estimates from Model 5, we produce predicted probabilities of a restrictive vote while varying each legislator characteristic, holding other variables at their mean or modal values. We find that Democratic legislators have a .57 predicted probability of a restrictive vote, while Republicans have a .72 predicted probability of a restrictive vote. Latinos have a .43 predicted probability of voting in a restrictive direction, while non-Latinos have a .63 predicted probability of a restrictive vote, a finding that echoes the conclusion that Latino descriptive representation translates into better substantive representation even after considering the influence of legislator partisanship (e.g., Avery, Fine, and Márquez 2017; Juenke and Preuhs 2012; Preuhs 2007; Preuhs and Juenke 2011). Finally, legislators with an ideology score one standard deviation below the mean (-0.73) have a .62 predicted probability of a restrictive vote, while legislators with an ideology score one standard deviation above the mean (1.07) have a .97 predicted probability of a restrictive vote.

Overall, the findings from Table 1 are consistent with previous research emphasizing the importance of partisan and descriptive representation when considering the quality of minority representation; the influence of Latino composition on state

Table 2. Moderating Effect of Restrictive versus Expansive Bills.

	Model 6	Model 7
Vote level		
Restrictive bill	0.75 (0.30)*	-1.33 (0.57)*
District/legislator level		
Percent Latino	0.08 (0.03)**	-0.02 (0.04)
District ideology	0.68 (0.29)*	0.78 (0.30)**
Border district	-1.6 (3.6)	-0.91 (3.00)
Partisanship (Democrat)	-0.65 (0.37)	-2.80 (0.71)***
Latino legislator	-1.4 (0.97)	-1.08 (1.00)
Legislator ideology (conservative)	1.9 (0.21)***	1.95 (0.22)***
Percent Latino × Partisanship	-0.08 (0.03)**	0.01 (0.04)
Partisanship × Restrictive		2.70 (0.71)***
Percent Latino × Restrictive		0.18 (0.05)***
Partisanship × Percent Latino × Restrictive		-0.17 (0.05)**
State level		
South	0.81 (0.75)	0.92 (0.90)
Democratic control	2.2 (0.60)***	2.63 (0.77)***
Constant	-1.0 (0.60)	0.44 (0.76)
Random effects		
State	0.65 (0.32)*	0.97 (0.49)*
District/legislator	1.3 (0.44)*	1.50 (0.49)*
Observations		
States	12	12
Districts/legislators	1,092	1,092
Votes	1,936	1,936

p* < .05. *p* < .01. ****p* < .001 (two-tailed test).

legislative voting on immigration policy appears to be mediated by the partisanship and ethnicity of the state legislators elected to their district. While prior research has focused on partisan and descriptive representation of minorities, the findings reported in Table 1 make clear that legislator ideology also matters, even after controlling for partisanship and ethnicity. Indeed, the predicted probabilities reported above suggest that the effect of legislator ideology is as strong as or stronger than the effects of partisan and descriptive representation.

Testing for Moderating Effects of Partisanship

We now test for the moderating effects of legislator partisanship on the relationship between percent Latino and restrictive immigration voting (see Table 2). We expect Democratic legislators to be *less* likely to vote in a restrictive direction as the percent Latino in their district increases, while Republicans will be *more* likely to vote in a restrictive direction as the percent Latino in their district increases. To test these

