

The Racial Profiling of Latinos in North Carolina

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## ABSTRACT

Carmen Huerta-Bapat: The Racial Profiling of Latinos in North Carolina  
(Under the direction of Frank Baumgartner and Neal Caren)

The Latino population in North Carolina grew exponentially since the turn of the millennium. This demographic shift raised the question: with almost no previous exposure to Latinos, how did North Carolina's police agencies respond to the arrival of new Latino migrants? This project argues that the reception of police agencies toward Latinos is driven by the political attitudes of the white populations local police serve. White receptivity and hostility is a function of four factors: the economic gains realized from Latino migrants, the state's urban/rural divide, fears in Republican jurisdictions that Latinos would alter traditional culture, and the political incentives of Republican sheriffs to target Latino migrants. In the state's more liberal, urban areas, the disparity in police treatment of Latinos declined due to the economic gains Latinos provided to white constituents. On the other hand, the growth of the Latino population led to a cultural backlash in the state's more rural, Republican areas. I test this argument using quantitative analysis of police behavior during routine traffic stops in 130 police and sheriffs' departments in North Carolina from 2002 to 2014. I focus on the decision by police to search vehicles following stops, which examines how officers use their discretion upon identifying the race/ethnicity of drivers. The analysis produces three key findings. First, the growth of the Latino population relative to the white population is *decreasing* racial disparities in police treatment of Latinos in comparison to whites. Second, police behavior toward Latinos is politicized. Throughout the decade, the level of search disparity between Latinos and whites fell at a faster rate in urban, Democratic jurisdictions in comparison to more rural, Republican jurisdictions.

Third, the level of racial disparity between Latinos and whites, as well as Latinos and African Americans, is highest in rural jurisdictions led by popularly elected Republican sheriffs. Taken together, the results indicate that police treatment of Latinos is improving at a faster rate in urban areas where migrants tend to provide relatively more economic benefits, but police treatment toward Latinos in the more rural, Republican areas remains relatively more hostile.

## ACKNOWLEDGMENTS

I have daydreamed about writing this acknowledgement page for a very long time. I can actually think about specific moments in time when I used the thought of writing these acknowledgements as an incentive to continue to push forward. Perhaps after I defended my thesis two weeks after giving birth to my second child, and of course the many times I picked the library over the playground and missed out on playing with my three girls. For those who know me, and in true Carmen nature, I will refer back to the approach that has for better or worse served me well in the past: transparency. I may err on the side of saying too much, but here we go.

Obtaining a Ph.D. is not something that just happens. The road to completing this degree is a series of seemingly unrelated events that in one way or another fall into place. This is why it is so difficult to pinpoint all of the interactions and people that have contributed to this milestone. I became motivated to learn by listening to my uncle and my beloved “abue” (grandmother) argue about philosophy and Mexican politics, despite the fact that my grandmother only had a third grade education. I first learned how to challenge myself to learn when my first grade teacher, Ms. Pina Morales, crossed out my entire worksheet. She sternly, yet kindly, told me she was doing so because she knew I could do better.

Throughout my adult life, I hear Ms. Morales in the back of my mind, asking me if I’m doing my best or I’m simply trying to find quick and painless solutions. I wish I could tell you that it has always been peaches and cream, but the road to this Ph.D. has not been smooth sailing. I started in political science as a naïve and misguided recent college graduate seeking my next

steps. Along the course, I learned way more than I thought I did at that time. I thank Dean Stein and Dr. Wilson for teaching me about the intricacies between institutions and behavior, formal and informal norms, and pretty much the basis of what is at the core of almost every complex phenomenon. I never completed that Ph.D. for vary many reasons, and I always saw it as a sign of weakness. I didn't understand how much substantively richer and complex my life would become after leaving Rice. Only then, I forced myself to explore my interests and basically do the things that I should have done as a college student, but didn't because I was too focus perfecting my recently acquired English language skills.

