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The political origins of racial and ethnic inequality

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THE POLITICAL ORIGINS OF RACIAL AND ETHNIC INEQUALITY

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PH.D. THESIS

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ABSTRACT

Policy feedback theory argues that public policies shape mass political behavior by teaching citizens about their relationship to government. However, most studies assume that the entire public has a uniform reaction to policy. I reevaluate this assumption by examining how feedback from policy varies by groups and across contexts. I argue that, because policy sends different signals to those targeted by policy than to those outside policy's target group, these groups should have opposite reactions to the way policy is implemented in their community. And, for those targeted by policy, feedback effects should depend on how likely individuals' are to have direct contact with policy. I also argue that since policy is not created or implemented in isolation, scholars must also examine how residential context affects where we are likely to see feedback effects and where the effects of policy will be muted.

The first half of the dissertation tests my arguments by exploring how criminal justice policy affects the political behavior of blacks and whites. Using data from two national surveys and information on racial inequalities in local law enforcement, I find that racially skewed criminal justice outcomes is linked with stronger feelings of racial identity for highly educated blacks and stronger feelings of national identity for blacks with low levels of education. I also find that racially unequal criminal justice enforcement is associated with negative political orientations and lower rates of participation for highly educated blacks. Whites, however, respond positively to similar criminal justice outcomes when they reside in areas with large black populations. The effect of criminal justice policy on political behavior for both blacks and whites is stronger in contexts where policy is more salient—areas with large black populations.

In the second half of the dissertation, I analyze how immigration enforcement affects the identities and attitudes of Latinos and Anglos. Here, I use data from two national public opinion surveys and information on county-level immigration enforcement to test my arguments. I find that native-born Latinos are more likely to feel tied to their ethnic group in areas with a large foreign-born population where many immigrants are deported. Foreign-born Latinos' ethnic identity is unaffected by policy. I also find that high levels of immigration enforcement are associated with less restrictive immigration attitudes for foreign- and native-born Latinos, especially in areas with large foreign-born populations. I also find some evidence that Anglos hold more restrictive attitudes toward immigration in response to high levels of immigration enforcement.

PUBLIC ABSTRACT

Policy feedback theory argues that public policies shape identities, attitudes, and participation by teaching citizens about their relationship to government. I reevaluate this argument by examining how policy's effect on political behavior varies by groups and across contexts. Using data from three national public opinion surveys and information on local criminal justice and immigration enforcement, I examine how criminal justice policy differently affects blacks and whites and how immigration policy differently affects Latinos and Anglos. I find that policy divides the political orientations, policy preferences, and participation of racial/ethnic minorities and whites. Racially skewed criminal justice outcomes are associated with negative political orientations and reduced participation for highly educated blacks, but policy positively affects whites' orientations and participation. Similarly, Latinos hold more pro-immigrant attitudes in areas with high levels of immigration enforcement while Anglos have more restrictive attitudes toward immigration in similar contexts. Policy also differently shapes the identity of individuals within racial/ethnic minority groups. In response to unequal criminal justice enforcement, highly educated blacks feel a stronger sense of racial identity compared to blacks with low levels of education. I also find that native-born Latinos are more likely to feel tied to their ethnic group in areas with high levels of immigration enforcement and a large foreign-born population, but foreign-born Latinos' ethnic identity is unaffected by policy. I show that the effect of policy on political behavior is stronger in areas with large minority populations. The results indicate that unequal policy outcomes lead to political inequality.

TABLE OF CONTENTS

LIST OF TABLES

TABLE

LIST OF FIGURES

FIGURE

CHAPTER 1: INTRODUCTION

Does public policy lead to political inequality? Although public policy can positively affect society, it "sometimes—often deliberately—fails in its nominal purposes, fails to solve important problems, perpetuates injustices, fails to support democratic institutions, and produces unequal citizenship" (Schneider, Ingram, and deLeon 2014, 105). Such negative policy outcomes are the result of policymakers crafting beneficial policies for "deserving" groups while creating burdensome policies for "undeserving groups," often groups with few political resources who are viewed negatively by society. Scholars are aware that this can lead directly to inequality across groups by redistributing more resources to positively viewed groups and taking resources away from disliked groups. But, what are the consequences of systematic biases in policy for society as a whole? Does policy affect those without direct policy experience? If so, how?

This dissertation seeks to explain the indirect effects of public policy on the public at large. But unlike past work which focuses on how policy shapes mass attitudes, I do not assume that the public has a single response to policy. By socially constructing target populations, policy sends signals to the public about those targeted and about the treatment various groups deserve from government. But I argue that those targeted by policy learn different things from these signals than those who are outside policy's target population, leading to opposite political outcomes for these groups. For those in the target group, policy does more. It changes the way individuals relate to others targeted by policy, affecting how likely they are to maintain strong ties to their ingroup. By driving wedges between those targeted and those outside policy's target group, public policy may divide the attitudes, political orientations, and participation of various groups. Policy thus changes which groups are likely to have a voice in politics. And by

influencing whether individuals maintain close ties to those targeted by policy, policy may lead to factions within the target group, potentially dampening the group's ability to achieve common goals.

Are the negative effects of policy equally likely in all contexts? Because my dissertation focuses on individuals with no policy experience, feedback effects are more likely in areas where policy is highly salient. I argue that in order to truly understand the way that policy influences political behavior, we cannot ignore other social determinants, such as residential context, which make policy more or less visible.

This work builds on past research in policy feedback theory and social construction theory. But as I explain below, I diverge from some of the traditional assumptions in this literature.

Limits of Current Research

Although early studies of political behavior viewed citizens as "background actors in politics" who indirectly influence public policy by electing public officials (Mettler and Soss 2004, 55), later work has reversed this traditional argument. Policy feedback scholars view citizens' attitudes and participation at least partly as the result of political factors. Public policy, they argue, produces feedback effects by distributing resources across groups and by sending signals about the types of policies that various groups deserve (Mettler and SoRelle 2014). In doing so, policy shapes citizens' capacity and desire to become involved in politics.

Research in this area has primarily taken one of two paths. First, scholars examine how direct contact with policy shapes individuals' political orientations and participation. Most of these studies focus on the recipients of various social welfare programs including Social Security

(Campbell 2005), Aid for Families with Dependent Children, Head Start (Soss 1999; 2005; Bruch, Ferree, and Soss 2010), and the GI Bill (Mettler 2005) among others, arguing that interactions with policy shape individuals' feelings toward government, efficacy, and willingness to participate. More recently, some scholars have started to examine how experience with more punitive laws, such as criminal justice policy, affect behavior (Lerman and Weaver 2014a; Walker 2014). In general, this work finds that positive interactions have positive effects on political behavior while negative policy experiences hurt citizens' orientations and likelihood of becoming involved in politics.

The second major line of research looks at how policy affects mass attitudes. Work in this area typically explores how policy change, either the adoption of new laws or the reformation of existing programs, shapes public opinion. Whereas studies of policy recipients assume that actual interaction with policy drives feedback, research on mass attitudinal feedback assumes that policy affects opinions by defining a target population that is directly affected by policy and by teaching the public about what behaviors and attitudes are deserving of positive policy outcomes (see Pacheco 2013, 715). However, evidence of mass attitudinal feedback is mixed. Soss and Schram (2007), for example, find that welfare reform in the early 1990s did not affect welfare attitudes. But, other research suggests that the adoption of new healthcare-related laws does lead to increased support for similar health policies (see Pacheco 2013; Pacheco and Maltby 2017).

The argument presented in the following chapters takes issue with three gaps in current literature. First, neither the micro-analyses of policy recipients nor the macro-studies of the public as a whole consider the ways that policy feedback is group-dependent. Studies of policy beneficiaries miss the indirect feedback effects for those without personal policy experience. Work on mass feedback effects, on the other hand, assumes that the entire public has a uniform

response to policy, ignoring potential variations in feedback across groups (but see Rocha, Knoll, and Wrinkle 2015). If, as scholars of mass feedback effects argue, policy changes attitudes by sending signals about target groups, then we should expect policy to affect the behavior of non-recipients. However, we should not expect all groups to respond to policy in the same way, a point on which I elaborate more in Chapter 2. Various groups should have different and sometimes opposing reactions to a policy's signals which may mask so-called "mass" feedback effects.

Second, the majority of policy feedback research ignores the role of policy implementation on individuals' political behavior, focusing instead on either policy design or policy change. However, both options are inadequate for understanding the broader, group-specific effects of policy on political behavior. Policy design is typically operationalized as whether or not individuals have direct experience with policy (see Soss 1999; 2005; Campbell 2005; Mettler 2005; Bruch, Ferree, and Soss 2010). Personal policy contact is of limited use for understanding the larger effects of policy since only a fraction of the public has experience with any particular program. Additionally, the way policies are designed and the way policies are implemented may be very different. Criminal justice laws, for example, are not explicitly designed to target African Americans, but the way these laws are implemented overwhelmingly prioritizes arresting and incarcerating blacks over other groups. Policy design and policy implementation therefore may lead to different feedback effects. Even policy recipients may be responsive to both personal experiences with policy and to the signals that policy implementation sends broadly about their group.

Scholars of mass feedback effects, on the other hand, look at policy change which is useful for understanding how policy affects the general public. However, this limits researchers

to moments and locations where new laws are being considered. It is unclear whether periods of policy change have the same effect as long-standing policy implementation. Media attention is more focused when policy is changing, which may explain why we sometimes see shifts in public opinion when new laws are adopted. The increased salience at these moments makes it more likely that policy will affect attitudes, particularly for those not targeted by policy. But when media loses interest in policy, it is unclear whether citizens will continue to be affected by policy's new status quo. Policy implementation provides a clearer picture of how policy affects political behavior once media attention has diminished. Additionally, by focusing on policy implementation, we are better able to see the ways that policy feedback is group-specific since the way policy is implemented will not be equally salient to all groups.

Recently, scholars have started to consider the role of policy implementation more seriously. For instance, Rocha, Knoll, and Wrinkle (2015) find that immigration enforcement affects Latinos' and Anglos' (non-Hispanic whites)[1] political orientations. Similarly, Burch (2013) and Lerman and Weaver (2014b) find that variations in criminal justice enforcement affect neighborhood participation rates. These provide support that policy enforcement also produces feedback effects. However, these studies rely on single- or two-state case samples. Whether their results can be applied to the entire country remains to be seen.

Last, scholars of policy feedback do not consider the ways in which policy's effects on political behavior are dependent on other contextual factors. Policies are not created in isolation. Instead, policies are adopted and implemented in many different contexts, which likely affects the way that individuals relate to policy. However, policy scholars have generally ignored the idea that feedback effects depend on residential context even though those who study racial and

[1] Throughout the text I use the term "Anglo" to refer to non-Hispanic Caucasians.

ethnic politics stress the role that environment plays on behavior. Even work that acknowledges the role of environment looks at social and political factors separately. I argue that policy and residential context likely work together to affect individuals' attitudes. Without exploring the interaction of these two factors, we cannot fully understand the conditions under which policy is likely to produce feedback effects.

Test Cases: Criminal Justice Policy and Immigration Policy

In this project, I address these gaps in the literature by exploring how two policies, criminal justice policy and immigration policy, work together with residential context to shape individuals' identities, political orientations, and policy preferences. I selected these policies for several reasons. First, both policies are normatively important given the current political climate.

The criminal justice system in the United States has grown dramatically over the past several decades, resulting in a higher per capital prison population than any other nation (Walmsley 2015). Such mass incarceration, particularly of African Americans, is the result of several specific policies, such as mandatory minimum sentences or three strikes laws (see Tonry 2014). During his time in office, President Obama worked to reduce the nation's high imprisonment levels by making such laws more lenient. For example, the 2013 "Smart on Crime" initiative directed prosecutors to avoid strict mandatory minimum sentences for low-level drug offenses and to prioritize serious and violent crime (Grawert and Camhi 2017). President Trump's administration, however, marks a return to harsher criminal justice enforcement tactics. Attorney General Sessions, who has previously criticized the Justice Department as being "soft on crime," has already reversed key aspects of Obama's justice system reform (Ruiz 2017a). Sessions' instructions to "prosecutors to pursue the harshest

possible charges" will undoubtedly lead to increased prison-time for many, and his belief that police "deserve to be un-handcuffed and not micromanaged from Washington" will most likely change how law enforcement carry out criminal justice policy (Ruiz 2017b).

Immigration policy is also undergoing reversals of more lenient enforcement practices. Although President Obama deported over two million unauthorized immigrants (earning him the moniker "Deporter in Chief"), Obama also granted relief for many immigrants through the Deferred Action for Childhood Arrivals program and shifted the focus of deportations to immigrants with criminal records (Foley 2017). President Trump, who ran on an anti-immigrant platform, has already implemented harsher immigration enforcement practices. And, despite Mr. Trump's insistence that he wants to remove criminals, he has expanded the definition of "criminal" so widely (he now includes anyone who has "abused any public benefits program") that the classification is nearly meaningless (Medina 2017). This has also led to a change in immigration outcomes. In the first three months of Mr. Trump's presidency the number of immigrants without a criminal record deported is higher than under Obama's presidency while the number of criminals removed has fallen (Sacchetti 2017). In the coming years, both criminal justice and immigration policies are likely to continue down a more punitive path, making it increasingly important that we understand how the implementation of these policies affect behavior.

Second, these cases provide a difficult test of my theory. Both policies are aimed at racial/ethnic minority groups (African Americans in the case of criminal justice policy and Latinos in the case of immigration policy) which may mute the effects of policy on political behavior. In the following chapters, I will argue that policy shapes political behavior by sending signals about the status and valence of the target group. Upon receiving these signals, individuals

should change their attitudes toward the target group which affects other aspects of political behavior such as support for future laws aimed at the target group. Past research shows that very stable attitudes are unlikely to change in the face of new information (Iyengar, Peters, and Kinder 1982). Policy will thus be more likely to change attitudes when individuals' pre-existing opinions about a target group are less stable. Attitudes about target groups are less stable when policy constructs an entirely new group, such as when Revolutionary War pensions created veterans as an identifiable group (see Jensen 2005). In these cases, policy is the main source of information about the target group's characteristics, making it more likely that we see widespread feedback effects. However, when policy targets pre-existing groups, as do the policies selected for this study, attitudes about the target group are likely to be informed by other sources as well, resulting in more stable attitudes. In these cases, policy's signals about the target group compete with individuals' pre-formed opinions, making it less likely that policy will affect attitudes. As one of the most stable attitudes (Converse 1964), opinions about race are especially difficult to change. When policy targets racial/ethnic groups, as is the case here, the likelihood that policy can shape attitudes towards these groups is very low. Criminal justice and immigration policies therefore are less likely to produce strong feedback effects compared to policies which target other groups.

Last, because these policies target racial and ethnic minorities, my research is able to speak to the racial and ethnic politics literature. As mentioned above, scholars in this field are sensitive to the role that environment plays on political behavior and how the effect of context differs across racial and ethnic groups. Past work finds that residential context—typically defined as the size of the racial and ethnic minority population in an area—influences a range of political behaviors including identity (Welch et al. 2001), policy preferences (Hood, Morris, and

Shirkey 1997; Rocha et al. 2011), and participation (Key 1949; Giles and Buckner 1993; Glaser 1994). Scholars in this area also acknowledge that residential context cannot be studied alone, arguing that the effect of context depends other factors such as socioeconomic environment (Branton and Jones 2005) or segregation (Rocha and Espino 2010). But research in this area has largely missed the way that policy environment may also affect political behavior. By exploring the way that both policy and residential contexts work together, this project takes an initial step in linking theories of racial context with policy feedback.

Chapter Outlines and Data Sources

In chapter 2, I outline a general theory of how policy affects the behavior of individuals with no personal policy experience. I classify individuals into three groups based on how directly they are targeted by policy: direct target group, indirect target group, and nontarget group. I argue that an individual's target group status determines the direction and strength of policy feedback effects. Those who are targeted by policy, both directly and indirectly, receive different signals from policy about their group's status than those in the nontarget group. As a result, policy will drive these groups' policy preferences and political orientations in opposite directions. Policy may also differently affect the identities of those within the target group. In response to policy's signals, I argue that those directly targeted by policy may weaken their ties to others in the target group while those indirectly targeted by policy strengthen their target group identification. Last, I argue that the strength of feedback effects for each group should depend on an individual's residential context. By determining where a policy will be salient, residential context affects where feedback effects will be strong or muted.

In chapters 3-6, I test my theory of feedback effects, target group status, and policy salience using criminal justice policy and immigration policy.

Criminal Justice Policy

The first half of my empirical analyses test how racially unequal criminal justice enforcement affects the identities, orientations, and participation of blacks and whites. While the laws are theoretically color-blind, criminal justice enforcement has been disproportionately targeted at African Americans. For example, while one in three black men is likely to face time in prison at some point in their lives, only one in roughly seventeen white men face a similar fate (Bonczar 2003). The extreme overrepresentation of African Americans in the criminal justice system has led, many scholars claim, to the "systematic imprisonment of a whole group of the population" (Western 2006). Such targeting constructs all African Americans, not simply those who have committed crimes, as a criminal class deserving of punitive policies. These signals are especially strong in areas where law enforcement practices are highly unequal.

In chapter 3, I focus on how criminal justice enforcement affects those targeted by policy—African Americans. In areas where blacks are arrested or incarcerated more than whites, blacks learn that target group membership comes with risks. But the effect of criminal justice enforcement on black racial identity will likely differ for those directly and indirectly targeted by policy. While the risk of imprisonment is higher for all blacks compared to whites, blacks with low levels of education are significantly more likely to be incarcerated at some point in their lives compared to their highly educated counterparts (Western 2006). Because blacks with low levels of education are directly targeted by law enforcement, I argue that they will be more likely to distance themselves from their target group status when policy enforcement is racially skewed.

Conversely, highly educated blacks, who are only indirectly targeted by criminal justice policy, will be more likely to maintain strong racial group ties in the face of discriminatory law enforcement practices. I also test whether feedback effects depend on residential context and find that the effect of policy on black racial identity is stronger in areas with a sizeable black population. The data for this chapter come from the 2012 American National Election Survey Time Series Study and the Bureau of Justice Statistics' Census of Jails series which has information on racial inequalities in local law enforcement.

Chapter 4 asks if the feedback from unequal criminal justice enforcement extends to those not targeted by policy. Here, I test whether criminal justice enforcement differently affects the orientations and participation of blacks with low levels of education, highly educated blacks, and whites. Because whites are not targeted by criminal justice policy, they receive different messages than blacks about the treatment they can expect from government. Blacks and whites should, thus, have opposite reactions to racially skewed criminal justice enforcement. When blacks are jailed at higher rates than whites, blacks, both those with high and low levels of education, learn that government is unlikely to be responsive to their needs, leading to negative political orientations and lower rates of political participation. Whites in these contexts learn that government is comparatively more likely to care about whites' needs which should lead to more positive orientations and increased participation rates. I also test to see whether feedback from criminal justice policy is stronger where policy is more salient—areas with large black populations. Information on blacks' and whites' political behavior comes from Pew's 2014 Political Polarization Survey, and law enforcement data comes from the 2013 Census of Jails.

Immigration Policy

The second half of the empirical analyses asks how immigration enforcement affects the identity and policy preferences of Latinos and Anglos. Immigration enforcement has primarily focused on immigrants from Latin American countries. While nearly half of all immigrants were born outside of Latin America, nearly everyone deported by ICE is Latino, 97% in 2013. Immigration policy thus negatively constructs Latino immigrants as "illegal" and "criminal" (Massey and Sanchez 2010, 18; Chavez 2008). This teaches the public that Latino immigrants and, by extension, all Latinos deserve punitive treatment from government. These signals are especially strong, and likely to produce feedback effects, in areas where Immigration and Customs Enforcement detains or deports immigrants at a high rate.

Chapter 5 focuses on how immigration enforcement affects group ties for the target group—Latinos. Because the media and public do not often distinguish between Latino immigrants and those born in the US, negative stereotypes promoted by immigration laws spill over to native-born Latinos. Because their relationship to policy is indirect, native-born Latinos are likely to have a different reaction to immigration enforcement compared to foreign-born Latinos who are directly targeted by policy. I argue that immigration enforcement should lead to strengthened group ties for native-born Latinos but only under certain circumstances. Foreign-born Latinos' identity, on the other hand, may be less sensitive to the signals from policy. In this chapter, I also more carefully examine the relationship between residential context and policy enforcement, arguing that policy may structure how residential context affects Latino identity. Data on Latino ethnic identity comes from the Latino Decisions' 2016 Collaborative Multiracial Post-Election Survey. I measure immigration enforcement using the number of deportations in a county from data on Immigration and Customs Enforcement's Secure Communities program.

In my last empirical chapter, I again expand my analysis to those outside of policy's target group. Chapter 6 asks whether immigration enforcement differently affects the policy preferences of Latinos and Anglos. Immigration policy sends different messages to Latinos than to Anglos about how future immigration legislation will affect them, leading these groups to have opposing reactions to immigration enforcement. In this chapter, I also explore whether the strength of policy feedback varies by how salient the policy is for each group. Public opinion data for this chapter comes from the 2012 American National Elections Survey, and immigration enforcement is measured using data from Syracuse University's Transactional Records Clearinghouse on the number of detainer requests in a county from Immigration and Customs Enforcement.

CHAPTER 2: FEEDBACK EFFECTS, TARGET GROUP STATUS, AND POLICY SALIENCE

Social Construction Framework

Social construction theory focuses on how policies and problems become linked to target populations and how policy design and outcomes affect these groups. For many policies, the target group is readily identifiable. Welfare policy, for example, targets the poor. Policymakers can choose to link policy to a pre-existing group, such as connecting Social Security benefits to the elderly. Alternatively, they can use policy to construct a new population such as how the adoption of country-quotas for legal immigration helped define a population of illegal immigrants. Policymakers select or create these target populations based on the social construction of the group and the group's political value.

Schneider and Ingram (1993) distinguish between four broad categories of target populations based on the political power and valence of the group. Advantaged populations are politically powerful and regarded positively by society. This includes groups such as small business owners and the middle class. In part due to their social construction and political clout, these groups tend to be invested in politics and are more likely to become involved in the political process. Contenders hold similar levels of political power but are negatively constructed. Big business, such as pharmaceutical companies (Donovan 1993), and unions are often placed in this category. Two groups, dependents and deviants, have little to no political power. Dependents, such as children or the disabled, are positively constructed. Deviant groups, on the other hand, are negatively regarded by the public. This category includes groups such as criminals or drug addicts.

Elected officials find it beneficial to design policies that promote positively constructed groups such as advantaged or dependent populations by providing subsidies or outreach programs (Schneider and Ingram 1993). Because these groups are generally well-liked by society, they are seen as deserving of good policy outcomes. By creating laws which benefit positively constructed groups, policymakers secure electoral support. Similarly, politicians electorally benefit by designing policies which pose costs to negatively constructed groups such as contenders and deviants (Nicholson-Crotty and Meier 2005). Because society views these groups as undeserving, the public should support policies which burden disliked groups. Burdensome policies may include harsh sanctions or incarceration or may simply be less outwardly beneficial compared to policies designed for positively viewed groups.

Politicians do not simply consider the target population's valence when making policy decisions. Out of concern for their electoral prospects, elected officials propose policies which are likely to be supported by politically involved groups (Arnold 1990). Thus, politicians design policies that benefit powerful groups regardless of the group's social construction. Politically weak groups offer few, if any, electoral benefits, giving politicians little incentive to adopt policies which help these groups. The political power and valence of contender and dependent groups send conflicting signals to policymakers about what kind of policy to make. Politicians feel pressure to make policies that benefit contender groups to gain their electoral support but are wary of designing policies that are too favorable to negatively constructed groups. Similarly, politicians receive some public support for adopting policies that advantage dependents but have little motivation to devote many resources to such weak groups. As a result, policymakers tend avoid designing policies for either of these target populations. Policies for these groups tend to either have hidden benefits (for contenders) or symbolic benefits (for dependents).

Politicians, instead, focus most of their energy and resources on policies that target advantaged or deviant populations. Both groups' political power and social construction send a clear message to policymakers about what kinds of policies should be created. Policymakers can maximize their political gains by designing policies that subscribe benefits to advantaged groups and/or policies that allocate burdens to deviant groups. Advantaged populations will reward politicians who adopt policies that support them. But because they have little or no political sway, deviant groups are unable to punish policymakers who create harsh policies. This results in a system where benefits are oversubscribed to advantaged groups and burdens are over-allocated to deviant target populations.

The redistribution of benefits and burdens has far-reaching consequences both for those directly affected and for the general public. Policy produces feedback effects that work through several mechanisms such as redistributing resources, teaching civic skills, defining target group membership, and altering individuals' political orientations. In this study, I examine the effect of policy feedback only for policies targeted at deviant groups. These policies are especially important for understanding how public policy can promote unequal citizenship across groups. Policies that burden deviant groups produce both negative feedback effects for those impacted the policy while simultaneously having positive effects on the political behavior of those outside the target population. Over time, this produces a gap in the attitudes, political orientations, and participation rates for deviant and non-deviant groups.

Policy Feedback

Scholars of policy feedback typically examine feedback effects for policy recipients because these individuals have direct experience with policy. As a result, scholars have generally

defined the target group as including only those with personal experience with policy. This definition misses the ways that policies construct target populations that are actually much broader than simply those who are allocated policy benefits or burdens. Unlike past research, I argue that a policy's target group includes all individuals who are likely to have experience with policy as well as those who are less likely to experience policy but are still associated with the social construction promoted by policy.

Using this definition, many who are directly targeted by policy do not actually have personal experience with policy. For instance, although all unauthorized immigrants are the main target of immigration policy, only some unauthorized immigrants interact with Immigration and Customs Enforcement. Individuals who have high likelihoods of interacting with policy at some point but have not necessarily had direct contact with policy are often ignored in traditional studies of policy feedback. These individuals along with actual policy recipients make up policy's direct target group. Additionally, individuals who are associated with policy recipients but are not directly targeted by a policy, referred to here as the indirect target group, are also affected by the way policy socially constructs the target group. Individuals without personal policy contact may be associated with the target group's social construction in several ways, such as by belonging to the same community as those with personal policy experience or sharing similar demographic traits to those who experience policy directly. For example, although criminal justice policies primarily target blacks with low levels of education (Western 2006; Pettit and Western 2004), these policies broadly affect all African Americans. In this example, blacks with low levels of education are more likely to have experience with law enforcement and are the group for whom criminal justice policies are designed. That is, this group makes up the direct target group. Highly educated blacks are the indirect target group. Together, the direct and

indirect target groups make up a general target population. For the most part, members of the direct and indirect target groups will have similar reactions to policy, but the strength of policy feedback is likely to differ between these groups.

Outside of the general target population, there is a nontargeted group. Individuals in the nontarget group are unlikely to be policy recipients or to be negatively affected by the social constructions promoted by policy.[1] In the example above, whites comprise the nontarget population. For this group, policy is more distant. Individuals in the nontarget group are more likely to learn about policy's signals indirectly either through media and political discourse (Soss and Schram 2007, 121; Edelman 1971, 51-52) or by witnessing policy outcomes. Policy still affects this group, but the feedback is likely to be weaker than for those belonging to the target population.

Feedback for the Direct Target Group

As explained above, the direct target group includes both policy recipients and individuals with high likelihoods of experiencing policy at some point. Policy may affect these groups in one of two ways: resource effects and interpretive effects. Public policy distributes and redistributes material resources (Lowi 1964). By allocating material benefits or costs to policy recipients, policies alter the distribution of resources between groups which may affect the likelihood that individuals in the direct target group become engaged in politics (Wilson 1980). Individuals or groups with more resources are more likely to participate (Verba, Schlozman, and Brady 1995). Thus, as costly or burdensome policies are targeted at deviants, these groups are

[1] Depending on the policy, some individuals that fall into the nontarget group may actually have experience with policy. In the criminal justice example used above, non-blacks are also arrested and incarcerated (although at lower rates than blacks). But, importantly, nontarget group members are unaffected by the negative stereotypes promoted by policy and are outside of the group for whom policy was originally intended.

less able to participate. Since deviant target groups already start at low levels of political power, the skewed redistribution of resources widens the participation gap between deviant groups and more powerful or well-liked groups.

Policies do not simply allocate material resources. In this project, I focus on the interpretive feedback effects from policy. Interpretive effects occur when the design and implementation of policies "convey messages to people about government or their relationship to it or the status of other citizens" (Mettler and SoRelle 2014, 168). These messages affect how individuals view their identity as a member (or not) of the target population, their orientations toward government, and their preferences for future policies. For instance, when policy incarcerates African Americans or deports Latino immigrants at high rates, this sends a signal to those targeted that their racial/ethnic group has a low status in society compared to other groups and that they can expect punitive treatment from government. Scholars have found that direct interactions with such negative policies lead to low levels of trust, reduced efficacy, and, as a result, lower rates of participation (see Soss 1999; 2005; Bruch, Ferree, and Soss 2010; Lerman and Weaver 2014a). Living in hostile policy contexts also has these negative ramifications on the political orientations of those directly targeted by policy (see Rocha, Knoll, and Wrinkle 2015; Burch 2013).

In addition to altering how individuals view and interact with government, policy may also shape identity. Policy is certainly not the only factor that affects identity. Cultural, socioeconomic, and other contextual factors also affect group ties. However, most "socially determinist theories overlook the ways in which the identities, goals, and capacities of all politically active groups are influenced by political structures and processes" (Skocpol 1996, 47). The majority of studies looking at identity focus on broad demographic characteristics, such as

minority group size (Welch et al. 2001; Lau 1989), or on individual-level traits including national origin (Masuoka 2006) or educational status (Dawson 1994; Tate 1994), ignoring the role of policy. In doing so, these studies miss how government systematically biases which types of groups are likely to form and grow.

Policies affect group identity by sending signals about the status of the target group to those targeted by policy (Soss 2005, 309). Depending on the signals, policy can either reinforce or discourage identification with the general target population. For deviant social constructions, policy teaches those directly targeted that identification as a target group member is costly. As past research shows, individuals are more likely to distance themselves from low-status groups in order to preserve self-esteem (Tajfel and Turner 1986). In reaction to policy's signals, members of the direct target group should have less attachment to their target group membership. Direct target group members may, instead, seek out stronger ties to groups that provide more benefits from policy.[2]

Last, policy is likely to change direct target group members' future policy preferences. In general, individuals in this group should oppose legislation that upholds the negative social construction promoted by current policy. These preferences will be stronger in areas where policy's signals are strongest—areas where policy enforcement disproportionately is focused on the target group.

This leads to several hypotheses:

[2] This argument does diverge from some traditional policy feedback arguments which would assume that deviant populations would reaffirm their group ties in response to negative interactions with policy (see Lerman and Weaver 2014a). However, this may be the difference between focusing on resource feedback effects versus interpretive feedback effects. One reason that some scholars find that individuals maintain strong ingroup attachments is because they have too few resources to leave their low-status group in favor of other, more powerful or well-liked groups, which is exacerbated by policy removing resources from deviant populations. However, the interpretive effects of policy do not affect an individual's ability to leave the group and, instead, only encourage those directly targeted to distance themselves from the general target group.