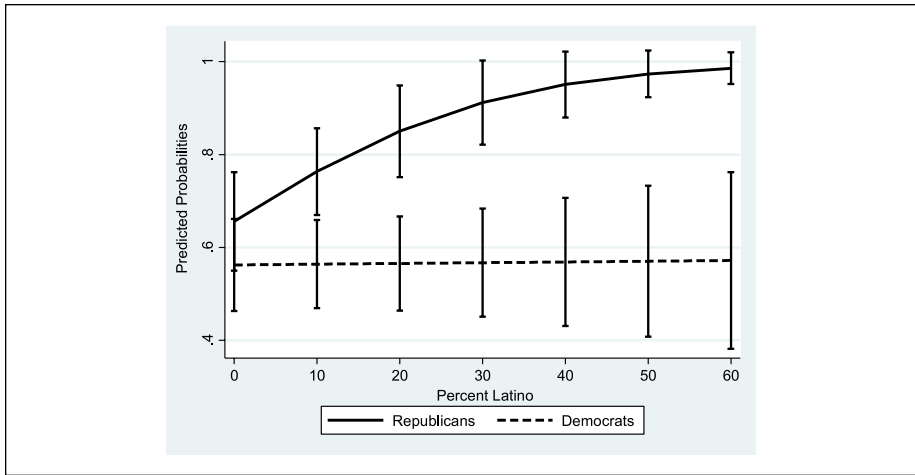


Figure 1. Predicted probability of restrictive vote by percent Latino and legislator partisanship.

hypotheses, we estimate a model that includes an interaction between percent Latino and the dummy variable for legislator partisanship. We report these results in Model 6 of Table 2.

Consistent with expectations, the coefficient for the interaction term is negative and statistically significant, while the effect of the constituent term, which captures the effect of percent Latino for Republicans, is now positive and statistically significant. To better demonstrate the moderating effects of partisanship, we use the results of Model 6 to produce predicted probabilities of a restrictive vote while varying legislator partisanship and the percent of their district that is Latino, holding other variables at their mean or modal values as appropriate. We report these predicted probabilities and 95% confidence intervals in Figure 1, which provides mixed support for our expectations.

Contrary to our expectations, but consistent with previous research, we find no influence of percent Latino on restrictive voting for Democratic legislators. Regardless of the Latino composition of their district, Democrats have a .57 predicted probability of a restrictive vote on immigration bills. Looking now at the effect of percent Latino among Republicans, we find support for our expected positive effect of Latino composition on restrictive voting. Republicans are more likely to vote restrictive on immigration bills as the percent Latino in their district increases. The effect of Latino composition among Republicans is most dramatic when percent Latino is between 0% and 30%, which is where most of the variation in percent Latino exists among Republican legislators since districts with greater than 30% Latino are more likely to elect Democrats to office. Indeed, only 16 Republicans (23 votes) in our sample represent districts with more than 30% Latino populations, and only 7 Republicans (11 votes) represent districts with more than 40% Latino. Republicans representing

districts with no Latinos have a .67 predicted probability of casting a restrictive vote on immigration bills, which is not statistically different from the effect of Democrats. However, Republicans representing a district with 10% Latinos have a .77 predicted probability of voting in a restrictive direction, and Republicans representing a district with 20% Latinos have a .86 predicted probability of casting a restrictive vote. Confidence intervals around our predicted probabilities become small for Republicans representing districts with more than 30% Latino populations since of the 23 votes by the 16 Republicans representing these districts, all but one vote is in a restrictive direction. Clearly, Latino composition matters for Republican legislators such that, consistent with racial threat theory, larger Latino constituencies are associated with more restrictive voting.

Also of note in Figure 1 is that the effect of partisanship is not statistically different when Latinos comprise a small proportion of a constituency, and that Democrats have a greater than .50 predicted probability of voting in a restrictive direction. Overall, the effects of partisanship appear to be fairly modest compared to prior studies of minority representation. This finding is somewhat deceiving, however, because we are controlling for legislator ideology, which is strongly correlated with partisanship and often excluded from studies of minority representation, or used as the dependent variable measuring quality of minority representation. When we exclude legislator ideology from Model 6, Democrats have a .27 predicted probability of voting restrictive when Latinos comprise 0% of their district and a .25 predicted probability of voting in a restrictive direction when they comprise 10%. The corresponding predicted probabilities for Republicans are .89 and .96. Consistent with the findings reported in Table 1, these findings suggest the importance of examining the effect of legislator ideology when considering the quality of minority representation, independent of the effect of partisanship.

