State Immigration Policies: The Role of State Compacts and Interest Groups on Immigration Legislation

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Abstract: US states are active in enacting immigration policies, which vary widely and have substantial impact on the lives of immigrants. Our understanding of what produces these divergent state laws remains limited. Qualitative research demonstrates the importance of a 2010 immigration compact, supported by a powerful religious organization, in shaping immigration policies in Utah, and the Utah Compact was held up as a model for other states. But is the experience of Utah applicable across other states? We test the effects of compacts and interest groups on immigration policy adoption across all 50 states between 2005 and 2013. Our findings suggest that compacts are actually associated with more restrictive immigration policy. Although states with compacts are more likely to pass inclusive immigration laws, these are counterbalanced by higher numbers of exclusive laws. Both religious and non-religious interests groups are associated with policy, but they do not explain the effects of compacts.

Introduction

Between 2010 and 2013, immigration compacts were adopted in nine US states. During a period of federal deadlock and increasing state-level policy activity in the area of immigration, immigration compacts were seen as a potential model for states, and possibly for the US as a whole, to follow (*New York Times* 2010; Canham 2013). The first of these state immigration compacts, singed in November 2010, was the Utah Compact—a statement of five principles meant to guide the discussion of immigration policy in Utah (Utah Compact 2017). The Utah Compact served as a model for the nine immigration compacts that followed.

Some evidence indicates that the Utah Compact was a successful driver of immigration policy in the state. A few months after the Compact was signed, the Utah legislature passed a suite of primarily pro-immigration laws known as the "Utah solution", reversing a strong trend of anti-immigrant legislation that began in 2008 (Stewart and Jameson 2013). Subsequent research has argued that the Compact itself had a strong impact on this policy reversal (authors

2016). The effectiveness of the Utah Compact was facilitated by the support of the Church of Jesus Christ of Latter-day Saints (LDS Church) (authors 2016). Although the LDS Church plays a uniquely dominant role in Utah, across the US there has been an increase in the "chorus of religious voices in favor of liberal immigration reform" in recent years (Nteta and Wallsten 2012:891). In addition, other interest groups such as agriculture and construction industry lobbies have pushed for inclusive immigration policies. Taken together, the role of religious organizations, other interest groups, and state compacts could be important drivers of state-level immigration policy, but as yet we know little about the role of compacts outside the state of Utah.

In this paper, we attempt to address this limitation by modeling the effects of state immigration compacts and the prevalence of different interest groups on migration policy adoption across all 50 states between 2005 and 2013 (the last year in which any state adopted an immigration compact). State-level immigration policies have clear impacts on the lives of immigrants living in those states. When states pass inclusive laws, immigrants experience better relations and greater trust with the local police, better healthcare outcomes, utilization, and access, and greater access to labor markets (Ayon et al. 2012; Bozick and Miller 2013; Dreby 2012; 2015; Flores 2010; Kirk et al. 2012; Toomey et al. 2014; White et al. 2014). When they pass exclusive laws, immigrants experience worse health outcomes and decreased rates of high school enrollment, among many other issues (Adroff et al. 2011; Arbona et al. 2012; Bozick and Miller 2013; Flores 2010; Steel et al. 2011). Given the importance and diversity of state immigration policies, there is a growing literature on the drivers of these policies. Despite this growing literature, the "politics of state immigrant policy making are not well understood" (Turner and Sharry 2012:985).

Theories and Research on State Immigration Policies

Sociologists have long noted that the field of immigration studies provides little theoretical understanding for the process of immigration policy-making (Portes 1997). Still, attempts have been made to understand immigration policy starting with Freeman's "modes of immigration politics" (1995), which posits that the costs and benefits of immigration will influence the kind of politics and policies that emerge. Groups including agricultural growers or the construction industry have a vested interest in a continued supply of immigrant workers. Moreover, when costs rise during economic decline, or when immigration costs are concentrated to certain geographic areas, the salience of immigration rises and the mode of politics is transformed into more raucous "interest-group" competition that has come to define immigration politics in the contemporary western world. In this sense, the state is an arena where groups compete with the aim of enacting policy.

This framework of politics as an economic calculus found support among neo-Marxist scholars of immigration policy, including Korpi's (1980) power resources theory, where emphasis is placed on organized working class parties working against the disproportionate power of the capitalist class. More powerful employers are better positioned to maximize their resources in order to expand a "reserve army of labor." (Boswell 2007; Hollifield 2000) The capitalist class is also prone to divide labor along ethnic lines by using immigration to diversify the labor pool (Marx and Engels 1962). Restriction, then, is seen as tied to proletariat successes. Empirical tests of this theory have shown that decreasing wages (Goldin 1994; Foreman-Peck 1992; Lowell et al 1986; Timmer and Williamson 1998) and rising unemployment (Meyers 2000) are associated with policies aimed at reducing immigration. These political economy

accounts of immigration policy show several weaknesses, including the inability to explain non-economic or economically irrational policy positions (Haus 2002; Meyers 2000; Watts 2002).