H1. In response to negative signals from policy, direct target group members will have weaker ties to the target population (See Figure 1).

H2. In response to negative signals from policy, direct target group members will have low levels of trust and more negative political orientations (See Figure 2).

H3. In response to negative signals from policy, direct target group members are more likely to oppose policies that uphold a deviant social construction for the target group.

Feedback for Indirect Target Groups

Policy also produces feedback for individuals with only indirect policy experience. Indirect target group members are unlikely to have direct contact with policy but are still harmed by the negative constructions promoted by policy. For instance, when criminal justice policies directly target African Americans with low levels of education, all blacks learn about government's attitude toward their race—the broader target population. In part, this occurs because the media and public do not always distinguish between policy recipients and the general target group. For example, native-born Latinos are negatively stereotyped by immigration policy partly because the media often refers to all Latinos, regardless of citizenship or authorization status, as one group (Beltran 2010; Massey and Sanchez 2010). As a result, the negative constructions perpetuated by immigration laws are not limited to those in the direct target group but instead affect all Latinos.

From hearing political rhetoric and by witnessing policy outcomes, members of the indirect target group learn about the type of treatment they can expect from government. Like those directly targeted by policy, when the general target population is subject to a deviant construction, individuals in the indirect target group learn that they are likely to receive punitive

policy outcomes and have a low status in society. Indirect target group members are likely to respond in a similar manner to their counterparts in the direct target group. In response to negative signals from policy, those in the indirect target group should distrust government and be less likely to say that government is responsive to their needs. By shaping orientations, policy may also lead to lower rates of participation for this group. Past research provides some support for this argument. In a sample of Texans, Rocha, Knoll, and Wrinkle (2015) find that native-born Latinos, who are only indirectly targeted by immigration policy, have lower levels of trust in areas where immigration enforcement is intense.

Attitudinal policy feedback should also be similar for both the direct and indirect target groups. Because they face discrimination as a result of the negative stereotypes promoted by policy, those in the indirect target group should oppose future laws that uphold the target group's current social construction. Instead, indirect target group members are likely to favor legislation that portrays the general target group more favorably as the signals from current policy become stronger.

Policy may shape group ties for those in the indirect target group. In part, this is because those indirectly targeted by policy are subject to discrimination when policy negatively constructs the general target group. For instance, when the criminal justice system overwhelmingly arrests and incarcerates African Americans at higher rates than other groups, policy creates a stereotype of blacks as criminals. Highly educated blacks—the indirect target group—who are less likely to have actual experience with law enforcement are unable to escape this social construction. Similarly, native-born Latinos feel threatened by policies which portray unauthorized immigrants as "illegal" or "terrorists" (Pantoja and Segura 2003, 267; Chavez 2008; Massey and Pren 2012, 68). The signals from policy thus teach indirect target group

members that membership in the target group leads to a low status in society. But, unlike those directly targeted by policy, individuals who are only indirectly targeted by policy may increase their ties to the general target group in response to policy's signals.

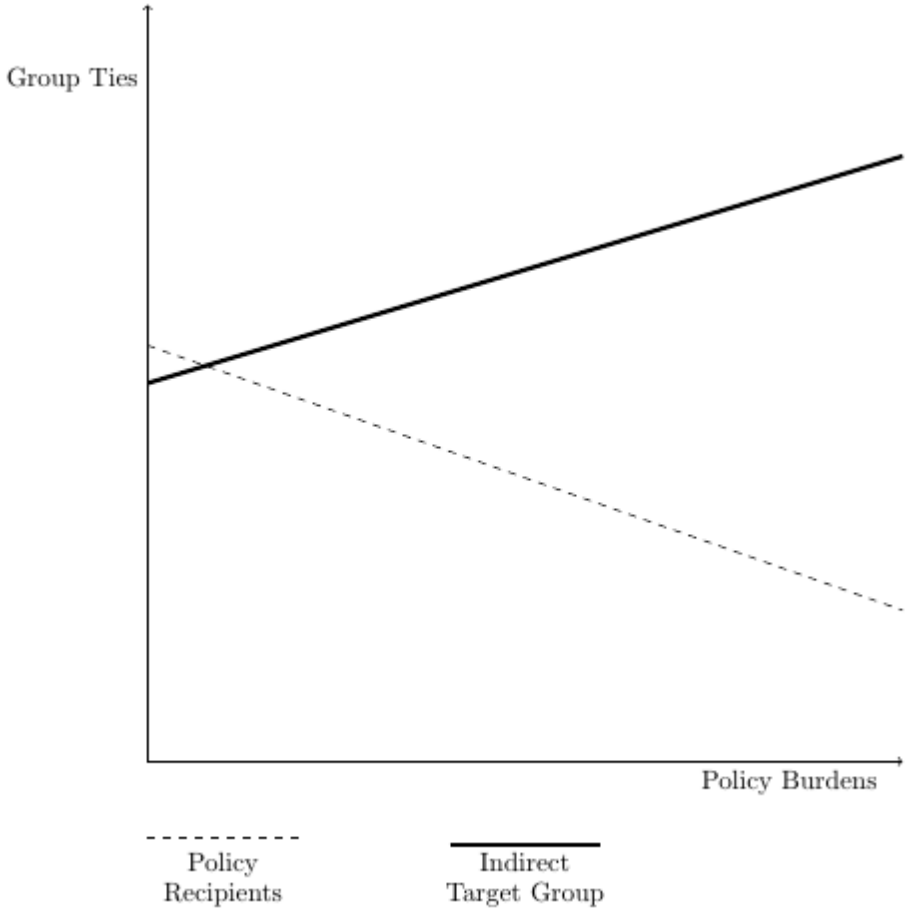
Although some studies suggest that individuals often try to distance themselves from "devalued" ingroups (see Tajfel and Turner 1986), under certain conditions individuals will increase their membership in low-status groups. This is especially likely when individuals believe that the group's low status is due to discrimination or if membership in other groups is unlikely (Branscombe et al. 2009). As the later chapters will argue, those in the indirect target group are more likely than their direct target group counterparts to believe that the negative social constructions promoted by policy are due to prejudice against their racial/ethnic group. Additionally, the discrimination that those in the indirect target group are likely to feel on a daily basis in hostile policy contexts reminds this group that they are unable to deny their associations with the general target group. In response to negative signals from policy, indirect target group members should therefore be more likely to increase their ties to the general target group. This leads to the following hypotheses:

H4. In response to negative signals from policy, indirect target group members will have stronger ties to the target population (See Figure 1).

H5. In response to negative signals from policy, indirect target group members will have low levels of trust and more negative political orientations (See Figure 2).

H6. In response to negative signals from policy, indirect target group members are more likely to oppose policies that uphold a deviant social construction for the target group.

Figure 1: The Effect of Policy on Group Ties



Feedback for the Nontarget Group

The effect of policy on attitudes and orientations is not limited to target populations. Instead, the "mass audience" for policy's signals extends to the general public (Mettler and Soss 2004, 61). Many scholars recognize the potential for feedback for those in the nontarget group (see Mettler and Soss 2004; Ingram and Schneider 1993; DiAlto 2005; Jensen 2005; Schriner 2005; Bensonsmith 2005), but few studies have actually tested for such effects. For the most part, studies which look at feedback for nontarget audiences have examined whether and how policy change alters preferences of the mass public with mixed results (see Campbell 2012). For

example, Soss and Schram (2007) find that welfare reform had little effect on Americans' attitudes toward welfare and related policies. But Pacheco (2013) finds evidence that the adoption of state smoking bans causes individuals to view smokers with antipathy and to believe second-hand smoke is more dangerous.

One possible reason for such inconsistent findings is that scholars of mass feedback effects typically presuppose that the entire public uniformly responds to policy outcomes. However, it is likely that those in the nontarget group respond differently than those in the target group to policy's signals. Without accounting for individuals' target group status, it is likely that the feedback effects of various groups cancel out in the aggregate.

Another reason that scholars have not found consistent evidence of mass attitudinal feedback is that not all policies are equally salient to nontarget groups. Soss and Schram (2007, 122) suggest that mass feedback effects are more likely when policy is salient or is highly visible and proximate. Visibility refers to the degree to which a policy is relevant to the public. Policies which are more visible convey more information about social norms and target groups (Campbell 2012, 340). Feedback effects for nontarget groups are more likely when the effects of policy are highly visible. Proximity concerns how directly the public experiences policy. Target populations have direct experience with policy either by being a recipient of the policy or by knowing a policy recipient. However, individuals outside the target population are more likely to learn about policy and its social construction indirectly. As a result, feedback effects should be weaker for nontarget groups.

Although indirect, policy feedback likely still affects the attitudes of nontarget groups. By selectively allocating benefits to some groups and burdens to others, policy conveys messages about the status of target populations (Ingram and Schneider 1993, 72; Mettler and Soss 2004;

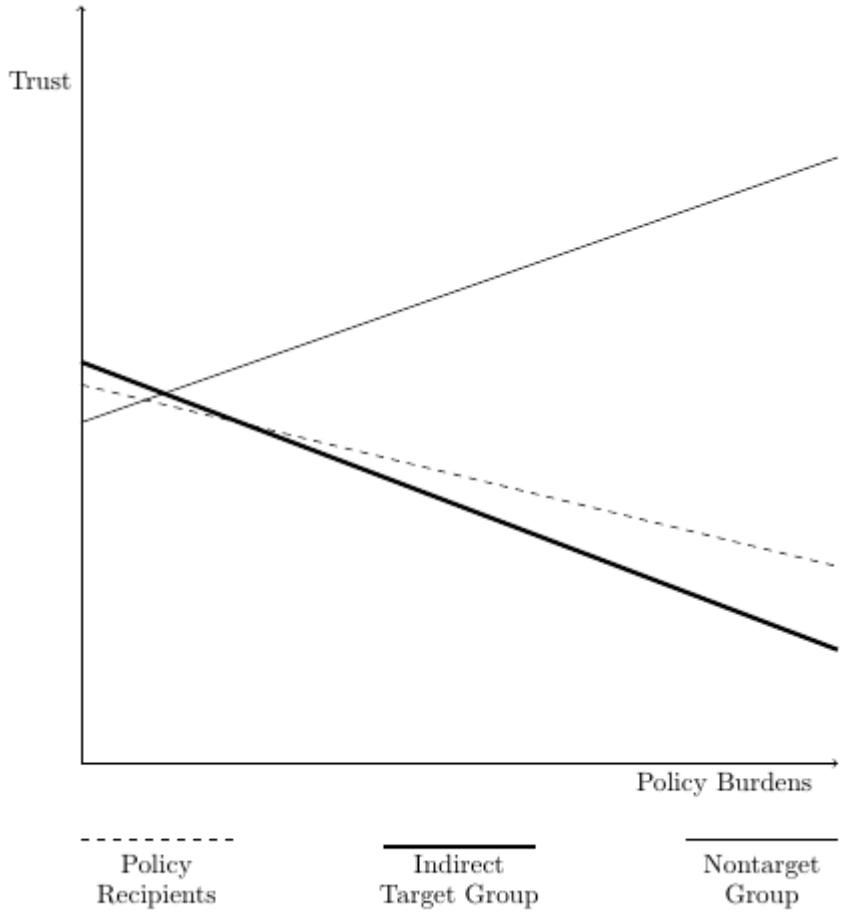
Pacheco 2013). Unlike those with direct policy contact, the nontarget population receives messages about target groups through media, political discourse, or by witnessing policy outcomes (Soss and Schram 2007, 121). Indirect knowledge of a target group's policy experience teaches nontarget group members which groups deserve governmental benefits. This should change individuals' attitudes towards future legislation regarding the target population. When policies burden deviant populations, individuals in the nontarget group learn that those targeted by policy deserve to be punished and will support future policies which uphold policy's stereotype. For example, as anti-smoking legislation portrays smoking as a deviant activity, citizens have more negative attitudes toward smokers and are more supportive of future bans (Pacheco 2013).

Policy also may change nontarget group members' attitudes toward government and levels of political engagement. Public approval of policymakers or trust in government should increase when policies benefit positively constructed groups or punish negatively constructed groups. Policies that go against a target group's stereotypes lead to less approval and trust. Additionally, policy teaches those in the nontarget group about their own relationship to government. When policymakers define a target group, they simultaneously construct a nontargeted population (Jensen 2005, 35; Schriner 2005, 77; DiAlto 2005, 81; Bensonsmith 2005, 243). By labeling target groups as undeserving, policymakers signal that those in the nontarget groups deserve policy benefits and that government is likely to be responsive to the needs of those in the nontarget group. Thus, when policy sends negative signals about a target group, the nontarget group should feel more positively oriented toward government, at least in comparison to those in the target group. This leads to the following hypotheses:

H7. In response to policies which burden target populations, nontarget group members will have high levels of trust and more positive political orientations (See Figure 2).

H8. In response to policies which burden target populations, nontarget group members are more likely to support policies that uphold a deviant social construction for the target group.

Figure 2: The Effect of Policy on Trust



Context

Policy is not the only factor which affects individuals' political behavior. Skocpol (1996, 48) argues that socioeconomic relations and cultural patterns combine with political structures to

shape "politicized social identities and group political orientations and capacities." She assumes that social and political determinants work independently to affect political behavior. However, this assumption ignores the possibility that there is an interactive relationship between the two. I argue that social determinants condition the effect of policy feedback by affecting where policy will be salient. Policy feedback effects should not be equally strong in all areas. Instead, feedback should be stronger in areas where policies are more salient. Scholars often assume that saliency is inherent to a policy (Campbell 2012, 339-340). For instance, Pacheco (2013, 715) argues that smoking bans fall into a class of "highly tangible policies." However, the saliency or 'tangibility' of policies should not always be taken as a given. Huckfeldt and Sprague (1995, 5) point out, "in politics, localities matter." Policy saliency is likely dependent on residential and social context. In some places, policy is more salient than in others producing feedback effects that differ across space.

A policy may be more proximate, and thus more salient, in places where its impact is widespread. Therefore, a policy's salience is dependent on the size of the target group in an area. In contexts where a sizable proportion of individuals are targeted by policy, its effects will be more apparent to everyone. Citizens will have more first- and second-hand experience with policy. Individuals are more likely to know or hear of someone who is affected by policy or, in the case of the target population, be affected by policy themselves. For example, individuals living in areas with large undocumented populations may be more likely to be aware of people who are deported. Similarly, citizens in majority-black areas may be more likely to witness law enforcement targeting blacks compared to their counterparts living in homogeneously white contexts. In contexts with a large target population, policy is thus more likely to "[exist] as a

tangible presence affecting people's lives in immediate, concrete ways" (Soss and Schram 2007, 121).

The size of the target population may also increase salience by making policy more visible. Local or state media is more likely to cover stories about policies that affect a large proportion of the population. Politicians may also be more inclined to comment on a policy that affects many of their constituents. As political discourse makes policy enforcement more visible, the implicit messages about the deservedness of the target population become more apparent. In contexts with a large target population, we should see the strongest evidence of policy feedback. In areas where few are targeted by policy, both policy and the social construction it perpetuates may go unnoticed. Here, feedback effects will likely be muted.

For individuals in the target group, group size also affects policy feedback through group identity. Campbell (2012, 340) argues that when members of the target group are geographically near and can identify with other target group members, they can "more easily exchange information and band together for political action." Identifying as a member of the target group is more likely when individuals reside in a context with a large target population. Social density hypothesis argues that individuals are more likely to identify with fellow group members when they reside near many others in their group (Lau 1989; Welch et al. 2001). Group identification, or group solidarity, may make individuals more likely to view political issues through the lens of group membership (Bledsoe et al. 1995, 435). Thus, in contexts with large target populations, individuals may more readily connect the policy to the group. In areas where few are directly targeted by policy, individuals will be less likely to perceive policy as aimed at their group, making feedback effects weaker in these areas.

For nontarget populations, target group size may condition feedback effects through an alternate mechanism. The size of the target group affects nontargeted citizens' attitudes towards policy recipients. Conflict theory argues that individuals react negatively to increases in the size of outgoup populations. For the most part, this has been studied in the racial/ethnic context. As the minority population in an area grows, whites are more likely to hold prejudicial attitudes and participate in politics in ways that oppress racial and ethnic minorities (Key 1949; Giles and Buckner 1993; Glaser 1994; Tolbert and Grummel 2003; Rocha and Espino 2009). Scholars suggest that the increased racial hostility is due to competition over scarce economic, social, or cultural resources (Hood and Morris 1998; Oliver and Wong 2003, 568). The size of the target group may work in a similar way for policy feedback. In areas with sizeable target populations, preexisting conflict between target and nontarget groups will make policy more salient, leading to stronger feedback effects. However, in contexts where the target population is small, there is less animosity between groups, making policy less salient and feedback effects less apparent.

However, the relationship between policy and context may be more complex. In last two chapters, I explore alternate explanations for how these two factors work together to affect individuals' political behavior. For example, it may be the case that the conditioning effect of context on policy does not work in the same way for all groups. So far, I have assumed that policy will be more salient for all groups when the target group is larger and, thus, policy enforcement is more visible and proximate. For those without personal experience with policy—the indirect and nontarget groups—this is likely to be the case. However, for individuals who are directly targeted by policy, a large target population may not always make policy enforcement more salient. Policy is likely to be constantly visible to those in the direct target group. This may make the interaction of policy environment and residential context less influential for direct

target group members' attitudes. Another possibility is that feedback effects will be stronger for those in the direct target group in residential contexts where policy is more proximate. As later chapters will show, policy may not always be more proximate in areas where the target group is large.

Finally, there is an alternative mechanism by which policy and context work together to strengthen feedback effects. The preceding explanations assume that residential context determines the salience of policy. But the reverse may be true. Policy may instead condition when residential context will become a salient factor able to influence individuals' attitudes. In areas where policy enforcement is high, policy shows individuals how their lives are or are not connected to the target group. In these policy environments, individuals will be more likely to consider the size of the target population when forming their attitudes. But where policy enforcement is low, the ties between individuals and the target group are not salient, making both residential context and policy easy to ignore. Chapter 5 explores this argument. Importantly, whether residential context determines the salience of policy or the reverse, the results should be the same. We should see the strongest feedback effects in areas where both policy enforcement is high and the target population is large.

> H9. The effect of policy on political behavior should be stronger in areas with a large target population than in areas where the target population is small.

CHAPTER 3: CRIMINAL JUSTICE ENFORCEMENT AND BLACK IDENTITY

Lerman and Weaver (2014a, 157) argue that the criminal justice system is a "race-making institution" that "defines racial identities and membership, and positions racial groups." In their examination of the carceral state, Lerman and Weaver find that the racial identity of black "custodial citizens"—individuals for whom law enforcement contact is routine—is shaped by their experiences with the justice system. But does criminal justice policy's ability to define race extend beyond custodial citizens? As explained in the previous chapter, policy should not simply affect those with personal policy experience. Instead, criminal justice policy should shape the identity of all those in the target group—blacks.

By arresting and incarcerating African Americans more than other groups, criminal justice policy sends negative signals about blacks, a point on which I elaborate below. These signals affect blacks' evaluation of the costs and benefits of belonging to their racial group. Additionally, by sending negative messages about what it means to be black in America, criminal justice policy inadvertently highlights how other group identities—such as national identity—receive less punitive policy outcomes. Racially disparate criminal justice enforcement therefore also affects blacks' ties to other, more beneficial non-race-based identities. But the effect of criminal justice policy on group identity should differ for those who are directly targeted by policy and those in the indirect target group.

Criminal Justice Policy's Target Group

The general target group for criminal justice policy includes all African Americans. Although the laws are theoretically color-blind, criminal justice enforcement disproportionately

focuses on blacks. As a result, these policies create a negative black social construction that can be seen in racially skewed criminal justice outcomes and the prevalence of negative stereotypes that criminalize blacks.

Blacks are significantly more likely to be arrested or incarcerated compared to other groups, especially whites. While one in every three black men is likely to be imprisoned at some point, only one in seventeen white men faces time in jail (Bonczar 2003). Such racially unequal outcomes also hold true for women (Bonczar 2003). Racial disparities in criminal justice outcomes are partly the result of specific policies including three strikes laws, mandatory minimum sentences, and 18:1 sentencing laws for crack cocaine, which more severely target and punish crimes for which blacks are more likely to be arrested (Tonry 2014).

Criminal justice policies have also altered public perceptions of blacks. Blacks, especially those with darker skin, are more likely to be perceived as "criminal" and "dangerous" (Eberhardt et al. 2004; Goff et al. 2008). Similarly, cues about criminal activity are linked to blacks in the public's mind. For example, violent crimes are more likely to be remembered as being committed by blacks (Oliver and Fonash 2002), and individuals who have been arrested are more likely to be perceived as black (Saperstein and Penner 2010).

By overwhelmingly focusing on African Americans, criminal justice enforcement teaches *all* blacks, not simply those with personal policy experience, that blacks have a low status in society and that government is likely to treat their racial group poorly. At the same time, racially disparate criminal justice outcomes show blacks that other groups do not receive the same harsh treatment. Blacks thus learn that membership in other groups, particularly groups that are not race-based, may bring more potential policy benefits and higher social standing. These signals from policy are especially strong in areas where blacks are disproportionately targeted by law

enforcement. While African Americans are arrested and incarcerated more than other groups in nearly all contexts, the degree to which law enforcement is racially unequal varies across the US. In 2014, for example, New Jersey, which had the most racially unequal criminal justice enforcement, incarcerated blacks at a rate 13.81 times higher than whites. But in Hawaii, the most equal state, the black incarceration rate was only 2.61 times higher than the white incarceration rate (Bureau of Justice Statistics 2014). In both states, the criminal justice system sends negative signals about blacks, but these signals should be stronger in New Jersey than in Hawaii.

In areas where the signals from criminal justice policy are strong, blacks are more likely to respond to unequal criminal justice enforcement by re-evaluating ties to both their racial group and more beneficial, nonracial groups. In response to signals that black racial identity comes with costs, blacks may sever racial group ties and seek increased membership in groups that bring more potential policy benefits. Alternately unequal criminal justice enforcement may make black identity more salient, leading to stronger feelings of racial group consciousness. However, it is unlikely that all blacks respond to policy's signals in the same way. Policy's effect on group identity likely depends on whether blacks are directly or indirectly targeted by the justice system.

Direct and Indirect Target Groups

Although all blacks are more likely to be the focus of criminal justice enforcement compared to other racial groups, not everyone within the target group is equally affected by policy. Educational attainment drastically affects the odds of incarceration among blacks. Nearly one in five black men with only a high school degree will go to prison at some point, but only one in thirteen college-educated black men is likely to face imprisonment (Pettit and Western

2004, 161). In part, blacks with little schooling have greater contact with law enforcement because they are more likely to be involved in crime than their highly educated counterparts. But, some studies suggest that the high rates of incarceration also result from a class bias in criminal justice enforcement (Pettit and Western 2004, 153). While the class and education bias in policing is also present for other races and ethnicities, the effect of education on imprisonment is much larger for blacks than for other groups—especially whites (Western 2006, 27).

For instance, while noncollege whites have a 5.3% chance of going to prison by age 34, blacks who did not attend college have a 30.2% chance of being imprisoned (Western 2006, 27). Additionally, even when whites with low levels of education are imprisoned, they are less likely to feel long-term negative effects of contact with the criminal justice system compared to similarly educated blacks (Pager 2003; Pager, Western and Sugie 2009; Western 2006).

Since whether or not blacks have attended some college is a strong predictor of imprisonment, educational status has been the standard way that scholars distinguish between high and low contact with the criminal justice system for blacks (see Pettit and Western 2004; Western 2006; Wakefield and Uggen 2010, 393; Pettit, Sykes and Western 2009). I also use educational status as a proxy for contact with the justice system here. Blacks with low levels of education make up the direct target group for criminal justice policy and the indirect target group includes blacks with high levels of education. While highly educated blacks are less likely to go to prison than their less educated counterparts, they still face discrimination from the justice system. College-educated blacks are seven times more likely to be incarcerated than similarly educated whites (Western 2006, 27). Highly educated blacks are also more likely to have everyday encounters with the police compared to similarly educated whites. Blacks at all levels of education are more likely than their white counterparts to be stopped by police (Harris 2000;

Lundman and Kaufman 2003; Epp, Maynard-Moody, and Haider-Markel 2014, 72). As Epp, Maynard-Moody, and Haider-Markel (2014, 69-70) show, such racially skewed police stops hold true for those with high socioeconomic status. Thus when highly educated blacks are aware of unequal criminal justice outcomes, they are likely to recognize the justice system as negatively affecting all blacks rather than simply those directly targeted. When criminal justice enforcement arrests and imprisons blacks at higher rates than whites, it negatively affects blacks at all education levels. But highly educated blacks are likely to have different reactions to policy's signals than their less educated counterparts.

Feedback for the Direct Target Group

Those directly targeted by policy—blacks with low levels of education—are likely to respond to unequal criminal justice enforcement by weakening their racial group connections and emphasizing their non-racial group identities, such as their identity as an American. Social identity theory helps explain why blacks with low levels of education transfer their ties from a low status ingroup to an outgroup with higher social standing. According to social identity theory, individuals automatically sort the world into in- and outgroups and derive self-esteem from their group-memberships (Tajfel and Turner 1986). Belonging to "devalued" or negatively constructed groups harms individuals' psychological and physical well-being (Branscombe et al. 1999; Contrada et al. 2000). As a result, individuals tend to distance themselves from their existing group to join more positively viewed outgroups (Tajfel and Turner 1986; Branscombe et al. 2011; Wright and Tropp 2002). This is especially true if individuals perceive their group's devalued status as natural or as a result of individual attributes rather than due to prejudice (Branscombe et al. 1999).

For the direct target group, this explains why unequal criminal justice enforcement should lead to reduced racial group identity. Compared to their highly educated counterparts, blacks with low levels of education are less likely to see the justice system as racially discriminatory even when they have had contact with the police (Wortley et al. 1997). In fact, even though many blacks who regularly interact with law enforcement view the criminal justice system as unequal, they do not perceive it as "obviously *racially* unequal" (Lerman and Weaver 2014a, 159). In part, this is because criminal justice enforcement is both race and class biased (Pettit and Western 2004, 153), making it difficult for individuals to determine whether their direct target group status is due to racial or socioeconomic factors.

Legal definitions of racism have also reinforced perceptions that unequal criminal justice outcomes are not due to racial bias. To determine whether criminal justice policies violate equal rights protections, courts rely on a standard of "intentional discrimination" (Lerman and Weaver 2014a, 161-7). In other words, individuals must prove that the criminal justice system is *intentionally* discriminatory which is nearly if not totally impossible, especially since this standard "requires in practice that officers admit in court what is unspeakable"—that race is a factor in creating and upholding criminal justice laws (Epp, Maynard-Moody, and Haider-Markel 2014, 35). Because these laws pass limited race-neutral tests, racially unequal criminal justice outcomes are not seen as the result of purposeful police discrimination. Instead, blacks who commit crimes are seen as personally responsible for blacks' overrepresentation in the criminal justice system (Haney-Lopez 2010). Thus, unequal criminal justice enforcement has been framed as being due either to racial discrimination *or* to blacks' personal responsibility.

Educational status may affect whether blacks are likely to attribute unequal criminal justice outcomes to racial prejudice or to individual choices. Joslyn and Haider-Markel (2013)

explain that, when trying to simplify complex problems such as inequalities in the justice system, individuals with low levels of education are more likely than the highly educated to assign blame to an individual's behavior rather than to broader, structural biases. This is likely because the individual is a "salient, immediate, and an accessible heuristic" whereas structural or environmental factors, like systematic racial discrimination, requires "more cognitive effort and extended reasoning" (Joslyn and Haider-Markel 2013, 414). When confronted with the competing frames of racial discrimination and personal responsibility, blacks with low levels of education should be more likely than their highly educated counterparts to blame unequal policy outcomes on individual choices. As social identity theory would predict, because blacks with low levels of education view blacks' low status as due to individual attributes, they should weaken ties to their racial group.[1] There is already some evidence to suggest that blacks reduce their ties to others in their racial group. Jordan-Zachery (2008, 235) finds that poor, crack-addicted women are viewed as "other" by those in the black community, suggesting that blacks do distinguish themselves from the typical criminal black stereotype.

Criminal justice enforcement may also result in blacks' with low levels of education increasing ties to other, more positively viewed groups. Social identity theory explains that, as individuals drop ties to stigmatized ingroups, they are likely to strengthen their membership to higher status outgroups (Tajfel and Turner 1986; Branscombe et al. 2011; Wright and Tropp 2002). By negatively stereotyping blacks, criminal justice policy may also promote ties to more positively-viewed outgroups. Previous studies suggest that other policies do have this effect on

[1] This is the opposite expectation of Lerman and Weaver (2014a). In their examination of the carceral state, Lerman and Weaver find that direct contact with law enforcement is associated with increased feelings of linked fate with disadvantaged racial groups. However, their results are limited to instances of personal experience with the justice system. It is likely that personal experiences with police differently affect identity than racially unequal enforcement outcomes in one's environment. As Armenta and Hunt (2009) show, experiences with personal discrimination has a different effect on one's racial/ethnic identity than perceived group discrimination. In other words, individual law enforcement contact may increase feelings of racial identity while unequal criminal justice outcomes reduced feelings of racial solidarity. Unfortunately, I cannot test this argument here since the survey used in this chapter does not include questions about individuals' contact with law enforcement.

individuals' identity. For instance, Soss (2005, 316) finds that welfare clients often agree with the undeserving social construction of welfare recipients promoted by policy and attempt to distinguish themselves from the target group. Welfare recipients emphasize their identities as "normal" Americans which has more positive connotations. Criminal justice policy may have a similar effect on blacks with low levels of education. In response to unequal criminal justice enforcement, blacks with low education may cling more to their identities as "normal" Americans.[2]

Criminal justice policy may also lead to reduced racial ties more directly by affecting the neighborhoods where blacks with low levels of education reside. In addition to having more direct contact with the justice system, blacks with low levels of education may also be more likely to live in neighborhoods that are disproportionately targeted by law enforcement. Living in areas with a high police presence is likely to weaken blacks' racial identity by eroding neighborhood institutions and social capital that are essential for building strong group ties. High levels of criminal justice enforcement in an area removes resources from the community, making it difficult to maintain basic institutions such as churches and schools that are important for building feelings of black racial solidarity (Lynch and Sabol 2004; Dawson 1994; Marable 1983). Thus blacks living in these neighborhoods—those in the direct target group—have few places to go to maintain strong racial identity. Social capital is also weakened in areas where many individuals have contact with law enforcement. Imprisonment leads to reduced social ties not only for those in prison but also for the family, friends, and neighbors of the incarcerated

[2] In theory, blacks with low levels of education could strengthen their membership to any number of other groups. However, the likelihood that they will increase ties to any group depends on how likely they are to be accepted into those groups and how beneficial the new group identity will be. For example, it is unlikely that blacks with low levels of education will cling more to their socioeconomic group in response to unequal criminal justice enforcement. Because criminal justice enforcement is also class-biased, blacks with low levels of education do not gain any advantages from identifying more strongly with their economic class.

