

# Anti-Immigrant Sentiment and the Adoption of State Immigration Policy

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*Over the last two decades, the American states have become increasingly active in shaping U.S. immigration policies. One consistent predictor in studies of state immigration policies revolves around public opinion or mass political attitudes in the form of anti-immigrant sentiment. Unfortunately, past research relies extensively on blunt demographic proxies or other alternative replacements to measure mass opinion. Through incorporating a direct measure of anti-immigrant sentiment constructed from public opinion surveys, we uncover mixed results. In static models, anti-immigrant sentiment predicts a state's overall immigration policy restrictiveness or policy "tone"; however, mass opinion fails to consistently predict immigration restrictiveness in more dynamic models of annual policy change and total number of hostile policies. We theorize that state legislators are likely responding to mass opinion with immigration policy restrictiveness when citizens mobilize and demand accountability during times of heightened issue salience. However, during times of reduced salience among the populace the influence of anti-immigrant sentiment wanes, and commercial and political elites are seemingly able to shift individual immigration policies in more accommodative directions. Anti-immigrant sentiment can motivate state immigration policy restriction, but likely only during select periods of heightened issue salience and attentive, engaged citizenry.*

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在过去二十年中，美国各州在制定美国移民政策方面变得越来越积极。关于州移民政策的研究普遍围绕公众舆论或政治态度来设定预报因子，且这些预报因子通常呈现为反移民情绪。很遗憾的是，过去的研究广泛依赖钝性人口统计指标或其他替代方法来衡量公众舆论。我们从民意调查中构建出了反移民情绪这一直接性的衡量指标。通过纳入该指标，我们得到的结果莫衷一是：在静态模型中，反移民情绪预测了各州对移民的整体限制情况，或者说是政策“基调”；然而，在更为动态的关于政策的年度变化模型中，民意却不能始终如一地预测出移民政策的限制情况。我们推测，当问题突出时，公民会动员起来并要求实行问责，那么州立法者就会就移民政策限制性方面的民意做出回应。然而，当问题在民众之中没有如此突出时，反移民情绪所带来的政策影响将会减弱，商业和政治精英似乎可以在更加宽松的方向上改变移民政策。反移民情绪可以刺激国家移民政策的限制，但这很大可能上只是在特定情况下，即当社会问题尤为突出且公民注意力及参与度很高时。

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## Introduction

The literature on drivers of state immigration policy emphasizes the role of the public opinion in pushing policy choices in more restrictive direction (e.g., Hero &

Preuhs, 2007; Hopkins, 2010; Kehrberg, 2017; Turner & Sharry, 2012); however, many of these studies employ demographic variables as proxies for mass immigration attitudes, rendering the predictive nature of existing findings uncertain. Immigration population size and proportional changes in the immigrant population has been linked to competing hypotheses between demographic-based attitudinal proxies and policy outcomes (Filindra, 2017). For example, theories of racial and group threat arguments predict that large or growing minority populations result in hostile attitudes among the majority, which forms an opinion–policy linkage supporting restrictive policy outcomes (Avery, Fine, & Márquez, 2016; Blalock, 1967; Key, 1949; Newman, 2013; Newman, Johnston, Strickland, & Citrin, 2012; Schildkraut, 2001). Other scholars predict that large and growing minority populations create an opportunity for political elites to grow their electoral base by adopting more welcoming and accommodative immigration policies (Filindra & Pearson-Merkowitz, 2013; Marquez & Schraufnagel, 2013; Provine & Chavez, 2009). Another alternative theoretical framework predicting an accommodative policy arrangement with increasing immigration size is the social contact hypothesis. Increased contact between immigrants and natives can result, under certain conditions, in more positive stereotypes and expansionist immigration preferences (Pettigrew, 1998; Stein, Post, & Rinden, 2000).

Methodologically, past research efforts on state immigration policies rely primarily on blunt demographic proxies or other alternative replacements to measure mass opinion (see Nicholson-Crotty & Nicholson-Crotty, 2011).<sup>1</sup> In this study, we incorporate a new direct measure of state anti-immigrant sentiment that is comprised of survey responses gauging immigrant support (Butz & Kehrberg, 2016). Using the same analytical strategies employed by state immigration scholars for testing other predictors of immigration policies (Filindra, 2017; Monogan, 2017), we proceed to test our hypotheses statistically across multiple dependent variables. Interestingly, we find that the more direct measure of anti-immigrant sentiment *fails to consistently predict state-level immigration policy restrictiveness*. Anti-immigrant sentiment is found to be an influential predictor in static, cross-sectional estimations of state immigration policy “tone,” but turns statistically insignificant in more dynamic models of annual immigration policy change and total separate number of hostile and welcoming policies. We believe that one compelling explanation for these mixed findings involves issue saliency and citizen desire to hold their elected officials accountable for the issues they care about with greatest intensity. During times of heightened issue salience state policymakers are likely to respond to preference signals from the citizenry, yielding an overall stronger opinion–policy linkage (Rogers, 2017), including a strengthened link between mass anti-immigrant sentiment and restrictive state immigration policies. However, in times of reduced salience and visibility, other policy actors, such as concentrated commercial interests, can yield outsized influence and shift annual state immigration policy changes in more accommodative directions.