Testing for Differences in Restrictive and Expansive Bills

Finally, we test for whether the moderating effect of legislator partisanship displayed in Figure 1 is further moderated by whether the immigration bill is restrictive or expansive by including a three-way interaction between percent Latino, legislator partisanship, and the dummy variable for restrictive/expansive bills. Our expectation based on Rivera's (2014) work is that any negative effect of percent Latino on restrictive voting among Democrats will be stronger for votes on expansive bills, while our expected positive effect of percent Latino on restrictive voting among Republicans will be stronger for votes on restrictive bills. The results are presented in Model 7, reported in Table 2.

The coefficient for the three-way interaction is negative and statistically significant. To interpret these results, we produce predicted probabilities of restrictive votes while varying percent Latino, legislator partisanship, and whether the bill was restrictive or expansive, holding other variables at their mean or modal values.

These results are presented in Figure 2, showing predicted probabilities for restrictive and expansive bills separately. For each type of bill, we display the predicted

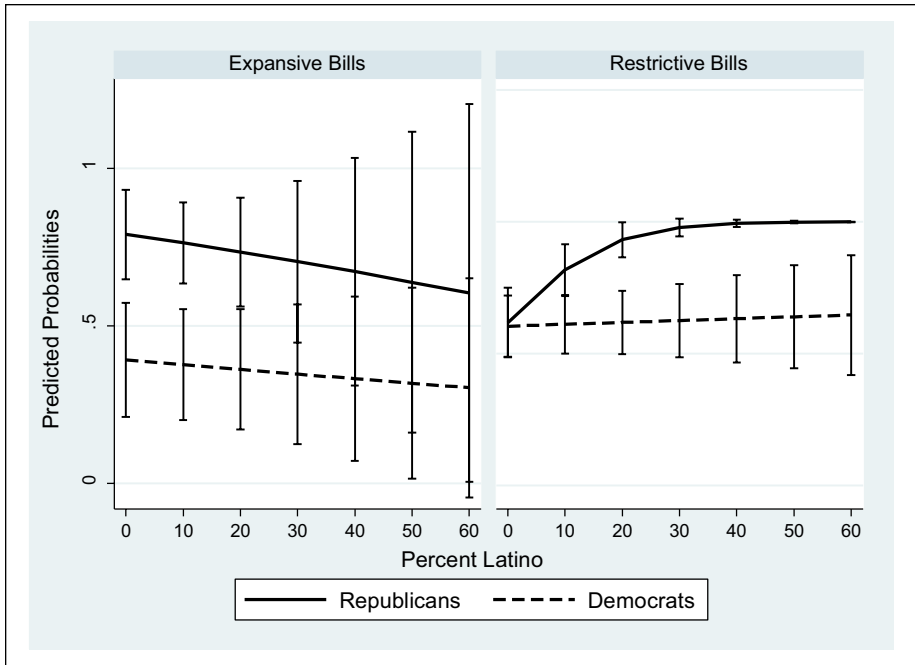


Figure 2. Predicted probability of restrictive vote by percent Latino and legislator partisanship for expansive and restrictive bills.

probabilities of restrictive votes for Democratic and Republican legislators while varying the percent of their district that is Latino. The results displayed in Figure 2¹² provide partial support for our expectations. Again, the probability of a restrictive vote among Democratic legislators does not vary with change in the percent Latino among their constituents, regardless of whether the bill was restrictive or expansive. However, we find support for the expectation that Republicans will vote more in line with threatened white constituents when considering restrictive bills. Indeed, the effect of percent Latino among Republicans found in Figure 1 only exists when considering restrictive bills. This finding is consistent with Rivera’s argument that legislators have little to lose by supporting expansive bills, which are largely symbolic, but will be more likely to consider anti-immigrant sentiment when voting on restrictive bills, which tend to have stronger and clearer policy implications.

In the current study, however, this effect is limited to Republicans, whose reelection constituency includes whites most likely to feel threat from larger Latino populations in their district. Similar to the findings displayed in Figure 1, the confidence intervals for predicted probabilities for Republicans become small as percent Latino increases. Again, this is a result of Republicans representing districts with large Latino populations overwhelmingly supporting restrictive immigration bills.