Based on these critiques, some of the most important work on interest-group competition has relied on the expansion of power resources theory, breaking from purely materialist determinants to include Weberian constructs of "status groups." Advanced by Stephens and Huber (2001) and described as "power constellations" theory, the inclusion of status groups accounts for non-class bases of organization, such as gender, race, ethnicity, or religion. These status groups are crucial because they are not reducible to their market positions (Freeman 2011) and they "typically divide the constituency of class-based organizations." (Huber and Stephens 2001:19) Class cleavages and major cross-alliances that result are not easy to predict and often lead to contradictory policies (Hollifield 2000; Janoski and Wang 2005). Pro-immigrant groups consist not just of business associations typically on the political right such as agricultural growers or software firms interested in labor, but also groups on the left such as liberal churches, ethnic lobbies, human rights groups, and others (Freeman and Tendler 2012; Freeman and Hill 2006; Gimpel and Edwards 1999; Hollifield 2000; Tichenor and Harris 2002). While breaking from the materialist approach has advanced the theoretical underpinnings of the power constellations framework, few quantitative examinations of state-level immigration policy have explicitly focused on non-material drivers of legislation.

State Compacts and Immigration Policy

Research examining the "Utah solution" found that the Utah Compact, adopted a few months prior, strongly influenced the development of these laws (authors 2016; Stewart and Jameson 2013). As Stewart and Jameson (2013:15) note in their analysis of Utah immigration

legislation, one veteran policy analyst said that the Utah Compact effectively rendered more

punitive immigration bills "'DOA' as they head into the legislative session." Subsequently,

immigration compacts were introduced in eight states.[1] Although these compacts are not

identical, they are very similar. All were modeled after the Utah Compact, and all were signed by

a coalition of civic, business, and religious leaders. All encouraged a moderate approach to

immigration that considered economic demand for immigrants as well as the needs and rights of

the immigrants themselves. So far, no study has compared the effects of these compacts on state

immigration policy to the effects of the Utah Compact.

Power constellation theory would lead us to conclude that the specific combination of

economic interest and status groups embodied in the Utah Compact helped facilitate the passage

of Utah's moderate policies. These groups included the dominant LDS Church, which is unique

to Utah. But could other interest or status groups fill the same role in other states with

immigration compacts, making the compacts equally effective? In answering this question, our

research is part of a larger body of quantitative studies of immigration legislation. These studies

are very diverse, and we review some of their key similarities and differences below.

Operationalization of State Immigration Legislation

One key source of diversity is the numerous ways in which immigration policy has been

operationalized. Some scholars look at the predictors of specific policies (Creek and Yoder

2012; Newman et al 2012). Other analysis has taken a broader approach, analyzing all

immigration laws passed at the state level over a specified period of time. For this approach, the

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[1] For details on the eight compacts signed outside of Utah, see the following: the Arizona Accord (del Puerto 2012); the Colorado Compact (Lofholm 2012); the Indiana Compact (Indiana Compact 2011); the Iowa Compact (Montero 2011); the Maine Compact (Richardson 2011); the Nebraska Compact (Young 2011); the Texas Compact (Mosqueda 2013); the Washington Compact (*Columbian* 2013).

majority of researchers have relied on the National Council of State Legislature's (NCSL) data, which provides information an all immigration laws passed at the state level starting in 2005. Using this database, several researchers have created ratios measuring the inclusivity or exclusivity of state policies. This ratio measure ranges from -1 to 1 measures based on exclusivity or inclusivity of state laws (Boushey and Leudtkke 2011; Chavez and Provine 2009) to more complex ratios that then scale state laws in order to take into consideration the degree to which large numbers of immigrants are impacted (Monogan 2013).

Predicting State Immigration Legislation

Within the emergent literature on state immigration policies, several primary variables have been tested as predictors of inclusive or exclusive immigration laws. Although results have been somewhat inconsistent, the most frequently significant predictors of state policies include: (1) the state's economic situation, (2) the rate of growth of the foreign-born population, (3) state politics, and (4) the role of interest-groups. We briefly discuss each below.

Economic Situation. Studies of inclusive immigration policies at the state level frequently focus on the economic health of the state—measured in various ways, including unemployment rate and educational level of the states' residents. Several works have tested the theory that lower unemployment is associated with more inclusive immigration legislation, although usually with insignificant results (Hero and Pruehs 2007; Newman et al 2012; Nicholson-Crotty and Nicholson-Crotty 2011). Educational attainment operates in a similar fashion, as "an educated workforce is less threatened by immigrants," (Marquez and Schraufnagel 2013: 352). States populated by more highly educated citizens are less likely to enact restrictive legislation and

more likely to adopt integrative measures (Boushey and Leudtke 2011; Hero and Pruehs 2007; Marquez and Schraufnagel 2013).

Immigrant Population Growth. An additional predictor of immigration policy used in the research is that of "cultural threat." A cultural threat is assumed to occur when newcomers from different countries settle in an area, which then triggers alarm among long-time residents at their presence (Chavez and Provine 2009: 82).Cultural threat is frequently measured in the research as the growth rate of a state's foreign-born or Hispanic populations. Most researchers have found restrictive immigration state policies have been associated with high rates of growth of the foreign-born (Marquez and Schraufnagel; 2013; Monogan 2013; Newman et al. 2012).