## Anti-Immigrant Sentiment and State Immigration Policy: Moving Toward Improved Measurement of Mass Opinion

Since the late nineteenth century, state governments have largely deferred to federal government authority concerning matters of immigration entrance but following the Immigration and Nationality Act of 1965, the U.S. states have taken a more active role in regulating the scope of citizenship rights afforded to immigrant populations (Boushey & Luedtke, 2011; Gulasekaram & Ramakrishnan, 2015; Monogan, 2013). During this third era of immigration federalism, most state-level policies can be considered immigration integration policies, such as influencing the nature of labor rights (Tennessee S 294 in 2009), access to educational programs (Washington HB 3168 in 2008), and access to redistributive social service benefits (Connecticut H 7005d in 2009).<sup>2</sup> Federal welfare reforms passed in the 1990s and other decentralizing policies, such as the Illegal Immigration Reform and Immigrant Responsibility Act, coupled with court decisions redefined immigration federalism. The combination of the terrorist attacks of 9/11 and sustained Congressional gridlock halting passage of federal immigration policy reforms has further induced subnational governments to undertake more direct role in immigration policymaking (Gulasekaram & Ramakrishnan, 2015).

While the federal government is still more likely to control immigration flows and initial gatekeeping access to legal citizenship, subnational jurisdictions continue to adopt policies that either accommodate or exclude immigrant populations from social rights and access to public benefits (Varsanyi, 2010). For instance, state governments can choose to expand/restrict immigrant access to redistributive Medicaid, welfare, and cash assistance programs (Filindra, 2013; Hero & Preuhs, 2007; Kehrberg, 2017) or choose to impose/relax regulatory measures on employers when choosing to hire immigrant workers (Newman et al., 2012). Gulasekaram and Ramakrishnan (2015, pp. 58–59) classify the wide range of state-level immigration policies into eight categories: restrictions on public benefits, employment, rental restrictions, law enforcement, anti-solicitation bills, education, contract laws, and driver's licenses. The diversity of integrationist policies into various dimensions of citizenship means that immigrant populations are potentially impacted in myriad restrictive or accommodating ways depending on the nature of state policy adoptions. For example, Georgia passed H 2 in 2009 requiring the investigation of an individual's lawful status if charged with certain crimes, such as driving without a license. Conversely, Illinois H 399 similarly passed in 2009 expands the eligibility to Supplemental Security Income to include certain refugee populations. One underlying assumption of a state's immigration policy climate is that elites adopt a series of policies that are designed to influence the behavior of certain groups of individuals (Monogan, 2013). For example, the federal welfare reforms and Illegal Immigration Reform and Immigrant Responsibility Act of 1996 are designed to attract a more "hard-working" immigrant population (Haskins, 2009). In the case of immigration, one's state-level policy climate can attract or repel immigrants based on the welcoming or unwelcoming nature of a state's policy mix. Understanding this adoptive

blend of generous and restrictive state immigration policies motivates the research design presented in this article.

Accompanying this decentralizing policy regime, contemporary scholars have begun studying state-level variation in immigration policy adoptions (Avery et al., 2016; Boehme, 2011; Boushey & Luedtke, 2011; Butz & Kehrberg, 2015, 2016; Creek & Yoder, 2012; Filindra, 2013; Filindra & Kovacs, 2010; Fox, 2010; Gulasekaram & Ramakrishnan, 2015; Hero & Preuhs, 2007; Kehrberg, 2017; Lax & Phillips, 2012; Monogan, 2013; Newman et al., 2012; Nicholson-Crotty & Nicholson-Crotty, 2011; Ybarra, Sanchez, & Sanchez, 2016). One core research question from this developing and burgeoning empirical literature involves the influence of macro-level immigration preferences on state immigration policy adoptions, or an opinion–policy linkage. Unfortunately, the study of the mass public’s influence or ability to constrain state representatives to adopt certain immigration policies suffers from fundamental measurement deficiencies, principally the use of demographic proxies as stand-ins for public opinion toward immigrants.

In particular, immigration population size or Latino demographics are commonly used in extant studies of state immigration policies to represent public opinion in the form of anti-immigrant sentiment. For example, some studies use the proportion of immigrants in each state (Avery et al., 2016; Commins & Wills, 2016; Filindra, 2012; Hero & Preuhs, 2007; Monogan, 2013; Newman, 2013; Newman et al., 2012; Zingher, 2014), the change in the immigration population (Boushey & Luedtke, 2011; Marquez & Schraufnagel, 2013; Zingher, 2014), the size of the Latino population (Avery et al., 2016; Filindra, 2012; Hero & Preuhs, 2007; Rivera, 2015), or the change in the Latino population (Provine & Chavez, 2009; Wallace, 2014; Ybarra et al., 2016) to represent anti-immigrant sentiment. Many of these studies relying on demographic proxies have their theoretical grounding in racial threat narratives centering on the perceived rivalrous competition threatening society’s traditional hierarchy (Blalock, 1967; Key, 1949). In the presence of a sizable immigrant or Latino population the majority is assumed to express this group threat to state policymakers, forming an opinion–policy linkage, with hostile attitudes being branded by various phrases like “acculturation stress” (Newman, 2013; Newman et al., 2012) and “anti-immigrant anxieties” (Ybarra et al., 2016). Essentially these phrases describe broadly hostile attitudes toward immigrants (Butz & Kehrberg, 2016). As the majority’s political attitudes turn more negative toward immigrants, they use their political leverage in the form of rewarding or punishing representatives in the voting booth (Canes-Wrone, Brady, & Cogan, 2002), or in undertaking direct communication with representatives (Brader, Valentino, & Suhay, 2008). Political elites or special interests are then able to take advantage of growing anti-immigrant sentiment to form constituencies supporting restrictive or hostile policies toward minorities, in the case of this study, immigrant minorities (Turner & Sharry, 2012).