With the support of my beloved husband, I went on a full force exploratory mission. Every couple of years, my parents, in-laws, and friends, would ask what I was currently up to. Somehow, I managed to get my self into various Masters programs (Spanish literature, Public administration, Business School) all in search of finding the one thing that would fulfill an ambiguous quest. Over the years, and thanks to the support of many key players, this vague non-quantifiable feeling morphed into more of tangible and concrete goal: the constant fight for equity and fairness. Standing up for what I believed to be right has always been a part of me. As a five year old kindergartener in Mexico, I stood against what I firmly believed was unfair. Despite the fact that I was the direct beneficiary of what was perceived as a huge perk – the permanent placement of my desk directly next to the teacher's desk, in my heart I knew that this was not right. I went home and declared to my mom and grandmother that I didn't feel it was fair for other students that I was always the favorite child in the class. I proclaimed to them that the school was not a good fit for my beliefs and managed to convince them to let me stay home. The awesome thing about this was that both my grandmother and mom listened to me, appreciated my insight, and didn't force me to pursue something that I didn't feel was right. Over the years,

I've had similar luck with some people around me. I thank Paula McClain for listening to my letter back in 2000 asking her to expand the Ralph Bunch summer Institute to include Latinos and accepting me as the first Latina in the program. I thank Candice Powell for giving me a chance to interview for my role helping First Generation college students. I thank Dr. Demetriou for not accepting my resignation email when I considered dropping from graduate school due to my middle child's numerous health issues. I also thank her for thinking that I had something to say that was actually worth listening to. I thank Dr. Abigail Panter for giving me the opportunity to be part of conversations and discussions that I clearly had no place being part of. I thank Dr. Baumgartner for listening to me, believing in me, and helping me navigate a challenging situation. I thank the members of my committee for providing great insight, support and encouragement while writing the dissertation. Thank you to Dr. Tyson, Dr. Kleinman for teaching me how to conduct qualitative research. I thank all of my First Generation College students, my one and only "Carolina Firsts" for trusting me with your incredible stories of resiliency, for inspiring me to continue to advocate for what's fair, for sharing your strengths and for allowing me to be part of your journey.

Lastly I thank my family. In particular, I thank my mother. As a single mom in Mexico, she raised my sister and I to believe that the world was our oyster despite all of our challenges. She worked tirelessly to provide us with all of the privileges that she didn't have as a child, but knew with her infinite wisdom would help us succeed. I thank her for supporting and even encouraging my wild ideas. She even put up with me telling (not asking) her that I, at seventeen years old, was going to Italy for the summer on a scholarship. I thank her for her constant and stabilizing presence in my life these past few years. She would often drop everything on a day's

notice to rescue me every time I needed help with the kids so I could focus on my full time job and degree.

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## CHAPTER 1: INTRODUCTION

Since the early 1990s, the state of North Carolina has experienced a rapid growth in the size of its Latino population. Although Latinos initially found employment in agricultural jobs in the state's rural areas, Latino growth soon took off in the state's major cities, including the Research Triangle and Charlotte in the I-40/I-85 corridors. By 2010, North Carolina was experiencing the sixth largest Latino population growth in the nation. The Latino share of North Carolina's population soared from 1.2 percent in 1990 to 4.7 percent in 2000, and subsequently to 9 percent of the population by 2015.<sup>1</sup> While Latinos accounted for the majority of North Carolina's total population growth, 40.62% of this population consisted of undocumented immigrants.<sup>2</sup>

This demographic shift raised the question: with almost no previous exposure to Latinos, how did North Carolina's police agencies respond to the new Latino migrants? Did police departments grant Latinos the same treatment afforded to whites, which constituted the racial majority in their societies? Alternatively, did police agencies target Latinos more aggressively, in a manner similar to their treatment of the state's African American population? Or, did police

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<sup>1</sup> Source: U.S. Census Bureau; American Immigration Council:  
<http://www.immigrationpolicy.org/just-facts/new-americans-north-carolina>.