(Western 2006; Braman 2002; Phillips and Gates 2011; Burch 2013). For instance, Burch (2013) finds that individuals living in neighborhoods with high imprisonment rates are less likely to report feeling a strong sense of community and have weaker social networks than those in neighborhoods with lower concentrations of prisoners. In other words, the individuals in these neighborhoods—blacks with low levels of education—are socially isolated and unlikely to maintain strong ties to others in their racial group at least in comparison to higher status blacks who live in more prosperous neighborhoods.[3]

The depressive effect of criminal justice contact on racial ties in low-status black neighborhoods should be especially strong in contexts where policy enforcement is highly unequal. When criminal justice enforcement disproportionately arrests or incarcerates blacks in a county, this is likely because police focus on poor black neighborhoods. As a result, we should see a greater disparity between the institutions and social capital of these neighborhoods compared to others when policy enforcement is highly unequal. In counties where criminal justice outcomes are less racially biased, these neighborhoods still have fewer resources to promote strong racial ties than others in the county, but the disparities between low- and high-status counties will be smaller.

Feedback for the Indirect Target Group

Blacks with high levels of education, who are only indirectly targeted by criminal justice policy, are likely to have the opposite reaction than their less educated counterparts to criminal justice policy's signals. Highly educated blacks are likely to strengthen their racial identity in

[3] Alternately, the economic and social deprivation of these neighborhoods may make race more salient leading to increased racial solidarity as argued by Gay (2004). However, it may be that the positive effect of "low quality" neighborhoods on racial identity found by Gay (2004) is limited to areas where criminal justice policy is more racially unbiased.

response to racially disparate criminal justice enforcement. As they cling to their racial ingroup, highly educated blacks may also be more likely to weaken their ties to broader outgroups, such as American identity.

Social identity theory again helps explain why highly educated blacks should increase their ingroup ties in the face of unequal policy enforcement. According to the rejection-identification model, under certain conditions, individuals increase their ties to low-status groups. This is likely when individuals perceive that their group's devalued status is due to discrimination (Branscombe et al. 1999; Cronin et al. 2012, 394). Scholars have found evidence that perceptions of prejudice are linked with heightened ingroup identity for a variety of groups, including African Americans (Branscombe et al. 1999; Cronin et al. 2012). This is especially important for understanding highly educated blacks' response to unequal criminal justice enforcement. Highly educated blacks are more likely to view the justice system as discriminatory compared to those with less education. In part this is because blacks with high levels of education are more likely to recognize racial prejudice in many institutions, including the criminal justice system (Brooks and Jeon-Slaughter 2001; Schuman et al. 1997; Weitzer and Tuch 2002; Wortley et al. 1997). This may be due to greater exposure to media accounts of bias (Weitzer and Tuch 2002, 450) or increased awareness of racial inequalities as a result of residing in communities with large white populations (Gay 2004; Tate 1994, 28). In contexts with highly unequal criminal justice enforcement, highly educated blacks may therefore be more likely to perceive the justice system as discriminatory, leading to increased feelings of racial identity compared to blacks with low levels of education.

Unequal criminal justice enforcement may also cause highly educated blacks to withdraw from potentially higher-status outgroup identities, such as American identity. According to social

identity theory, individuals are more biased towards outgroups when threat from outgroups becomes salient (Branton et al. 2011, 668). As criminal justice policy sends negative signals about blacks, it also highlights the distinction between African Americans who receive punitive policy outcomes and other Americans who do not receive similarly harsh treatment. Highly educated blacks should therefore be less likely to report strong feelings of national identity in contexts with racially disparate criminal justice outcomes.

As described above, criminal justice enforcement may also shape group identity through neighborhood social ties. Highly educated blacks are more likely to live in more prosperous neighborhoods that can sustain race-building institutions compared to their less educated counterparts. For instance, many scholars find that middle and upper class black neighborhoods tend to have a variety of organizations including churches, block groups, social clubs, and other neighborhood associations compared to poorer black neighborhoods (see Gay 2004, 549; Berry, Portney, and Thompson 1993; Wacquant and Wilson 1993). Not only do the communities of highly educated blacks start out with greater resources and potential for increased racial ties, but these neighborhoods are also less likely to be affected by racially unequal criminal justice enforcement compared to areas where blacks with low levels of education reside. Partly because of tactics such as "broken windows" policing, law enforcement presence is overrepresented in poor, black neighborhoods (see Epp, Maynard-Moody, and Haider-Markel 2014, 30-1). As criminal justice enforcement becomes increasingly focused on blacks, it is likely that police will continue to target poor, black neighborhoods, leaving highly educated blacks' communities relatively free of the negative effects criminal justice contact has on neighborhood institutions. Thus, as criminal justice enforcement becomes increasingly racially unequal and poor black neighborhoods are less able to foster racial solidarity, highly educated blacks' neighborhoods

will still have institutions that can build racial ties. However, when policy is relatively equal, the resource and social disparities between the neighborhoods of those these two groups will be smaller. Highly educated blacks should therefore have stronger racial ties compared to blacks with low levels of education in areas where criminal justice enforcement is more unequal.

The effect of unequal criminal justice enforcement on group identity should thus depend on whether individuals belong to the direct or indirect target group. This leads to the following hypotheses:

H1. In communities where blacks are disproportionately targeted by the criminal justice system, highly educated blacks should have stronger feelings of racial identity compared to blacks with low levels of education.

H2. In communities where blacks are disproportionately targeted by the criminal justice system, highly educated blacks should have weaker feelings of American identity compared to blacks with low levels of education.

This has important consequences. Blacks who feel strong ties to their racial group participate at higher rates than those with weak racial ties (Olsen 1970; Shingles 1981; Austin et al. 2012). This participation is also likely to help improve blacks' status since racial solidarity is linked to support for black candidates and favoring government aid to blacks (Gurin, Hatchett, and Jackson 1989; Jackson 1987; Bledsoe et al. 1995; Tate 1994). In this way, racially discriminatory law enforcement practices may provide some benefits to the target group by motiving those with high levels of education to pursue pro-black policies and representatives. However, unequal criminal justice outcomes may also divide the black community by causing

those with low levels of education to sever racial group ties and, potentially, be less likely to become involved in politics.

Policy Salience and the Size of the Black Population

Should the effect of criminal justice policy on blacks' identity be equally strong in all contexts? No. The strength of feedback effects depends on the extent to which policy "exists as a tangible presence affecting people's lives in immediate, concrete ways" (Soss and Schram 2007, 121). In other words, the strength of criminal justice policy's effect on individuals' group identity is contingent on how salient unequal criminal justice enforcement is to the public. Inequalities in criminal justice outcomes will be more salient in areas with large black populations. In these contexts, blacks are more likely to have first- and secondhand experiences with policy and are more likely to witness policy outcomes.

This argument is consistent with studies that find the size of the black population influences feelings of racial identity. Blacks living in areas with large black populations have stronger feelings of racial solidarity compared to those living near few blacks (Lau 1989; Welch et al. 2001). In contexts with large black populations, blacks are more likely to interact with others from their racial group, which highlights the importance of racial group membership. In these areas, blacks' racial group and policies which affect it, such as criminal justice policy, are more salient. Thus blacks are likely to have stronger reactions to inequalities in criminal justice policy in areas where a greater proportion of the public is black. This leads to one hypothesis:

H3. Criminal justice policy's effect on group identity will be stronger in areas where a large proportion of the population is black compared to areas where only a small proportion of the population is black.

Measuring Criminal Justice Enforcement

To measure inequalities in criminal justice enforcement, I use data on the size of the black and white jail inmate populations at the county-level. Although jails make up only one part of the US's criminal justice system, jails may be especially useful for understanding the far-reaching impact of criminal justice policy's effect on identity. Jails affect the daily lives of more individuals than state or federal prisons. While more people are incarcerated in prisons than in jails, jails have approximately twenty times more admissions than prisons, meaning that more people have direct experience with jails than prisons (Subramanian et al. 2015). Additionally, because jails are run by local law enforcement, it is more likely that individuals will be aware of unequal criminal justice outcomes compared to inequalities in state and federal prisons.

To obtain jail inmate counts, I use data from the National Jail Census Series (NJCS) conducted by the Bureau of Justice Statistics. Roughly every five to ten years, the NJCS surveys all jail detention facilities that hold inmates beyond arraignment across the country.[4] The jail censuses collect information on the size and race of inmate populations. Since the public opinion survey used in this chapter comes from 2012, I use the two most recent jail censuses (conducted in 2005 and 2013) to estimate the number of blacks and whites jail inmates in a county for 2012. I first create county-level counts of the total number of black and white jail inmates in a county

[4] The NJCS excludes state-operated facilities in Connecticut, Delaware, Hawaii, Rhode Island, Vermont, and Alaska which have combined prison-jail systems. Alaska also has several regional jails which were surveyed by the NJCS and are included in my models.

for 2005 and 2013. For most facilities surveyed by the censuses, determining the jail's county is straightforward since the jail's jurisdiction includes only one county. In cases where jurisdictions cover multiple counties, jails are coded as being in the county where the facility is located. Several counties have multiple jail facilities. In these counties, the black and white inmate population is the sum of all black and white inmates in all of a county's facilities.[5] From this, I interpolated the total black and white inmate populations for 2012. I use the 2012 estimates of the inmate populations to create a measure of racial inequalities in local jail enforcement by taking the ratio of the total number of black jail inmates per 1,000 blacks in a county to the total number of white jail inmates per 1,000 whites in a county. This jail ratio captures how much local law enforcement targets blacks over whites.

Racial inequality in criminal justice enforcement varies widely across the country. The black-white jail inmate ratio ranges from 0 in counties where no blacks are in jail to 317 where blacks are jailed at significantly higher rates than whites.[6] The mean is 8.92. While criminal justice enforcement jail blacks and whites at roughly similar rates, the vast majority of counties—97%—jail blacks at higher rates than whites. But it is not the case that counties with large black populations uniformly target blacks more than whites. For example, Durham County, North Carolina has a population that is 37% black and a black-white jail ratio of 9.15, but in Wayne County, Michigan, which is 40% black, blacks and whites are jailed at relatively equal rates (jail ratio = 0.87).

[5] Roughly 22% of counties (699 counties in 2012) do not have their own jail or have combined prison-jail systems and are thus excluded from the models. Around 12% of the counties included in the 2012 ANES used in this chapter (31 or 269 counties) with 84 black respondents are missing jail data and thus excluded from the analysis.

[6] The black respondents included in this chapter live in counties with black-white jail ratios ranging from 0.27 to 60.21 with a mean of 5.11.

Measuring Target Group Status & Identity

I test my hypotheses using data from the American National Election Studies (ANES) 2012 Time Series Study. The nationally representative survey was conducted both in-person and online between September 2012 and January 2013. Because this chapter is concerned only with those targeted by policy, I include only black respondents. The survey includes 998 black respondents from 269 counties. The number of black respondents residing in a county ranges from 1 to 59, with an average of 8 respondents per county. While all blacks are likely to respond to inequalities in local law enforcement, their reactions should depend on whether they are directly or indirectly targeted by criminal justice policy. Blacks' target group status is determined by their level of education with highly educated blacks belonging to the indirect target group while blacks with low levels of education are more directly targeted by policy. I measure this using a dichotomous measure, "Black with High Education." Respondents receive a one on this variable if they have some college or a greater level of education. Blacks with a high school education or less—the direct target group—are the base category. Roughly 60% of blacks in the survey have at least some college education. To test whether the effect of unequal criminal justice enforcement on blacks' identity varies by target group status, I interact Black with High Education with the black-white jail inmate ratio in a respondent's county.

I argue that racially unequal criminal justice enforcement leads blacks with high levels of education to have stronger racial identity compared to their less educated counterparts. To measure racial identity, I use a standard question about racial linked fate. The question reads:

> "Do you think that what happens generally to black people in this country will have something to do with what happens in your life? (Yes, No)"

From this, I create a binary measure where a one indicates that respondents do believe that what happens to black people will have something to do with what happens in their lives.

I also argue that racially imbalanced criminal justice enforcement should affect blacks' ties to their national, American identity. In response to unequal criminal justice outcomes, blacks with low levels of education should increase their feelings of American identity compared to highly educated blacks. I measure American identity using the following question:

> "How important is being an American to you personally? (Extremely important, very important, somewhat important, a little important, not at all important)"

I use this to create a five-category ordinal variable with higher values indicating being American is of greater importance. This captures how connected respondents feel to their national identity.

Policy's effects on political behavior are likely stronger where policy is more salient. Because policy is more salient in areas with large target group populations I measure criminal justice policy's salience using the proportion of the county that is black. I split the sample into two groups: low salience (counties where less than 15% of the population is black) and high salience (counties with at least a 15% black population). The effect of criminal justice enforcement on identity should be stronger in counties where policy is more salient.

My models control for individual level characteristics known to shape racial identity including age, sex, partisan identification, and church attendance (Dawson 1994). Ingroup size has also been shown to affect feelings of racial identity (Welch et al. 2001; Lau 1989). To control for this, I include the proportion of the respondent's county that is black (United States Census Bureau 2012). Descriptive statistics of these variables can be found in Table 1.

Table 1. Criminal Justice Enforcement and Black Identity Descriptive Statistics

Variable Name	Observations	Mean	S. D.	Min.	Max.
Linked Fate	835	0.67	0.47	0	1
American Identity	854	4.27	0.93	1	5
Black with High Education	906	0.60	0.49	0	1
Black-White Jail Ratio	914	5.12	4.30	0.27	60.21
Age	887	47.54	15.76	18	90
Age^2	887	2508.27	1510.10	324	8100
Female	914	0.57	0.50	0	1
Church Attendance	904	3.06	1.54	1	5
Democrat	900	0.89	0.31	0	1
Independent	900	0.58	0.23	0	1
% Black in County	914	0.27	0.15	0	0.75

Analysis

First, I test whether criminal justice enforcement shapes group identity differently for blacks with high and low levels of education. Table 2 presents models that test how local criminal justice enforcement affects feelings of racial linked fate and national identity. Racial identity models are estimated using standard logistic regression. American identity models are estimated using ordinal logistic regression. For all models, standard errors are clustered by county.[7]

[7] Models replicated using multilevel modeling produce substantively similar results; however, the variance components indicate that multilevel modeling offers little leverage.

Table 2. Criminal Justice Enforcement and Black Identity

	Linked Fate	American Identity
Black-White Jail Ratio	0.004	0.036*
	(0.023)	(0.021)
Black with High Education	-0.283	-0.002
	(0.259)	(0.204)
Jail Ratio X Black with High Education	0.121***	-0.061**
	(0.048)	(0.030)
Age	0.020	0.085***
	(0.030)	(0.022)
Age^2	-0.000	-0.001***
	(0.000)	(0.000)
Female	-0.592***	-0.063
	(0.141)	(0.139)
Church Attendance	0.019	0.086**
	(0.055)	(0.043)
Democrat	0.403	-0.185
	(0.425)	(0.367)
Independent	0.414	-0.734*
	(0.509)	(0.400)
% Black in County	0.487	0.123
	(0.492)	(0.768)
Cutpoint 1	-0.173	-1.928***
	(0.804)	(0.679)
Cutpoint 2		-0.459
		(0.690)
Cutpoint 3		0.706
		(0.677)
Cutpoint 4		2.344***
		(0.668)
Observations	786	807

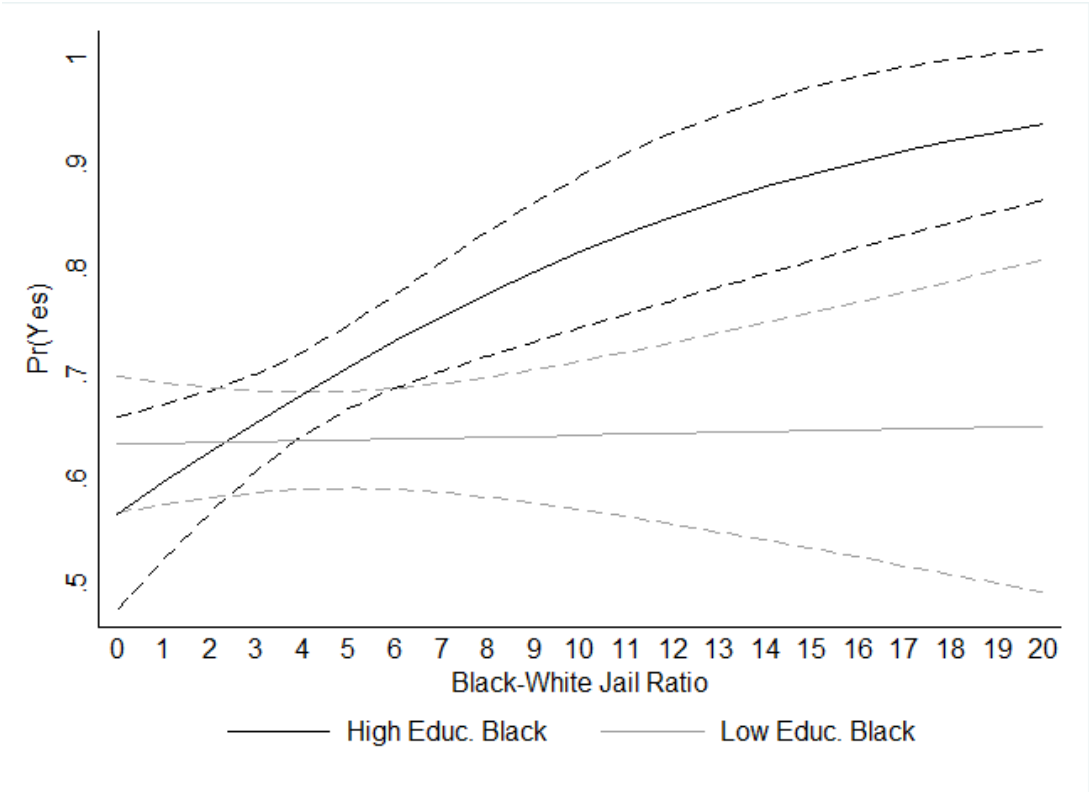
Note. Linked Fate estimated using logit. American Identity estimated using ordered logit. Standard errors are clustered by county. *** $p < .01$; ** $p < .05$; * $p < .10$

The first model tests the hypothesis that unequal criminal justice enforcement causes highly educated blacks to strengthen their racial identity and blacks with low levels of education to weaken their racial group ties (H1). The results indicate that criminal justice enforcement does not have a direct effect on blacks with low levels of education. Additionally, the results show that, in counties where no blacks are in jail, highly educated blacks and blacks with low levels of education are equally likely to report feeling a sense of linked fate with other blacks. But,

racially skewed criminal justice outcomes do appear to have an effect on blacks' racial attitudes as shown by the interaction between a county's black-white jail ratio and highly educated blacks which is positive and statistically significant.

To better understand the effect of criminal justice enforcement on racial linked fate, Figure 3 shows the predicted probability that highly educated blacks and blacks with low levels of education report feeling a sense of linked fate across a range of black-white jail ratios. Several things are immediately apparent from this figure. First, in areas where criminal justice enforcement is relatively equal, highly educated blacks and blacks with low levels of education have similar levels of racial identity. In counties that jail blacks and whites at equal rates (Jail Ratio = 1), highly educated blacks are somewhat less likely to report that they feel a sense of linked fate with other blacks than their less educated counterparts (0.60 and 0.64 probabilities respectively), but the difference is not statistically significant. But, as criminal justice policy becomes more unequal, highly educated blacks are more likely to feel connected to their racial group than those with low levels of education. In counties where blacks are jailed at a rate seven times higher than whites (jail ratio = 7), highly educated blacks have a 0.75 probability of agreeing that their lives are affected by what happens to other blacks. Blacks with low levels of education have only a 0.65 probability of agreeing that their fate is tied to other blacks in these contexts. In areas that are highly unequal (jail ratio = 20), the gap between these groups grows. Highly educated blacks in these contexts have a 0.93 probability of feeling a sense of linked fate with their racial group while their less educated counterparts have only a 0.65 probability.

Figure 3. Criminal Justice Enforcement and Linked Fate



Note. The figure shows the predicted probability of responding "Yes" to the question "Do you think that what happens generally to black people in this country will have something to do with what happens in your life?" for black respondents with some college or more and black respondents with a high school degree or less across a variety of black-white jail ratios. Dashed lines represent confidence intervals.

As predicted by my first hypothesis, those indirectly targeted by policy—blacks with high levels of education—are more likely to respond to unequal criminal justice enforcement by increasing ties to their racial group. However, unlike my expectation, those in the direct target group—blacks with low levels of education—do not respond to discriminatory policy enforcement by reducing their ingroup ties. The results show that criminal justice policy has a slightly positive, but not statistically significant, effect on the racial identity of blacks with low levels of education. Instead of severing ties to their racial group, blacks with low levels of education appear to not change their racial identity at all in response to unequal criminal justice enforcement. One possible explanation for this is that those directly targeted by policy are more

likely to respond to personal experience with policy rather than patterns of enforcement. This is supported by Lerman and Weaver's (2014a) findings that individuals' racial identity is responsive to direct contact with law enforcement, such as being arrested or incarcerated.

The findings so far indicate that criminal justice policy does affect the racial identity of blacks, at least for those with high levels of education. Do racially skewed criminal justice outcomes also shape blacks' feelings of national identity? Table 2 shows the effect of the black-white jail ratio and target group status on the importance of American identity. The results show that, in counties where no blacks are in jail (Jail Ratio = 0), highly educated blacks and blacks with low levels of education are equally likely to say that being an American is very important to them. However the black-white jail ratio in a respondent's county has a direct, positive effect (at the 0.10 level) on the importance of being an American for blacks with low levels of education, indicating that blacks with low levels of education are more likely to say that being an American is extremely important to them as criminal justice enforcement becomes increasingly unequal. Additionally, the interaction between the black-white jail ratio and black with high level of education is negative and statistically significant at the 0.05 level. In other words, as more blacks are jailed relative to whites, highly educated blacks become less likely to report that being an American is important to them while blacks with low levels of education become more likely to say that being an American is important. In contexts where policy is highly unequal (Jail Ratio = 20), highly educated blacks have only a 0.39 probability of saying that their American identity is extremely important to them. Blacks with low levels of education, on the other hand, have a 0.68 probability of reporting that their national identity is extremely important in similar contexts. Thus, in addition to causing highly educated blacks to have stronger racial identity, racially

disparate criminal justice outcomes also result in highly educated blacks weakening their ties to non-racial group identities, such as national identity.

Other factors also affect blacks' identity. Women are less likely to report feeling a sense of racial linked fate compared to men. But other factors commonly thought to affect linked fate do not reach statistical significance. National identity is shaped by a respondents' age, partisanship, and church attendance. As individuals get older, they are more likely to say that being an American is important to them personally, but the effect of age tapers over time. Respondents who identify as an Independent are less likely than Republicans to say that being an American is important to their identity. Those who attend church regularly are more likely than those who do not attend church to feel strong ties to their American identity, suggesting that church may be a place for building not only racial ties, as theorized by previous scholars, but also national ties.

Do these effects hold across all residential contexts? Feedback effects from unequal criminal justice enforcement are likely to be stronger in areas large black populations. In these counties, criminal justice policy and the signals it sends about blacks are more salient compared to counties where few blacks reside. To test this argument, I split the sample into counties where policy has low (less than 15% black population) and high salience (15% or more black population).

Table 3. Criminal Justice Enforcement, Policy Salience, and Black Identity

	Low Salience		**High Salience**	
	Linked Fate	American Identity	Linked Fate	American Identity
Black-White Jail Ratio	0.047	0.036	-0.007	0.077*
	(0.042)	(0.025)	(0.037)	(0.044)
Black with High Education	1.048	0.490	-0.552*	0.150
	(0.692)	(0.389)	(0.307)	(0.295)
Jail Ratio X Black with High Education	-0.008	-0.062*	0.148**	-0.139**
	(0.081)	(0.032)	(0.066)	(0.060)
Age	0.087	0.136***	-0.015	0.063***
	(0.054)	(0.048)	(0.036)	(0.024)
Age^2	-0.001*	-0.001**	0.000	-0.000*
	(0.001)	(0.001)	(0.000)	(0.000)
Female	-0.505*	0.078	-0.646***	-0.075
	(0.274)	(0.315)	(0.162)	(0.140)
Church Attendance	-0.065	-0.008	0.040	0.126***
	(0.101)	(0.095)	(0.067)	(0.046)
Democrat	-0.029	-0.265	0.685	-0.113
	(0.986)	(0.615)	(0.472)	(0.454)
Independent	0.317	-0.818	0.587	-0.626
	(1.210)	(0.693)	(0.564)	(0.468)
% Black in County	-5.738	-0.924	0.326	0.315
	(5.206)	(5.098)	(0.632)	(1.056)
Cutpoint 1	-0.756	-0.615	0.299	-2.264**
	(1.165)	(1.239)	(0.939)	(0.884)
Cutpoint 2		0.943		-0.832
		(1.380)		(0.858)
Cutpoint 3		1.998		0.393
		(1.384)		(0.819)
Cutpoint 4		3.414**		2.130***
		(1.364)		(0.804)
Observations	198	203	588	604

Note. Linked Fate estimated using logit. American Identity estimated using ordered logit. Low salience models include counties with less than 15% black population. High salience models include counties with at least 15% black population. *** $p < .01$; ** $p < .05$; * $p < .10$

Table 3 shows that the effect of criminal justice policy on racial and national identity is contingent on racial context. Inequalities in local law enforcement do not affect feelings of linked fate in counties with few blacks. However, criminal justice enforcement does shape racial identity in counties where policy is more salient—counties with large black populations. In these contexts, the interaction between inequalities in local jails and highly educated blacks is positive

and statistically significant. The results also show that blacks with high levels of education may be less likely to report feeling a sense of linked fate with other blacks in counties where no blacks are in jail (jail ratio = 0), although this relationship reaches statistical significance at only the 0.10 level. In other words, in largely black counties where law enforcement is relatively equal, highly educated blacks are less likely than their counterparts with low levels of education to feel a strong sense of racial identity. But as criminal justice enforcement becomes more racially skewed and highlights the importance of black racial identity, highly educated blacks become more likely to feel that their fate is tied to other blacks than blacks with low levels of education.

The effect of criminal justice policy on American identity follows a similar pattern. In counties with small black populations, racially skewed black-white jail ratios have a slight effect on blacks' sense that being an American is important. In the low salience model, the interaction between a county's black-white jail ratio and black with high education is negative and statistically significant at the 0.10 level. However, the effect of criminal justice enforcement on national identity is much stronger where policy is more salient—counties with large black populations. In these counties, a county's black-white jail ratio has a positive and statistically significant (at the 0.10 level) direct effect on blacks with low levels of education. Additionally, the interaction between a county's jail ratio and black with high education is negative and statistically significant at the 0.05 level. In all counties, blacks with low levels of education are more likely to say that being an American is important to them compared to highly educated blacks as local law enforcement becomes more unequal. But this effect is stronger in counties where policy is more salient.

Discussion

When Lerman and Weaver (2014a, 157) claimed that the criminal justice system is a "race-making institution," they focused solely on how the carceral state affects individuals who had personal experience with law enforcement. But, the ability of criminal justice policy to define identity is not limited to race and extends beyond those who have direct contact with the justice system.

By disproportionately targeting African Americans, criminal justice enforcement sends signals to blacks about how their racial group is likely to be treated by government. Simultaneously, racially skewed criminal justice outcomes remind blacks that their membership in other, nonracial groups is likely to lead to greater rewards from policy. These signals cause *all* blacks, not simply those who have been arrested or imprisoned, to reevaluate their membership in racial and nonracial groups. However, because all blacks do not have the same relationship to policy, the effect of racially biased criminal justice enforcement on identity differs for blacks with high and low levels of education.

I find that racially unequal criminal justice enforcement affects identity even for individuals who are only indirectly targeted by these policies—blacks with high levels of education. Highly educated blacks are more likely to feel a sense of shared fate with other blacks and less likely to feel that their national identity is important to their lives in areas where blacks are jailed at higher rates than whites. That criminal justice policy leads to increased racial solidarity for highly educated blacks may be a silver lining for an institution that overwhelmingly harms the black community. Blacks who have strong racial group ties have been found to become more involved in politics (Olsen 1970; Shingles 1981) and to promote black interests once involved (Tate 1994; Bledsoe et al. 1995). But the potential for linked fate to lead to

increased involvement may be limited to areas where criminal justice policy disproportionately targets blacks. As the next chapter will show, criminal justice enforcement is a demobilizing force for highly educated blacks, washing out any possible benefits of increased group ties. Additionally, blacks with high levels of education are less likely to increase their ties to other groups that have the potential to provide more policy benefits when criminal justice outcomes are racially skewed. This may make it more difficult for highly educated blacks to work with other groups to gain policy rewards.

Criminal justice policy also affects the identities of blacks with low levels of education who are more directly targeted by law enforcement. Blacks with low levels of education are more likely to cling to their identity as an American when local law enforcement disproportionately targets blacks. However, contrary to my hypothesis (H1), the willingness to strengthen ties to outgroups does not come at the cost of ingroup ties. Instead, I find that the degree to which blacks are jailed more than whites does not have an effect on the racial identity of blacks with low levels of education. It may be that for those directly targeted by policy, personal experience with the justice system matters more than broader policy enforcement. This would make sense given Soss and Schram's (2007) argument that policy and its feedback effects will be stronger when policy is more directly experienced. Lerman and Weaver (2014a) also find support for this assumption. However, since this does not explain why nonracial identity is affected by policy context, more research is needed to understand how personal policy experience in combination with policy environment shapes group ties.

Last, my results show that the strength of policy feedback depends on context. I find that the effect of criminal justice policy on identity is stronger in areas where policy is salient—areas with large black populations. In areas with large black populations, racially skewed criminal

justice outcomes are more likely to affect blacks' feelings of racial and national identity. Scholars of racial and ethnic politics argue that the size of the minority population shapes racial identity (Lau 1989; Welch et al. 2001). But too often the effect of demographic context and policy environment are studied in isolation. Instead, these factors likely work together to affect identity. As this chapter suggests, one way that the size of the minority population may be important for identity is by highlighting the importance of policy context.

Criminal justice policy affects group ties both for those directly targeted by policy, and more importantly, for those who are only indirectly affected by the justice system. But the effects of policy are not limited to the target group. As the next chapter will show, inequalities in criminal justice enforcement affect blacks' *and* whites' views of government and decisions to participate in politics.

CHAPTER 4: CRIMINAL JUSTICE ENFORCEMENT AND POLITICAL ORIENTATIONS

The capacity of the prison and jailing system has grown dramatically over the past several decades, and today the per capita prison population in the United States is higher than in any other nation (Walmsley 2015). But the expansion of the carceral state has not affected all groups equally. Blacks are disproportionately hurt by the justice system's growth. Between 1980 and 2014 the black incarceration rate increased from 5.19 to 13.92 per 1,000 black citizens. The white incarceration rate during that period increased from only 0.79 to 2.37 per 1,000 white citizens (Bureau of Statistics 2014). Such striking disparities in criminal justice enforcement hold true even for crimes that both races are equally likely to commit (Tonry 2014). Racial inequalities also can be seen in everyday police encounters such as routine traffic stops. Although blacks and whites are equally likely to be stopped while driving, black drivers are three times more likely to be searched during a stop and twice as likely to experience violent force by police officers compared to white drivers (Eith and Durose 2011).