However, a large and growing immigrant population can also theoretically result in more *positive* attitudes among the majority and more *welcoming* state immigration policies. For instance, social contact can result in more positive attitudes toward immigrants under certain conditions, such as developing friendships

with Latinos (Ellison, Shin, & Leal, 2011). Besides being relatively difficult to measure social contact at the state level, early evidence shows that immigration opinion does not necessarily track cleanly alongside immigrant population size. Some states exhibiting high levels of anti-immigrant sentiment have immigrant populations of highly variable proportions, while other states with dampened levels of anti-immigrant sentiment oftentimes have sizable immigrant populations, such as California (see Butz & Kehrberg, 2016). An alternate corollary argument is the “Latino political power” hypothesis. Larger Latino and immigrant populations form an opportunity for political elites to mobilize new constituencies into their political coalitions by limiting hostile immigration policies and adopting a more welcoming immigration policy environment (Avery et al., 2016; Creek & Yoder, 2012; Filindra & Pearson-Merkowitz, 2013; Marquez & Schraufnagel, 2013; Provine & Chavez, 2009; Zingher, 2014).

A common thread across these theories is that public opinion will react directly to substantive immigration levels. Immigrant population size is found to be related to public opinion at the individual level (e.g., Quillian, 1995), but the relationship tends to be weak because mass opinion, in the form of broad statewide anti-immigrant sentiment, might not necessarily track cleanly alongside population demographics (Hopkins, 2010). As a result, in not using direct attitudinal measures, previous research potentially underestimates, overestimates, or even misstates the influence of anti-immigrant sentiment on state immigration policymaking and finds mixed and sometimes opposite statistical results than expected. Rough demographic proxies representing mass anti-immigrant sentiment are ambiguous at best and potentially measuring *favorable* pro-immigration sentiment at worst.

### **Anti-Immigrant Sentiment and State Immigration Policy: Moving Toward Improved Theory and Predictions**

Even with more direct measures of immigration attitudes, the opinion–policy linkage is likely dependent on certain situational conditions. For instance, Brooks and Manza (2007) in their study of welfare policy adoption argue that a strong opinion–policy linkage forms when the mass public is aware of a political issue, believe that the political issue is salient, and overwhelmingly support a specific policy position. Over the last few decades, the issue of immigration has arguably been incorporated into broader societal “culture wars” and partisan competition underlying American political conflict (Abrajano & Hajnal, 2015). The public has become more aware of immigration due to the increasing number of media stories and, in particular, negative media frames about immigrants (Chavez, 2001; Haynes, Merolla, & Ramakrishnan, 2016), and immigration preferences have been found to influence other important political attitudes and behaviors. For example, immigration attitudes partially shape partisan identity (Abrajano & Hajnal, 2015) and welfare spending preferences (Garand, Ping, & Davis, 2017). Due to these conditions, immigration is consistently viewed as an important political issue in public opinion polls (Muste, 2013), partially dispelling Freeman’s (1995) idea of a temporal illusion, the notion that a large immigrant population must exist before the public becomes concerned

about immigration issues. Immigration as a national issue can shape people's attitudes about immigration in areas with relatively few immigrants. Based on these conditions of heightened issue salience and visibility, there may be reason to suspect that anti-immigrant attitudes and accompanying widespread desire for restrictionist policy among the mass populace can form the environmental context to disproportionately influence representatives and shape state policy outcomes.

According to public opinion scholars, the conditions under which the mass public is able to significantly influence representatives and hold them accountable for specific policy actions requires a politically aware and active voting base (Brooks & Manza, 2007; Rogers, 2017). The general public tends to lack significant awareness about specific immigration levels and policies. For example, the public routinely overestimates immigration population sizes and fails to update their knowledge when corrected (Hopkins, Sides, & Citrin, 2019). Other studies show that irrespective of substantive immigration levels, interest group activity plays a key role in either mobilizing public opinion for restrictive policies (Turner & Sharry, 2012), influencing legislatures to adopt welcoming policies (Freeman, 1995; Nicholson-Crotty & Nicholson-Crotty, 2011), or into adopting a blended mixture of inclusive and exclusive policies (Hofmann, Jacobs, & Petrzela, 2019). In a recent study, Rogers (2017) calls into question if the public is aware enough of roll-call votes to meet this condition of accountability for legislation that receives very little media attention. In short, state legislators are likely to be held accountable on legislation that the public becomes aware of through the media, and less attentive to mass opinion when issues have reduced visibility (Rogers, 2017). Based on this body of research, it would therefore not be surprising if mass attitudes of anti-immigrant sentiment have minimal influence on state policymakers on many individual pieces of legislation or annual incremental changes to immigration policy. Instead, we believe that anti-immigrant sentiment likely shapes single roll-call votes only on bills that are highly visible to the public, such as Arizona's SB 1070, and more importantly for this study, that mass anti-immigrant sentiment likely forms a broad contextual policy influence on the overall "tone" of state immigration policies adopted, similar to the manner by which political ideology has been found to influence the overall flavor or "tone" of state policies (Erickson, Wright, & McIver, 1993).