State Politics. Political orientation, frequently measured in terms of either voter ideology or party control of state government, are strongly associated with immigration policy. Research has found measures of voter ideology to be significant predictors of immigration inclusion policies such as state welfare benefits (Hero and Preuhs 2007) and restrictive policies such as English as the official language laws (Citrin et al. 1990). Chavez and Provine (2009) found that conservative citizen ideology (i.e. attitudes among the voting public) appears to drive immigrant-related restrictions in state legislation, and Boushey and Luedtke (2011) found modest support for the claim that conservative states favor immigration control laws. Conversely, Schildkraut (2001) and Marquez and Schraufnagel (2013) found Democratic Party control of state government was linked to less restrictive immigrant laws.

Interest groups. Some industries are heavily reliant on immigrant labor, and thus have incentive to oppose restrictive immigration policies. Pew Research estimates agriculture and construction are the two industries where undocumented immigrants are most likely to be employed (Passel et al 2013). Research on the effect of industry influence is measured in terms

of the share of total donations at the state level from the immigrant-dependent industries of

agriculture and construction for all 50 states. This variable has indicated a powerful link to

immigration policymaking, as a more inclusive policy context emerges when contributions from

agricultural and construction industries increase (Nicholson-Crotty and Nicholson-Crotty 2011),

and the likelihood of enacting restrictive policy decreases (Newman et al 2012).

Immigrant populations have also been regarded as a potential interest group affecting

immigration policy. Some regard the size of the Latino or immigrant communities to be a part of

the cultural threat hypotheses where a larger presence of Hispanics or immigrants will operate

similarly to a rapidly *growing* Hispanic or immigrant population (Hero and Pruehs 2007;

Newman et al 2012). Others suggest that a large share of Hispanics or immigrants is related to

two things that will reduce restrictive policies and lead to the enactment of inclusive legislation:

demographic strength that results in powerful electoral blocs (Marquez and Schraufnagel 2013),

as well as a "contact hypothesis" where larger, more long-term groups that are more established

in a state will reduce the "threat" they pose (Boushey and Leudtke 2011). In looking at the

impact of the size of the Hispanic or immigrant population, the results have been inconsistent,

ranging from non-significant findings (Hero and Pruehs 2007; Newman et al 2012) to predicting

inclusive policy (Boushey and Leudtke 2011; Chavez and Provine 2009) and to the contrary,

leading to exclusive or enforcement legislation (Marquez and Schraufnagel 2013).

While religious interest groups have not been widely studied in regards to immigration

policy, their importance in Utah, as well as their role as status groups in power constellation

theory, leads us to consider them here. The influence of the LDS Church on immigration policy

in Utah has been highlighted in research on the Utah Compact (authors 2016), as well as in other

contexts. A 2015 *Salt Lake Tribune* editorial titled, "Legislature Moves When LDS Church

Shifts" (Rolly:A13) noted, "The moral conservative types in the Legislature….were steadfastly opposed to any legislation attempting to give a carrot to those in the country without legal documentation….Until, of course, the Mormon [LDS] Church gave its implied endorsement to the Utah Compact." The influence of the LDS Church is visible also in areas of immigration policy unrelated to the Utah Compact. In a 2016 interview, Utah governor Gary Herbert specifically cited the teachings of the LDS Church as a reason for his state's continued willingness to accept Muslim refugees (Montagne, 2016).

The LDS Church is by no means the only religious organization in the US to take an active interest in immigration policy. Signatories of the Utah Compact included local leaders of the Catholic, Episcopalian, and Zion Evangelical Churches (authors 2016).[2] Religious leaders have also signed the other 7 state immigration compacts. Although the specific religious organizations represented vary from state to state, the Catholic Church shows up as especially active. Other signatories include the United Methodist Church (Indiana Compact 2011) and various ecumenical Christian associations (del Puerto 2012; Lofholm 2012). Religious organizations are also active in states without immigration compacts. Most of the largest religious organizations in the US have weighed in favor of liberal immigration reform at the national level, and these statements appear to influence the policy preferences of parishioners (Nteta and Wallsten 2012). Although existing research links religious leaders' activism with policy preferences in terms of federal immigration policy, such activism may be equally important at the state level.

Data and methods

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[2] Although the LDS Church gave their public support to the Utah Compact, they were not among the signatories.

Dependent Variable—Immigration Legislation

In this paper, we operationalize immigration legislation in two ways. First, we employ the immigration policy scale developed by Monogan (2013). Monogan's scale relies on data on immigration legislation provided by the NCSL, which began tracking state-level immigration policy in 2005 (Morse 2014). Laws classified by NCSL as immigration policy are coded as either inclusive (laws that in some way facilitate the ability of immigrants to live and work in the state) or exclusive (laws that make it more difficult for immigrants to live and work in the state). In addition to the inclusive/exclusive dichotomy, laws receive a weight value of 1-4 to indicate their importance to the lives of immigrants. A weight value of 1 indicates the law is of largely symbolic importance, while a weight value of 4 indicates that the law would have significant impact on the daily lives of the majority of the state's immigrant population. Monogan (2013) divides the summed inclusive laws by the summed exclusive laws to create a logarithmic scale in which positive values indicate an overall immigration policy in which inclusive laws predominate, while negative values indicate that exclusive laws predominate.