Discussion

Studies of minority representation consistent with racial influence theory conclude, for the most part, that the size of the minority population does not affect the quality of their representation beyond its influence on the partisanship and race/ethnicity of those elected to office. However, research consistent with racial threat theory actually finds that minorities receive worse representation when they comprise a larger share of a constituency. Drawing on theories of legislative behavior, we argue that the size of a minority constituency should matter beyond the mediating effects of legislator partisanship and race/ethnicity, and that both racial influence and racial threat theories may be at work depending on legislator partisanship. Our basic argument is quite simple: Republicans and Democrats represent different constituencies. Republicans' constituents include whites who are more likely to feel threatened by large minority populations and support policies that disadvantage minorities, while Democrats' constituents include minorities and liberal whites who prefer policies more favorable to minorities. Our results testing these expectations in the context of Latino composition and state legislative voting on immigration policy provide mixed support for these expectations. Specifically, consistent with racial threat theory, Republicans are more likely to vote in a restrictive direction when their constituencies are comprised of more Latinos, though this effect is only observed when voting on bills intended to restrict immigration. We find no influence of percent Latino among Democratic legislators, however. Instead, consistent with previous research, we find that Democrats mediate the relationship between minority composition and representation; Latinos overwhelmingly support Democratic candidates who, once elected, are more likely to vote in line with Latinos' overwhelming preference for less restrictive immigration policy. While we do not find an independent effect of Latino composition when Democrats are elected, the mediating effect of partisanship is consistent with racial influence theory.

The null effect of Latino composition on Democrats' voting on immigration policy is surprising; Democrats have a strong incentive to provide better representation for larger Latino constituencies given that white Democratic constituents are likely to share Latino's preferences for less restrictive policies. However, this may be exactly why we find no effect of Latino composition among Democrats. The parties have become increasingly polarized on the issue of immigration, both among office holders (Wong 2017) and among the public (Abrajano and Hajnal 2015; Hajnal and Rivera 2014; Jones 2016). White Democrats, for the most part, share the preferences of Latinos when it comes to immigration policy, and there is little reason to expect it to vary as the Latino population varies. If this is the case, the null effect of Latino composition among Democratic legislators may not be surprising.

Given white partisan polarization on immigration, why then do we find an influence of Latino composition on restrictive voting among Republicans? Not all white Republicans have equal reason to feel threatened by immigrants or Latinos, the two of which are often conflated (L. R. Chavez 2013). Rather, research shows that prejudice against immigrants (Ha 2010) and feelings of Latino threat specifically (Stewart et al.

2015) are heightened in areas with larger or growing Latino populations. Consequently, Republican legislators are likely to feel pressure from their reelection constituencies in districts with larger Latino populations, which also will include larger populations of threatened whites.

Beyond the effect of partisanship, we also find that descriptive representation and legislator ideology help to mediate the effect of Latino composition on immigration voting. Even after controlling for the effects of partisanship and ideology, Latino legislators are less likely to vote in a restrictive direction than non-Latino legislators, a finding consistent with other work demonstrating the importance of Latino descriptive representation (Juenke and Preuhs 2012; Preuhs 2007; Preuhs and Juenke 2011). We also find a statistically and substantively significant independent influence of legislator ideology, even when controlling for legislator partisanship and ethnicity. This finding suggests that studies of minority representation, which focus on the importance of partisan and descriptive representation, should also consider the independent influence of legislator ideology.