### **Data and Measurement Dependent Variable: Measuring State Immigrant Policies**

We use measures of state immigration policies based on data from the National Conference of State Legislatures (NCSL) for 2005 and 2011. We employ multiple dependent variable measures with the goal of testing the robustness of the independent variables. Our dependent variables capture multiple important dimensions of state-level immigration policy: (i) the overall immigration policy environment or "tone," (ii) an annual index measuring alterations to state *immigration policy change* (IPC), and (iii) state-level immigration policies separated into distinct measures of the number of welcoming and the number of hostile policies adopted by each state. Each of the dependent variables have some similarities to each other but each has key differences.<sup>3</sup>

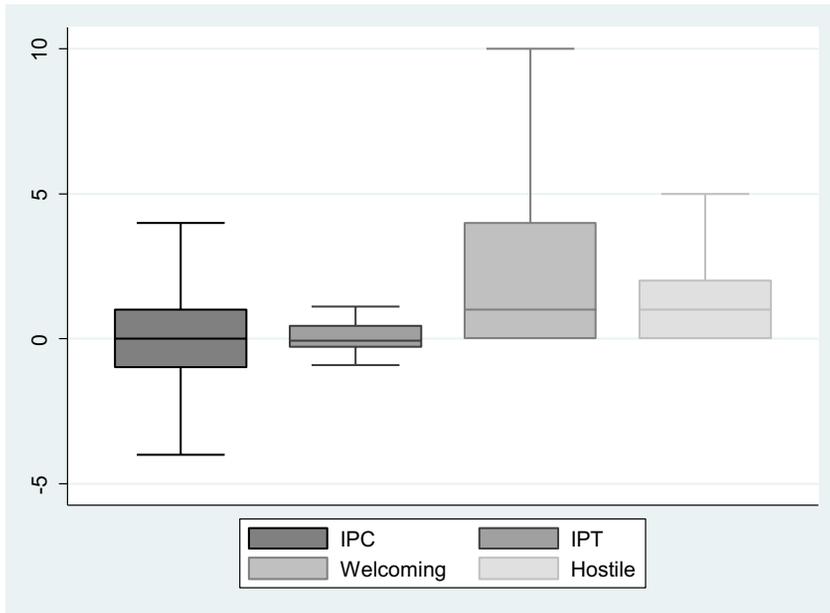
The first dependent variable utilizes the state *immigration policy tone* (IPT) measure developed by James Monogan (2013). Monogan codes every immigration policy between 2005 and 2011 on two dimensions: welcoming versus hostility and the policy scope (effect size).<sup>4</sup> From these individually coded policies, a continuous measure is created where positive values indicate states with more welcoming immigration policies and negative values indicate states with more hostile immigration policies. An important advantage is that the IPT measures the overall accommodativeness or hostility of policies adopted by each state allowing for a cross-sectional research design. The IPT-dependent variable does not allow for statistical tests of changes within states across time and assumes that a similar dynamic exists for both hostile and welcoming immigration policy adoptions.

To develop our second dependent variable, an annual immigration policy change index (IPC), we use James Monogan's (2013) original database of immigration laws constructed from the NCSL for the years 2005, 2007, and 2009.<sup>5</sup> For these years, the dataset includes a total of 445 pieces of state legislation<sup>6</sup> ranging from 0 to 14 (Texas in 2009) with an average of 3 bills per state each year. Conveniently, each law is coded as exhibiting a "welcoming or hostile tone toward immigrants" (Monogan, 2013, p. 45). Thus, for each bill, we coded the policy as a - 1 if the legislation had a predicted negative impact on immigrants, such as restricting public benefits, and a + 1 for legislation with a predicted positive impact, such as expanding access to social services. In the cases where a state did not pass an immigration bill, we coded the value as 0. Negative numbers indicate the passage of relatively restrictive state immigration policies and positive numbers indicate more accommodating immigration policies. The values range between -8, Oklahoma in 2006, and 8, Illinois in 2006, with a mean of 0.31 and a standard deviation of 2.31. The key advantage is that the IPC measure captures *annual changes* or incremental direction in what scholars call a policy "climate" or overall policy "tone" in a given year (Nicholson-Crotty & Nicholson-Crotty, 2011).

The final two dependent variables highlight the first dimension of the IPT measure, examining welcoming versus hostile policy adoptions separately. The previous dependent variables treat welcoming and hostile policies as falling along the same continuum, assuming that independent variables predict immigration policies along that shared dimension of policymaking. Interestingly, Filindra (2017) finds that larger immigrant populations predict both more hostile *and* more welcoming policies separately. In addition, individuals concerned about immigration are more likely to contact legislators (Brader et al., 2008) making it likely that macro anti-immigrant sentiment may predict hostile immigration policies but not welcoming ones. In turn, we count the number of welcoming and hostile policies adopted by each state based on data constructed by Monogan (2013). In Figure 1, we provide a boxplot of the descriptive statistics for each of the dependent variables.

### *Measuring Anti-Immigrant Sentiment*

Many existing studies of state immigration policy fail to directly account for public opinion measures instead opting for rough demographic proxies of state



**Figure 1.** Descriptive Statistics for Measures of State-Level Immigration Policies.

*Note:* Outliers for IPT not reported in the graph.

anti-immigrant sentiment. As Nicholson-Crotty and Nicholson-Crotty lament "... there is not a reliable measure of public attitudes about this issue available for all fifty states ..." (2011, p. 618). Until recently, measuring immigration attitudes at the state level was problematic because no one survey contains the proper attitudinal questions with representative samples from each state across multiple years. Butz and Kehrberg (2016) rectify this methodological inadequacy in the literature through incorporating direct state-level measures of public opinion toward immigrants using Bayesian multi-level modeling with poststratification (MRP). MRP is a method that estimates state-level macro attitudes using national surveys with two stages: a multi-level model and poststratification (Kastellec, Lax, & Phillips, 2010; Lax & Phillips, 2009a, 2009b; Park, Gelman, & Bafumi, 2006). The underlying logic is to take a single national survey of roughly 1,500 individuals and use these respondents to generate accurate state-level opinion estimates.