We use the same scale as Monogan (2013), with some small changes. For laws passed between 2005 and 2011, we use the inclusive/exclusive codes and 1-4 weights assigned by Monogan.[3] For laws passed in 2012 and 2013, we accessed all state-level immigration laws classified by NCSL, and assigned codes and weights, attempting to replicate Monogan's definitions. The distinction between inclusive and exclusive laws is based on the theoretical assumption that state policymakers, unable to directly regulate migration across state borders, attempt to attract or repel immigrants by altering the costs and benefits of residing in their state (Monogan 2013; Nicholson-Crotty and Nicholson-Crotty 2011). Unlike Monogan, we excluded

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[3] As of June 2017, Monogan's data was available at
https://dataverse.harvard.edu/dataset.xhtml?persistentId=hdl:1902.1/16471

all non-binding resolutions from our measure of immigration laws, in order to ensure that state compacts that passed as non-binding state resolutions are excluded from the dependent variable.

We calculate a value of the immigration policy scale for each of the 50 states across 9 years (2005-2013), resulting in a database of 450 state-years. The mean of the immigration policy scale across all 450 state-years is -.13, indicating that state immigration policies skew slightly towards exclusive (see Table 1). The scale ranges from a low of -2.77 (achieved by both Nebraska and Mississippi in 2011) to a high of 3.58 (California in 2013). The immigration policy scale varies by both state and year. Eight states[4] skew strongly negative (towards exclusive immigration policy) across all 9 years, while six[5] skew strongly positive (towards inclusive policy). The remaining states either pass few policies, or a varying mix of inclusive and exclusive policies.

In addition to the immigration policy scale, we also operationalize state policies with a dichotomous variable indicating whether a state passed any law coded "inclusive" in the given year (again resulting in 450 observations). We use this measure to provide the most generous possible test for the potential effects of state compacts on immigration policy. Inclusive laws are passed in just over half (51.33%) of our state-years (see Table 1). Again, the measure varies by state and year. While fewer than one fourth of states passed any inclusive law in 2005, some three quarters of states passed inclusive immigration laws in both 2009 and 2010. All states passed at least one inclusive law in the study period, with Massachusetts and Rhode Island passing the fewest, and Maryland passing at least one inclusive immigration law in each of the 9 studied years.

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[4] Alabama, Arizona, Idaho, Mississippi, North Carolina, South Carolina, Tennessee and West Virginia.
[5] California, Connecticut, Maryland, New Jersey, New York, and Washington.

Independent variables

Our key explanatory variable is whether the state passed an immigration compact. Identification of state immigration compacts is not a straightforward matter. Our challenge was to distinguish between compacts that garnered significant attention and support across multiple sectors, and compacts that never gained a substantial public following. To accomplish this, we searched Lexis-Nexis for the words "immigration compact" and the specific state name for all 50 states in the dates November 2010 through December 2013. If a state compact was mentioned in major state or national media, and the article mentioned at least two political leaders or organizational sponsors of the compact, we coded the state has having adopted an immigration compact. We set a dichotomous variable as 1 in the year that the compact was adopted, and for all subsequent years. In addition to the Utah Compact adopted in 2010, compacts were adopted in Indiana, Iowa, Maine, and Nebraska in 2011, in Arizona and Colorado in 2012, and in Texas and Washington in 2013.

Because compacts may be more effective in the presence of pro-immigration interest groups, including religious organizations, we test measures of the strength of various interest groups in a state. We operationalize the strength of religious organizations using data from the 2000 Religious Congregations and Membership Study (RCMS) (Jones et al. 2002). We use the proportion of a state's population who are adherents to the Catholic Church, Evangelical Christian denominations, and Mainline Protestant denominations, as defined by the RCMS, which surveys religious organizations rather than individuals.[6] These are the largest three religious groups in the United States, by far. As Table 1 shows, Catholics range from 3.51% of

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[6] Data from the Pew Research Center (2015) provides somewhat different estimates using a survey of individuals. Because the Pew data gives higher estimates of Catholics and Evangelicals, compared to the RCMS data, we tested our models using the Pew estimates of religious believers as well, with no substantive change in results.

the population (in Tennessee) to 44.9% (Massachusetts); Evangelical Christians range from 2.28% of the population (Utah) to 42.04% (Alabama); and Mainline Protestants range from 1.38% of the population (Utah) to 34.63% (North Dakota). Because religious affiliation data is not available on a yearly basis, we operationalize religion as a time-invariant characteristic. Not surprisingly, the three religion variables are fairly highly correlated. In particular, the percentage of Catholics and percentage of Evangelicals in a state have a strong negative correlation ($r = -.64$). Despite this correlation, we elect to consider all three main religious groups because we believe that each type of church has the potential to independently influence state-level migration policy.