Has the unequal enforcement of criminal justice policy led to other inequalities between blacks and whites, such as disparate rates of political participation? Past work suggests that direct contact with the justice system reduces political engagement and, often, leads to disenfranchisement (Lerman and Weaver 2014a; Uggen and Manza 2002). These outcomes may also spill over to those who contact authorities indirectly, such as the family and former neighbors of the incarcerated (Burch 2013; Lee et al. 2014). Because blacks are more likely to have first- and secondhand experiences with the criminal justice system, such demobilizing effects disproportionately hurt the black community.

But criminal justice policy may have broader effects by leading to gaps in participation for blacks and whites without any policy experience. In this chapter, I examine whether racially skewed criminal justice enforcement affects the orientations and participation of blacks and whites. Because the justice system disproportionately focuses on African Americans, criminal justice policy sends different messages to blacks than to whites about what to expect from government. Thus, blacks should respond differently than whites to the unequal enforcement of these policies.

Criminal Justice Policy and Participation

Does criminal justice policy shape political participation? Yes, at least for those with direct contact with the carceral state. For many, incarceration leads to disenfranchisement, but personal experience with the criminal justice system reduces rates of participation even for those not barred from the political process (Lerman and Weaver 2014a). Evidence suggests that effects of these laws on political engagement also spill over to the families, friends, and neighbors of those in prison (Burch 2013; Lee et al. 2014; Uggen and Manza 2002).

Criminal justice policy may also shape participation patterns more broadly by sending negative signals about blacks. These signals affect individuals' orientations toward government, which ultimately shape their desire to participate in politics. But the effect of criminal justice policy on political engagement should differ for those belonging to the target group and those not targeted by policy.

Feedback for the Target and Nontarget Group

In the previous chapter, I argued that African Americans, who are disproportionately arrested and incarcerated compared to other groups (see Tonry 2014; Bonczar 2003), make up the general target group for criminal justice policy. By disproportionately targeting blacks, criminal justice enforcement negatively stereotypes blacks as criminals undeserving of positive treatment from government.

Because criminal justice policies target blacks, whites, by comparison, have little personal experience with policy (Tonry 2014; Western 2006)[1] and largely escape the negative constructions these enforcement practices promote. That is, whites are the nontarget population in this policy area.[2] Not only do racially unequal enforcement practices criminalize blacks, they also decriminalize whites. For example, individuals who have been incarcerated are less likely to be classified as white (Saperstein and Penner 2010).

The differentiation between blacks and whites means that the two groups respond to enforcement practices in opposite ways. As they observe these policies, blacks, even those without any direct policy experience, learn that they have a lower status in society compared to other groups and that they will receive punitive outcomes from government. Knowing that this is their relationship with government, blacks should become less trusting of government and less likely to believe that government is responsive to their needs. Whites, on the other hand, learn that they are less deserving of punitive policies than blacks and that they have a comparatively

[1] Many whites are have personal experience with the justice system which may negatively affect their political behavior. But evidence suggests that the negative effects of personal criminal justice experience is weaker for whites than blacks (see Weitzer and Tuch 2002; Weitzer et al. 2008, 21). In this study, however, I focus those without personal criminal justice experience.

[2] Although, in theory, all nonblack citizens could belong to the nontarget group, criminal justice policies more specifically portray whites as less deserving of punitive policies compared to nonwhites. And, criminal justice enforcement for other racial and ethnic minorities typically falls in between that of whites and blacks (Hartney and Vuong 2009).

higher status than blacks. Compared to blacks, whites should have more trust in government and be more likely to believe government is responsive in reaction to criminal justice enforcement.

Feedback for the Direct and Indirect Target Groups

But, not everyone within the target group—blacks—is equally affected by policy. The direct target group includes blacks with low levels of education who are significantly more likely to have experience with law enforcement compared to highly educated blacks (Pettit and Western 2004; Western 2006). Highly educated blacks, who are less likely to be arrested or incarcerated than their counterparts with low levels of education but still face discrimination from criminal justice policy, make up the indirect target group. When criminal justice enforcement arrests and imprisons blacks at higher rates than whites, it negatively affects blacks at all education levels. But highly educated blacks are likely to have stronger reactions to policy's signals.

This is partly because of how criminal justice enforcement shapes highly educated blacks' identity. As explained in the previous chapter, blacks with high levels of education are more likely to perceive the justice system as racially discriminatory compared to their less educated counterparts (Weitzer and Tuch 2002; Wortley et al. 1997). Because they are more sensitive to potential discrimination, highly educated blacks are more likely to believe that inequalities in criminal justice enforcement affect them personally. Past scholars argue that this awareness of inequality is what causes highly educated blacks to have strong feelings of racial linked fate (Dawson 1994, 79-82; Tate 1994, 28). The results of the last chapter support this argument. In areas with highly unequal criminal justice enforcement, highly educated blacks are more likely to believe their lives are connected to others of their race. Thus, in areas where law

enforcement targets blacks, highly educated blacks are likely to feel personally persecuted by policy even when they have not had any direct contact with the carceral state, leading them to have stronger reactions to unequal criminal justice enforcement.

The same is not true for blacks with low levels of education, who are less likely than blacks with high levels of education to see the justice system as unjust, even when they have had police contact (Wortley et al. 1997).[3] If, as many scholars suspect, feelings of discrimination lead to higher levels of group consciousness, then blacks with low levels of education should feel less tied to their race than highly educated blacks. In fact, this is exactly what we see. In the previous chapter, I find that blacks with low levels of education are less likely to feel tied to their race than highly educated blacks. Thus, blacks with low levels of education are both less likely to recognize inequalities in criminal justice enforcement and to believe that unequal enforcement directly affects their lives compared to their highly educated counterparts.

Social identity theory (SIT) provides an alternate explanation for why highly educated blacks should have stronger reactions to criminal justice enforcement than blacks with less education. SIT maintains that individuals derive self-esteem partly from their group membership (Tajfel and Turner 1986). As a result, scholars find that perceiving prejudice against one's group has negative effects on individuals' psychological well-being (Branscombe et al. 1999). According to SIT, because highly educated blacks perceive racial discrimination in criminal justice policy, they should have negative psychological reactions, such as disengagement from the political process, in response to unequal criminal justice enforcement. The political orientations of blacks with less education, who are unlikely to perceive racial prejudice in the justice system, will be less affected by criminal justice enforcement.

[3] Blacks at all levels of education are still more likely to perceive discrimination in the justice system than whites (Wortley et al. 1997).

Feedback from criminal justice policy should, therefore, depend on whether one belongs to the direct, indirect, or nontarget group. Specifically blacks who are targeted by these policies should evaluate government differently than whites in response to unequal criminal justice enforcement. This leads to the following hypothesis:

> H1. In communities where blacks are disproportionately targeted by the criminal justice system, blacks should be less trusting of government and less likely to believe government is responsive compared to whites.

This has important consequences. "Trust in government builds support for initiatives that assist minority interests," and without trust, blacks may be less likely to push the federal government for redistributive policies that would lead to greater racial equality (Hetherington 2005, 152). Additionally because feelings of trust and government responsiveness affect individuals' desire to become involved in politics (Bobo and Gilliam 1990; Gay 2002), policy also shapes participation rates for both groups. In areas where criminal justice is primarily aimed at blacks, blacks should become less likely to engage in the political process than whites. In these contexts, blacks' negative orientations toward government make them less likely to believe participation is worthwhile, while whites become more involved in politics due to their positive political orientations. In areas where blacks and whites are equally targeted by criminal justice enforcement, policy will not drive the political orientations of blacks and whites apart, and policy should not lead to a gap in participation between these groups.

H2. In communities where blacks are disproportionately targeted by the criminal justice system, blacks should participate less than whites.

As mentioned above, highly educated blacks' heightened awareness of racial inequality and sense of racial consciousness lead them to react more strongly to racial inequalities in criminal justice enforcement than blacks with low levels of education.

H3. The effect of criminal justice enforcement on political orientations and participation will be stronger for highly educated blacks than blacks with low levels of education.

Alternate Argument: Mobilization

What if being disproportionately targeted by the criminal justice system actually leads to increased civic engagement among blacks? Several scholars argue that burdensome outcomes make individuals more interested in politics and, thus, more likely to participate, especially in nonelectoral modes such as protest (Barreto and Woods 2000; Pantoja and Segura 2003; Walker 2014; White 2016).

However, there is good reason to suspect that policy will not lead to increased participation in this case. Studies that find evidence of policy's mobilizing effect largely focus on policy change and adoption (see Pantoja and Segura 2003; White 2016). For example, White (2016) finds that the adoption of new immigration policies led to higher Latino turnout. Understanding how policy change affects participation is certainly important, but this only tells part of the story. We also need to understand how long-standing, systematic inequalities in policy

shape participation. This is especially important if changes in policy differently affect participation than sustained policy outcomes.

Media attention becomes focused during periods of policy change, which helps explain why individuals show increased interest in current affairs at those moments. But it is unclear whether interest in politics and increased participation continues once people adjust to policy's new status quo. Even if policy initially mobilizes, the eventual outcome of a negative policy may still be reduced civic engagement for those adversely affected.

If policy burdens mobilize, then blacks should become more interested and, thus, more likely to participate in politics in areas where criminal justice enforcement is unequal. Whites should have the opposite reaction. Because whites are not threatened by criminal justice enforcement they should be content in these areas. And if threat does cause individuals to become more interested in current affairs, then satisfaction with government likely has the opposite effect. Those satisfied with government do not need to pay attention to current events to push for better policies. Thus, whites should be disinterested in politics or, at least, less interested in politics than blacks in contexts with unequal criminal justice enforcement. Because they are less interested current events, whites in these areas should also be less motivated to participate in politics. This leads to the following hypotheses:

H4. In communities where blacks are disproportionately targeted by the criminal justice system, blacks should be more interested in politics than whites.

H5. In communities where blacks are disproportionately targeted by the criminal justice system, blacks should participate more than whites.

Context

The effect of criminal justice enforcement on political behavior is unlikely to be the same across all contexts. Instead policy's effects should be stronger in areas where policy is salient, such as where a sizable proportion of individuals are targeted by policy. Criminal justice policy should be more visible and produce stronger feedback effects in counties with large black populations than in homogenously white environments. This argument is supported by studies which show that racial context is a salient factor in individuals' lives. For example, past research finds that a variety of opinions and behaviors are responsive to the proportion of county that is black (Giles and Hertz 1994; Glaser 1994). The size of the black population is also specifically linked to attitudes about the criminal justice system, such as fear of crime (Quillian and Pager 2001) and perceptions of police discrimination (Peffley and Hurwitz 2010, 59-61).

The size of the black population is likely to determine policy salience even in areas that are highly segregated. Past studies which examine racial segregation find that segregation only matters in areas where the minority population is "more visible"—areas with large minority populations (Rocha and Espino 2009, 417). Whites in integrated areas may be more aware of the day-to-day experiences of blacks and, therefore, react to racialized policy outcomes. Whites living in segregated environments may hold more prejudicial attitudes (Rocha and Espino 2009) and also react behaviorally to inequalities in criminal justice enforcement. This leads to the following hypothesis:

> H6. Policy's effect on political orientations and participation will be stronger in areas where a larger proportion of the population is black compared to areas where only a small proportion of the population is black.

Data and Methods

I test my hypotheses using data from the Pew Research Center's 2014 Political Polarization and Typology Survey. The survey was conducted between January and March of 2014 and resulted in a nationally representative sample of over 10,000 US adults from 1,865 counties using random digit dialing with both landline and cell phone samples. The number of respondents in a county ranges from 1 to 225 with an average of 5.37 respondents per county.

I supplement the survey data with information on racial inequality in local criminal justice enforcement. These data come from the 2013 Census of Jails (COJ) conducted by the Bureau of Justice Statistics which collects information on the race and size of the inmate population in jail detention facilities across the country.[4] As with the last chapter, I measure inequalities in local law enforcement by taking the ratio of the total number of black jail inmates per 1,000 blacks in a county to the total number of white jail inmates per 1,000 whites in a county.[5][6] This ratio captures how much local law enforcement targets blacks over whites.[7]

The black–white jail ratio ranges from zero in counties where no blacks are in jail to 1,815 in areas where blacks are significantly more likely to be in jail than whites. The mean is 9.16. To ensure that results were not driven by outliers, the sample is limited to counties with

[4] Facilities surveyed only if they hold inmates beyond arraignment. The COJ excludes state-operated facilities in Connecticut, Delaware, Hawaii, Rhode Island, Vermont, and Alaska with combined jail–prison systems.

[5] For most facilities, determining the jail's county was straightforward because the jail's jurisdiction included only one county. In cases where jurisdictions cover multiple counties, jails were coded as being in the county where the facility is located. In counties with multiple facilities, total inmate population is the sum of all inmates in all of a county's facilities. In 2013, roughly 20% of all counties (644 counties) do not have their own jail or have combined prison-jail systems. Around 17% of the counties included in the Pew survey (320 of 1,865 counties) with 998 black and white respondents are missing jail data and were excluded from the models. More information on the number of counties with missing jail data can be found in the appendix to this chapter.

[6] Unlike the previous chapter which estimated the black-white jail ratio for 2012, here I am able to use the 2013 COJ since the survey data in this chapter was conducted in 2014.

[7] I also examine whether the results are driven by the black jail rate and white jail rate. The results (available upon request) show that, individuals are not responsive to the rate at which their group is jailed. Instead, *inequality* in enforcement drives the gap between blacks' and whites' political behavior.

black–white jail ratios of less than 200.[8] As would be expected, blacks jailed at higher rates than whites in the vast majority—95%—of counties. However, there is high variation in racial inequality across counties even when comparing counties with similarly large black populations. For example, McCormick County, South Carolina, has a population that is 49% black and a black–white jail ratio of 12, but in Haywood County, Tennessee, which is 50% black, blacks and whites are in jail at relatively equal rates (jail ratio = 1.81).

Because I am concerned with only criminal justice policy's target and nontarget groups, I include only black and white respondents.[9] The survey includes 7,227 white respondents and 998 black respondents. I measure an individual's target group status using a series of binary variables that capture whether a respondent belongs to the direct, indirect, or nontarget group. Because blacks with low levels of education are most directly targeted by criminal justice enforcement, respondents receive a one for the variable *Black with Low Education* if they are black and have a high school degree or did not complete high school and zero otherwise. Roughly 40% of all black respondents belong to the direct target group. To measure the indirect target group, highly educated blacks, respondents receive a one on the variable *Black with High Education* if they are black and have at least some college education or a higher level of education and zero otherwise. The nontarget group, whites, are the base category. I argue that the effect of criminal justice enforcement varies by an individual's target group status. A pair of interaction terms tests this argument (Jail Ratio x Black with Low Education and Jail Ratio x Black with High Education).[10]

[8] Ten counties with 17 respondents have jail ratios larger than 200. Models including these counties produce similar results. An alternate way correct for extreme outliers is to use the natural log of the variable. Since the log cannot be used on variables that take a value of 0, I chose not to use this method. As a robustness check, I estimated models using ln(1 + Jail Ratio) which produce largely similar results.

[9] Models estimated using all races and ethnicities produce similar results.

[10] One concern is that this modeling approach does not provide clean estimates of the effect of race or education. Because I care about measuring an individual's target group status, I am less concerned about isolating the effect of these variables. Alternate model specifications which better isolate the effects of race and education such as including an interaction between binary race and binary education and splitting the models by educational status do not change the results.

I argue that racially imbalanced criminal justice enforcement leads blacks to be less trusting of government and less likely to believe that government officials are responsive to constituents. Imbalanced outcomes lead whites to have increasingly positive orientations toward government. For trust, I use the following question:

> How much of the time do you think you can trust the government in Washington to do what is right? (Never, Only Some of the Time, Most of the Time, Just about Always).

From this, I create a four-category ordinal scale with higher values indicating more trust.[11] To capture attitudes about government responsiveness I use a question that reads:

> Which statement comes closer to your views, even if neither is exactly right? Elected officials in Washington lose touch with the people pretty quickly or elected officials in Washington try hard to stay in touch with voters back home.

I use this to create a binary variable where respondents receive a one if they believe officials try to stay in touch with voters, indicating they believe government is responsive.[12]

[11] The questions used to measure trust in government and government responsiveness were asked of only a subsample of survey respondents.

[12] My dependent variables ask about attitudes toward the federal government while my measure of policy enforcement is at the local level. That does not pose a problem here since individuals often use their experience with one policy to assess government as a whole (Soss 1999). Witnessing criminal justice enforcement similarly may shape individuals' general views of government. For example, Rocha, Knoll, and Wrinkle (2015) find that immigration enforcement affects trust in local and federal government, suggesting citizens may not distinguish between levels of government when forming opinions.

I also test the alternate argument that criminal justice enforcement makes blacks more interested and whites less interested in politics. To measure interest in politics, I use the following question:

> Would you say you follow what's going on in government and public affairs most of the time, some of the time, only now and then, or hardly at all?

From this I create a four-category ordinal variable with higher values indicating that the respondent follows politics more frequently.

Studies show that political orientations and interest in politics shape an individual's desire to participate in politics (Bobo and Gilliam 1990; Gay 2002). Thus, by shaping blacks' and whites' attitudes, racially imbalanced criminal justice enforcement likely shapes political participation for both groups. I also look for a direct link between criminal justice enforcement and participation, which allows my results to be comparable to previous studies that directly test the effect of policy on political engagement. Some scholars suggest that criminal justice policy differently affects voting versus other types of participatory acts (Walker 2014). To account for this possibility I create two variables that separately capture electoral and nonelectoral participation. For electoral participation I use the following question:

> How often would you say you vote? (Never, Seldom, Part of the Time, Nearly Always, or Always)

From this I create a five-category ordinal scale with higher values indicating more habitual voting. For nonelectoral participation I create a binary measure that asks whether respondents have participated in at least one of the following acts in the past two years: donated money to a political candidate or group, volunteered for a campaign, contacted an elected official, or attended a campaign event.

Policy's effects on political behavior are likely stronger where policy is more salient. Because policy is more salient in areas with large target group populations I measure criminal justice policy's salience using the proportion of the county that is black. I split the sample into two groups: low salience (counties where less than 15% of the population is black) and high salience (counties with at least a 15% black population).[13] The effect of criminal justice enforcement on political behavior should be stronger in counties where policy is more salient.

My models also control for individual-level characteristics known to shape political orientations and participation including education level, age, sex, church attendance, and partisan affiliation (Smith 2010). Attitudes about government are also shaped by several contextual factors including the size of the minority population and political empowerment (Bobo and Gilliam 1990; Gay 2002). To control for this, I include whether a respondent is represented by a black member of Congress and the percentage of the county population that is black (United States Census Bureau 2014). Descriptive statistics of the data used in the models are available in Table 4.

[13] Using 15% allows me to have over one hundred respondents in the direct, indirect, and nontarget groups. Different thresholds for policy salience produce similar results.

Table 4. Criminal Justice Enforcement and Political Orientations Descriptive Statistics

Variable Name	Observations	Mean	S. D.	Min.	Max.
Trust in Government	2328	2.17	0.57	1	4
Government Responsiveness	2275	0.17	0.37	0	1
Interest in Politics	7008	3.40	0.87	1	4
Votes Regularly	6991	4.30	1.09	1	5
Nonelectoral Participation	6947	0.60	0.49	0	1
Jail Ratio	7015	8.17	11.47	0	189.43
Black with Low Education	7015	0.05	0.22	0	1
Black with High Education	7015	0.08	0.26	0	1
Age	7015	54.35	17.75	18	97
Age^2	7015	3268.77	1893.80	324	9409
Female	7015	0.50	0.50	0	1
Church Attendance	7015	3.64	1.63	1	6
Education	7015	4.95	1.82	1	8
Democrat	7015	0.46	0.50	0	1
Independent	7015	0.10	0.30	0	1
% Black in County	7015	0.13	0.33	0	0.86
Black House Representative	7015	0.14	0.35	0	1
Urban Residence	7015	0.32	0.47	0	1

Analysis

Traditional feedback theory suggests that the effect of policy on mass attitudes is consistent across groups. If this is true, criminal justice outcomes should directly affect political behavior without accounting for an individual's target group status. However, the results indicate that local criminal justice enforcement by itself does not affect political orientations or participation (results available in appendix). Does this mean criminal justice policy does not shape political behavior? No. If, as I argue, individuals respond differently to policy depending on whether they belong to the target group, then criminal justice enforcement will not appear to affect behavior when target group status is unaccounted for. By pushing people in opposite directions, the effects of policy simply cancel out in the aggregate.

First, I test whether criminal justice enforcement shapes political orientations differently for target and nontarget group members. Table 5 presents a series of models that test how local

criminal justice enforcement affects trust in government, beliefs about government responsiveness, and interest in politics for the direct, indirect, and nontarget groups. Ordinal logistic regression and standard logistic regression models are used as appropriate. For all models, standard errors are clustered by county.[14]

Several factors affect political orientations. As individuals age, they are less likely to trust government or believe government is responsive, although the effect of aging tapers over time. Democrats have more positive attitudes toward government, possibly because their party held the presidency at this time. Those who are highly educated are also more likely to trust government compared to those with less education.

The first two models test the hypothesis that racially skewed criminal justice enforcement causes blacks to lose faith in government and whites to view government more positively (H1). The results show that blacks and whites have similar views about whether government is trustworthy or responsive in counties where criminal justice enforcement does not target blacks (jail ratio = 0). As the ratio of blacks to whites in jail becomes more unequal, blacks are less trusting of government and less likely than whites to report that government is responsive. However, this relationship reaches statistical significance only for highly educated blacks. Although surprising that the interactive effect between policy enforcement and blacks with low education is not significant, these findings support the argument that policy's effect on political orientations is stronger for those in the indirect target group (H3). As the results show, highly educated blacks have stronger negative reactions to inequalities in the justice system than their counterparts with less education. Criminal justice enforcement also appears to have little effect on whites' attitudes. While the black–white jail ratio is positively signed, indicating that racially

[14] Models replicated using multilevel modeling produce substantively similar results; however, the variance components indicate that multilevel modeling offers little leverage.

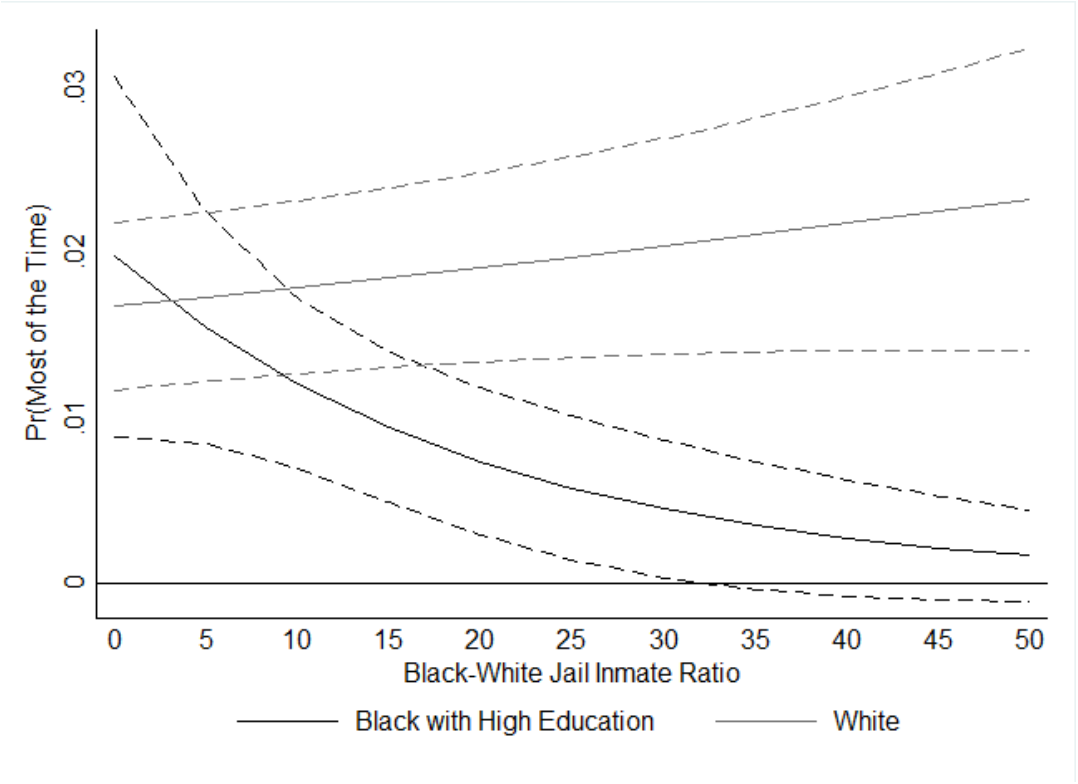
Table 5. Criminal Justice Enforcement and Political Orientations

	Trust in Government	Government Responsiveness	Interest in Politics
Jail Ratio	0.007*	0.001	0.002
	(0.004)	(0.007)	(0.003)
Black with Low Education	-0.027	0.219	-0.443***
	(0.346)	(0.361)	(0.156)
Jail Ratio X Black with Low Education	-0.033	-0.017	0.016
	(0.047)	(0.039)	(0.017)
Black with High Education	0.169	0.110	-0.219
	(0.261)	(0.279)	(0.133)
Jail Ratio X Black with High Education	-0.057***	-0.091**	-0.004
	(0.020)	(0.037)	(0.008)
Age	-0.050***	-0.077***	0.069***
	(0.015)	(0.016)	(0.007)
Age^2	0.000***	0.001***	-0.000***
	(0.000)	(0.000)	(0.000)
Female	0.159	0.148	-0.559***
	(0.102)	(0.118)	(0.050)
Education	0.061**	0.006	0.287***
	(0.025)	(0.038)	(0.016)
Church Attendance	0.050*	0.035	-0.025
	(0.029)	(0.037)	(0.017)
Democrat	1.137***	0.696***	-0.217***
	(0.107)	(0.134)	(0.057)
Independent	-0.135	0.060	-0.798***
	(0.211)	(0.227)	(0.094)
% Black in County	-0.309	0.042	0.467**
	(0.403)	(0.532)	(0.235)
Black House Representative	0.174	0.092	0.003
	(0.143)	(0.194)	(0.095)
Urban Residence	0.058	0.187	0.099*
	(0.104)	(0.133)	(0.056)
Cutpoint 1	-2.798***	-0.684	0.325*
	(0.442)	(0.475)	(0.194)
Cutpoint 2	1.219***		1.485***
	(0.448)		(0.193)
Cutpoint 3	4.114***		3.074***
	(0.478)		(0.195)
Observations	2328	2275	7008

Note. Trust and Interest estimated using ordered logit. Responsiveness estimated using logit. Standard errors are clustered by county. Trust and Responsiveness asked only of a subsample. *** $p < .01$; ** $p < .05$; * $p < .10$

skewed criminal justice enforcement increases whites' trust in government and beliefs that government is responsive, this relationship reaches only mild significance for trust ($p < 0.10$).

Figure 4. Trust in Government



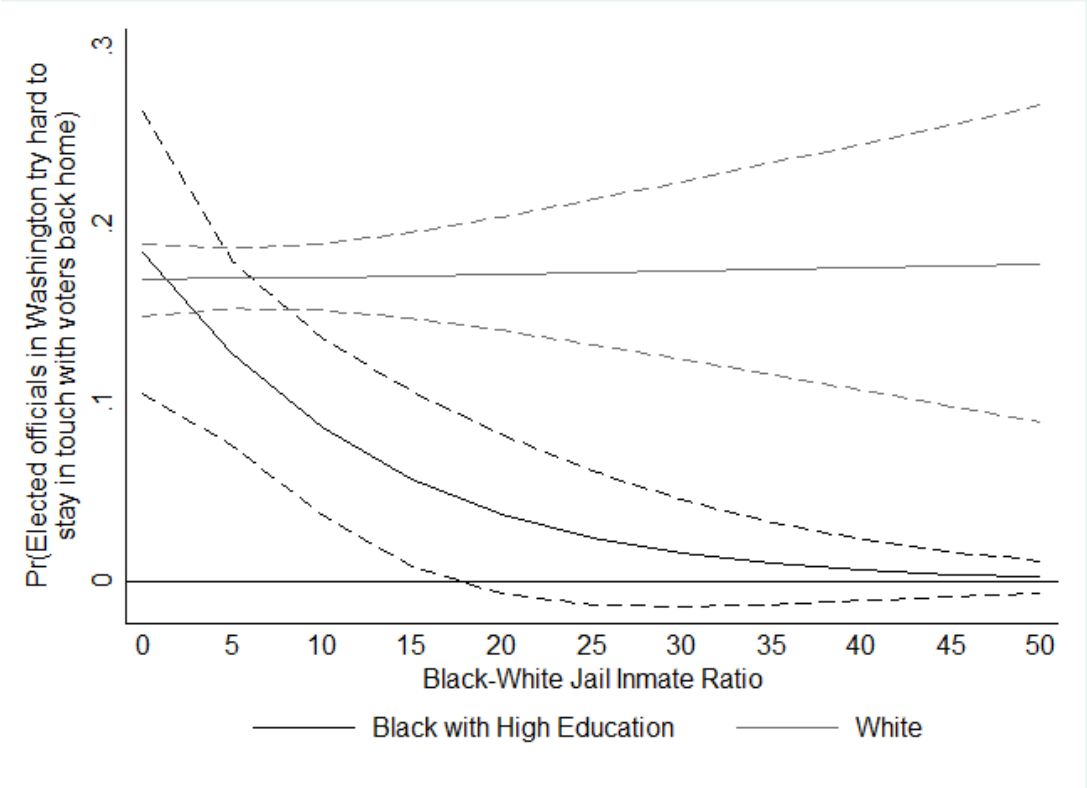
Note. The figure shows the predicted probability of responding "Most of the Time" to the item "How often can you trust government in Washington to do what is right?" for blacks with some college or more and whites across variety of black-white jail ratios. Dashed lines represent 95% confidence intervals.

Figure 4 shows the predicted probability of a respondent stating that government can be trusted most of the time for whites and highly educated blacks.[15] In counties where criminal justice enforcement is racially balanced (jail ratio = 0), blacks and whites are equally likely to trust government. But as criminal justice policy targets blacks and, thus, negatively constructs

[15] All figures created using the as observed value approach recommended by Hanmer and Kalkan (2013).

African Americans, the orientations of these two groups diverge. In counties where blacks are in jail at significantly higher rates than whites (jail ratio = 25), highly educated blacks have a less than 0.01 probability of believing government can be trusted most of the time. Whites in these areas are more than twice as likely as blacks to trust government most of the time. As Figure 5 shows, attitudes about government responsiveness show a similar trend.