In this paper, we use the MRP state-level measures of anti-immigrant sentiment developed by Butz and Kehrberg (2016). They estimate anti-immigrant sentiment for 2004, 2006, and 2008 using the American National Election Study (ANES) and the General Social Survey (GSS). The common survey question underlying their measure asked respondents, "Do you think the number of immigrants from foreign countries who are permitted to come to the United States to live should be increased a little, increased a lot, decreased a little, decreased a lot, or left the same as it is now?" The Butz and Kehrberg (2016) measurement of anti-immigrant sentiment is correlated with immigrant population size and change in the immigrant population,

but the measure holds several distinct advantages over these demographic proxies. First, public opinion is more fluid and changing than state-level immigrant populations. For example, anti-immigrant sentiment decreases from an average of 54.3 in 2004 to 50.6 in 2008 nationally. Second, the amount of variance in anti-immigrant sentiment between states increased as the standard deviation in 2008 is significantly larger than in 2004 (see Butz & Kehrberg, 2016). In the end, a direct measure of anti-immigrant sentiment can avoid the methodological pitfalls of using ambiguous demographic proxies.

Due to some dependent variables being longitudinal, IPC for example, we create two measures of immigration attitudes. The first measure is an aggregate measure that is the average for each state across the time period of this study. This measure is used for the non-time-series-dependent variables, such as IPT. For the longitudinal dependent variables, we include a one-year lagged measure of anti-immigrant sentiment. In Figure 2, we present the descriptive statistics for both of these measures of anti-immigrant sentiment.

### Control Variables

To control for alternative explanations and robustness, we include a series of variables to measure political factors, demographics, and state characteristics. The first set of variables control for changes in the immigration population per state using U.S. Census data. Previous research indicates that areas with *sudden changes in immigrant populations* are more likely to exhibit anti-immigrant sentiment and

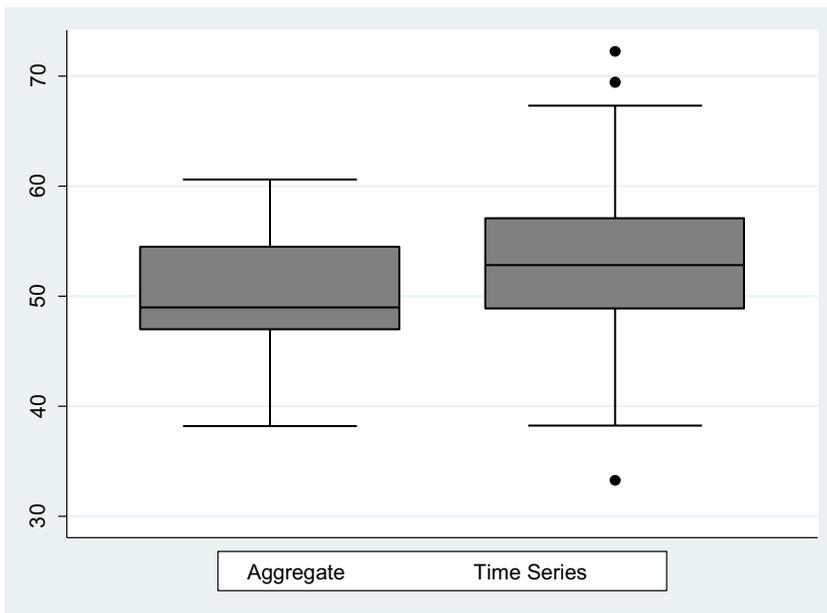


Figure 2. Descriptive Statistics for Measures of Anti-Immigrant Sentiment.

adopt more restrictive policies (Boushey & Luedtke, 2011; Marquez & Schraufnagel, 2013; Zingher, 2014). Other research uses the percentage of foreign-born in each state as a measure of threat to predict negative immigration policies (Avery et al., 2016; Hero & Preuhs, 2007; Monogan, 2013; Newman, 2013; Newman et al., 2012; Zingher, 2014), and other studies use the same data as a predictor of minority political power to predict welcoming policies (Filindra & Pearson-Merkowitz, 2013; Marquez & Schraufnagel, 2013; Provine & Chavez, 2009). Based on these studies we include the proportion of each state's population that is foreign-born.

Next, we include the unemployment rate for each state to capture the economic context and the possible economic backlash against immigrants that can occur in high unemployment climates (Hopkins, 2010). Unemployment data are collected from the Bureau of Economic Analysis in the U.S. Department of Commerce. To account for the concentrated influence of industrial groups, we use data provided by Newman et al. (2012) measuring the average amount of money contributed to campaigns from construction- and agriculture-based industry groups.<sup>7</sup> The measure is created by dividing campaigns donations from construction and agriculture "to all legislative candidates in all state elections held between 2006 and 2010 by the product of the number of seats in a state's legislature multiplied" (Newman et al., 2012, p. 171). The result is a standardized measure across states with different sizes of legislatures, different election cycles, and different levels of professionalization. In addition, we include a measure of state citizen ideology (Berry, Ringquist, Fording, & Hanson, 1998) to control for the ideological proclivity of each state. Finally, we include a measure of the Democratic Party controlling the upper house of the state legislature, a measure similar to that used by Monogan (2013) in previous research.