Our other measures of interest groups include the size of the immigrant population in 2004 and the percentage of campaign contributions at the state level made by the agriculture and construction industries. In order to examine the strength of established voter blocs in a state, we utilize the share of each state's immigrant citizen voter age population (CVAP) as a percentage of total citizen voter age population. Available from Census estimates, the CVAP is operationalized by looking only at the immigrant population who are citizens and over the age of 18, and dividing by total citizen population over the age of 18. For data on campaign contributions, we rely on extracted data by the National Institute for Money in State Politics where donation data is broken down by major industry. Using the approach taken by Nicholson-Crotty and Nicholson-Crotty (2011) as well as Newman et al (2011), we divide the amount of donations in dollar amount provided by the agricultural and construction industries by the total dollar amount donated to all politicians at the state level for each state and for each year. The share of campaign donations by the agricultural and construction industries varies by year.

In addition to compacts and interest groups, we include as control variables a number of independent variables that have been found to be significant predictors of state policy in previous studies. These include measures of economic health and immigrant threat and measures of ideology (see Table 1 for descriptions of all variables). Our measures of economic health and immigrant threat include the percent of the state's population who hold a college degree in 2005, annual change in unemployment rates, and annual rates of growth of the immigrant population. Education and immigrant population growth rates are taken from U.S. Census Bureau annual estimates. The immigrant population growth rate is lagged by one year in all models. Annual estimates of unemployment growth rates are taken from the July estimates created by the U.S. Bureau of Labor Statistics, and are also lagged by one year.

To measure voter ideology we include updated data on Berry et al.'s (1998) state ideology scores. This measure produces an ideology score along a conservative (lower score) to liberal (higher score) continuum by inferring the ideological position of the electorate from the distribution of votes in congressional races and their interest-group rating scores for members of Congress. Because ideology scores remain relatively constant over time, we use a time-invariant measure based on 2005 values.

We also include a time-varying categorical measure of party control, in which Republican control of both legislative chambers and the governorship is the reference group and is contrasted with total Democratic control and split control. Data on party control of state legislatures and governorships comes from NCSL.

<<TABLE 1 ABOUT HERE>>

Statistical model

Previous studies of predictors of state policy have taken a variety of methodological approaches. Some studies attempt to explain the overall restrictive or inclusive nature of state policies, without taking the timing of specific legislation into consideration (Chavez and Provine 2009; Monogan 2013). Others have used longitudinal data structures in order to predict the likelihood of specific policies in specific years (Creek and Yoder 2012; Newman et al 2012). Because previous research on the Utah Compact indicates that the Compact, which passed in 2010, had a direct impact on the type of legislation passed afterwards, we elect to use longitudinal models in this research as well.

We use a multilevel, random-effects, regression approach in analyzing the data, with years (Level 1 observations) nested within the 50 U.S. states (Level 2). In the models using a dichotomous dependent variable (whether the state passed any inclusive immigration law), we employ a logistic transformation. The scale value of immigration policy passed in state s in year t (L_{st}) can be summarized:

$$L_{st} = \beta_0 + \beta_1 Z1_{st} + \beta_2 Z2_s + u_{st}$$

In this notation, *s* denotes individual states, and *t* denotes time (years). β_0 represents an intercept. Z1 is a vector of Level 1 variables (including whether the state passed a compact) and Z2 is a vector of Level 2 variables (including dominant religion). *u* is an error term. All of our data analyses are done using the xt set of commands in Stata 14 (StataCorp 2015).

Results

Bivariate results

Bivariate statistics, shown in Table 2, demonstrate clear differences between states that have passed immigration compacts and those that have not. States that passed immigration

compacts passed more inclusive immigration laws (63.64% versus 57.70%). Interestingly, states that passed immigration compacts have a lower average score on the policy scale, indicating that these states pass more inclusive policies, but more exclusive policies as well. In terms of interest groups, states that pass compacts have similar numbers of Mainline Protestants and fewer Evangelicals and Catholics, than states that did not pass compacts. These differences are heavily shaped by the inclusion of religious outlier Utah in the small number of states with compacts. States that pass compacts have similar sizes of foreign-born population and political contributions from construction, but, importantly, have much higher political contributions from agriculture. The averages presented in Table 2 mask substantial heterogeneity across states that adopted immigration compacts. Figure 1, using Colorado and Indiana as examples, shows the heterogeneity in the relationship between compacts and immigration policy scale scores. In the figure, solid lines show immigration policy score trends in years before a compact was adopted, while the dotted lines show trends after the adoption of a compact. Immigration policy scores increased dramatically in the year after Colorado adopted its immigration compact, while immigration policy in Indiana was actually more inclusive in the years before it adopted an immigration compact. Colorado has a larger Catholic population than does Indiana, as well as a history of higher campaign contributions from agriculture. These interest groups may explain the apparently greater effectiveness of Colorado's immigration compact.

<<TABLE 2 ABOUT HERE>>
<<FIGURE 1 ABOUT HERE>>

Multivariate results

We cannot fully understand the relationship between interest groups, immigration compacts, and immigration policy without considering the impacts of other demographic,

economic, and political factors. In this section, Table 3 shows the results of the multilevel

regression predicting the immigration policy scale score, and Table 4 shows the results of the

multilevel logistic regression predicting whether the state adopts any inclusive immigration

policy in a given year. Because of the fairly high levels of correlation between the state-level

variables, we do not include all our predictor variables in a single model. In all three results

tables, Model 1 shows the effects of passing a compact along with the effects of religious interest

groups and Model 2 adds the effects of non-religious interest groups. Models 3 and 4 test

whether the effects of compacts are explained by economic conditions and immigrant population

growth (Model 3) or political ideology (Model 4).