How generalizable are the current findings to other policy domains or across time? Beyond immigration, research demonstrates that legislative behavior and public policy are more likely to reflect constituent preferences on issues of higher salience than issues of lower salience (Bartels 1991; Canes-Wrone, Minozzi, and Reveley 2011; Page and Shapiro 1983). Given how salient immigration policy has become over the last decade, it is possible that this policy may be one where constituent effects may be more pronounced. As noted above, however, the issue of immigration also has become increasingly polarized across the two parties, with the Republican Party the clear champions of more restrictive policy (Abrajano and Hajnal 2015; Masuoka and Junn 2013). From this perspective, immigration policy may be considered an especially challenging test of constituency effects when controlling for partisanship. In other words, it may be that a policy like immigration that has such partisan polarization might be especially likely to show partisan differences in response to constituency, as our results show. The extent to which our findings can be generalized to issues other than immigration (like those mentioned in Footnote 2), or to votes on immigration-related bills that are less salient, ultimately is an empirical question. We also note that the parties' positions on immigration have evolved over time. For example, some Republicans like President George W. Bush discussed immigration in ways that suggested an openness to "amnesty," while President Trump has taken firm stances in a restrictive direction. Our analyses show support for our theory, but it would be valuable for future studies to test whether these changing contexts might yield different results. Additional research that tries to differentiate between a "sanction" or "selection" effect would also be worthwhile, to unpack the nature of what leads Democrats and Republicans to approach representation in the distinct ways we have found in the current study.

Another fruitful avenue for future research would be to extend our study to types of legislative behavior other than roll-call voting. It is possible, and perhaps likely, that this stage of the policy process is one where partisanship is much more salient for legislators. It would be valuable to see whether the effect we find still hold for other stages of the

process (see Rouse 2013; Wilson 2010). This might be particularly valuable given the divergent party stances on immigration, which may show up the most in roll-call voting.

The current study adds to the literature specifically examining state immigration policy, which focuses on state-level policy outputs. By moving the level of analysis to state legislative districts and examining legislative voting, the current study is better able to unpack constituency effects. Studying immigration-related policy outputs is important because outputs affect the lives of constituents, but studies of policy outputs are unable to observe representation taking place at the level of individual legislators. For example, a state with a large Latino population may produce more expansive immigration policy if its legislature is majority Democratic, consistent with racial influence theory, even if districts with larger Latino populations that have Republican representative are voting in line with threatened white constituents. By examining individual-level votes, we are able to peer into the black box of legislative behavior. In doing so, we find significant differences in the way Latino composition influence voting on immigration policy depending on the partisanship of representatives.

Appendix

Table A1. Immigration-Related Bills for 2009 and 2010.

Date	State	Chamber	Bill	Description	Restrictive or expansive	Outcome
2/10/09	OH	Senate	SB 35	Requires state AG to pursue memorandum of agreement with U.S. AG to authorize enforcement of federal immigration laws, criminal and civil.	Restrictive	21-11 (Passed)
3/9/09	UT	House	HB 171	Removes 5-year residence requirement for children of documented immigrants to be eligible for state Medicaid health coverage.	Expansive	50-23 (Passed)
3/9/09	UT	Senate	SB 225	Ibid.	Expansive	15-14 (Passed)
3/11/09	OK	House	HJR 1042	Joint resolution that submits constitutional amendment to voters that designates English as official state language.	Restrictive	66-32 (Passed)
3/30/09	GA	House	SB 67	Requires all exams for driver's licenses to be administered in English.	Restrictive	104-58 (Passed)
4/3/09	GA	House	SB 86	Requires proof of citizenship when registering to vote.	Restrictive	140-67 (Passed)
4/3/09	GA	Senate	SB 86	Requires proof of citizenship when registering to vote.	Restrictive	30-13 (Passed)
4/3/09	GA	House	HB 2	Imposing penalties on local governments that fail to verify citizenship of employees, contract workers, and recipients of government assistance.	Restrictive	121-47 (Passed)
4/3/09	GA	Senate	HB 2	Imposing penalties on local governments that fail to verify citizenship of employees, contract workers, and recipients of government assistance.	Restrictive	38-16 (Passed)
4/6/09	CO	Senate	SB 170	Expands in-state tuition eligibility to any individual, regardless of immigration status, who has attended a CO high school for at least 3 years, graduated, and been accepted by in-state college or university.	Expansive	16-18 (Failed)