### Analysis and Findings

Previous research indicates that elected officials are likely to respond to macro attitudes among the mass electorate when formulating and adopting policy (e.g., Erickson, MacKuen, & Stimson, 2002; Page & Shapiro, 1992; Stimson, 2004). To test the manner by which state immigration policymaking fits the mass opinion-policy linkage, we analyze the data in multiple different steps: cross-sectional dependent variables, panel data, and count data. The overall pattern that we uncover is that immigration attitudes, in the form of anti-immigrant sentiment, fail to consistently or cleanly predict different measures of state-level immigration policies. That said, the coefficients for anti-immigrant sentiment are almost always in the predicted direction, with the coefficient predicting the total number of hostile policies being the lone exception. Utilizing a more direct measure of anti-immigrant sentiment arguably provides a methodological advantage over the demographic variable coefficients that are more often in the opposite predicted direction of the racial threat hypothesis and the "Latino political power" hypothesis. In several of the estimations the anti-immigrant sentiment coefficients are not statistically significant and the coefficients show a small overall effect size in those models. Previous research finding an anti-immigrant sentiment measure (Butz & Kehrberg, 2016) as a significant policy predictor maybe a result of choices in dependent variables and statistical

model selection (cross-sectional) as research by Goodman (2010) and Monogan (2017) indicates for other predictors of state-level immigration policies. Like Butz and Kehrberg's (2016) study we find that anti-immigrant sentiment strongly predicts restrictive state-level immigration policies when using an aggregate, cross-sectional dependent variable of overall policy "tone" (IPT), but anti-immigrant sentiment does not consistently or significantly predict our panel (IPC) and count dependent variables.

In the following analysis, we present a series of statistical models for the four dependent variables: IPT, IPC, the number of welcoming policies, and the number of hostile policies. For each dependent variable, we estimate statistical models with anti-immigrant sentiment as the primary independent variable of interest, along with control variables. Below, we primarily focus our discussion on the consistency (or lack thereof) of anti-immigrant sentiment and demographic variables across the statistical models, but also briefly present the results for the control variables, which may be of interest to state immigration policy scholars.

In Table 1, we present the statistical models for the IPT- and IPC-dependent variables using OLS regression analysis. IPT is a continuous variable with negative values indicating an overall unwelcoming immigration policy environment and positive values for states with more welcoming immigration policies. IPC, a more dynamic measure used by Nicholson-Crotty and Nicholson-Crotty (2011), captures the net annual change in immigrant policy tone for each state with negative values indicating an overall more hostile annual policy shift and positive values are states adopting more welcoming policies relative to the status quo.<sup>8</sup>

**Table 1.** Explaining Immigrant Policy Tone (IPT) and Immigration Policy Change (IPC) Using Anti-Immigrant Sentiment

	Model 1A IPT	Model 1B IPT	Model 1C IPC	Model 1D IPC
Anti-immigrant sentiment	-0.03*** (0.01)	-0.03** (0.01)	-0.03 (0.04)	-0.02 (0.04)
Immigration population change		-0.12 (0.36)		-2.88** (1.29)
Immigration population		0.53 (1.47)		-1.34 (4.32)
Industry contributions	0.01 (0.01)	0.01 (0.01)	0.10*** (0.03)	0.11** (0.05)
Unemployment rate	-0.01 (0.03)	-0.01 (0.03)	-0.09 (0.06)	-0.09 (0.07)
Citizen ideology	0.02*** (0.01)	0.02*** (0.01)	0.05*** (0.01)	0.04** (0.01)
Democrat controlled senate	-0.01 (0.02)	-0.01 (0.02)	-0.21 (0.39)	-0.17 (0.37)
Constant	0.68 (0.72)	0.58 (0.78)	-0.80 (2.74)	-0.05 (2.34)
R <sup>2</sup>	0.45	0.46	0.17	0.20
N	50	50	147	147

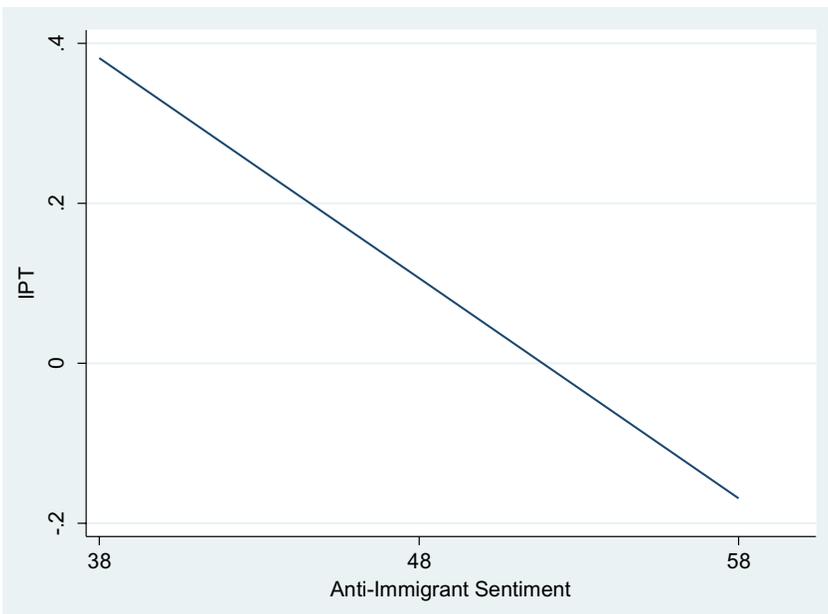
Note: OLS regression with standard errors in the parentheses.

Missing States: Nebraska in Model 1D.

\*\* $p < 0.05$ ; \*\*\* $p < 0.01$ .

The main effect of the anti-immigrant sentiment coefficient is statistically significant ( $p < 0.01$ ) in the IPT models. The coefficient is in the predicted negative direction, indicating that states with higher levels of anti-immigrant sentiment are more likely to exhibit relatively restrictive state immigration policy environments. The inclusion of the immigration population size and immigration population change variables does not alter the basic relationship between anti-immigrant sentiment and state IPT. The coefficients for the immigrant demographic variables are in opposite directions. Immigration population change is negatively correlated with IPT, indicating a movement toward restrictionism, while immigration population size is positively correlated, indicating an influence in a more welcoming direction. Neither variable reaches conventional levels of statistical significance. The inclusion of the demographic variables slightly decreases the effect size of anti-immigrant sentiment in predicting IPT. For Model 1A, the predicted means range from 0.43 for the least anti-immigrant state to  $-0.20$  for the most anti-immigrant state, a change from a state with a fairly positive immigration policy environment to a state with a slightly negative environment. The inclusion of the demographic variables decrease this range to 0.38 and  $-0.17$  as we graph in Figure 3. Anti-immigrant sentiment significantly predicts IPT even after controlling for several demographic proxies that traditionally represent public opinion toward immigrants.