Figure 5. Government Responsiveness



Note. The figure shows the predicted probability of responding "Elected officials in Washington try hard to stay in touch with voters back home" to the item "Which statement comes closer to your views, even if neither is exactly right? Elected officials in Washington lose touch with the people pretty quickly or elected officials in Washington try hard to stay in touch with voters back home." for blacks with some college or more and whites across variety of black-white jail ratios. Dashed lines represent 95% confidence intervals.

The results so far suggest that inequalities in criminal justice enforcement alienate blacks but do not harm whites' positive orientations toward government. This differs from previous

studies, such as Rocha, Knoll, and Wrinkle (2015), which find that policies redistribute positive political orientations from negatively targeted groups to those outside policy's target group. Instead of redistributing political orientations from blacks to whites, criminal justice enforcement appears to simply remove positive political orientations from a community, leading to unequal levels of trust and beliefs in government responsiveness across groups.

Some suggest that threatening policy environments will cause those targeted by policy to become more interested in politics (Pantoja and Segura 2003). The third model tests this alternate hypothesis (H4). The model shows that many factors affect political interest including age, partisanship, sex, education, and racial context. But policy enforcement does not shape interest in politics for either blacks or whites. Instead, blacks with low levels of education are less likely than whites to report political interest in counties where no blacks are in jail (jail ratio = 0), but policy enforcement does not condition this relationship.

These results provide support for the argument that negative policies cause those targeted by policy to distrust government and to believe that government is unresponsive to their needs, at least when coupled with educational attainment. Those in the nontarget group—whites—retain more positive views of government as policy enforcement becomes more targeted. Does criminal justice policy also lead to gaps in the *participation* of those in the target and nontarget groups?

Table 6 examines how inequalities in criminal justice enforcement affect participation for those targeted and not targeted by policy. Several factors shape political engagement. Those who are highly educated, attend church regularly, and belong to the Republican Party are more likely to participate in politics, and men are more likely than women to engage in nonelectoral forms of participation. Individuals are also more likely to participate as they age, but the effect of aging on political involvement weakens over time.

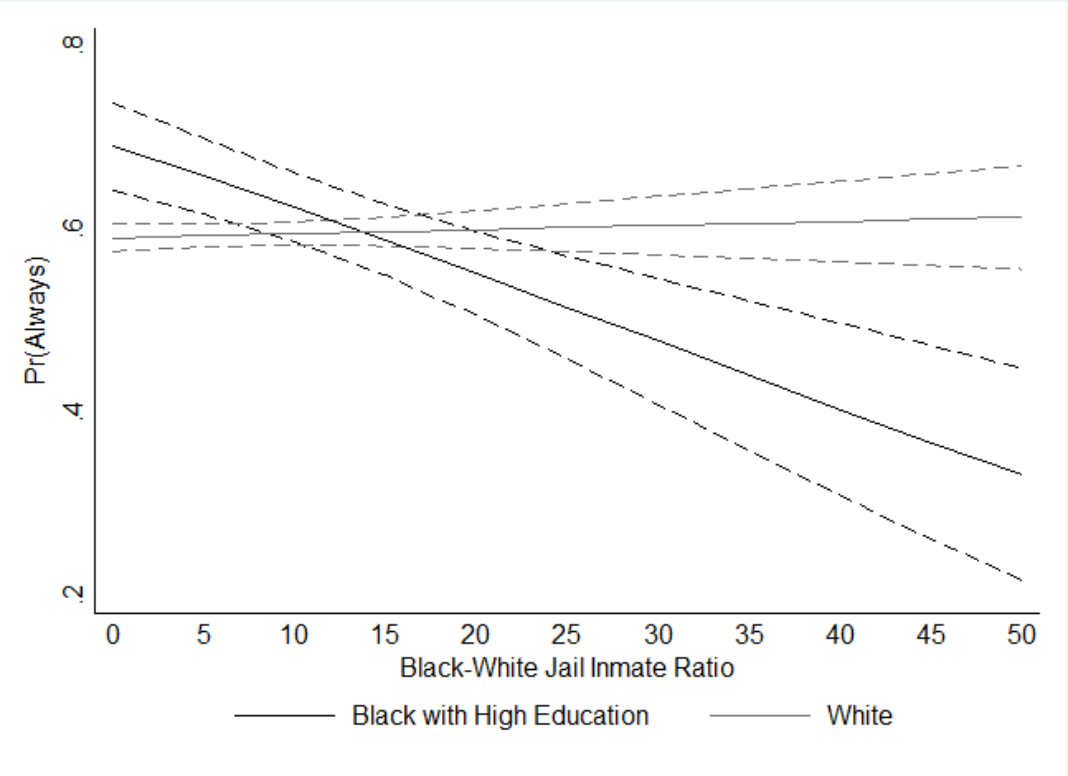
Policy enforcement also shapes participation patterns by demobilizing highly educated blacks. Criminal justice enforcement does not directly affect whites, nor does it lead to gaps in participation between whites and those directly targeted by policy—blacks with low levels of education. However, racially skewed criminal justice outcomes do demobilize the indirect target group—highly educated blacks. This is especially troubling given that, in counties where no blacks are in jail, highly educated blacks are more likely to vote regularly or engage in nonelectoral forms of participation than whites. Figure 6 shows the predicted probability that respondents always vote across a range of policy contexts. In counties where blacks and whites are in jail at equal rates (jail ratio = 1), highly educated blacks have a 0.68 probability of always voting, while whites in these areas have only a 0.59 probability. As criminal justice policy disproportionately targets blacks, highly educated blacks become less likely to vote regularly. Whites, on the other hand, become somewhat more likely to vote regularly, but the effect of unequal criminal justice enforcement on whites' participation is minimal. By demobilizing highly educated blacks, criminal justice enforcement leads to participation gaps between whites and blacks.

Table 6. Criminal Justice Enforcement and Participation

	Votes Regularly	Nonelectoral Participation
Jail Ratio	0.002	0.004
	(0.003)	(0.003)
Black with Low Education	-0.004	-0.310*
	(0.180)	(0.177)
Jail Ratio X Black with Low Education	-0.002	0.013
	(0.018)	(0.014)
Black with High Education	0.512***	0.347**
	(0.140)	(0.165)
Jail Ratio X Black with High Education	-0.037***	-0.038**
	(0.008)	(0.017)
Age	0.058***	0.047***
	(0.008)	(0.009)
Age^2	-0.000***	-0.000***
	(0.000)	(0.000)
Female	-0.011	-0.298***
	(0.053)	(0.058)
Education	0.234***	0.381***
	(0.016)	(0.016)
Church Attendance	0.122***	0.035**
	(0.017)	(0.017)
Democrat	-0.179***	-0.125**
	(0.057)	(0.061)
Independent	-0.950***	-0.656***
	(0.095)	(0.090)
% Black in County	0.346	0.085
	(0.242)	(0.256)
Black House Representative	0.071	0.027
	(0.081)	(0.085)
Urban Residence	-0.053	0.118*
	(0.055)	(0.061)
Cutpoint 1	0.359	-3.275***
	(0.222)	(0.247)
Cutpoint 2	1.497***	
	(0.224)	
Cutpoint 3	2.199***	
	(0.223)	
Cutpoint 4	3.498***	
	(0.224)	
Observations	6991	6947

Note. Votes Regularly estimated using ordered logit. Nonelectoral Participation estimated using logit. Standard errors are clustered by county.
*** $p < .01$; ** $p < .05$; * $p < .10$

Figure 6. Votes Regularly



Note. The figure shows the predicted probability that of responding "Always" to the item "How often would you say you vote?" for blacks with some college or more and whites across variety of black-white jail ratios. Dashed lines represent 95% confidence intervals.

But are the effects of policy equally strong in all contexts? In Table 7 I separately analyze counties where policy has low (less than 15% black population) and high salience (15% or more black population). I expect that the effect of policy will be stronger in areas with large black populations.

Table 7. Criminal Justice Enforcement and Policy Salience

Low Salience	Trust in Gov.	Gov. is Responsive	Interest in Politics	Votes Regularly	Nonelectoral Participation
Jail Ratio	0.005	-0.004	0.001	0.001	0.002
	(0.004)	(0.010)	(0.003)	(0.003)	(0.003)
Black with Low Educ.	-1.362**	-0.826	-0.465*	-0.540**	-0.401
	(0.537)	(0.827)	(0.270)	(0.274)	(0.274)
Jail Ratio X Black with Low Educ.	0.114*	0.139*	0.019	0.025	-0.016
	(0.066)	(0.083)	(0.029)	(0.024)	(0.024)
Black with High Educ.	0.688	0.326	-0.892***	-0.094	-0.409
	(0.836)	(0.766)	(0.331)	(0.354)	(0.347)
Jail Ratio X Black with High Educ.	-0.150	-0.104	0.061*	0.000	0.068*
	(0.106)	(0.080)	(0.035)	(0.041)	(0.038)
High Salience	Trust in Gov.	Gov. is Responsive	Interest in Politics	Votes Regularly	Nonelectoral Participation
Jail Ratio	0.024**	0.033	0.018***	0.002	0.020*
	(0.010)	(0.027)	(0.005)	(0.006)	(0.012)
Black with Low Educ.	0.443	0.591	-0.264	0.209	-0.235
	(0.395)	(0.472)	(0.201)	(0.228)	(0.217)
Jail Ratio X Black with Low Educ.	-0.075	-0.086	-0.001	-0.009	0.019*
	(0.053)	(0.055)	(0.018)	(0.013)	(0.011)
Black with High Educ.	0.423	0.403	0.014	0.676***	0.537***
	(0.311)	(0.318)	(0.164)	(0.179)	(0.183)
Jail Ratio X Black with High Educ.	-0.064***	-0.122***	-0.026**	-0.039***	-0.066***
	(0.018)	(0.045)	(0.011)	(0.007)	(0.011)

Note. Trust, Interest, and Votes Regularly estimated using ordered logit. Responsiveness and Nonelectoral Participation estimated using logit. Standard errors are clustered by county. Trust and Responsiveness asked only of a subsample. Low salience models include counties with less than 15% black population. High salience models include counties with at least 15% black population. Full models available in appendix. *** $p <$ .01; ** $p <$ .05; * $p <$.10

Table 7 shows that the effect of criminal justice policy on attitudes and participation is contingent on racial context. Policy has no effect on political behavior in areas where racially skewed criminal justice outcomes are not salient—counties where blacks make up less than 15% of the population. In these counties the black–white jail ratio neither directly affects whites nor leads to gaps in the political behavior of whites and blacks. The same is not true in counties where criminal justice enforcement is salient. In areas with large black populations, the interaction between jail ratios and highly educated blacks is negative and statistically significant

for all models. As criminal justice enforcement disproportionately targets blacks, highly educated blacks have more negative orientations toward government and are less willing to vote or engage in nonelectoral forms of participation compared to whites. The results indicate that racially skewed criminal justice enforcement is also associated with less interest in politics for highly educated blacks in counties with large black populations. As with the previous models, inequalities in criminal justice enforcement do not have an interactive effect with blacks with low levels of education.

The results here also show that, under certain circumstances, policy also affects those in the nontarget group. In counties where racially skewed criminal justice enforcement is salient—counties that are at least 15% black, the black–white jail ratio has a positive effect on whites' trust in government, political interest, and nonelectoral participation (although this reaches only 0.10 level significance). Not only does racially imbalanced criminal justice enforcement alienate highly educated blacks, but skewed criminal justice outcomes also boost whites' faith in government and willingness to participate in politics, at least where policy is salient.

Discussion

Do the effects of criminal justice policy on behavior extend beyond those who have direct experience with the carceral state? Yes, but not in the way expected by traditional feedback scholars. Theories of mass policy feedback predict that public policy has a uniform effect on all citizens. But because policy sends different signals about various groups, not all groups respond to policy in the same way. That is, there is no single mass effect. There are, instead, different mass effects.

By disproportionately targeting African Americans, criminal justice enforcement teaches blacks that government is unresponsive to their needs. At the same time, these policies positively construct whites, the nontarget group, who learn that government is looking out for them. As a result, blacks and whites should have opposing reactions to unequal criminal justice enforcement. I find that racially skewed criminal justice enforcement drives apart the orientations and participation of highly educated blacks and whites. Highly educated blacks are less trusting of government and less likely to believe that government is responsive to voters than whites in areas where blacks are in jail at higher rates than whites, and whites are more trusting of government as criminal justice enforcement becomes more skewed, at least in counties with large black populations.

I also find support for the assertion that feedback effects are stronger for those indirectly targeted by policy compared to those in the direct target group. Highly educated blacks, who are still negatively constructed by criminal justice policy, are more likely to lose faith in government and disengage from politics compared to blacks with low levels of education. This may indicate that individuals who feel stigma from negative policies but do not have actual policy experience react more strongly to threatening policy environments.

Several previous studies suggest that policy *change* leads to mobilization. However, I find no evidence that negative policy *outcomes* mobilize those threatened by policy. Criminal justice policy does not cause blacks to be more interested in politics or more engaged in the political process compared to whites. If anything, the results indicate that unequal criminal justice enforcement is associated with less interest in politics among highly educated blacks, suggesting that changes in policy have different effects than long-standing policy inequality.

More research is needed to understand why the mobilizing effect of policy change is not sustained.

Finally, my results show that the strength of policy feedback depends on context. I find evidence that policy feedback effects are stronger in areas where policy is salient—where more people are targeted by policy. In areas with large black populations, inequalities in criminal justice are more likely to lead to gaps in participation and attitudes between blacks and whites. Policy scholars have largely ignored the idea that feedback effects depend on residential context even though those who study racial and ethnic politics heavily emphasize the importance of environments. This study takes an initial step in linking racial context to theories of policy feedback.

That criminal justice policy causes blacks to withdraw from the political process while mobilizing, or at least not demobilizing, whites creates larger problems. If blacks, especially those highly educated, do not participate in areas where criminal justice enforcement is unequal, then they are unable to advocate for policy change or elect representatives who are responsive to their interests. As a result, unequal criminal justice enforcement may lead to a cycle of "increasingly uneven [allocations] of benefits and burdens by government" (Schneider and Ingram 1993, 343).

APPENDIX TO CHAPTER 4

Table A1. Counties with Missing Jail Data

State	% (Number) of Counties Missing Jail Data	State	% (Number) of Counties with Missing Jail Data
Alabama	13.79% (4)	Montana	35.71% (20)
Alaska[1]	23.88% (16)	Nebraska	35.48% (33)
Arkansas	18.67% (14)	Nevada	5.88% (1)
Arizona	6.67% (1)	New Hampshire	0
California	5.17% (3)	New Jersey	0
Colorado	18.75% (12)	New Mexico	18.18% (6)
Connecticut[2]	100% (8)	New York	6.45% (4)
District of Columbia	0	North Carolina	12.00% (12)
Delaware[2]	100% (3)	North Dakota	58.49% (31)
Florida	5.97% (4)	Ohio	17.05% (15)
Georgia	18.24% (29)	Oklahoma	11.69% (9)
Hawaii[2]	100% (5)	Oregon	22.22% (8)
Idaho	18.18% (8)	Pennsylvania	11.94% (8)
Illinois	12.74% (13)	Rhode Island[2]	100% (5)
Indiana	7.61% (7)	South Carolina	6.52% (3)
Iowa	7.07% (7)	South Dakota	59.09% (39)
Kansas	9.52% (10)	Tennessee	6.32% (6)
Kentucky	39.17% (47)	Texas	16.54% (42)
Louisiana	10.94% (7)	Utah	17.24% (5)
Maine	37.50% (6)	Vermont[2]	100% (14)
Maryland	16.67% (4)	Virginia	50.74% (68)
Massachusetts	21.43% (3)	Washington	5.13% (2)
Michigan	7.23% (6)	West Virginia	80.00% (44)
Minnesota	12.64% (11)	Wisconsin	6.94% (5)
Mississippi	21.95% (18)	Wyoming	0
Missouri	14.78% (17)	Total	20.49% (644)

[1]Combined prison-jail institutions were excluded from the data, but regional jails were included in the Census of Jails.

[2]State was excluded from Census of Jails since all jails were combined prison-jail systems

Table A2. Criminal Justice Enforcement, Political Orientations and Participation

	Trust in Gov.	Gov. is Responsive	Interest in Politics	Votes Regularly	Nonelectoral Participation
Jail Ratio	0.004	-0.002	0.003	0.001	0.003
	(0.003)	(0.007)	(0.003)	(0.003)	(0.003)
Black with Low Education	-0.224	0.107	-0.346***	-0.022	-0.234*
	(0.240)	(0.298)	(0.121)	(0.134)	(0.134)
Black with High Education	-0.235	-0.446	-0.242**	0.238**	0.086
	(0.215)	(0.272)	(0.104)	(0.116)	(0.141)
Age	-0.049***	-0.077***	0.069***	0.059***	0.047***
	(0.015)	(0.017)	(0.007)	(0.008)	(0.009)
Age^2	0.000***	0.001***	-0.000***	-0.000***	-0.000***
	(0.000)	(0.000)	(0.000)	(0.000)	(0.000)
Female	0.151	0.137	-0.558***	-0.013	-0.299***
	(0.102)	(0.118)	(0.050)	(0.053)	(0.058)
Education	0.059**	0.005	0.286***	0.233***	0.380***
	(0.025)	(0.038)	(0.016)	(0.016)	(0.016)
Church Attendance	0.051*	0.035	-0.025	0.123***	0.036**
	(0.029)	(0.037)	(0.017)	(0.017)	(0.017)
Democrat	1.136***	0.696***	-0.219***	-0.177***	-0.126**
	(0.108)	(0.134)	(0.057)	(0.057)	(0.061)
Independent	-0.129	0.062	-0.799***	-0.954***	-0.660***
	(0.210)	(0.227)	(0.094)	(0.095)	(0.090)
% Black in County	-0.259	0.116	0.459**	0.396	0.131
	(0.401)	(0.527)	(0.233)	(0.243)	(0.247)
Black House Representative	0.163	0.080	0.007	0.063	0.022
	(0.142)	(0.192)	(0.095)	(0.081)	(0.085)
Urban Residence	0.045	0.176	0.100*	-0.063	0.109*
	(0.104)	(0.133)	(0.056)	(0.057)	(0.062)
Cutpoint 1	-2.812***	-0.659	0.322*	0.366*	-3.275***
	(0.441)	(0.473)	(0.195)	(0.222)	(0.247)
Cutpoint 2	1.197***		1.482***	1.504***	
	(0.446)		(0.194)	(0.224)	
Cutpoint 3	4.089***		3.071***	2.206***	
	(0.476)		(0.196)	(0.223)	
Cutpoint 4				3.503***	
				(0.224)	
Observations	2328	2275	7008	6991	6947

Note. Trust, Interest, and Votes Regularly estimated using ordered logit. Responsiveness and Nonelectoral Participation estimated using logit. Standard errors are clustered by county. Trust and Responsiveness asked only of a subsample. *** $p < .01$; ** $p < .05$; * $p < .10$

Table A3. Criminal Justice Enforcement, Policy Salience, and Orientations Full Models

	Trust		Responsiveness	
	Low Salience	High Salience	Low Salience	High Salience
Jail Ratio	0.005	0.024**	-0.004	0.033
	(0.004)	(0.010)	(0.010)	(0.027)
Black with Low Education	-1.362**	0.443	-0.826	0.591
	(0.537)	(0.395)	(0.827)	(0.472)
Jail Ratio X Black w. Low Education	0.114*	-0.075	0.139*	-0.086
	(0.066)	(0.053)	(0.083)	(0.055)
Black with High Education	0.688	0.423	0.326	0.403
	(0.836)	(0.311)	(0.766)	(0.318)
Jail Ratio X Black w. High Education	-0.150	-0.064***	-0.104	-0.122***
	(0.106)	(0.018)	(0.080)	(0.045)
Age	-0.075***	-0.001	-0.119***	-0.007
	(0.018)	(0.027)	(0.020)	(0.026)
Age^2	0.001***	-0.000	0.001***	0.000
	(0.000)	(0.000)	(0.000)	(0.000)
Female	0.192	0.112	0.193	0.077
	(0.128)	(0.172)	(0.144)	(0.206)
Education	0.061**	0.064	0.034	-0.053
	(0.030)	(0.047)	(0.046)	(0.072)
Church Attendance	0.059*	0.025	0.047	-0.000
	(0.035)	(0.058)	(0.047)	(0.063)
Democrat	1.198***	0.994***	0.895***	0.260
	(0.133)	(0.183)	(0.160)	(0.233)
Independent	-0.171	-0.155	0.285	-0.615
	(0.237)	(0.444)	(0.268)	(0.419)
% Black in County	0.473	0.281	1.684	-0.475
	(1.481)	(0.698)	(1.814)	(0.978)
Black House Representative	0.552**	0.060	-0.501*	0.213
	(0.239)	(0.166)	(0.289)	(0.216)
Urban Residence	0.052	0.044	0.106	0.187
	(0.134)	(0.187)	(0.160)	(0.263)
Cutpoint 1	-3.376***	-1.495*	-0.024	-1.776**
	(0.516)	(0.835)	(0.562)	(0.859)
Cutpoint 2	0.678	2.515***		
	(0.524)	(0.854)		
Cutpoint 3	3.691***	5.211***		
	(0.554)	(0.937)		
Observations	1597	731	1565	710

Note. Trust is estimated using ordered logit. Responsiveness is a standard logit model. All standard errors are clustered by county. Trust and Responsiveness questions were only asked of a subsample of survey respondents. Low salience models include all counties where blacks make up less than 15% of the population. High salience models include all counties where blacks make up 15% or more of the population. *** $p < .01$; ** $p < .05$; * $p < .10$

Table A4. Criminal Justice Enforcement, Policy Salience, and Interest Full Models

	Interest	
	Low Salience	High Salience
Jail Ratio	0.001	0.018***
	(0.003)	(0.005)
Black with Low Education	-0.465*	-0.264
	(0.270)	(0.201)
Jail Ratio X Black w. Low Education	0.019	-0.001
	(0.029)	(0.018)
Black with High Education	-0.892***	0.014
	(0.331)	(0.164)
Jail Ratio X Black w. High Education	0.061*	-0.026**
	(0.035)	(0.011)
Age	0.074***	0.059***
	(0.009)	(0.011)
Age^2	-0.000***	-0.000**
	(0.000)	(0.000)
Female	-0.620***	-0.432***
	(0.062)	(0.084)
Education	0.281***	0.303***
	(0.019)	(0.032)
Church Attendance	-0.025	-0.026
	(0.021)	(0.031)
Democrat	-0.205***	-0.277***
	(0.069)	(0.105)
Independent	-0.729***	-0.973***
	(0.109)	(0.187)
% Black in County	0.526	0.400
	(0.734)	(0.349)
Black House Representative	-0.006	-0.030
	(0.161)	(0.111)
Urban Residence	0.069	0.111
	(0.069)	(0.103)
Cutpoint 1	0.379	0.300
	(0.244)	(0.319)
Cutpoint 2	1.527***	1.488***
	(0.244)	(0.310)
Cutpoint 3	3.155***	3.004***
	(0.246)	(0.316)
Observations	4784	2224

Note. Interest is estimated using ordered logit models. All standard errors are clustered by county. Low salience models include all counties where blacks make up less than 15% of the population. High salience models include all counties where blacks make up 15% or more of the population. *** $p < .01$; ** $p < .05$; * $p < .10$

Table A5. Criminal Justice Enforcement, Policy Salience, and Participation Full Models

	Votes Regularly		Nonelectoral Participation	
	Low Salience	High Salience	Low Salience	High Salience
Jail Ratio	0.001	0.002	0.002	0.020*
	(0.003)	(0.006)	(0.003)	(0.012)
Black with Low Education	-0.540**	0.209	-0.401	-0.235
	(0.274)	(0.228)	(0.274)	(0.217)
Jail Ratio X Black with Low Education	0.025	-0.009	-0.016	0.019*
	(0.024)	(0.013)	(0.024)	(0.011)
Black with High Education	-0.094	0.676***	-0.409	0.537***
	(0.354)	(0.179)	(0.347)	(0.183)
Jail Ratio X Black with High Education	0.000	-0.039***	0.068*	-0.066***
	(0.041)	(0.007)	(0.038)	(0.011)
Age	0.064***	0.046***	0.063***	0.018
	(0.010)	(0.014)	(0.011)	(0.014)
Age^2	-0.000***	-0.000	-0.000***	0.000
	(0.000)	(0.000)	(0.000)	(0.000)
Female	-0.051	0.073	-0.277***	-0.348***
	(0.066)	(0.090)	(0.073)	(0.095)
Education	0.239***	0.235***	0.396***	0.353***
	(0.019)	(0.030)	(0.020)	(0.026)
Church Attendance	0.101***	0.167***	0.031	0.048
	(0.020)	(0.033)	(0.020)	(0.031)
Democrat	-0.241***	-0.063	-0.105	-0.206*
	(0.066)	(0.109)	(0.076)	(0.105)
Independent	-1.030***	-0.759***	-0.707***	-0.581***
	(0.110)	(0.184)	(0.111)	(0.150)
% Black in County	-0.494	0.760*	0.670	0.571
	(0.784)	(0.395)	(0.884)	(0.423)
Black House Representative	0.465**	-0.022	-0.376**	0.082
	(0.200)	(0.088)	(0.178)	(0.090)
Urban Residence	-0.039	-0.049	0.062	0.188*
	(0.069)	(0.093)	(0.081)	(0.098)
Cutpoint 1	0.354	0.402	3.712***	2.737***
	(0.275)	(0.381)	(0.308)	(0.407)
Cutpoint 2	1.474***	1.593***		
	(0.280)	(0.380)		
Cutpoint 3	2.124***	2.419***		
	(0.280)	(0.378)		

Table A5 Continued

Cutpoint 4	3.470***	3.633***		
	(0.281)	(0.376)		
Observations	4774	2217	4742	2205

Note. Voting regularly is estimated using ordered logit. Nonelectoral Participation is a standard logit model. All standard errors are clustered by county. Low salience models include all counties where blacks make up less than 15% of the population. High salience models include all counties where blacks make up 15% or more of the population. *** $p < .01$; ** $p < .05$; * $p < .10$

CHAPTER 5: IMMIGRATION ENFORCEMENT AND LATINO IDENTITY

Compared to African Americans' racial identity which historically has been very high (Welch et al. 2001, 95; Dawson 1994), group consciousness among Latinos is relatively low. According to a recent survey, nearly 70% of blacks believe that their lives are linked to others of their race, while only 58% of Latinos report feeling a sense of ethnic linked fate (Barreto et al. 2017). Scholars suggest a variety of reasons for this difference. Immigrants, who have not been socialized to accept the idea of Latino panethnicity promoted by the US government, feel loosely connected to individuals with different national origins (Masuoka 2008, 39). Native-born Latinos, who are more assimilated into US culture, do not always understand how their lives are tied to those born outside the country (Sanchez and Masuoka 2010).

But despite the presence of such diversity within their population, over half of Latinos do feel a sense of linked fate with their fellow co-ethnics. What explains why some Latinos feel strongly tied to their group and others do not?

In this chapter, I argue that immigration enforcement helps explain the presence of linked fate among Latinos. It affects Latino identity in two ways. First, traditional theories of policy feedback suggest that immigration policy may directly affect group consciousness by sending negative signals about the type of treatment that Latinos can expect from government. When government uses policy to sanction a group, such as when ICE deports unauthorized immigrants, it tells individuals that the targeted group has a low status in society (Schneider and Ingram 1993, 342). In areas where immigration enforcement is high and these signals are strong, Latinos may sever their ethnic group ties to avoid policy's anti-Latino stereotypes.

Second and more importantly, immigration enforcement may indirectly lead to increased group identity by determining where and how residential context will be salient. Residential context is one of the most consistent predictors of racial/ethnic attitudes among both minorities and Anglos (non-Hispanic whites). But the direction of these effects are disputed, and policy may explain why. In addition to teaching Latinos that their ethnic group has a lower status compared to other groups, immigration enforcement also teaches Latinos that their lives are connected to that of immigrants. This makes it more likely that Latinos will be aware of and turn to other co-ethnics in their community as policy stigmatizes their ethnic group. By changing how individuals relate to their surroundings, immigration policy will indirectly cause Latinos to feel more positively about their ethnic group ties.

As with the previous chapters, immigration enforcement is unlikely to have the same effect on all Latinos. Scholars argue that, for some groups, racial or ethnic group membership is likely to be "so important and enduring" that individuals are aware of their identity regardless of other factors (Welch et al. 2001, 98; Lau 1989). For foreign-born Latinos, who are consistently reminded of how their lives are structured by ethnicity and the immigrant experience, ties to their ethnic group are likely to be salient in all policy contexts, meaning that immigration enforcement will have neither direct nor indirect effects.

However, immigration enforcement may, ironically, have a strong effect on native-born Latinos, who are only indirectly targeted by policy. High levels of immigration enforcement teach native-born Latinos that their acceptance in the US as full, valued citizens is tied to the treatment of immigrants, making the size of the immigrant population more influential for native-born Latinos' identity. Residing in areas with a large proportion of immigrants may help native-born Latinos overcome the negative stereotypes promoted by immigration policy, leading

to higher levels of Latino group consciousness. But when immigration enforcement is low, native-born Latinos can ignore their connections to immigrants. In these policy environments, residential context will have only limited effects on native-born Latinos' identity.

Below, I review traditional explanations of Latino group consciousness. I then explain how immigration enforcement changes the way Latinos think about their identity both directly and by structuring the effect of residential context. I combine information on local immigration enforcement with the Latino Decisions' 2016 Collaborative Multiracial Post-Election Survey to test my arguments. I find that, while not having a direct effect on identity, immigration enforcement does indirectly shape native-born Latinos' sense ethnic group consciousness by conditioning the role of residential context on attitudes. The results suggest that native-born Latinos have a stronger sense of ethnic identity when they live near large immigrant populations and rates of enforcement are high. When enforcement is low, the presence of immigrants has a negligible effect on native-born attitudes. Foreign-born Latinos' sense of linked fate, however, is unaffected by policy context. These results suggest that as immigration policy becomes more intense, conservative politicians may see increased backlash, at least in certain communities, from native-born Latinos since feelings ethnic linked fate have been linked to increased participation and more pro-immigrant policy stances (Masuoka 2008; Jones-Correa and Leal 1996).

Does Residential Context Affect Latino Ethnic Identity?

Some Latinos feel a strong sense of linked fate with co-ethnics and some do not. Individual characteristics offer a partial explanation as to why. Latinos who are poor or speak Spanish are more likely to believe that doing well depends on other Latinos doing well (Sanchez

and Masuoka 2010). Education, age, national origin, and nativity also play a role (Masuoka 2008).

Residential context should also shape identity among Latinos because "in politics, localities matter" (Huckfeldt and Sprague 1995, 5). Here, I focus on how the size of the foreign-born population, a source of difference among Latinos, affects linked fate, an attitude which binds Latinos. Exactly how the size of the immigrant population will shape Latinos' linked fate is unclear.