(continued)

Table A1. (continued)

Date	State	Chamber	Bill	Description	Restrictive or expansive	Outcome
4/13/09	MD	House	HB 387	Prohibits issue of ID card, driver's license, or moped permit unless applicant provides proof of lawful status in the United States.	Restrictive	76-60 (Passed)
4/16/09	CA	Senate	SB 242	Prohibits businesses from adopting or enforcing policy that limits or prohibits use of any language unless justified as necessary.	Expansive	21-15 (Passed)
5/12/09	RI	House	H 5143	Requires companies to use E-Verify database to check citizenship.	Restrictive	38-33 (Passed)
6/1/09	ME	House	LD 1357	Repeals requirement to prove legal presence before obtaining driver's license and ID card.	Expansive	81-56 (Passed)
6/3/09	ME	Senate	LD 1357	Repeals requirement to prove legal presence before obtaining driver's license and ID card.	Expansive	18-17 (Passed)
2/15/10	AZ	Senate	SB 1070	Includes, but not limited to, requiring law enforcement officers to determine immigration status if reasonable suspicion exists, and establishing a crime of failure to complete or carry an immigrant registration document.	Restrictive	17-13 (Passed)
2/24/10	UT	House	HB 227	Requires applicants for new business license, license renewal, or replacement to prove lawful presence in the United States.	Restrictive	38-36 (Passed)
3/8/10	UT	Senate	SB 44	Repeals 5-year residency requirement for children of documented immigrants to be eligible for Medicaid health care.	Expansive	13-14 (Failed)
3/11/10	UT	House	SB 251	Requires private employers to register with federal E-Verify program to verify legal status of new employees.	Restrictive	46-24 (Passed)
3/24/10	OH	Senate	SB 150	Authorizes sheriffs to render assistance to federal immigration officials.	Restrictive	22-10 (Passed)
3/24/10	OH	Senate	SB 35	Requires state AG to pursue memorandum of agreement with U.S. AG to authorize enforcement of federal immigration laws, criminal and civil.	Restrictive	21-11 (Passed)
3/30/10	GA	Senate	SB 67	Requires all exams for driver's licenses to be administered in English.	Restrictive	39-11 (Passed)
4/13/10	AZ	House	SB 1070	Includes, but not limited to, requiring law enforcement officers to determine immigration status if reasonable suspicion exists, and establishing a crime of failure to complete or carry an immigrant registration document.	Restrictive	35-21 (Passed)
4/28/10	MA	House	Sanchez Amdt.	Prohibits following provisions of Amdt. 119, which requires state government agencies to verify legal presence of all adults who apply for public benefits.	Expansive	83-75 (Passed)
5/10/10	TN	Senate	HB 270	Requires voter registration applicants to submit proof of citizenship.	Restrictive	20-12 (Passed)
5/24/10	TN	House	HJR 1253	Commends Arizona's passage of SB 1070.	Restrictive	67-27 (Passed)
6/4/10	TN	Senate	HJR 1253	Commends Arizona's passage of SB 1070.	Restrictive	18-7 (Passed)
6/8/10	PA	House	HB 1502	Requires contractors to provide verification that employees have Social Security numbers.	Restrictive	188-6 (Passed)
6/9/10	TN	Senate	HB 670	Conference report requires correctional facilities to check immigration status of inmates and report violations.	Restrictive	24-7 (Adopted)
6/9/10	TN	House	HB 670	Conference report requires correctional facilities to check immigration status of inmates and report violations.	Restrictive	57-30 (Adopted)

Table A2. Descriptive Statistics.