In the IPC models of annual policy change, anti-immigrant sentiment is in the expected negative direction, meaning that states are more likely to adopt more hostile than welcoming annual immigration policy changes in states with heightened anti-immigrant sentiment, but the coefficient does not achieve statistical



**Figure 3.** The Effect of Anti-Immigrant Sentiment on IPT.

Notes: Estimates of adjusted means based on Model 1B. The independent variable is anti-immigrant sentiment. The dependent variable is IPT.

significance. The coefficient direction for the demographic variables is negative, mirroring anti-immigrant sentiment. Estimating predicted means shows that a decrease in IPC from 0.63 to 0.22 as anti-immigrant sentiment goes from its lowest value to its highest value. Similar to anti-immigrant sentiment, immigration population size is not statistically significant; however, immigration population change is statistically significant, indicating that states with increasing immigrant populations are more likely to adopt more hostile annual policy changes than welcoming immigration policies.

Next, due to the count-type nature of the welcoming and hostile policy measures (number of favorable and unfavorable policies adopted each year), we use negative binominal regression models to generate the statistical estimates for these outcomes in Table 2. In Model 2A, anti-immigrant sentiment is found to be negatively and significantly associated with the total number of welcoming policies. With the addition of the demographic variables, the anti-immigrant sentiment coefficient continues in a negative direction but the variable no longer achieves statistical significance. Using Model 2D, a shift from more positive immigration attitudes to more negative attitudes only marginally changes the predicted means from 2.754 to 2.753, an insignificant and unimpactful difference. The demographic variables are statistically correlated with welcoming policies but the coefficients ultimately provide conflicting results. Immigration population size is positively correlated with the number of welcoming policies, providing support for the “Latino political power” hypothesis, a different finding than what was found using the IPC dependent variable. An important statistical check is a comparison of the statistical results

**Table 2.** Explaining Welcoming and Hostile Policies Using Anti-Immigrant Sentiment

	Model 2A Hostile	Model 2B Hostile	Model 2C Welcoming	Model 2D Welcoming
Anti-immigrant sentiment	-0.03 (0.02)	-0.01 (0.02)	-0.03** (0.02)	-0.01 (0.02)
Immigration population change		0.90 (0.68)		-1.76*** (0.57)
Immigration population		5.50** (2.37)		5.36** (2.38)
Industry contributions	0.01 (0.02)	-0.01 (0.02)	0.07*** (0.01)	0.04** (0.02)
Citizen ideology	-0.03*** (0.01)	-0.03*** (0.01)	0.01 (0.01)	-0.01 (0.01)
Unemployment rate	0.01 (0.04)	0.01 (0.04)	-0.05 (0.04)	-0.04 (0.04)
Democrat controlled senate	0.15 (0.26)	0.19 (0.22)	-0.07 (0.24)	-0.06 (0.24)
Constant	1.78 (1.83)	0.32 (1.48)	0.26 (0.99)	-0.72 (1.18)
LR $\chi^2$	78.77	98.98	123.48	123.86
Prob > $\chi^2$	0.001	0.001	0.001	0.001
N	147	147	147	147

*Note:* Negative binomial regression with standard errors in the parentheses.

*Missing States:* Nebraska.

\*\* $p < 0.05$ ; \*\*\* $p < 0.01$ .

for welcoming policies and hostile policies. The demographic coefficients continue to experience inconsistencies, paralleling the results recently uncovered by Filindra (2017). Immigration population size is positively and significantly associated with more hostile annual state immigration policy change. This coefficient is in the same direction as found when only examining the number of welcoming policies, meaning that states with large immigrant populations are more likely to adopt both more welcoming and more hostile immigration policies simultaneously. Unexpectedly in Model 2B, the anti-immigrant sentiment coefficient is negative, predicting a reduced number of hostile immigration policies, but the coefficient is not statistically significant. To examine the substantive impact of anti-immigrant sentiment on the number of hostile policies, we estimate predicted means finding a small decrease in the number of hostile policies as negative attitudes increase, 1.65–1.35. The lack of positive coefficient or statistically significant coefficient in the hostile policy count model should give researchers pause. Our direct attitudinal measure of anti-immigrant sentiment simply does not predict the total number of hostile state immigration policies being adopted. Other theoretical mechanisms are seemingly at play.

Lastly, in the final series of statistical models, we re-analyze the panel-like data by year (2005, 2007, and 2009) in Table 3.<sup>9</sup> Anti-immigrant sentiment significantly predicts IPC and the number of welcoming policies in 2005. The results indicate that states with greater attitudinal negativity toward immigrants were more likely to pass more negative immigration policies than positive policies (IPC) and fewer welcoming policies. For the years 2007 and 2009, the coefficient for anti-immigrant sentiment is rather small in these models. This is an interesting finding with several theoretical possibilities based on issue salience. The first possibility is that immigration issue salience increased in 2004 and began influencing state immigration policies due to immigration being a visible political issue in a presidential election. Presidential elections are able to transform political issues like immigration into national concerns and immigration was an oft highlighted issue area during the 2004 campaign (Lahav & Courtemanche, 2012; Muste, 2013). Unfortunately for this possibility, we see less evidence of this for the 2009 data, although it's not necessarily clear that the immigration issue was magnified in the same way in 2008 as in 2004.