The presence of a foreign-born population may drive a wedge between Latinos. Native-born Latinos feel socially distant from less acculturated immigrants who are more likely to speak Spanish, earn lower wages, and have less experience with civic institutions (Massey, Durand and Malone 2002). Similarly, foreign-born Latinos who are committed to their national origin identities (de la Garza et al. 1992; DeSipio 1996) may not feel tied to immigrants from other Latin American countries. Thus, residing near a large immigrant population may weaken ethnic ties. Although little work has examined the effect of context on Latino identity, past research provides some support for this argument (Knoll 2012; Rouse, Garland, and Wilkinson 2010). Hood, Morris, and Shirkey (1997), for example, find that native-born Latinos have more restrictionist policy preferences when they reside near a large foreign-born population. Since policy preferences are partly a product of ethnic group consciousness (Jones-Correa and Leal 1996; Sanchez 2006), these findings suggest that the size of the immigrant population negatively affects Latino identity.

Alternatively, Latinos may respond positively to a large immigrant population. Living among immigrants can reinforce cultural ties and provide social capital (see Zhou 1997). Native-born Latinos in these contexts are reminded of their commonalities with the foreign-born

population such as a shared culture, religion, and language (Lopez and Espiritu 1990), which may increase feelings of group consciousness. For foreign-born Latinos, residing near a large immigrant community can provide economic opportunities that would be otherwise unavailable (Zhou 1997), making a strong panethnic identity more beneficial. Previous work also provides evidence for this expectation. Relying on a sample of Texans, Rocha et al. (2011) find that living near a large native-born Latino population leads to more liberal attitudes about immigration. While this tells us less about how Latinos respond to the size of the immigrant population, this suggests that Latinos may react positively to living near fellow co-ethnics.

A third possibility is that the effect of residential context on Latino identity is conditional. Past work argues that residential context cannot be studied in isolation finding that the effect of residential context is dependent on socioeconomic environment (Branton and Jones 2005) or segregation (Rocha and Espino 2010). However, most of these studies have continued to look only at social factors, missing the role of political determinants. I argue that public policy helps explain when and how residential context will affect Latinos' feelings of group consciousness. In the next section, I explain the direct effects of policy and then how policy and racial context work together to shape group consciousness among Latinos.

Immigration Policy and Latino Ethnic Identity

Since Schattschenider (1935) first put forth the idea that "new policies create new politics," scholars have explored the ways that policies produce feedback effects that shape individuals' policy preferences, political orientations, and participation (see Mettler and SoRelle 2014). Beneficial policies teach recipients that government is open and responsive, thus encouraging participation in politics (Campbell 2005; Mettler 2005). Punitive policies cause

group members to lose faith in government, making it less likely that these groups will become involved in politics (Soss 1999; 2005; Lerman and Weaver 2014a).

Policy does more. It divides society into politically relevant groups and changes how we see ourselves (Campbell 2005). When policy allocates benefits to a group, individuals learn that the group is valued by society and will work to maintain strong ties to that group. But when policy punishes groups, such as unauthorized immigrants, individuals realize that group membership carries risks. To avoid punitive policy outcomes, individuals may distance themselves from the group.[1]

Feedback effects also spill over to those who lack direct contact with policy (see Burch 2013; Rocha, Knoll and Wrinkle 2015). When government programs and actions send signals about the status of policy recipients, it socially constructs all individuals who fit within a general group targeted by policy. In the case of immigration policy, this group includes all Latinos. Since the 1960s when the US began limiting avenues of legal immigration for Latin Americans, the unauthorized population has grown dramatically. In 1990, 3.5 million unauthorized immigrants resided in the US. This grew to over 11 million in 2014 with roughly 77% coming from Latin American countries (Massey, Durand, and Malone 2002; Migration Policy Institute 2014). In response to rising unauthorized migration, politicians have framed Latino immigrants and, by extension, all Latinos as a "grave threat to the nation" (Massey and Pren 2012, 5). Latino immigrants are portrayed as a danger to American society, culture, and economy and are often referred to as "illegal," "terrorists," or "criminals" (Chavez 2008; Massey and Sanchez 2010, 68). These sentiments gained new traction during the 2016 election when then-candidate Trump

[1] However, because those burdened by policy tend not to possess many resources (Schneider and Ingram 1993), individuals may be unable to sever ties to disliked groups which may explain why one of the only studies to examine how policy shapes identity finds that contact with negative policies increases group consciousness (Lerman and Weaver 2014a).

claimed that Latin American and, specifically, Mexican immigrants were criminals, drug dealers, and rapists (Washington Post Staff 2015).[2] And, because the media and public do not often distinguish between Latino immigrants and Latino citizens (Beltran 2010; Massey and Sanchez 2010; Rocha et al. 2011, 5), the negative stereotypes promoted by immigration policy affect all Latinos regardless of authorization or citizenship status. Thus, when ICE detains or deports unauthorized immigrants at greater rates, it sends a signal to all Latinos that their ethnic group is not valued by American society and that they can expect negative treatment from government because of their heritage. These signals change how Latinos think about their ethnic identity.

Not everyone targeted by policy is likely to have the same reaction to immigration enforcement. Foreign-born Latinos are more directly affected by immigration policy than their native-born counterparts. Even after naturalizing, foreign-born Latinos maintain close ties to immigrants who are likely to have contact with ICE. For instance, a little over half of all foreign-born Latinos surveyed in 2016 personally know someone without authorization (Barreto et al. 2017). And, because non-Latinos are unable to discern citizenship or authorization status, it is likely that all foreign-born Latinos receive similar treatment from the public (see Rocha et al. 2011, 5). Foreign-born Latinos thus make up the direct target group for immigration policy.

In reaction to high levels of immigration enforcement, foreign-born Latinos may cling more tightly to their ethnic ties. According to the rejection-identification model, individuals sometimes increase their ties to negatively viewed groups when acceptance by more well-liked groups is unlikely (Branscombe et al. 1999). For foreign-born Latinos, maintaining strong ingroup ties will be important since they lack the economic and social resources necessary for

[2] Donald Trump also reinforced the distinction between Mexican immigrants and US citizens by saying that "[Mexico is] not sending their best. They're not sending *you*" (emphasis added). In doing so, Mr. Trump distinguishes between Americans—"the best"—and Mexican immigrants—"not the right people" (Washington Post Staff 2015).

joining new, more beneficial groups (Massey, Durand, and Malone 2002). Having close ties to other immigrants also may provide an alternate source of resources and social capital that is vital in areas where immigration enforcement is strong. Thus, if immigration enforcement shapes foreign-born Latinos' group consciousness, the effect is likely positive.

However, policy may have only a limited effect on foreign-born Latinos' attitudes. Scholars argue that for some groups, group identity is always salient and unlikely to change as a result of outside factors, such as increased policy enforcement (Welch et al. 2001, 98). The outsider status and "blocked social mobility" that foreign-born Latinos face when they arrive in the US make their ethnic identity relevant in all contexts (see Lau 1989, 222-223). If ethnic identity is always important for this group, it is possible that the effect of immigration enforcement on foreign-born Latinos' identity will be negligible.

Native-born Latinos who make up the indirect target group, however, are not immune from immigration policy's effects. Nearly one in three native-born Latinos know an unauthorized immigrant (Barreto et al. 2017). Scholars find that native-born Latinos have "perceived themselves as the intended target" for past anti-immigrant legislation (Pantoja and Segura 2003, 267), which may explain why native-born Latinos have been shown to change their political behavior in response to immigration policy (Rocha, Knoll, and Wrinkle 2015; White 2016; Barreto and Woods 2000). Because they are only indirectly affected by policy, native-born Latinos likely have a different reaction to immigration enforcement. High levels of immigration enforcement should weaken ethnic identity for Latinos born in the US. Native-born Latinos are already likely to feel socially distant from immigrants. This distance is only heightened in areas with harsh immigration enforcement. In these contexts, native-born Latinos learn that close ethnic group ties can lead to discrimination. And, because Latinos born in the US have greater

access to resources and are more assimilated into US culture, they may be better able than their foreign-born counterparts to build connections to other, more powerful groups (Massey, Durand, and Malone 2002).[3]

This leads to two hypotheses:

H1. Native-born Latinos are less likely to report feeling a sense of linked fate when immigration enforcement is high.

H2. Foreign-born Latinos are either more likely to report feeling a sense of linked fate when immigration enforcement is high or are unresponsive to the level of immigration enforcement.

Does Policy Moderate the Effect of Context?

Both residential context and policy likely affect Latino identity on their own. However, these factors also matter together. I noted earlier that previous studies of the relationship between residential context and Latino attitudes report inconsistent findings. Some argue that large immigrant populations are associated with pro-immigrant attitudes while others reach the opposite conclusion. I argue these mixed results occur because scholars fail to account for the direct and indirect effects of political factors. Policy determines when residential context is important and changes how individuals relate to nearby groups. For Latinos, immigration enforcement affects when the size of the immigrant population will be a salient factor able to shape identity and may change how Latinos view their relationship with immigrants. But the

[3] In fact, this pattern is exactly what traditional theories of immigrant assimilation would expect. As successive generations of Latinos speak English as their primary language and adopt other American customs, they should lose ties to their ethnic group in favor of full assimilation (Gordon 1964). Immigration policy, by teaching native-born Latinos that connections to immigrants are disadvantageous, may promote acculturation into American (i.e. non-Latino/Anglo) culture.

indirect effect of immigration enforcement on residential context depends on Latinos' relationships to policy.

Immigration enforcement may be particularly important for structuring how native-born Latinos respond to residential context. Because immigration is one of the defining features of the Latino population (see Sanchez and Masuoka 2010, 521), individuals who are closer to the immigrant experience tend to feel more connected to their ethnic identity (Polinard, Wrinkle, and de la Garza 1984; Binder, Polinard, and Wrinkle 1997). Native-born Latinos, however, are removed from this experience and from immigrants in general, even when they have family members born outside the US. Compared to their foreign-born counterparts, native-born Latinos are more assimilated into US culture, earn higher wages, and are less likely to speak Spanish—all factors which drive a wedge between Latinos born in the US and immigrants. Absent any political factors which emphasize how native-born Latinos' lives are connected to that of immigrants, it is unlikely that native-born Latinos consider the size of the immigrant population in their community when forming their ethnic identity. This may change when immigration enforcement is high.

Enforcement sends signals to native-born Latinos that their lives are affected by what happens to immigrants. In part, this is because the rhetoric surrounding immigration policy does not carefully distinguish between immigrants and Latinos born in the US (Chavez 2008; Massey and Pren 2012; Massey and Sanchez 2010, 68). Additionally, native-born Latinos may feel directly threatened by increased levels of ICE activity. Because immigration policy portrays all Latinos as immigrants and, often, as illegal immigrants, law enforcement are likely to stop Latinos for minor traffic violations as a pretext for asking about immigration documents (Mucchetti 2005). Since the majority of Latinos in the US are citizens, these stops inevitably

affect native-born Latinos as well. The crime of "driving while Latino" has likely only increased in recent years. Under Secure Communities, many unauthorized immigrants have been arrested, and subsequently deported, for minor traffic violations (TRAC Immigration 2014). Since law enforcement cannot tell which drivers they pull over will lack authorization, it is likely that many other Latino drivers have also stopped by police. This is one reason why native-born Latinos are reminded on a daily basis that their lives are connected to the immigrant population in areas where immigration enforcement is intense. As the immigrant population becomes more salient to native-born Latinos, residential context is more likely to influence their group consciousness.

I argued earlier that the size of the immigrant population may have a negative direct effect on native-born Latinos' identity. But, when immigration enforcement is intense, context may instead lead to closer ethnic ties. This is because negative policies, such as immigration, have "unintended consequences of accentuating group differences, heightening group consciousness of those differences, [and] hardening ethnic identity boundaries between 'us' and 'them'" (Rumbaut 2008, 110). High levels of immigration enforcement distinguish between Latinos and other Americans by sending signals that Latinos have a low status in society compared to other groups. Reactive ethnicity theory suggests that instead of accepting an ingroup's low status, individuals will sometimes create a positive view of their group based on cultural and racial distinction in order to maintain high self-esteem (see Zhou 1997; Rumbaut 2008). By highlighting how Latinos continue to be viewed as outsiders, immigration enforcement teaches native-born Latinos that full acceptance into larger society is unlikely. Therefore, when immigration enforcement is high, native-born Latinos are more likely to be cognizant of how the immigrant population will affect their lives and may cling more tightly to their ethnic identity as a way of overcoming the stigma brought about by immigration policy.

However, for those directly targeted by policy—foreign-born Latinos—immigration enforcement is unlikely to determine when residential context will shape identity. For native-born Latinos, high levels of immigration enforcement change how they see themselves in relation to immigrants, making residential context more salient for this group. But the presence of immigrants is already known by foreign-born Latinos since they are more likely to live near and interact with other immigrants. In other words, residential context likely shapes foreign-born Latinos' identity, regardless of the level of ICE activity.

This leads to two hypotheses:

H3. The size of the immigrant population will have a positive effect on native-born Latinos' sense of linked fate when immigration enforcement is high.

H4. Immigration enforcement will not moderate the effect of residential context on foreign-born Latinos' sense of linked fate.

Modeling the Interaction of Context and Policy

I test my hypotheses using data from the Latino Decisions' 2016 Collaborative Multiracial Post-Election Survey (CMPS) (Barreto et al. 2017). The survey was conducted online between December 2016 and February 2017 and resulted in a sample of over 10,145 adults in the US from 1,146 counties. The number of respondents in a county range from 1 to 594 with an average of 9 respondents per county. The CMPS is particularly useful here since it includes a large number of Latino respondents, including Latinos born outside the US and noncitizens. After missing cases are excluded, my sample includes 2,739 Latino respondents.

I supplement the survey data with information on local immigration enforcement and residential context. Immigration enforcement data come from Immigration and Customs Enforcement (ICE) which has released county-level data on the enforcement of the Secure Communities program in 2015 (U.S. Immigration and Customs Enforcement 2015).[4] These data contain information on the number of individuals arrested and deported in a county through the Secure Communities program as well as the criminal status of those deported. From this, I use information on the number of individuals removed by ICE who had low level and noncriminal offenses, such as overstaying a visa. I focus on low-level and noncriminal removals because the effect of immigration enforcement on Latino identity likely depends on who is deported (see Rocha, Knoll, and Wrinkle 2015, 905). In theory, immigration policy is primarily aimed at dangerous criminals, but, in practice, many of the immigrants deported have committed only minor offenses or have no criminal record. Removals of individuals with little or no criminal background should have a greater effect on Latino identity. The removal of felons is likely to be viewed as legitimate by other Latinos while the removal of low-level offenders and noncriminals is perceived as unjustified. The removal of noncriminals also sends a stronger signal to the public that the broader target of immigration policy includes all Latinos—even those without a criminal history—rather than simply immigrants who break the law. And because criminals and noncriminals have different social networks (Carrington 2011), information about the deportation of noncriminals is more likely to reach other noncriminal immigrants than news about criminals being deported. Therefore, I measure immigration enforcement by taking the

[4] The Secure Communities program was in operation from 2008 to November 2014, though it was reactivated in January 2017. In 2015, President Obama launched the Priority Enforcement Program (PEP) to replace Secure Communities. While there are slight differences in these laws, in many ways the law change was in name only.

number of low-level and noncriminal immigrants per 1,000 foreign-born residents in a county.[5][6] The level of immigration enforcement varies widely across the country. The removal rate ranges from zero in counties where no immigrants were deported to 634 with a mean of 4. To ensure that results were not driven by outliers, the sample is limited to counties with a removal rate of less than 100.[7] I measure residential context using the percentage of the county that is foreign-born (United States Census Bureau 2015). Counties range from zero to 52% foreign-born. On average, Latino respondents live in counties that are 21% foreign-born.

The level of immigration enforcement and percentage of the county that is foreign-born are correlated at a relatively low -0.05. For example, Middlesex County, New Jersey, which has a large foreign-born population (31.9%) removes only 0.13 immigrants per 1,000 foreign-born residents. Fort Bend County, Texas, which is 26.7% foreign-born, also has a low removal rate (0.7 per 1,000 foreign-born residents). By contrast, other communities have high immigration enforcement despite having relatively small foreign-born populations. For instance, in Jones County, Mississippi, which has a comparatively small foreign-born population (2.9%) has deported 14.29 immigrants per 1,000 foreign-born residents.

I argue that policy affects Latino identity both directly and indirectly by conditioning the effect of foreign-born population size on identity. To test this, I interact the removal rate in a county with the size of the foreign-born population. Since I expect that this process will work

[5] Low-level criminal removals include what Secure Communities categorizes as Level 3 convicted criminals which includes individuals who were convicted of offenses punishable by less than one year in prison. The noncriminal removals include individuals who do not have a criminal record and those who failed to leave the United States after being issued a final order of removal or returned after being deported. Examples of this group include individuals who stayed after their visa expired or violated the terms of their visa (U.S. Immigration and Customs Enforcement 2015).

[6] Unfortunately there are no county-level estimates of the size of the unauthorized immigrant population in the US. But, since all foreign-born residents are directly targeted by immigration policy, the size of the foreign-born population in a county may be the more appropriate measure.

[7] One county with a single respondent has a jail ratio larger than 100. Models including this respondent produce largely similar results. An alternative way to control for extreme outliers is to use the natural log of the variable, but, because the natural log cannot be performed on variables which take on a value of zero, I chose not to use this method. As a robustness check, I estimated models using ln(1 + L3 Removal Rate) which produce similar results.

differently for those directly and indirectly targeted by policy, I run separate analyses on native- and foreign-born Latinos. Within the sample, 26% of the respondents are foreign-born.

I use two dependent variables to measure ethnic identity within the Latino community. The first uses a question that asks about respondents' feelings of linked fate. It reads:

> "Do you think what happens generally to Hispanic or Latino people in this country will have something to do with what happens in your life? Yes, No"

I use this to create a binary measure where a one indicates that respondents agree that their lives are affected by what happens to Latinos generally. Roughly 56% of Latinos report feeling a sense of linked fate in the CMPS. Native-born Latinos are somewhat more likely to respond affirmatively to this item, with 60% and 54% expressing a sense of linked fate respectively.

My second dependent variable measures whether respondents feel positively about their connection to others in their ethnic group. While the first dependent variable captures whether or not Latinos feel that their lives are linked to fellow co-ethnics, this measure expands on how respondents feel about their ethnic ties. The question reads:

> "Some people feel positively about the link they have with their racial or ethnic group members, while others feel negatively about the idea that their lives may be influenced by how well the larger group is doing. Which comes closer to your feelings? I feel positively about this link with my racial or ethnic group, I feel negatively about this link with my racial or ethnic group, neither positive or negative."

I use this question to create a three-category ordinal variable where higher values indicate more positive feelings. About half of the respondents report feeling positively about ties with others in their ethnic group. Native- and foreign-born Latinos are equally likely to say the link is positive, at 49% and 50% respectively.[8]

My models also control for individual-level characteristics known to affect linked fate including age, education level, partisan affiliation, gender, national origin, and skin color. For foreign-born Latinos, I also control for citizenship status and how many years they have been in the US (Masuoka 2008; Binder, Polinard, and Wrinkle 1997). I include two contextual factors that may affect identity: region and whether or not a respondent lives in a state that borders Mexico. Both factors are likely to shape linked fate by making immigration more salient. Descriptive statistics of these variables can be found in Table 8.

[8] Although both questions ask about individuals' ethnic identity, the variables are correlated at a relatively low 0.21.

Table 9. Immigration Enforcement and Latino Identity Descriptive Statistics

Variable Name	Observations	Mean	S. D.	Min.	Max.
Linked Fate	2739	0.58	0.49	0	1
Positive Linked Fate	2739	2.42	0.64	1	3
L3 Removal Rate	2739	3.71	4.90	0	43.11
% Foreign-Born in County	2739	0.21	0.12	0.003	0.52
Native-Born Latino	2739	0.74	0.44	0	1
Age	2739	36.84	13.65	18	98
Democrat	2739	0.58	0.49	0	1
Independent	2739	0.28	0.45	0	1
Female	2739	0.68	0.47	0	1
Education	2739	3.97	1.15	1	6
Skin Color	2739	3.25	1.31	1	10
Puerto Rican	2739	0.18	0.38	0	1
Cuban	2739	0.06	0.23	0	1
Dominican Republican	2739	0.04	0.19	0	1
Other National Origin	2739	0.14	0.35	0	1
Midwest	2739	0.09	0.28	0	1
South	2739	0.38	0.49	0	1
West	2739	0.36	0.48	0	1
Border State	2739	0.48	0.50	0	1

Note. Table shows descriptive statistics only for observations used in the models.

Analysis

First, I test whether immigration enforcement and context jointly shape feelings of linked fate for those directly and indirectly targeted by policy. Since my measure of linked fate is dichotomous, I use standard logistic regression with standard errors clustered by county.[9] As Table 9 shows, neither policy nor context directly affect feelings of linked fate for native- or foreign-born Latinos. The removal rate does have a negative relationship with the probability that native-born Latinos' feel a sense of linked fate with their fellow co-ethnics in counties where there are no foreign-born residents as I expect (H1); however, this reaches statistical significance at only the 0.10 level. Similarly, the size of the foreign-born population has a mildly positive effect on foreign-born Latinos' identity, but, again, this reaches statistical significance at only the

[9] All models were replicated using multilevel modeling which produced substantively similar results; however, the variance components indicate that multilevel modeling offers little leverage.

0.10 level (H2). Does policy indirectly affect identity by conditioning the role of residential context on Latinos' attitudes? Yes, but only for native-born Latinos. The interaction of a county's noncriminal removal rate and the percentage of the county that is foreign-born is negative and statistically significant for Latinos born in the US. This interaction is not significant for foreign-born Latinos, likely because this group is always aware of their ethnic identity regardless of ICE activity.

Table 9. Immigration Enforcement, Residential Context, and Latino Identity

	Linked Fate		**Positive Linked Fate**	
	Native-Born	Foreign-Born	Native-Born	Foreign-Born
L3 Removal Rate	-0.05*	0.07	-0.04	0.07
	(0.03)	(0.06)	(0.03)	(0.05)
% Foreign-Born	-0.21	1.39*	-1.02**	2.08***
	(0.77)	(0.84)	(0.48)	(0.63)
Removal Rate X % Foreign-Born	0.23**	-0.13	0.22**	-0.17
	(0.11)	(0.29)	(0.11)	(0.22)
Age	-0.02***	-0.04***	-0.01**	-0.01
	(0.00)	(0.01)	(0.00)	(0.01)
Democrat	0.84***	0.73***	0.55***	0.37**
	(0.12)	(0.21)	(0.10)	(0.19)
Independent	0.04	-0.11	-0.11	0.18
	(0.12)	(0.22)	(0.11)	(0.16)
Female	-0.00	-0.45***	-0.08	0.20
	(0.09)	(0.16)	(0.10)	(0.16)
Education	0.12***	-0.02	0.22***	0.13**
	(0.04)	(0.06)	(0.05)	(0.06)
Skin Color	0.12***	0.20***	0.06	0.03
	(0.04)	(0.06)	(0.04)	(0.05)
Puerto Rican	-0.20	0.16	0.07	12.88***
	(0.14)	(0.33)	(0.12)	(1.13)
Cuban	0.24	-0.29	-0.09	-0.03
	(0.25)	(0.30)	(0.25)	(0.28)
Dominican Republic	-0.11	-0.23	0.11	-0.30
	(0.32)	(0.39)	(0.36)	(0.34)
Other National Origin	-0.21	-0.30	-0.10	-0.61***
	(0.17)	(0.25)	(0.14)	(0.21)
Midwest	0.31	0.67	0.03	0.23
	(0.23)	(0.51)	(0.17)	(0.30)

Table 2 Continued

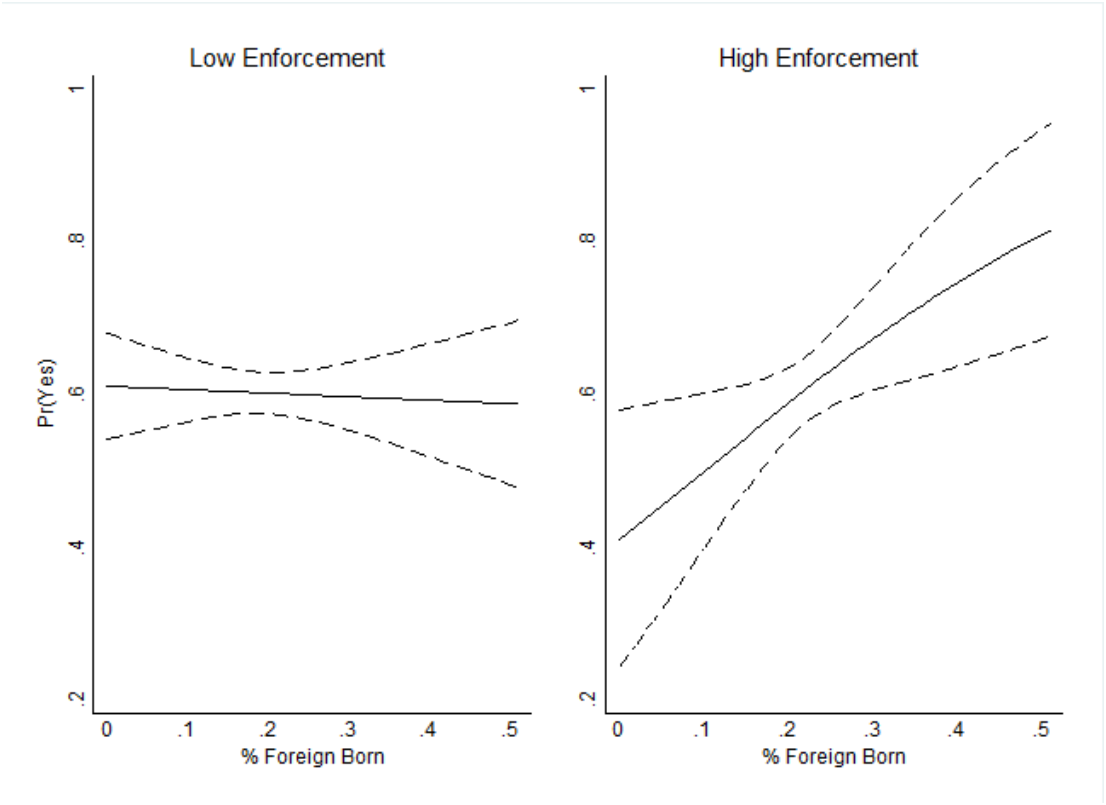
South	0.38*	-0.01	0.18	-0.03
	(0.20)	(0.28)	(0.15)	(0.23)
West	0.49**	0.36	0.24	0.02
	(0.20)	(0.36)	(0.17)	(0.29)
Border State	-0.11	-0.17	-0.09	-0.16
	(0.18)	(0.27)	(0.13)	(0.23)
Noncitizen		0.17		-0.18
		(0.20)		(0.21)
Time in the U.S.		0.01		0.00
		(0.01)		(0.01)
Cut 1 Constant	0.27	-0.27	-1.55***	-1.47**
	(0.35)	(0.65)	(0.32)	(0.65)
Cut 2 Constant			0.97***	1.00
			(0.31)	(0.66)
Observations	2036	692	2036	692

Note. Linked Fate estimated using logit. Positive Linked Fate estimated using ordered logit. Standard errors are clustered by county. *** $p < .01$; ** $p < .05$; * $p < .10$

The coefficients are not directly interpretable, so Figure 7 plots the predicted probability that native-born Latinos report that their fate is connected to other Latinos across a range of residential contexts. According to my hypotheses, immigration enforcement shapes identity, in part, by determining when and how residential context affects group consciousness for those indirectly targeted by policy—native-born Latinos (H3). When immigration enforcement is low, native-born Latinos are unable to see how their lives are tied to that of immigrants and, thus, are unlikely to respond to the size of the foreign-born population when forming their identity. However, high levels of immigration enforcement teach native-born Latinos that society views them as connected to immigrants, making residential context more salient and likely to affect native-born Latinos' identity. Figure 7 shows support for these arguments. When immigration enforcement is low (removal rate = 0), the size of the foreign-born population does not affect native-born Latinos' identity. However, when enforcement is high (removal rate = 18), native-born Latinos are more responsive to residential context. In high enforcement contexts, native-

born Latinos have only a 0.41 probability of feeling a sense of linked fate with other co-ethnics when they live near a small foreign-born population (% foreign-born = 0). In counties with similar levels of immigration enforcement but a large foreign-born population (% foreign-born = 51), this probability increases to 0.81. This provides evidence that immigration enforcement structures how residential context shapes identity for those indirectly targeted by policy. When enforcement is low, the size of the foreign-born population does not change how native-born Latinos think about their ethnic identity. But in more intense enforcement contexts, the size of the foreign-born population not only becomes salient to native-born Latinos but also positively affects native-born Latinos' ethnic ties. This suggests that, in absence of a large foreign-born population, high levels of immigration enforcement cause native-born Latinos to distance themselves from those directly targeted by policy. But a large foreign-born population can help native-born Latinos feel more connected to the immigrant community, possibly making it easier to overcome the stigma promoted by immigration policy.

Figure 7. Immigration Enforcement and Linked Fate



Note. The figure shows the predicted probability of responding "Yes" to the question "Do you think what happens generally to Hispanic or Latino people in this country will have something to do with what happens in your life?" for native-born Latino respondents across a variety of percentages of the county that are foreign-born. For the low enforcement probabilities, the L3 removal rate is set at 0. For the high enforcement probabilities, the L3 removal rate is set at 18. Dashed lines represent confidence intervals.