	<i>M</i> /percent	<i>SD</i>	Minimum	Maximum
Democrats (<i>N</i> = 881)				
Restrictive vote	32.5%			
Restrictive bill	73.6%			
Percent Latino	10.07	12.32	0.54	73.06
District ideology	-0.18	0.36	-1.12	0.68
Border district	0.6%			
Latino legislator	2.6%			
Legislator ideology	-0.68	0.47	-2.79	1.10
South	33.0%			
Democratic control	48.6%			
Republicans (<i>N</i> = 1,055)				
Restrictive vote	88.2%			
Restrictive bill	86.2%			
Percent Latino	7.28	7.54	0.57	59.25
District ideology	0.13	0.28	-0.73	0.82
Border district	0.1%			
Latino legislator	0.5%			
Legislator ideology	0.88	0.44	-1.20	2.52
South	44.4%			
Democratic control	24.8%			

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Notes

1. For simplicity, we use the term “whites” to refer to non-Latino whites.
2. Our theory could apply to minority representation more broadly, or other policy domains like criminal justice reform or civil rights that are often characterized by racial or ethnic differences in public opinion. It also might apply to domains that are especially important to Latinos, like education and health care (Casellas 2011; Rouse 2013), or to issues that have become “race-coded” like welfare (see Gilens 1996; 1999).
3. One exception is in the case of direct democracy where constituent preferences are not mediated by elected officials (Tolbert and Hero 1996).
4. Other research focuses on the size or change in the size of the foreign-born population in a state as a source of threat among whites (e.g., Boushey and Luedtke 2011; Monogan 2013).

5. If the preferences of whites and Latinos overlapped completely, there would be no cross-cutting incentives for those seeking to represent these groups within their constituencies. This would likely improve representation for racial or ethnic minorities whose views would align with the white majority, and voting against any group's preferences would be voting against the district/state majority. As the Gallup data that we present above demonstrate, some immigration issues have more overlap than others. The policies with the most pronounced differences across groups should present the starkest choice for legislators seeking to represent various ethnic constituencies.
6. Throughout our article, we compare "whites" with Latinos, intentionally excluding African Americans from our discussion. Public opinion polls show that African Americans look much more like Latinos in their immigration attitudes. Thus, even if significant numbers of African Americans feel threatened by immigrant competition, this threat does not appear to lead to more restrictive immigration preferences as it does among whites (Gallup, n.d.).
7. The Census matches population data to state legislative districts as of 2010; redistricting of state legislative district lines makes using these data problematic in some areas for subsequent legislative sessions.
8. Other studies of state immigration laws have used the National Conference of State Legislatures's (NCSL) identification of state immigration bills. In 2010, the NCSL identified 208 enacted immigration laws across 46 states, a larger number than Project Vote Smart. Information on the NCSL's bills, resolutions, and methodology can be found at their website (<http://www.ncsl.org/research/immigration/2010-immigration-related-laws-and-resolutions-in-t.aspx>). Additional details about how Project Vote Smart selects bills are available at their website (https://votesmart.org/bills#about_kv).
9. Some research examining minority composition and representation finds a nonlinear relationship (e.g., Black 1978; Bullock 1981). Perhaps the most likely nonlinear effect is a threshold effect such that, for racial influence theory, Latino composition will not lead to better representation until they reach a large enough percentage of a Democrat's reelection constituency to pose a significant electoral threat. Likewise, we might expect a threshold effect consistent with racial threat theory such that Latinos will not pose a threat to whites until they constitute a significant portion of the district. We test for this possibility, examining potential thresholds of 3%, 5%, and every additional 5% up to 40% but found no evidence consistent with these expectations for Democrats, Republicans, or the entire sample. These additional analyses are available upon request from the authors.
10. We also run models where we employ a dummy variable capturing whether the legislator represents a *state* on the Mexican border, rather than a border district. The results we present below are substantively the same when we use this alternate specification.
11. Given the history of racial prejudice in southern states, we examine whether the effect of Latino composition on immigration votes differed across southern and non-southern states. No statistically significant differences were observed, for either Republican or Democratic legislators.
12. An alternative to using a three-way interaction is to replicate Model 6 for restrictive and expansive bills separately. Doing so produces equivalent results; we find no statistically significant interaction between percent Latino and legislator partisanship for expansive bills, but a negative, statistically significant interactive effect is found for restrictive bills. These results are available upon request from the authors.

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