<<TABLE 3 ABOUT HERE>>

Table 3 shows that the effect of passing a compact on immigration policy score is

consistently negative. The effect never achieves statistical significance, probably due to the fairly

small number of state-years that follow passage of a Compact, but given that our data represent

the entire population of U.S. states, even non-significant effects are worth noting. Model 1

(Table 3) shows a small negative effect of passing an immigration compact. The proportion of

Catholics in a state is associated with more inclusive immigration policy, while the proportions

of Evangelicals and Mainline Protestants are actually associated with exclusive policy, indicating

that these religious groups do not function as pro-immigrant interest groups. The effects of

religious interest groups remain the same in Model 2 when non-religious interest groups are

added. Higher campaign contributions from construction and, especially, agriculture are

associated with more inclusive policy. The proportion of immigrant voters, on the other hand, is

associated with less inclusive policy, indicating that immigrant populations may function more

as a threat to native voters than as an interest group. The negative effect of passing an

immigration compact becomes larger in Model 2. States that pass immigration compacts tend to have relatively high levels of campaign contributions from agriculture, and low proportions of immigrant voters (as shown in Table 2), but they pass exclusionary policies in spite of these characteristics.

Adding in the effects of demographic and economic characteristics (Model 3, Table 3) shows that immigrant population growth is negatively associated with inclusive immigration policy, while the proportion college educated has a positive effect, as expected. These factors have little influence on the effects of compacts, although they do diminish the effects of the proportion Catholics in the population. Finally, adding in measures of party control and ideology (Model 4, Table 4) has some influence on the negative effect of compacts, but the coefficient remains strongly negative.

<<TABLE 4 ABOUT HERE>>

The results presented in Table 3 demonstrate that immigration compacts are actually associated with more exclusive immigration policy scores. Even in the presence of relatively strong agricultural interest groups, states that pass compacts also pass exclusionary immigration policies, quite in opposition to the intentions of the compacts.

To provide an alternative, and potentially "easier" test of the effect of compacts, we estimate models with a dichotomous variable for passing any inclusive immigration law as the dependent variable. The results of these models are presented in Table 4. In all four models presented in Table 4, the association between adopting an immigration compact and passing an inclusive law is in the expected direction, with adopting a compact associated with higher odds of passing an inclusive law. However, the association is never statistically significant. The relationship between interest groups and inclusive immigration policies are somewhat different

than those presented in Table 3. All interest groups tested, with the exception of campaign contributions from agriculture, are negatively associated with the odds of passing an inclusive immigration law (Models 1 and 2, Table 4). Controlling for interest groups appears to diminish the positive association between passing an immigration compact and passing inclusive laws (Model 2, Table 4). This likely indicates that the combination of agricultural contributions and immigration compacts in combination leads to more inclusive laws passed. Adding demographic and economic variables (Model 3, Table 4) or ideological variables (Model 4, Table 4) does not explain the relationship between compacts (or agricultural contributions) and passing inclusive immigration law.

Discussion and conclusions

The time of state immigration compacts appears to be over. To the best of our knowledge, no new state immigration compacts have been passed since 2013, and existing compacts may even be forgotten. While most state compacts had dedicated websites when they were adopted, only the Indiana, Texas, and Utah compact websites remain operational as of 2017. Possibly, activists have abandoned state compacts as a strategy because they have not been especially effective. While there is evidence that an immigration compact, supported by a dominant religious group, changed the course of Utah's immigration policy, at least temporarily, we find little support for the idea that immigration compacts in general serve as a pathway to more inclusive immigration policy.

Although state compacts are no longer newsworthy, understanding how they shaped, or failed to shape, immigration policy remains highly relevant. The era of state (and local) involvement in immigration policy is far from over. While immigration remains a highly salient

national issue, there is no indication that comprehensive immigration reform at the federal level is at all likely (Renwick and Lee 2017), leaving states free to chart their own policy paths. During the first year of Donald Trump's presidency, national immigration policy came largely from a series of executive orders, all of which were rapidly challenged by states (including Washington and Hawaii) with long histories of passing inclusive, state-level policies (Renwick and Lee 2017). Whatever form state-level involvement in immigration policy making takes in the future, understanding the factors that push states in an inclusive or exclusive direction remains an important question for researchers.

Our research shows that the role that immigration compacts played is complex and surprising. Compacts are associated with higher odds of passing an inclusive immigration law, and this effect is not explained by the political or economic conditions of the state. However, inclusive laws in compact states are counterbalanced by exclusive laws, leading states that pass compacts to have lower scores on the immigration policy scale than states without compacts. This could indicate that the signing of a compact is actually counter-productive, serving to mobilize anti-immigrant forces and leading to the passage of more exclusionary laws. Compacts may have failed in states other than Utah because no other interest group could replicate the role of the LDS Church. As Jelen et al (1992) and Wilcox et al (1991) note, religious groups often struggle to form a large coalition on account of doctrinal differences. Thus, it may be it is necessary for a single denomination to dominate a state and want immigration reform for inclusive immigration policy to be adopted. However, it is also possible that immigration compact movements gain the most momentum in states where the passage of harsh exclusionary laws is likely (as was the case in Utah) or has already occurred (as was the case in Arizona). If compacts serve to partially counteract the popularity or impact of exclusionary laws, we would

expect this apparently paradoxical combination of positive effects on inclusive laws but negative effects on policy score.