<sup>2</sup> A report by Pew indicated that in 2010, North Carolina was home to 325,000 undocumented immigrants. Combining these two figures, this suggests that approximately 40.62% of the state's Latino population was undocumented. Please see Passel and Cohn (2011). Available at: <http://www.pewhispanic.org/files/reports/133.pdf>. See also Governor's Office of Hispanic Latino Affairs, 2010.

agencies treat Latinos in a manner that was even worse than African Americans because of a combined concern of both crime as well as immigration status?

This project argues that the reception of law enforcement agencies toward Latino migrants is driven by the political attitudes of the white populations local police serve. Theoretically, I argue that law enforcement bureaucracies are responsive to the demands of their constituents. Whites constitute the largest and most politically important constituent group within this population, which in turn causes law enforcement to bestow this dominant group with greater privilege. As a result, the behavior of local police agencies toward the growing Latino population reflects the receptivity of the whites in their jurisdictions toward this new demographic.

I argue that both white receptivity and hostility toward Latinos is a function of four key factors: the economic gains realized from Latino migrants, the state's urban/rural divide, fears in Republican jurisdictions that Latinos would alter traditional culture, and the political incentives of Republican sheriffs to target newly arriving Latino migrants. In response to a saturated labor market in traditional destinations, Latino migrants came to North Carolina in pursuit of work and new economic opportunities. Migrant populations tended to grow in more urban areas where whites benefited from Latino labor, particularly in cities with more opportunities in high risk, low wage economic sectors. Although police in the more liberal, urban areas initially responded to Latino migrants with hostility, police aggressiveness to Latinos declined as it became evident that Latinos were providing an economic boost to white constituents. On the other hand, since fewer Latinos settled in the state's rural areas, several police agencies did not target the new migrant population with the same degree of aggressiveness as their urban counterparts. However, in the state's Republican rural and suburban areas, the growth of the Latino population led to a

cultural backlash. In these areas, police tended to target Latinos with greater severity, particularly when led by popularly elected sheriffs in rural jurisdictions. Taken together, this suggests that while Latinos tend to face higher search rates in urban areas where they settled, police aggressiveness is tempered by the economic gains provided by Latinos and the liberal leanings of the white Democratic population in these areas. On the other hand, although there are fewer Latinos residing in these areas, Latinos face harsher treatment in the state's more rural and Republican areas, where they are viewed as threats to whites in terms of traditional culture, economic standing, and security.

I test the theory that local white attitudes drive disparities in police treatment of Latinos in comparison to whites using quantitative analysis of police behavior during routine traffic stops in North Carolina from 2002 to 2014. I identify 130 police and sheriffs' departments in the state that witnessed an increasing Latino presence in their jurisdictions in this period.<sup>3</sup> My analysis examines if police are more likely to either search Latinos during these traffic stops in comparison to whites and African Americans. The focus on searches during traffic stops allows for the examination of how police use discretion. For example, if police tend to search Latinos at higher rates than whites, this indicates that officers are deciding that Latinos pose greater risks to society, and reflects racial disparity in policing.

The empirical results support the theoretical predictions that police respond to white attitudes by improving their treatment of Latinos in more urban areas where this group provides economic gains, particularly in those areas that lean Democratic in Presidential elections.

However, in more rural jurisdictions, particularly those policed by Republican sheriffs, police

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<sup>3</sup> This represents 41.94% of the state's police agencies and 47.9% of stops (9,546,067/19,929,272). There are a total of 310 agencies in North Carolina. This figure further excludes stops conducted by the State Highway Patrol.

responded to their white constituents' concerns about cultural change by targeting Latinos more. I demonstrate that sheriffs offices were particularly responsive to white fears since they are led by elected officials, tend to operate in Republican areas that view Latinos less favorably, and are more frequently located in rural areas with sparser Latino populations that produce fewer economic gains for whites.