**Table 3.** The Influence of Anti-Immigrant Sentiment by Year

	2005	2007	2009
IPC	-0.11* (0.06)	0.07 (0.08)	-0.10 (0.06)
Welcoming	-0.16* (0.09)	0.03 (0.03)	-0.01 (0.02)
Hostile	0.11 (0.12)	-0.03 (0.03)	0.03 (0.03)

*Notes:* Reported coefficient for anti-immigrant sentiment. OLS regression with standard errors in the parentheses for IPC-dependent variable. Negative binomial regression with standard errors in the parentheses for Welcoming and Hostile Policies dependent variables. Complete models with all control variables are available in the supporting information appendix.

*Missing States:* Nebraska.

\* $p < 0.10$ .

The second possibility occurring here is not a story about increased salience around presidential elections, but rather a burgeoning association between immigration and national security following the terrorist attacks of 9/11 (Lahav & Courtemanche, 2012). The influence of 9/11 on immigration attitudes is thought to be a short-term effect (Muste, 2013), which would help explain why we observe a significant relationship with anti-immigrant sentiment dissipate into the years 2007 and 2009. Once again, it seems that immigration policymaking is significantly influenced by mass anti-immigrant sentiment only during times of heightened issue saliency and visibility. In short, we find that the opinion-policy linkage in state immigration policymaking is likely conditioned by levels of issue saliency.

### Conclusion

In an age of devolution, policy scholars are devoting increased attention to better understanding patterns in immigration policymaking among the U.S. states. Unfortunately, existing studies incorporate rough proxies of population demographics to measure a theory of racial threat, Latino political power, or social contact hypothesis that are rooted in public opinion foundations. Utilizing innovative MRP techniques and resultant innovative measure of state anti-immigrant sentiment, this paper strengthens our methodological understanding through using direct estimates of mass anti-immigrant sentiment in models of state immigration policy adoption. In the cross-sectional analysis, the anti-immigrant sentiment measure exhibits strong association with overall hostile “tone” of state immigration policies (IPT). These dynamics shift when we examine panel data capturing annual changes in state immigration policy, in that anti-immigrant sentiment loses statistical significance and other variables, such as industry contributions, become a significant predictors of more welcoming immigrant policy changes.

Due to the inconsistency in our findings using a (more valid) macro-level measure of anti-immigrant sentiment, we echo the recommendation of other recent studies on this subject (Filindra, 2017; Monogan, 2017). The study of state immigration policies requires theoretical and statistical complexity and nuance. We believe that the direct measure of anti-immigrant sentiment presented in the analysis provides insight into immigration policy variation across U.S. states, but the differences and inconsistencies in results across statistical models is a warning for researchers to be cautious when drawing conclusions based on limited sets of results or one specific dependent variable measurement. The relationship between theory and research design becomes increasingly important due to our results reported here as findings may support an argument simply based on the choice of unit of analysis and particular variable selection (for instance, IPT v. IPC). Based on our findings and others in this special issue, we recommend that future researchers carefully detail their choice of measures and model selection. For example, the methodological use of multiple models with different dependent variables increases the confidence in the generalizability and robustness of the empirical results. In addition, scholars can create improved theory to operational variable linkages by carefully constructing their MRP estimates of anti-immigrant sentiment to match the subpopulation of

importance. Future state immigration policy research will need to pick up the mantle of enhancing measurement validity and integrating a mixture of model estimations and theoretical perspectives.

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## Notes

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1. Two notable exceptions are Lax and Phillips (2012), who develop policy-specific measures of immigration attitudes for issues like immigration access to driver's licenses and Butz and Kehrberg (2016), who develop a more general measure of anti-immigrant sentiment.
2. Tennessee S 294 makes providing false information for employment a criminal offense and if the information involves legal immigrant status, the individual is to be reported to the Department of Homeland Security. Washington HB 3168 creates a program to assist Head Start Programs in low-income areas, including those programs for migrant and seasonal needs. Connecticut H 7005d allows the Commissioner of Social Services to obtain federal funds for medical assistance to qualified alien children and pregnant women.
3. As with most other studies on state-level immigration policies, we include policies targeting illegal and legal immigration. Nicholson-Crotty and Nicholson-Crotty (2011) provide evidence that states tend to be generous or hostile toward immigrants regardless of legal status.
4. To create an overall measure of immigrant policy tone, Monogan takes the log of welcoming policies multiplied by scope plus 1, divided by the hostile policies multiplied by scope plus 1 (2013, p. 47).
5. The years 2005, 2007, and 2009 are picked due to our lagged measure of anti-immigrant sentiments are from 2004, 2006, and 2008.
6. Monogan (2013) included resolutions in his estimates of overall tone of state immigrant policies. We exclude resolutions since most resolutions are nonbinding and do not shape actual policy. Resolutions tend to be on average symbolic with no real policy implications (Monogan, 2013).
7. Construction and agricultural sectors traditionally employ high concentrations of immigrants (Newman et al., 2012; Nicholson-Crotty & Nicholson-Crotty, 2011; Passel, 2006).
8. In addition, several of the control variables are coded differently from the IPT analysis due to the panel nature of the IPC dependent variable. Citizen ideology, unemployment rate, foreign-born population, change in foreign-born population, and divided government are the values for the year before IPC estimate.
9. In Table 3, we only report the coefficient for anti-immigrant sentiment. The complete models are reported in the supporting information appendix.

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