The findings here make several contributions to the emerging literature on predictors of state policies. First, our study advances this research by incorporating two variables understudied in the literature to date—a state Compact on immigration and the role of the dominant religion in the state. Second, our study shows the importance of a better understanding of dynamics as they play out in influencing state immigration legislation. The study findings also show the need for inclusion of these variables to gain a fuller understanding of why states pass the immigration legislation they do. A fuller understanding of predictors may then help to anticipate the legislation that will be passed, and the impacts of this legislation on immigrants.

We believe this understanding is more critical now than it has ever been. As noted previously, with lack of movement by the federal government on immigration legislation, individual states are increasingly attempting, in very uneven ways, to deal with immigration. State immigration policies can have significant consequences on immigrants. Thus, understanding state immigration policies and what factors determine these policies is increasingly topical and critical, both for contributing to the emerging literature on state immigration policies and to understanding on the ground consequences of these policies.

Our findings also point to four areas for future research. First, our findings point to an important role of religious composition as a predictor of immigration policy. The literature on Utah points to an important role of the LDS Church as an interest group lobbying for specific immigration policies. Our findings do not indicate that other religious organizations are likely to play quite so decisive a role. Nevertheless, the percentages of Catholics and Evangelicals in a

state were at least as predictive of policy outcomes as other interest group measures that are more commonly used in policy research. Second, the importance of religion as an institution, and the heterogeneous effects of immigration compacts across states, both point to a need to focus on state institutions as a means of understanding state policy. Cross-national research has indicated that institutional settings are of great importance when it comes to immigration policy differences (Sainsbury 2012), and state-level institutional arrangements have been linked to differences in other policy fields (Howard 1999). In addition to influencing immigration policy directly, the nature of state political institutions may influence how effectively Churches and other organizations can lobby for immigration policy action, and influence how easily nonbinding resolutions (such as immigration compacts) are enacted. Careful consideration of the institutional factors at the state-level may garner unseen insights into the policy differences in immigration.

Third, research results on immigration policy are sensitive to the ways in which state immigration laws are operationalized. Using two different dependent variables produced substantially different results; an important consideration given the many different operationalizations of immigration policy that have been used in other studies. Continuing attention to the effects of different operationalizations, both of dependent and independent variables, is needed. Finally, our findings highlight the importance of interplay between qualitative and quantitative research methods. While our findings shed doubt on the effectiveness of compacts as a widespread strategy for immigration activism, they cannot provide a nuanced understanding of how immigration activism succeeds and fails. Similarly, our findings point to a potentially important role of the Catholic Church, as well as of agriculture and construction lobbying groups, but cannot show how that role is played. Interest in the uniqueness of the Utah

case has spurred in-depth case studies of Utah policy making, but we have less understanding of

how the coalition-building around immigration compacts occurs in other states, or how the

actions of religious groups shape policies in contexts where no one interest group has the level of

dominance that the LDS Church experiences in Utah.

Tables and Figures

Table 1. Summary of dependent and independent variables

Variable	Summary	Observations
Immigration policy scale	Mean: -0.13 Std. dev.: 1.13 Range: -2.77 – 3.58	450
Any inclusive law adopted	Adopted: 51.33%	450
Adopted immigration compact	Adopted: 4.89%	450
Percent Catholic	Mean: 16.93 Std. dev.: 10.48 Range: 3.51 – 44.9	50
Percent Evangelical Christian	Mean: 16.01 Std. dev.: 10.77 Range: 2.28 – 42.04	50
Percent Mainline Protestant	Mean: 10.82 Std. dev.: 6.65 Range: 1.38 – 34.63	50
Percent college educated	Mean: 26.46 Std. dev.: 4.88 Range: 16.9 – 37.7	50
Lagged unemployment rate	Mean: 6.31 Std. dev.: 2.32 Range: 2.5 – 14.9	450
Lagged immigrant population growth rate	Mean: 3.73 Std. dev.: 8.97 Range -23.52 – 62.42	450
Voter ideology score	Mean: 47.43 Std. dev.: 15.33 Range: 18.07 – 86.18	50
Party control	Republican: 28.44% Mixed: 45.78% Democratic: 25.87%	450
Percent foreign-born voters (2004)	Mean: 8.96 Std. dev: 6.32 Range: 1.31 – 27.79	50
Percent of political contributions from agriculture	Mean: 1.92 Std. dev: 4.26 Range: 0 – 64.71	450
Percent of political contributions from construction	Mean: 2.89 Std. dev: 2.77 Range: 0 – 31.45	450