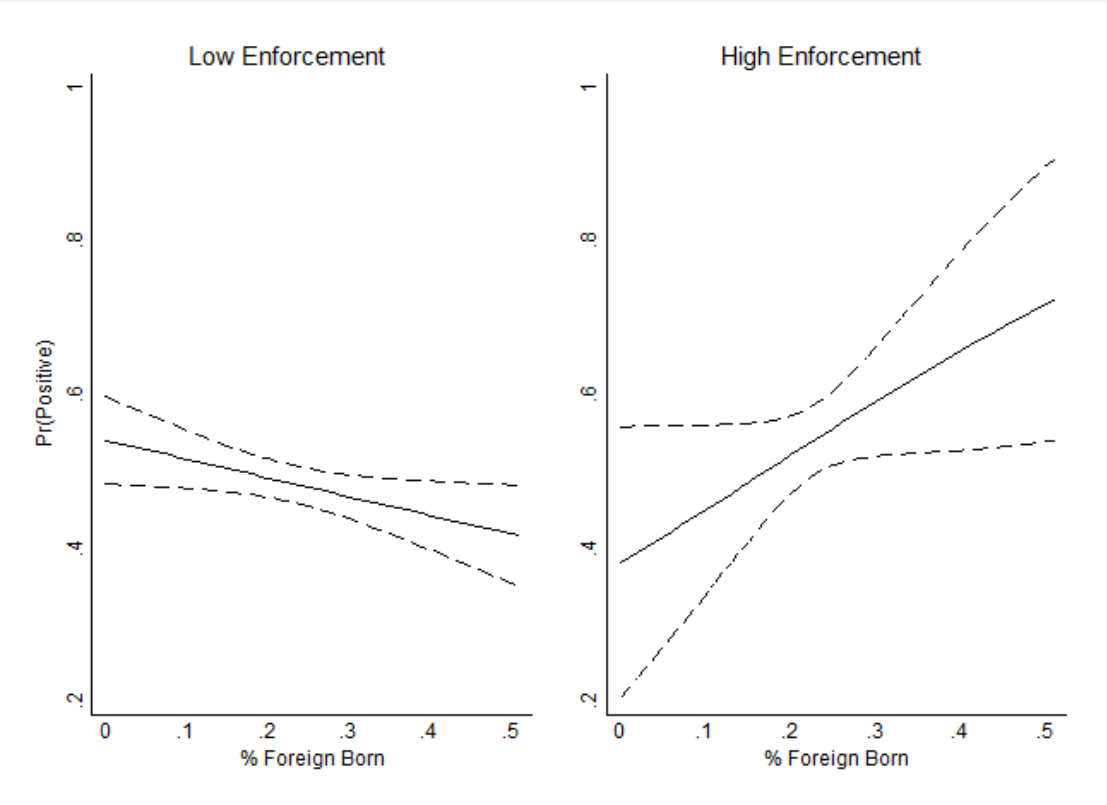
A similar pattern emerges when we look at whether Latinos feel positively about their fate being linked to other co-ethnics. Table 9 shows the results of models which test how policy and context affect whether respondents say that the link they have with their ethnic group is positive for native- and foreign-born Latinos. These models are estimated using ordinal logistic regression with standard errors clustered by county. The results show that policy does not directly shape how positively respondents feel about their ethnic ties for either group. However, residential context does affect how both groups think about their identity. The size of the foreign-born population has a significant, negative relationship with native-born Latinos feeling positively about their ethnic group ties in counties with no low-level or noncriminal removals.

Without policy enforcement to trigger feelings of reactive ethnicity, native-born Latinos are less likely to feel connected to their ethnic group or to feel that their connection to other Latinos is beneficial when the foreign-born population is large. The opposite is true for foreign-born Latinos. The size of the foreign-born population positively affects foreign-born Latinos' feelings about their ethnic group connections, at least when immigration enforcement is low (removal rate = 0). The results also show that immigration enforcement conditions the effect of residential context on attitudes but only for native-born Latinos. As with the previous models, the interaction of the removal rate with the size of the foreign-born population is positive and statistically significant for native-born Latinos, but this interaction does not reach statistical significance for foreign-born Latinos.

Figure 8 shows the predicted probability that native-born Latinos report that they feel positively about their link to other Latinos across a range of residential contexts. When policy enforcement is low (removal rate = 0), native-born Latinos are somewhat less likely to feel positively about their ethnic group ties as the foreign-born population increases. In counties with no foreign-born residents, native-born Latinos have a 0.54 probability of saying that their linked fate is positive, but this drops to a 0.42 probability in counties with large foreign-born populations (% foreign-born = 51). This trend is reversed in counties with high levels of immigration enforcement. When immigration enforcement is high (removal rate = 18), native-born Latinos are more likely to say that their ethnic ties are positive as the foreign-born population grows. In these policy environments, native-born Latinos have only a 0.38 probability of feeling positively about their link with their ethnic group when there are no foreign-born residents in their county. This increases to a 0.72 probability in counties with large foreign-born populations (% foreign-born = 51). Thus, when immigration enforcement is high, native-born

Latinos are not only more likely to feel more connected to other Latinos as the foreign-born population grows, but they are also more likely to believe this connection is beneficial.

Figure 8. Immigration Enforcement and Linked Fate is Positive



Note. The figure shows the predicted probability of responding "I feel positively about this link with my racial or ethnic group" to the question "Some people feel positively about the link they have with their racial or ethnic group members, while others feel negatively about the idea that their lives may be influenced by how well the larger group is doing. Which comes closer to your feelings?" for native-born Latino respondents across a variety of percentages of the county that are foreign-born. For the low enforcement probabilities, the L3 removal rate is set at 0. For the high enforcement probabilities, the L3 removal rate is set at 18. Dashed lines represent confidence intervals.

Several other factors also affect Latinos' feelings of ethnic identity. Both native- and foreign-born Latinos who are younger, identify as Democrat, or have a darker skin color are more likely to report feeling a sense of linked fate. Additionally, native-born Latinos with higher levels of education are more likely to feel a sense of linked fate. Unsurprisingly, native-born Latinos who live in western states, where immigration has traditionally been more salient, are

more likely to feel a sense of linked fate. Living in the south also has a positive effect on native-born Latinos linked fate, but this reaches statistical significance at only the 0.10 level. Women who are born outside the US are less likely to report feeling a sense of linked fate. Few factors affect whether individuals believe that their linked fate is positive. Democrats and those who are highly educated are more likely to feel positively about their ethnic ties. Native-born Latinos are less likely to feel positively about linked fate as they age. National origin affects foreign-born Latinos attitudes. Foreign-born Latinos from Puerto Rico are more likely to feel positively about their linked fate while individuals from other countries are less likely to feel the same.

Discussion

Does immigration policy enforcement shape Latinos' identity? Yes, but not directly. Immigration enforcement affects the identity of individuals who are only indirectly targeted by policy—native-born Latinos—by determining how residential context matters.

Theories of racial context argue that the size of a racial/ethnic minority group is likely to affect a variety of attitudes including identity (Lau 1989; Welch et al. 2001). But research examining the effect of residential context on Latinos' attitudes have produced mixed results. I argue that this is because scholars ignore the way that politics determines how social factors affect attitudes. My point, put simply, is that in localities, politics matter.

High levels of immigration enforcement make residential context more salient but only for those indirectly targeted by policy. Native-born Latinos, who are able to ignore their ethnic surroundings when immigration enforcement is low, are reminded that their lives are connected to Latinos born outside the US when immigration enforcement is intense. And, upon receiving negative signals about their ethnic group from policy, native-born Latinos are more likely to

react by reaffirming their ethnic ties, at least when surrounded by a large foreign-born population. I find support for these arguments. While both immigration enforcement and the size of the foreign-born population are weakly negatively related to native-born Latinos identity, the interaction of policy and residential context positively affects native-born Latinos' ethnic ties. In areas with high levels of immigration enforcement, the size of the foreign-born population positively affects native-born Latinos' beliefs that their lives are connected to other co-ethnics and that this connection is beneficial.

Thus, residential context is likely to help build strong racial/ethnic ties only under certain conditions—such as when policy reminds native-born Latinos that they cannot escape their ethnicity. Additionally, these findings provide evidence that residential context may help individuals overcome the negative stereotypes promoted by policy. When immigration enforcement is high, native-born Latinos may be more likely to turn to their community to maintain high levels of self-esteem in the face of negative policy outcomes.

However, the positive effects of policy and residential context are limited. Foreign-born Latinos are unresponsive to policy environment, and policy does not affect how foreign-born Latinos react to residential context. Instead, I find that foreign-born Latinos are more likely to feel a sense of linked fate with other co-ethnics and feel more positively about their ethnic group ties when residing near a large foreign-born population. It may come as a surprise that ICE activity does not affect foreign-born Latinos, who are more directly targeted by immigration policy. But it is possible that because immigration enforcement is always very visible for this group, foreign-born Latinos will be unresponsive to broad policy enforcement. Foreign-born Latinos are also closer to other immigrants compared to their native-born counterparts, meaning that immigration enforcement is not needed to make residential context salient for this group.

These findings may also have broader impact. Linked fate is associated with increased participation and more immigrant-friendly policy preferences (Jones-Correa and Leal 1996). By affecting native-born Latinos' identity, immigration enforcement combined with a large foreign-born population may also change native-born Latinos' political involvement or other attitudes. This may explain why some scholars find that residential context positively affects native-born Latinos' immigration policy stances (Rocha et al. 2011). However, the effects of harsh immigration enforcement are limited. When immigration enforcement is low, residential context has, at best, no impact or, at worst, a negative effect on native-born Latinos' feelings of group consciousness. If policy does not promote feelings of reactive ethnicity, it is unclear whether native-born Latinos will become involved in politics in ways that benefit immigrants.

Understanding the full effects of policy and residential context on Latinos' attitudes will become increasingly important in the next several years. President Trump, who ran on an anti-immigrant platform, has already implemented harsher enforcement practices. As his press secretary explained, Mr. Trump wants the "shackles off" of ICE agents, freeing them to deport anyone in the country without authorization regardless of criminal background (Spicer 2017). In the first three months of Mr. Trump's presidency, the number of noncriminals deported is higher than under Obama's presidency while the number of criminals removed has fallen (Sacchetti 2017). The focus on low-level and noncriminal removals will only reinforce the negative stereotypes that immigration policy sends about Latinos. The results here suggest that this may cause Latinos—at least those born in the US—to reaffirm their ties to immigrant populations. As immigration enforcement continues to target noncriminals, we may see stronger feedback effects for native-born Latinos.

CHAPTER 6: IMMIGRATION ENFORCEMENT AND POLICY PREFERENCES

As the previous chapter shows, immigration policy affects individuals without direct policy experience—Latinos born in the US. High levels of immigration enforcement change how native-born Latinos relate to nearby immigrants, leading to increased ethnic group ties. Linked fate among Latinos has been found to affect attitudes toward immigration (Jones-Correa and Leal 1996; Sanchez 2006) which suggests that immigration enforcement may also affect Latinos' policy preferences. By reminding Latinos that their lives are connected to that of immigrants, high levels of immigration enforcement should cause Latinos to prefer policies that benefit their ethnic group.

The effect of enforcement on attitudes may not be limited to Latinos. Policy's negative signals about Latinos are also received by Anglos in areas where immigration enforcement is high. Like Latinos, Anglos are likely to use these signals to inform their attitudes toward immigration. But because they are not targeted by immigration policy, Anglos should respond differently than Latinos to the enforcement of these policies.

Feedback for Immigration Policy's Target and Nontarget Groups

In the last chapter, I argued that immigration policy targets all Latinos. US immigration policy has been primarily aimed at those from Latin America, detaining and deporting Latinos at higher rates than other racial/ethnic groups. And, although Latinos born in the US are not subject to these laws, native-born Latinos often have considered themselves the target of anti-immigrant legislation, in part because the media and public do not distinguish between those who are

foreign- or native-born. Immigration policy has created a broad social construction of Latinos as "criminals" or "illegals" who are generally threatening to the American way of life.

But policy's social constructions go beyond the target group. When immigration policy targets Latinos, it also creates a nontarget population that is unlikely to have experience with policy and escapes the negative stereotypes promoted by these laws. Anglos make up the nontarget group in this area.[1]

Unlike other racial and ethnic groups in the US, Anglos are more likely to be positively constructed by immigration policy. While Latino immigrants are assumed to come to the US "with the intent or likelihood of violating further laws," politicians positively reminisce about past European immigrants who "pursued the mythical American dream" (Newton 2008, 141-146). These stereotypes are mirrored in public perceptions. Individuals attribute more positive characteristics to European immigrants than to those from Latin American countries (Timberlake and Williams 2012). Individuals are also less likely to oppose immigration when prompted to think of European immigrants rather than Latino immigrants (Brader, Valentino, and Suhay 2008).

Immigration policy thus teaches the public that Latinos are less deserving of positive policy outcomes compared to other groups. These lessons from policy should inform individuals' attitudes toward future immigration laws. However, Latinos and Anglos are likely to have opposite reactions to policy's signals.

Previous work suggests that individuals should approve of future legislation that supports the social constructions promoted by policy. For instance, Pacheco (2013) finds that support for

[1] There are, of course, Anglo immigrants, but immigration policy has overwhelmingly focuses on those from Latin American countries. Additionally, Anglo immigrants are less likely to be subject to discrimination as a result of immigration policy compared to their Latino counterparts.

smoking bans increases in response to policies which stigmatize smoking. Traditional policy feedback theory would thus argue that, in response to immigration enforcement, the public should support future restrictive immigration policies that uphold the negative stereotypes for immigrants and Latinos. Literature on state-building by bureaucracies also suggest that intense immigration enforcement leads to more restrictive immigration attitudes. Although bureaucratic agents are not traditionally thought of as policymakers, Carpenter (2000) suggests that bureaucracies may advocate for more funding or increased power by directly garnering support from the public. In the case of immigration policy, Immigration and Customs Enforcement (ICE) agents promote the negative social construction of immigrants as threatening in the hopes that citizens will push their elected officials to devote greater resources to immigration enforcement. Massey and Pren (2012) already find some support for this argument. They explain that "the framing of immigration as a "crisis" … [was] actively promulgated by immigration officials" (Massey and Pren 2012, 6). The authors find that citizens became more likely to identify as conservative in response to these frames, which ultimately led to increasingly restrictive immigration policy. Here, I expect that immigration enforcement works in a similar way. By detaining and deporting more immigrants, ICE hopes to promote policies that give the agency more power.

However, we should not expect all individuals to respond in the same way to the signals promoted by immigration enforcement.[2] Past research finds that some are more likely to accept elites' framing of issues than others (Barreto et al. 2009; Brewer 2001; Peffley and Hurwitz 2010). In other words, only some groups are likely to agree with policy's framing of immigrants

[2] How likely we are to see mass attitudes shift in response to policy likely depends on the size of the target group. Policies which target only a small percentage of the population may change attitudes for the majority of the population, making it appear as if public opinion as a whole has shifted. Policies which target a sizable proportion of the population, such as criminal justice or immigration laws, have many who disagree with policy's social construction. This makes it less likely that policy produces change in change mass attitudes.

and Latinos as undeserving of beneficial outcomes from government. Because Anglos benefit from the stereotypes promoted by policy, they are more likely to accept policy's frames than Latinos. Previous work supports this argument. Anglos have been found to feel more threatened and have more restrictive immigration attitudes when exposed to negative immigration frames similar to the signals promoted by immigration policy (Brader, Valentino, and Suhay 2008). Because they are hurt by policy, Latinos may be more likely to reject the negative social constructions promoted by immigration enforcement. If true, this would help explain why Latinos tend to have more pro-immigrant policy stances in response to "xenophobic rhetoric" (Pérez 2015).

Individuals may also be more likely to accept frames from sources that they trust—in this case, the government. Rocha, Knoll, and Wrinkle (2015) find that Anglos become more trusting and Latinos less trusting of government in response to high levels of immigration enforcement. Because they trust government when immigration enforcement is intense, Anglos may therefore be more likely to accept policy's cues about the types of laws that Latinos deserve. Conversely, Latinos' distrust of government may cause them to reject the negative social construction that government promotes about their ethnic group.

The negative Latino stereotypes from policy are not equally strong in all contexts. Instead, policy's signals are stronger in areas with stricter immigration enforcement. For instance, negative signals about Latinos will be stronger in areas where immigrants are detained or deported at high rates compared to areas where few are detained or deported.

In areas with high levels of immigration enforcement, Latinos and Anglos are more likely to be aware of policy's signals which will inform their attitudes toward future immigration laws. In response to intense immigration enforcement, Latinos should reject the signals from policy

and oppose future laws that continue to negatively stereotype their ethnic group. Anglos should have the opposite reaction. When immigration enforcement is high, Anglos, who are more likely to accept policy's messages, should prefer restrictive immigration policies.

Feedback for the Direct and Indirect Target Groups

All Latinos are not equally affected by immigration policy. Foreign-born Latinos, who are more connected to other immigrants and have had personal experience with immigration laws, are directly targeted by policy. Native-born Latinos have fewer ties to the immigrant population compared to their foreign-born counterparts and are not directly affected by immigration policy. Thus, native-born Latinos make up the indirect target group.

Because immigration policy negatively constructs all Latinos, both native- and foreign-born Latinos should be less likely to support restrictive immigration laws in response to high levels of ICE activity. However, the effect of immigration policy on attitudes may be weaker for Latinos born in the US than for those born elsewhere.

The attitudinal effects of policy may be stronger for foreign-born Latinos because they are predisposed to having less restrictive immigration preferences. Foreign-born Latinos are less assimilated into US culture which causes them to be more supportive of policies that expand immigration than their native-born counterparts (Binder, Polinard, and Wrinkle 1997; de la Garza et al. 1993; Branton 2007; Hood, Morris, and Shirkey 1997). Latinos born in the US, on the other hand, are more likely to hold attitudes similar to those of Anglos. Native-born Latinos' greater levels acculturation likely dampens the attitudinal effect of immigration enforcement.

Feedback from immigration policy should, therefore, depend on whether one belongs to the direct, indirect, or nontarget group. Specifically, Latinos should evaluate future laws

differently than Anglos in response to high levels of immigration enforcement. And, the effect of policy on attitudes may be stronger for foreign-born Latinos than their native-born counterparts. This leads to the following hypotheses:

H1. In communities with high levels of immigration enforcement, Latinos should be less supportive of future restrictive immigration policies compared to Anglos.

H2. The effect of immigration enforcement on support for future policies should be stronger for foreign-born Latinos than for Latinos born in the US.

Context

The effect of enforcement on immigration attitudes is unlikely to be the same in all residential contexts. Residential context—defined here as the proportion of the population that is foreign-born—helps explain where immigration enforcement is salient and likely to shape policy preferences.

Scholars often assume that saliency is inherent to a policy (Campbell 2012, 339-340; Pacheco 2013, 715), but, as the past three chapters have shown, policy salience is often conditional on context. In this chapter, I take this argument a step farther by exploring whether the relationship between context and policy is group-specific.

Policy can be salient either because policy's outcomes are highly *visible* to the public or because individuals have more direct experience with policy, referred to as proximity (Soss and Schram 2007, 121). But, as Soss and Schram (2007, 121) note, "a policy that is visible and proximate to one [group] may be invisible and distant to another." In order to determine where

feedback effects will be strongest, we need to consider the conditions under which policy is salient for foreign-born Latinos, native-born Latinos, and Anglos.

For native-born Latinos and Anglos, who do not experience policy directly, immigration policy will be salient in areas where enforcement is highly visible—areas with a sizeable foreign-born population. In these contexts, immigration enforcement, such as the number of individuals detained or deported, is more likely to draw attention from local media. Additionally, in these contexts, native-born Latinos and Anglos are more likely to come into contact with immigrants, making policy easier to observe. In areas with a small foreign-born population, immigrants and policies affecting them are invisible. This argument is supported by previous studies which find that the size of the foreign-born population affects Anglos' attitudes (Rocha and Espino 2009), indicating that non-immigrants are aware of and react to the size of the immigrant population. And, as the previous chapter shows, the combination of high enforcement and a large foreign-born population affects native-born Latinos' attitudes in other ways. In these contexts, native-born Latinos are more likely to feel a strong sense of ethnic identity, which has been linked to more pro-immigrant attitudes (Pérez 2015; Jones-Correa and Leal 1996).

The story differs for foreign-born Latinos. Because foreign-born Latinos are subject to immigration laws, it is likely that policy is always highly visible for this group. Instead, immigration policy will be more salient for foreign-born Latinos in areas where enforcement is highly proximate. Policies are more proximate when individuals have a high likelihood of having personal contact with policy and when individuals are closely connected to others who have direct policy experience (Campbell 2012, 340). For foreign-born Latinos, immigration enforcement should be more proximate in areas with small foreign-born populations. In these contexts, the foreign-born community is likely to be a more tightly connected group, increasing

the chances that individuals within this community will know someone who has experience with ICE. However, in areas with a large foreign-born population, the immigrant community is more loosely connected. In these areas, foreign-born Latinos may be less likely to know others with direct immigration enforcement experience. Thus, policy should be more salient for this group in areas where immigration enforcement is more proximate—areas with small immigrant populations.[3]

Table 10 shows these arguments more clearly. Individuals should have stronger reactions to policy in contexts where policy is salient for them. This leads to two hypotheses:

Table 10. Policy Salience by Group

	Large foreign-born population	Small foreign-born population
Anglos	X	
Native-born Latinos	X	
Foreign-born Latinos		X

H3: Immigration policy's effect on attitudes will be stronger for Anglos and native-born Latinos in areas where a larger proportion of the population is foreign-born compared to areas with a small foreign-born population.

H4: Immigration policy's effect on attitudes will be stronger for foreign-born Latinos in areas where a smaller proportion of the population is foreign-born compared to areas with a large foreign-born population.

[3] Immigration enforcement will sometimes be proximate for native-born Latinos and Anglos if they know someone who has been detained or deported by ICE. However, since these groups are less likely to know someone who has experience with ICE compared to foreign-born Latinos, the visibility of immigration enforcement typically should have stronger effects on native-born Latinos' and Anglos' attitudes.

Data and Methods

I test my hypotheses using data from the 2012 American National Election Survey (ANES) Time Series Study. Older versions of the ANES contain low-quality Latino subsamples, due in part to the lack of a Spanish-language instrument. But recent versions of the ANES have provided a translation. The 2012 ANES was also designed to contain a sample of Latinos large enough to allow for subgroup analysis.

I supplement the survey data with information on local immigration enforcement. These data come from the Transactional Records Access Clearinghouse (TRAC) at Syracuse University which obtained detainer records from Immigration and Customs Enforcement (ICE) using Freedom of Information Act requests. ICE detainers are "written requests that a local jail or other law enforcement agency detain an individual for an additional 48 hours … in order to provide ICE agents extra time to decide whether to take the individual into federal custody for removal purposes" (American Civil Liberties Union). Detainers are typically triggered when local jails send individuals' fingerprint records to the FBI to check for criminal records. These fingerprint records are also now regularly passed onto ICE to check for individuals' authorization status. TRAC collects information on the number of detainer requests sent to jails across the country. From this, I create my measure of immigration enforcement: the number of ICE detainer requests per 1,000 foreign born residents in a county in 2012.[4] [5]

[4] In most cases, determining a jail facility's county is straightforward since the facility's jurisdiction included only one county. In cases where jurisdictions cover multiple counties, facilities were coded as being in the county where the facility is located. In counties with multiple facilities, the total number of detainer requests is the sum of all detainer requests in all of a county's facilities.

[5] Unfortunately there are no county-level estimates of the size of the unauthorized immigrant population in the US. However, using the total number of foreign-born individuals within a county may be a more appropriate measure. While detainer requests from ICE are supposedly targeted at immigrants without authorization to be in the US, immigration detainers are not limited to unauthorized immigrants. Legal immigrants are also subject to immigration detainers, and detainers have been accidentally issued for foreign-born US citizens (American Immigration Council 2010).

The level of immigration enforcement varies widely across the country. The detainer request rate ranges from zero in counties where no detainer requests were issued to 632. The mean is 9.2. But it is not the case that areas with large foreign-born populations uniformly have high levels of immigration enforcement. For example, in Imperial County, California, which has a sizeable foreign-born population (32.4%), roughly 28 ICE detainer requests were issued per 1,000 foreign-born residents. Middlesex County, New Jersey, however, has a 30.3% foreign-born population but relatively low levels of immigration enforcement (detainer request rate = 1.42).

Because I am concerned only with immigration policy's target and nontarget groups, I include only Latino and Anglo respondents. The survey includes 3,339 Anglo respondents and 1,000 Latino respondents. I measure an individual's target group status using a series of binary variables that capture whether a respondent belongs to the direct, indirect, or nontarget group. Because foreign-born Latinos are directly targeted by immigration policy, respondents receive a one on the variable *Foreign-Born Latino* if they are Latino and born outside the US and zero otherwise. Roughly 32% of all Latino respondents belong to the direct target group. To measure the indirect target group, respondents receive a one on the variable *Native-Born Latino* if they are Latino and born in the US and zero otherwise. Anglos, the nontarget group, are the base category. I argue that the effect of immigration enforcement varies by an individual's target group status. A pair of interaction terms tests this argument (Detainer Rate X Foreign-Born Latino and Detainer Rate X Native-Born Latino).

I argue that high levels of immigration enforcement lead Latinos to be less supportive of future restrictionist immigration policies. Anglos, on the other hand, should become more restrictionist in their policy preferences in response to high levels of immigration enforcement. I

use two questions to capture whether a respondent prefers more restrictive immigration policies. The first reads:

> Do you think the number of immigrants from foreign countries who are permitted to come to the United States should be increased a lot, increased a little, left the same as it is now, decreased a little, or decreased a lot?

I use this to create a five-category ordinal scale with higher values indicating the respondent prefers immigration be decreased. The second question reads:

> Some states have passed a law that will require state and local police to determine the immigration status of a person if they find that there is a reasonable suspicion he or she is an undocumented immigrant. Those found to be in the U.S. without permission will have broken state law. From what you have heard, do you favor, oppose, or neither favor nor oppose these immigration laws?

From this, I create a three-category ordinal scale with higher values indicating support for these laws.

Policy's effect on attitudes is likely stronger in contexts where policy is salient for each group. Immigration enforcement should be more salient for native-born Latinos and Anglos in areas where policy is highly visible—areas with large foreign-born populations. For foreign-born Latinos, policy should be more salient in areas where immigration enforcement is highly proximate—areas with small foreign-born populations. I measure immigration policy's salience

for all groups using the proportion of the county that is foreign-born. I split the sample into two groups: counties with a small foreign-born population where 15% or less of the population is foreign-born (low visibility but high proximity) and counties with a large-foreign-born population where more than 15% of the population is foreign-born (high visibility but low proximity). The effect of policy on attitudes should be stronger for native-born Latinos and Anglos in counties with large foreign-born populations and stronger for foreign-born Latinos in counties with small foreign-born populations.

My models also control for several individual-level characteristics known to shape immigration policy preferences including education level, age, sex, and partisan affiliation (Binder, Polinard, and Wrinkle 1997). Scholars also argue that attitudes about immigration are affected by the size of the foreign-born population, although the direction of this relationship is debated (see Branton and Jones 2005). To control for this, I also include the percentage of the county population that is foreign-born (United States Census Bureau 2012). Descriptive statistics for these variables can be found in Table 11.

Table 11. Immigration Enforcement and Policy Preferences Descriptive Statistics

Variable Name	Observations	Mean	S. D.	Min.	Max.
Immigration Level Decrease	3945	3.48	1.09	1	5
Favor Immigration Checks	4295	2.23	0.87	1	3
ICE Detainer Rate	4123	9.17	18.38	0	631.58
Native-born Latino	4328	0.16	0.36	0	1
Foreign-born Latino	4328	0.07	0.26	0	1
% Foreign-born in County	4336	0.13	0.11	0	0.51
Age	4247	50.37	17.08	18	90
Age^2	4247	2828.73	1734.69	324	8100
Education	4303	3.01	1.17	1	5
Female	4339	0.51	0.50	0	1
Democrat	4294	0.45	0.50	0	1
Independent	4294	0.12	0.32	0	1

Analysis

I first test whether local immigration enforcement affects policy preferences for Latinos and Anglos, regardless of policy salience. According to my argument, Latinos should be less likely to prefer decreasing the level of immigration or to favor checks on individuals' immigration status compared to Anglos in areas with higher rates of ICE detainer requests issued (H1). Table 12 shows the results of these models. All models are estimated using ordinal logistic regression with standard errors clustered by county.

The results show that Latinos have less restrictionist policy preferences compared to Anglos in counties where immigration enforcement is low (detainer request rate = 0). But policy also affects immigration attitudes. The number of detainer requests issued per 1,000 foreign-born residents in a county is positive and statistically significant for Anglos (although this relationship reaches statistical significance at only the 0.10 level for attitudes on immigration status checks). In counties with high levels of immigration enforcement, Anglos become more restrictive in their policy preferences compared to counties with low levels of immigration enforcement; they are more likely to say the level of immigration should be decreased and to support checks on individuals' immigration status. Immigration enforcement has the opposite effect on Latinos' attitudes. As the detainer request rate increases, native- and foreign-born Latinos are less likely to say the level of immigration should be decreased (significant only for native-born Latinos) and more likely to oppose checks on immigration status (significant only for foreign-born Latinos) relative to Anglos. However, while the sign on the interaction terms are all in the expected direction, the interactive effects between immigration enforcement and target group status are not consistently significant at the 0.05 level.

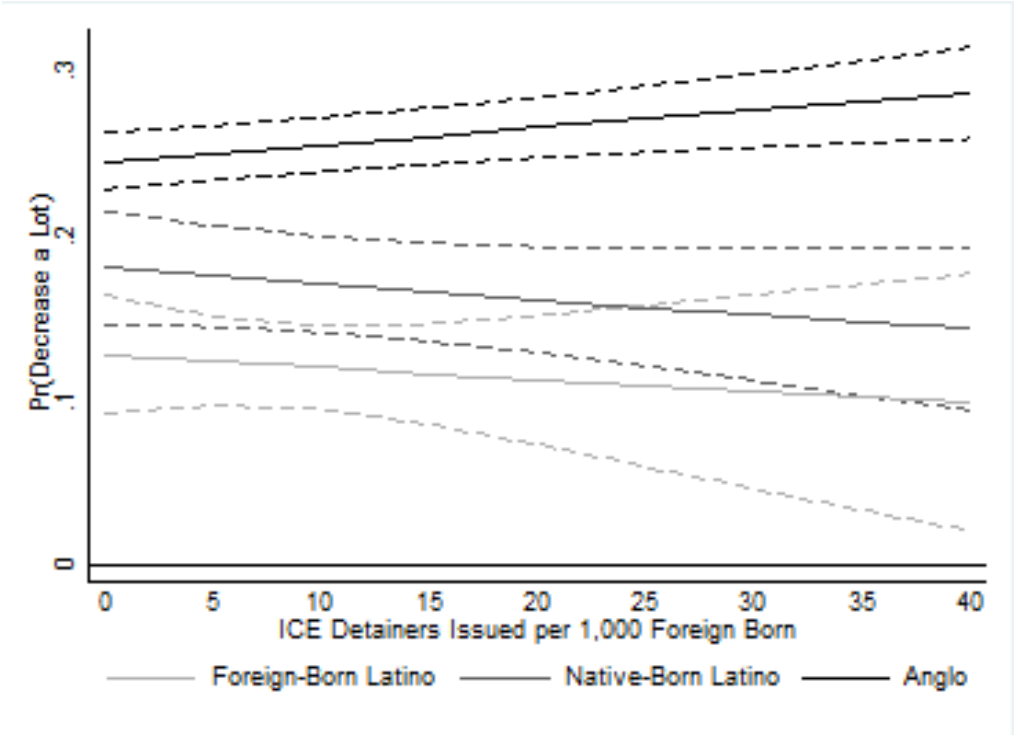
Table 12. Immigration Enforcement and Immigration Attitudes

	Decrease Level of Immigration	Favor Checks on Imm. Status
Detainer Request Rate	0.006***	0.004*
	(0.002)	(0.002)
Native-Born Latino	-0.405***	-0.903***
	(0.121)	(0.129)
Detainer Request Rate X Native-Born Latino	-0.013**	-0.015
	(0.006)	(0.010)
Foreign Born Latino	-0.825***	-1.387***
	(0.170)	(0.191)
Detainer Request Rate X Foreign-Born Latino	-0.013	-0.043**
	(0.014)	(0.018)
% Foreign-Born in County	-0.290	-1.565***
	(0.300)	(0.377)
Age	0.070***	0.048***
	(0.011)	(0.012)
Age^2	-0.001***	-0.000***
	(0.000)	(0.000)
Education Level	-0.321***	-0.246***
	(0.029)	(0.031)
Female	0.218***	-0.071
	(0.058)	(0.061)
Democrat	-0.538***	-1.685***
	(0.065)	(0.083)
Independent	0.080	-0.782***
	(0.104)	(0.107)
Cut 1 Constant	1.842***	-0.712**
	(0.289)	(0.295)
Cut 2 Constant	0.841***	-1.796***
	(0.288)	(0.298)
Cut 3 Constant	-1.315***	
	(0.286)	
Cut 4 Constant	-2.636***	
	(0.306)	
Observations	3615	3930

Note: Models are estimated using ordered logit. Standard errors are clustered by county. *** p < .01; ** p < .05; * p < .10

Figure 9 shows the predicted probability of a respondent stating that the level of immigration should be decreased a lot for Anglos, native-born Latinos and foreign-born Latinos.[6] Anglos are more likely to hold anti-immigrant policy preferences than Latinos in all counties, but the gap between the opinions of these groups grows as immigration enforcement becomes stronger. As the number of detainer requests issued per 1,000 foreign-born in a county grows, Anglos are increasingly likely to report that immigration should be decreased a lot. Native- and foreign-born Latinos, however, become increasingly less likely to respond that immigration should be decreased a lot.