Table 2. Immigration legislation by religion and compact status

	Any inclusive law passed	Mean policy scale
States by % Mainline Protestants		
First quartile	54.63%	-.10
Second quartile	52.99%	.00
Third quartile	54.63%	-.06
Fourth quartile	43.59%	-.34
States by % Evangelicals		
First quartile	50.93%*	.17
Second quartile	63.25%*	.04
Third quartile	44.44%*	-.14
Fourth quartile	46.15%*	-.55
States by % Catholics		
First quartile	41.67%*	-.63
Second quartile	60.68%*	-.10
Third quartile	49.07%*	-.08
Fourth quartile	52.99%*	.26
States by immigration compact		
Never passed compact	50.70%	-.12
Passed compact	63.64%	-.23

Table 3. Regression coefficients (and standard errors) predicting immigration policy scale score

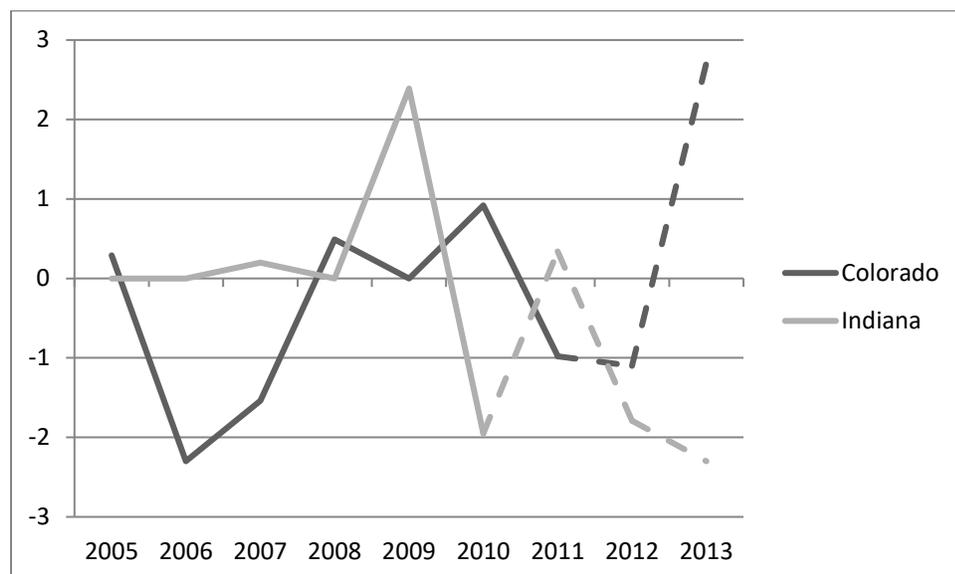|	Model 1	Model 2	Model 3	Model 4
Ever passed immigration compact	-.12 (.25)	-.13 (.25)	-.05 (.25)	-.22 (.25)
% Catholic adherents	.02* (.01)	.01 (.01)	.01 (.01)	.02* (.01)
% Evangelical adherents	-.02** (.01)	-.02* (.01)	-.01† (.01)	-.02** (.01)
% Mainline adherents	-.01 (.01)	.00 (.01)	-.01 (.01)	-.00 (.01)
Immigrant population growth, t-1 (%)		-.01 (.01)		
Unemployment rate, t-1		.04 (.03)		
% College educated		.02 (.01)		
Party control in year t (ref=GOP)				
Mixed control			-.07 (.12)	
Democratic control			-.09 (.14)	
Ideology score			.01† (.00)	
% contributions from construction in year t				.01 (.02)
% contributions from agriculture in year t				.03* (.01)
% foreign-born voters				-.02† (.01)
Constant	-.04 (.22)	-.84 (.50)	-.40 (.11)	.04 (.24)
Sigma_u	.22	.21	.19	.29
Sigma_e	1.07	1.06	1.07	1.06
Rho	.04	.04	.03	.07
R-squared (within)	.0803	.0972	.0863	.0980
R-squared (between)	.0098	.0548	.2566	.0747

†p<.10 *p<.05 **p<.01 ***p<.001

Table 4. Logistic regression coefficients (and standard errors) predicting any inclusive law passed

	Model 1	Model 2	Model 3	Model 4
Passed compact in year *t*	.54 (.50)	.59 (.52)	.66 (.51)	.47 (.51)
% Catholic adherents	-.01 (.01)	-.04* (.01)	-.02 (.01)	-.01 (.01)
% Evangelical adherents	-.02† (.01)	-.01 (.01)	-.02 (.01)	-.02 (.01)
% Mainline adherents	-.03* (.02)	-.01 (.02)	-.03* (.02)	-.03* (.02)
Immigrant population growth, *t*-1 (%)		-.02† (.01)		
Unemployment rate, *t-1*		.07 (.07)		
% College educated		.12*** (.03)		
Party control in year *t* (ref=GOP)				
Mixed control			.36 (.26)	
Democratic control			.03 (.31)	
Ideology score			.01 (.01)	
% contributions from construction in year *t*				-.05 (.04)
% contributions from agriculture in year *t*				.03 (.03)
% foreign-born voters				-.03 (.02)
Constant	.94 (.50)	-2.74 (1.10)	.25 (.71)	1.20 (.53)
Sigma_u	.76	.78	.75	.72
Rho	.15	.16	.15	.13
Log likelihood	-288.38	-278.12	-2.86.50	-286.34

†p<.10 *p<.05 **p<.01 ***p<.001

Figure 1. Immigration policy scale scores in Colorado and Indiana, before and after passing immigration compacts

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