Figure 9. Level of Immigration

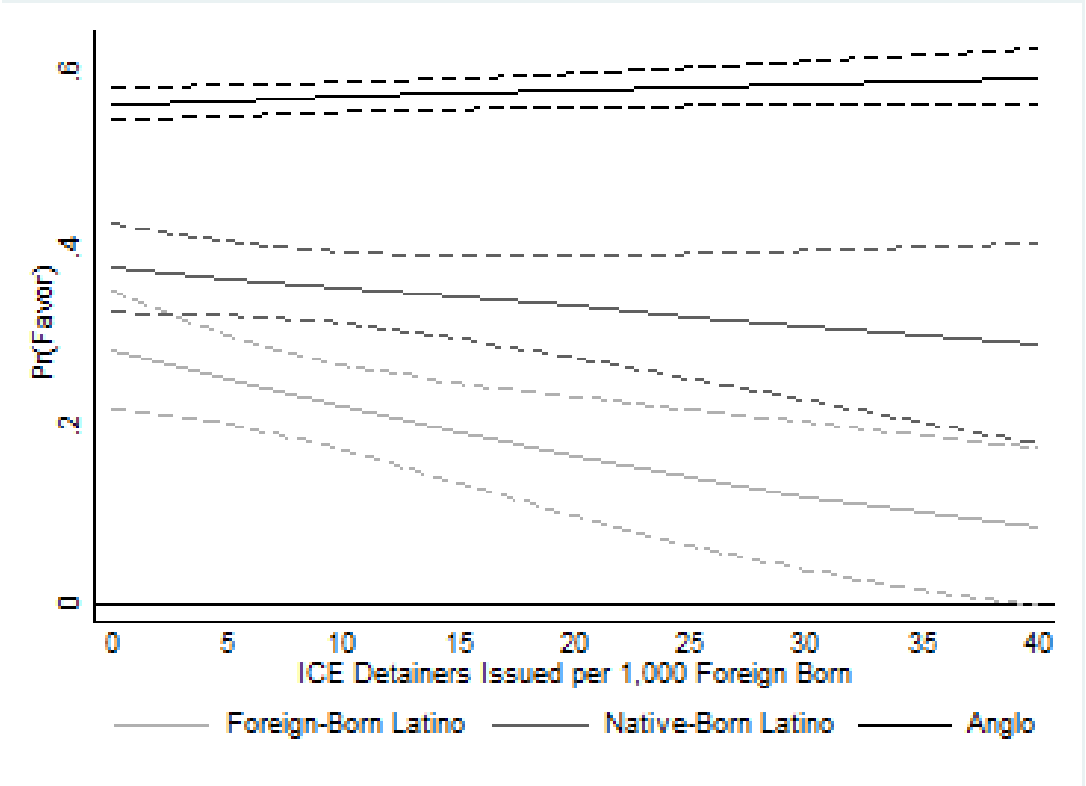


Note. The figure shows the predicted probability of responding "Decrease a Lot" to the item "Do you think the number of immigrants from foreign countries who are permitted to come to the United States should be increased a lot, increased a little, left the same as it is now, decreased a little, or decreased a lot?" for foreign born Latinos, native born Latinos, and Anglos across a variety of detainer request rates. Dashed lines represent 95% confidence intervals.

[6] All figures created using the as observed values approach recommended by Hanmer and Kalkan (2013).

As Figure 10 shows, support for police checking individuals' immigration status shows a similar trend. Figure 10 also provides some evidence that foreign-born Latinos react more strongly to immigration enforcement than their native-born counterparts (H2). In counties where no detainer requests were issued foreign-born Latinos have a 0.29 probability of favoring checks on immigration status, but this drops to a 0.09 probability in counties with a high level of immigration enforcement (detainer request rate = 40), a change of 0.20. For native-born Latinos, the shift in attitudes is much smaller; they drop from a 0.38 probability of favoring immigration status checks in low enforcement counties (detainer request rate = 0) to a 0.29 probability in high enforcement counties (detainer request rate = 40), a change of only 0.09.

Figure 10. Immigration Status Checks



Note. The figure shows the predicted probability of responding "Favor" to the item "Some states have passed a law that will require state and local police to determine the immigration status of a person if they find that there is a reasonable suspicion he or she is an undocumented immigrant. Those found to be in the U.S. without permission will have broken state law. From what you have heard, do you favor, oppose, or neither favor nor oppose these immigration laws?" for foreign born Latinos, native born Latinos, and Anglos across a variety of detainer request rates. Dashed lines represent 95% confidence intervals.

The base models provide some support for the argument that enforcement affects attitudes toward immigration, but the substantive effects are small. This may be because immigration policy is not salient to these groups in all contexts. Instead of looking for general feedback effects, we should look for feedback in areas where policy is salient for each group: in counties with large foreign-born populations for native-born Latinos and Anglos and in counties with small foreign-born populations for foreign-born Latinos. In Table 13, the models are split into two samples based on the size of the foreign-born population to test this argument.

According to my hypotheses, the effect of immigration enforcement should be greater for native-born Latinos and Anglos in counties where policy is more visible—areas with a large foreign-born population. As Table 13 shows, policy does not appear to have a large direct effect on Anglos' attitudes in any context. In counties with large foreign-born populations, immigration enforcement is positively related to restrictionist policy preferences for Anglos, but this relationship reaches statistical significance at only the 0.10 level for one model. In areas where policy is less visible—counties with a small foreign-born population, immigration enforcement has a positive and statistically significant on Anglos' support for decreasing the level of immigration. However, the substantive effect of policy on Anglos' attitudes is small.

Table 13. Immigration Enforcement, Policy Salience, and Immigration Attitudes

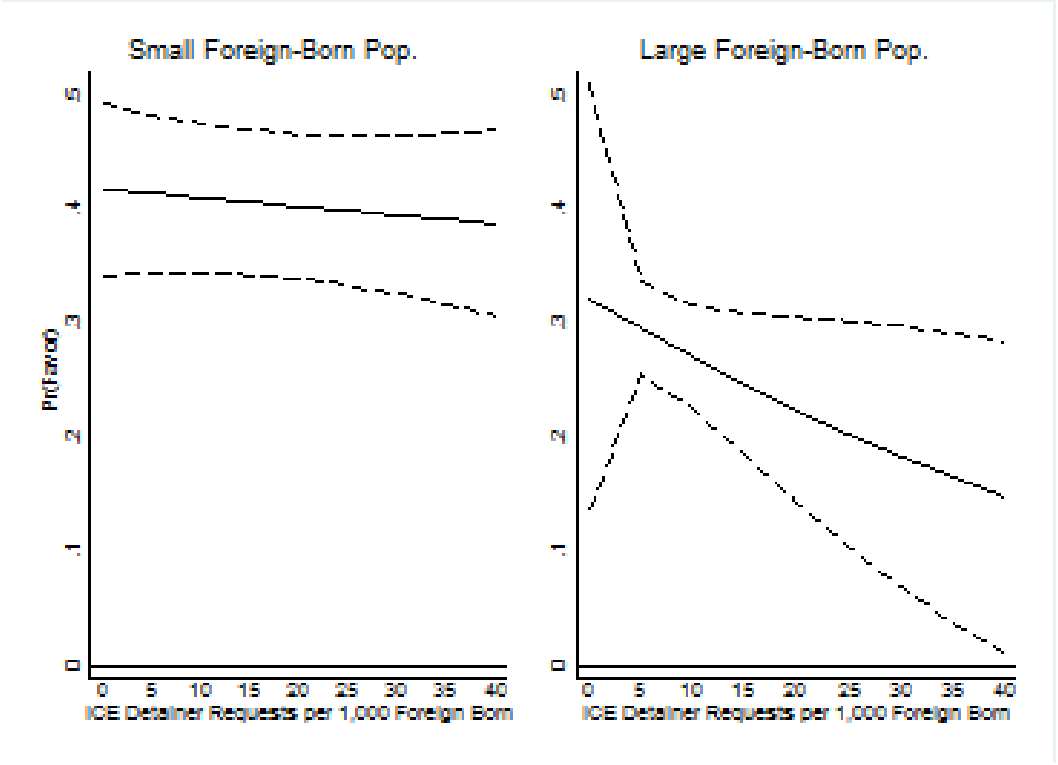
	Small Foreign-Born Population		**Large Foreign-Born Population**	
	Level	Checks	Level	Checks
Detainer Request Rate	0.005***	0.002	0.010	0.028*
	(0.002)	(0.002)	(0.015)	(0.016)
Native-Born Latino	-0.494***	-0.914***	0.030	-0.727***
	(0.178)	(0.186)	(0.186)	(0.171)
Detainer Request Rate X Native-Born Latino	-0.007**	-0.006	-0.050***	-0.056**
	(0.003)	(0.006)	(0.013)	(0.025)
Foreign-Born Latino	-0.612	-0.358	-0.757***	-1.480***
	(0.425)	(0.447)	(0.186)	(0.215)
Detainer Request Rate X Foreign-Born Latino	-0.062*	-0.101**	0.002	-0.051**
	(0.037)	(0.044)	(0.020)	(0.025)
% Foreign-Born in County	-1.643	-3.038**	0.522	-0.638
	(1.227)	(1.294)	(0.464)	(0.736)
Age	0.056***	0.067***	0.094***	0.021
	(0.013)	(0.015)	(0.018)	(0.018)
Age^2	-0.001***	-0.001***	-0.001***	-0.000
	(0.000)	(0.000)	(0.000)	(0.000)
Education Level	-0.377***	-0.263***	-0.215***	-0.228***
	(0.037)	(0.042)	(0.048)	(0.046)
Female	0.300***	-0.031	0.068	-0.122
	(0.073)	(0.079)	(0.096)	(0.094)
Democrat	-0.503***	-1.682***	-0.636***	-1.702***
	(0.079)	(0.100)	(0.118)	(0.145)
Independent	0.099	-0.803***	0.048	-0.800***
	(0.132)	(0.131)	(0.174)	(0.188)
Cut 1 Constant	1.130***	-0.388	3.227***	-1.010**
	(0.330)	(0.374)	(0.507)	(0.513)
Cut 2 Constant	0.175	-1.506***	2.109***	-2.054***
	(0.331)	(0.376)	(0.508)	(0.520)
Cut 3 Constant	-1.976***		-0.100	
	(0.339)		(0.500)	
Cut 4 Constant	-3.346***		-1.373***	
	(0.364)		(0.522)	
Observations	2272	2461	1343	1469

Note: Models estimated using ordered logit. Standard errors are clustered by county. Small foreign-born population models include counties with a 15% or less foreign born population. Large foreign-born population models include counties with more than 15% foreign born population. *** p < .01; ** p < .05; * p < .10

Immigration enforcement does affect Latinos' attitudes, and the size of this effect depends on the conditions under which policy is salient for native- and foreign-born Latinos. Looking first to those indirectly targeted by policy, immigration enforcement negatively affects the likelihood that native-born Latinos hold restrictive immigration attitudes in all but one model. But feedback from policy depends on the size of the immigrant population. As Table 13 shows, the effect of policy on native-born Latinos' attitudes is stronger in counties where immigration enforcement is likely to be more visible—counties with large foreign-born populations. To better illustrate this point, Figure 11 shows the predicted probability that a respondent favors police checks on individuals' immigration status for native-born Latinos in counties with small and large foreign-born populations.

In areas with small foreign-born populations where policy is invisible and therefore less salient to native-born Latinos, the rate of detainer requests issued in a county is unrelated to native-born Latinos' attitudes. But in counties with large foreign-born populations where policy is highly visible and salient, immigration enforcement has a large effect on native-born Latinos' preferences. In these contexts, native-born Latinos have a 0.32 probability of favoring police checks on immigration statuses when the level of immigration enforcement is low (detainer request rate = 0). But, when immigration enforcement is high (detainer request rate = 40), native-born Latinos' support for this policy drops to a 0.15 probability. These results suggest that individuals who experience policy only indirectly are responsive to policy enforcement but only when policy is highly visible.

Figure 11. Native-Born Latinos' Support for Immigration Status Checks

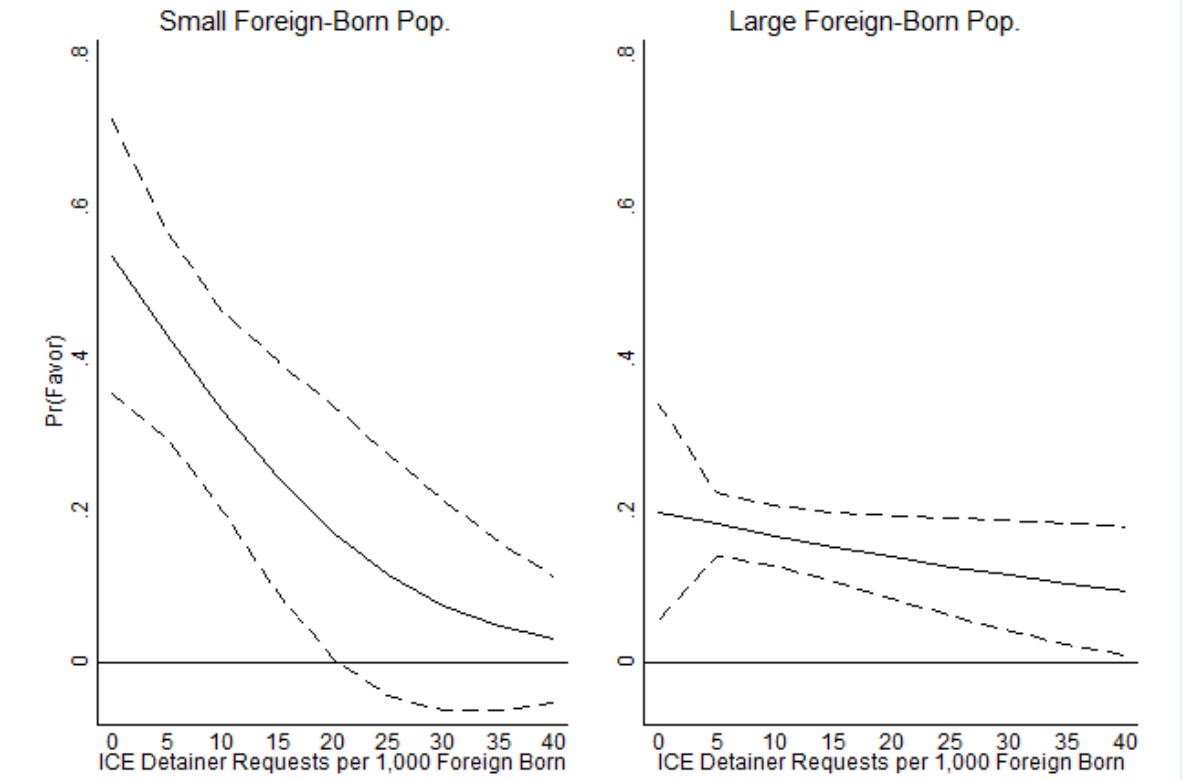


Note. The figure shows the predicted probability of responding "Favor" to the item "Some states have passed a law that will require state and local police to determine the immigration status of a person if they find that there is a reasonable suspicion he or she is an undocumented immigrant. Those found to be in the U.S. without permission will have broken state law. From what you have heard, do you favor, oppose, or neither favor nor oppose these immigration laws?" for native born Latinos across a variety of detainer request rates. Dashed lines represent 95% confidence intervals.

Policy enforcement and context also matter for foreign-born Latinos, but context has the opposite effect for this group. Because foreign-born Latinos are always likely to be aware of immigration enforcement, they should be less responsive to whether or not immigrants and policies directed at them are highly visible. Instead, the effect of immigration enforcement on foreign-born Latinos' attitudes should be stronger in areas where policy is more proximate—counties with small foreign-born populations. The results show support for this argument. The interactive effect between immigration enforcement and foreign-born Latino is stronger in counties with small foreign-born populations compared to counties with larger foreign-born populations. Figure 12 plots the predicted probability that a respondent favors checks on

immigration status for foreign-born Latinos for counties with small and large foreign-born populations. In all contexts, immigration enforcement is associated with less restrictive immigration policy preferences for foreign-born Latinos. But the magnitude of this effect is much larger in counties with small foreign-born populations where individuals are more likely to have high proximity to policy. In these counties, foreign-born Latinos' support of restrictionist immigration policy ranges from a 0.53 probability to a 0.03 probability, a change of over 0.50. But, in counties with large foreign-born populations, foreign-born Latinos range from having a 0.20 probability of favoring immigration checks when there is weak immigration enforcement (detainer request rate = 0) to a 0.09 probability when there is strong immigration enforcement (detainer request rate = 40), a change of roughly 0.10. Because they are more directly affected by policy, immigration enforcement shapes foreign-born Latinos' immigration attitudes in most contexts. But foreign-born Latinos are most responsive to policy in areas where they are more likely to have first- or second-hand experience with policy enforcement.

Figure 12. Foreign-Born Latinos' Support for Immigration Status Checks



Note. The figure shows the predicted probability of responding "Favor" to the item "Some states have passed a law that will require state and local police to determine the immigration status of a person if they find that there is a reasonable suspicion he or she is an undocumented immigrant. Those found to be in the U.S. without permission will have broken state law. From what you have heard, do you favor, oppose, or neither favor nor oppose these immigration laws?" for foreign born Latinos, native born Latinos, and Anglos across a variety of detainer request rates. Dashed lines represent 95% confidence intervals.

Many other individual level factors are also related to immigration attitudes. Respondents are more likely to support decreasing the level of legal immigration or to favor checks on immigration status as they get older, but this effect weakens over time. Those who are highly educated are less likely to hold anti-immigrant policy stances compared to their counterparts with less education. Similarly, Democrats are less likely to support decreasing immigration levels compared to Republicans, and both Democrats and Independents are less likely to favor checks on individuals' immigration status than Republicans. Women are also more likely than men to favor decreasing the current level of immigration. Based on the results, racial context

may also affect attitudes toward future immigration policies. As the foreign-born population increases, individuals are more likely to oppose legislation which would allow police to check an individual's immigration status, suggesting that increased diversity may lead to greater cooperation between racial and ethnic groups.

Discussion

Does immigration enforcement shape preferences for immigration policy? Yes, but not in the way predicted by traditional feedback scholars. Theories of mass policy feedback predict that public policy has a uniform effect on all citizens. But policy sends different signals to various groups, meaning that all groups should not have the same responses to policy. And, the strength of feedback effects depends on the conditions under which policy is salient for each group. Because policy salience differs for those with direct and indirect policy experience, policy feedback varies across residential contexts.

Through strategies of border enforcement and deportation combined with political rhetoric that portrays Latino immigrants, and by extension all Latinos, as a threat to America, immigration policy negatively stereotypes Latinos. At the same time, policy positively portrays Anglos, the nontarget group. Because Anglos benefit from immigration policy's signals, they are more likely to support future legislation that upholds these stereotypes in areas where enforcement is high. Latinos, who face discrimination as a result of immigration policies, have the opposite reaction in response to high levels of immigration enforcement. I find that immigration enforcement drives apart the policy preferences of Latinos and Anglos. Anglos become more restrictionist in their immigration attitudes compared to Latinos in areas with high levels of immigration enforcement, although the magnitude of this effect is small.

I also find support for the assertion that feedback effects are stronger for those who experience policy directly. While immigration enforcement shapes the attitudes of all groups, the effect of immigration policy on attitudes is strongest for those with the most policy experience—foreign-born Latinos.

Finally, my results show that the strength of policy feedback depends on context, at least for Latinos. Native-born Latinos, who have less personal experience with immigration than their foreign-born counterparts, are more responsive to immigration policy in areas with large foreign-born populations where immigration enforcement is more visible. However, immigration enforcement is less visible and does not affect native-born Latinos' attitudes in areas with small foreign-born populations. As a result, native-born Latinos may be less likely to push for more expansionist immigration legislation in these areas, potentially leading to more restrictionist policies. Foreign-born Latinos, on the other hand, are more responsive to policy in areas with smaller immigrant populations where they may have more proximate experience with policy. These results indicate that policy salience is both group- and context-dependent. Instead of mass feedback effects, we need to better understand the conditions under which policy will shape public opinion for specific groups.

CHAPTER 7: CONCLUSION

Policy affects the attitudes and participation of people differently. Although past research assumes that feedback effects are the same for the mass public, policy sends different signals to groups about their status in society and relationship to government, leading to different, even opposing, responses to policy. Those who are likely to have experience with policy should have the opposite reaction to its implementation than individuals who are unlikely to ever have direct policy contact. Policy's effect on political behavior should also vary for those who are likely to become policy recipients and those who experience policy indirectly, leading to divisions within groups.

For those targeted by policy, I find that policy implementation affects how people see themselves, or their level of group identification, but this affect occurs only among those indirectly affected by policy. Harsh policy enforcement, such as racially unequal criminal justice outcomes or high deportation rates, reminds those in the indirect target group that their lives are connected to those directly targeted by policy and that they cannot escape the negative stereotypes that policy promotes. This makes it more likely that indirect target group members will strengthen their ties to the target group. Highly educated blacks are more likely to believe their fate is linked to others of their race in areas where criminal justice outcomes are racially discriminatory. In response to high levels of immigration enforcement, native-born Latinos feel stronger ties to their ethnic group and are more likely to say this connection is beneficial, at least in areas with large foreign-born populations. However, unlike my expectations, those directly targeted by policy—blacks with low levels of education and foreign-born Latinos—do not distance themselves from their racial/ethnic group in response to policy. I find that the effect of

policy on these groups is minimal, although blacks with low levels of education are somewhat more likely to feel tied to their national identity in negative policy environments. As a result, when policy enforcement is harsh, those indirectly targeted may feel more closely connected to the target group than their directly targeted counterparts, but this effect is driven primarily by the individuals who are least likely to have policy experience.

I also find evidence that feedback differs for those targeted by policy and those outside the target group. Policy leads to gaps in the political orientations, participation rates, and policy preferences of target and nontarget groups. In areas where criminal justice enforcement is unequal, highly educated blacks have less faith in government compared to whites and, because political orientations are linked to participation, highly educated blacks are also less likely to become involved in politics compared to whites. Counter to my expectations, criminal justice enforcement does not affect the orientations or participation of blacks with low levels of education who are most likely to have experience with policy. Immigration policy similarly drives a wedge between target and nontarget groups. Latinos, both native- and foreign-born, are less supportive of future policies that negatively construct immigrants compared to Anglos in areas where immigration enforcement is high. Together, these findings suggest that those who are outside policy's target group are more likely to participate in politics than those targeted by policy, and they will be more likely to advocate for programs that further harm the target group. However, while I find that individuals in the target group tend to be worse off than their nontargeted counterparts in areas where policy enforcement is intense, I find little evidence to suggest that this is because policy shapes the behavior of those in the nontarget group. While nontarget group members are sometimes directly affected by policy, the substantive effect of policy on this group is small. The divisions between the orientations, participation, and attitudes

of these groups is driven mostly by those in the indirect target group. These results help us to better understand why evidence of mass policy feedback has been so mixed. The public does not respond uniformly to policy, Instead groups have opposing reactions depending on whether they belong to the target group. In the aggregate, these effects may cancel out, making it appear as if policy does not shape political behavior. Rather than looking for a single mass effects, we should look for different mass effects.

The findings also lend support to my argument that policy and residential context should be studied together. In all chapters, I find that feedback effects are stronger in areas with a sizeable target population, at least for those who experience policy only indirectly. For the nontarget group, context may be especially important. I find that the effect of criminal justice policy on whites' behavior is only statistically significant in counties with a large black population. This suggests that for the nontarget group, we may see feedback effects only when policy is highly salient. In contexts where policy is less visible or salient—areas with a small target group population, I find that the effect of policy implementation on political behavior is minimal. The interactive effect of policy and residential context may also be group-specific. I find that the attitudinal effect of immigration enforcement on native-born Latinos and Anglos is stronger in areas with a large foreign-born population where policy enforcement is more likely to be visible. Conversely, policy feedback is stronger for foreign-born Latinos in areas with a small foreign-born population where policy is more proximate. Policy and residential context may also have an interactive effect. In chapter 5, I find that residential context has a significant, positive effect on native-born Latinos' ethnic identity only where immigration enforcement is intense. For most groups, feedback is strongest in areas with both high levels of policy enforcement and a large target population.

Broader Implications

These findings help us to better understand the unintended consequences of policy on society. Previous work suggests that policies aimed at deviant groups can lead to unequal outcomes, but the reasons for this have primarily focused on the way that policy distributes resources across groups. I argue that policy also leads to inequality indirectly by shaping the political behavior of those without personal policy experience. Policy divides the political behavior of those targeted and not targeted by policy, mostly by demobilizing individuals indirectly affected by policy. Past work suggests that such demobilization is the result of policy redistributing positive political orientations from marginalized groups to politically powerful groups (Rocha, Knoll, and Wrinkle 2015). I find no evidence of that here. The results here suggest that policy simply removes positive political orientations and, with it, the desire to become politically involved from those negatively stereotyped by policy. This leaves the attitudes and orientations of more dominant groups (in this case, whites/Anglos) untouched. Over time, this results in a situation where those not targeted by policy are more satisfied with government and participate at higher levels compared to those hurt by policy's social constructions. As the findings from the last chapter indicate, this is especially problematic since these groups have opposing policy preferences. The nontarget group can continue to advocate for policies which further stigmatize the target group, leading to greater inequality in the areas where policy enforcement is already harsh.

The effects of policy are not entirely negative. Burdensome policies are also linked with increased group solidarity for those in the indirect target group. For policies aimed at deviant groups, this may be especially important since the direct policy recipients in these groups have few resources to fight policy's social construction. Those indirectly targeted by policy, however,

are typically not subject to the negative resource effects from policy and thus are better able to participate than the direct target group. Because feelings of linked fate are associated with increased political involvement, especially in ways that benefit one's group, those in the indirect target group may be in a better position to fight for the target group's political goals. Given that harsh policy enforcement is also linked with more pro-target group policy preferences, it is likely that indirect target group members will advocate for laws and representatives that improve their group's status.

The potentially positive impact of policy may be limited. Policy's positive effect on group ties does not extend to those directly targeted by policy, meaning that they may be unlikely to work with members of the indirect target group to achieve common goals. Additionally, the results suggest that the positive effect of policy on identity may be dampened by policy's effect on orientations and participation. Even if feelings of linked fate are normally associated with increased participation, the negative effect of policy on indirect target group members' faith in government likely results in reduced political involvement. Instead, we may see members of the indirect target group become involved in political acts that are outside the system, such as protests.

Another factor may mute the likelihood that policy leads to inequality across groups. The findings suggest that, for those without personal policy context, feedback effects are limited to certain contexts. When policy is highly salient, feedback is more likely to hurt those in the target group while benefiting nontarget group members. Gaps in the political behavior of these groups will be exaggerated in these areas. But when policy enforcement is less salient, policy and the signals it promotes about the target group may go unnoticed. Unfortunately, this also makes it more difficult for positive feedback effects to occur in areas where policy is not salient. In these

areas, policy does not lead to increased group solidarity for members of the indirect target group, making it less likely that they will push for policies which counteract the group's negative social construction.

Future Research

This project only starts to explore the ways that policy feedback is group- and context-dependent, leaving several questions unanswered. Future work should explore why policy implementation may differently affect attitudes than either direct contact with policy or policy adoption. What happens when we account for these multiple ways that individuals can learn about policy's social constructions? Direct contact with policy likely produces different feedback than witnessing policy implementation. In particular, personal experience with policy likely produces stronger feedback effects than implementation. This may explain why I find limited effects of policy on the behavior of those in the direct target group and why my findings conflict with past work that shows individuals respond to negative policy experiences by strengthening their racial group ties (see Lerman and Weaver 2014a). The interpretive effects of policy that come from policy implementation may indicate to those directly targeted that membership in the target group carries risks, but the negative resource effects from personal experience with policy make it unlikely that policy recipients will be able to join new, more beneficial groups.

More research is also needed to understand how policy implementation and policy change affect different groups. The increased media attention that comes from the adoption of new policies may make it more likely that the indirect and nontarget groups will be aware of policy. But their reaction to new laws may depend on the way policy is currently enforced in

their area. Alternately, policy adoption may lead to increased interest in policy, which can have a mobilizing effect. But when interest wanes after policy returns to the status quo, the demobilizing effect of policy implementation may take over.

In this project, I took an initial step in linking theories of policy feedback to literature on racial/ethnic conflict, but more work is needed to understand how policy and context jointly affect behavior. As scholars of racial and ethnic politics point out, the size of the minority population is not the only contextual factor that affects attitudes. Segregation and socioeconomic context are also important and likely have an interactive effect with policy environment. Future work should examine whether policy feedback is contingent on these other social factors.

When scholars focus primarily on social determinants or individual traits, they ignore the role that politics has played in creating unequal citizenship between racial/ethnic minorities and whites. By allocating burdensome policies to minority groups, public policy sends signals that blacks and Latinos are less deserving of positive treatment than whites. These messages are received not only by those with law enforcement or ICE contact, but also by highly educated blacks and native-born Latinos who are unlikely to have personal experience with the criminal justice system or immigration, making it less likely that they will trust government to be responsive to their needs. Policy thus systematically hurts the orientations and participation of racial and ethnic minorities while mobilizing, or at least not demobilizing, whites. When whites participate at greater rates than minorities, it is unlikely that they will push for future programs that could benefit racial and ethnic minorities since policy also divides the attitudes of these groups. As a result, current inequalities in policy outcomes may lead to cycle where racial and ethnic minorities' voice in politics is increasingly unequal.

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