I develop this argument in the following steps. Chapter 2 provides contextual information detailing why immigrants arrived in North Carolina as the federal government began devolving the responsibility to enforce U.S. immigration law to local police agencies. This chapter further argues that the treatment of Latinos by local law enforcement improved throughout the 2000s due to an increasing pool of Latino labor that satisfied white economic demands. Chapter 3 introduces a theory of police discretion, and develops a strategy to systematically examine police behavior for racial profiling using the behavior of officers during routine traffic stops. These data allow us to conclusively determine if police do indeed treat Latinos in a different manner than both whites and African Americans. After describing the data, I test to see if police treatment of Latinos improved throughout the decade as whites increasingly harnessed Latino labor. The results demonstrate that police treatment of Latinos improved in every type of local law enforcement agency except for the State Highway Patrol, which is more responsive to state level politicians and federal initiatives versus the demands of local white populations. After demonstrating that the influx of Latinos responding to white demands for labor decreases racial profiling, Chapters 4 and 5 test the propositions that police behave more aggressively toward Latinos in response to white fears of cultural change and insecurity. While Chapter 4 examines the variation in Latino/white disparity as a function of cultural concerns, Chapter 5 examines the variation in Latino/African American disparity as a function of violent crime rates. Chapter 6 further discusses both academic and policy recommendations from this work, future lines of research, as well as the future of police treatment of Latinos in North Carolina.

## **CHAPTER 2: LATINO MIGRATION TO NORTH CAROLINA AND ITS POLITICAL CONSEQUENCES**

To set the context for the analysis, we must address two questions. First, beginning in 1990, why did Latinos shift from traditional destinations, such as California and Texas, to new, less familiar destinations, including North Carolina? Second, how did local governments and police agencies within the state respond to the rapid influx of Latinos, given that their constituent populations had little exposure to this community? This chapter begins with a brief history of the growth of Latino migration to the U.S. beginning in 1965. I then discuss how the implementation of the 1986 Immigration and Reform Control Act (IRCA) encouraged Latino migrants to leave traditional destination states. This push, coupled with the pull of new economic opportunities, led to the significant movement of Latinos to new destination states, including North Carolina. As Latinos moved east to these new destinations, politicians in these states demanded that their police agencies be given greater power to enforce federal immigration law. The federal government therefore began devolving power over immigration policy to the states, which were in turn using their local police agencies to enforce immigration law. These two trends created an interesting dynamic: Latinos headed to North Carolina for greater economic opportunities would soon encounter police with greater powers to target them.

### **Migration to Traditional Destinations**

In 1965, President Lyndon Johnson signed the Hart-Celler Immigration and Nationality Act into law. The bill aimed to undo the national-origins quota, which gave preference to Northern and Western Europeans seeking to immigrate to the U.S. (Hahamovich, 2003). The national origins law further placed significant restrictions on immigrants from Latin America, Asia, and Africa.

This favoritism of U.S. immigration law toward White Europeans created a foreign policy problem for the Johnson administration (FitzGerald & Cook-Martin, 2014; Ngai, 2010). To fight the Cold War against the Soviet Union, the U.S. sought to build stronger economic, political, and military relationships to the newly independent states in the developing world (for a more detailed discussion, see Root, 2008). Yet, the U.S. seemingly could not portray itself as a reliable ally of these new states while maintaining racist undertones in its immigration law.<sup>4</sup>

The Hart-Celler Immigration and Nationality Act of 1965 accomplished the goal of eliminating the national origins quota system (FitzGerald & Cook-Martin, 2014). While U.S. policy previously favored immigrants from Britain, Ireland, and Germany, the new law allowed for 20,000 visas for immigrants from multiple countries, including other European countries, Asia, and Latin America. The new system gave preferential treatment to those with a certain skill set who were seeking family reunification (Kposowa, Adams & Tsunokai, 2010). Several proponents of the Immigration and Naturalization Act argued that it was symbolic and would not result in a significant increase in immigration. President Johnson himself stated at the 1965 signing of the Immigration Bill at Liberty Island, “This bill that we will sign today is not a revolutionary bill. It does not affect the lives of millions. It will not reshape the structure of our daily lives, or really add importantly to either our wealth or our power.”

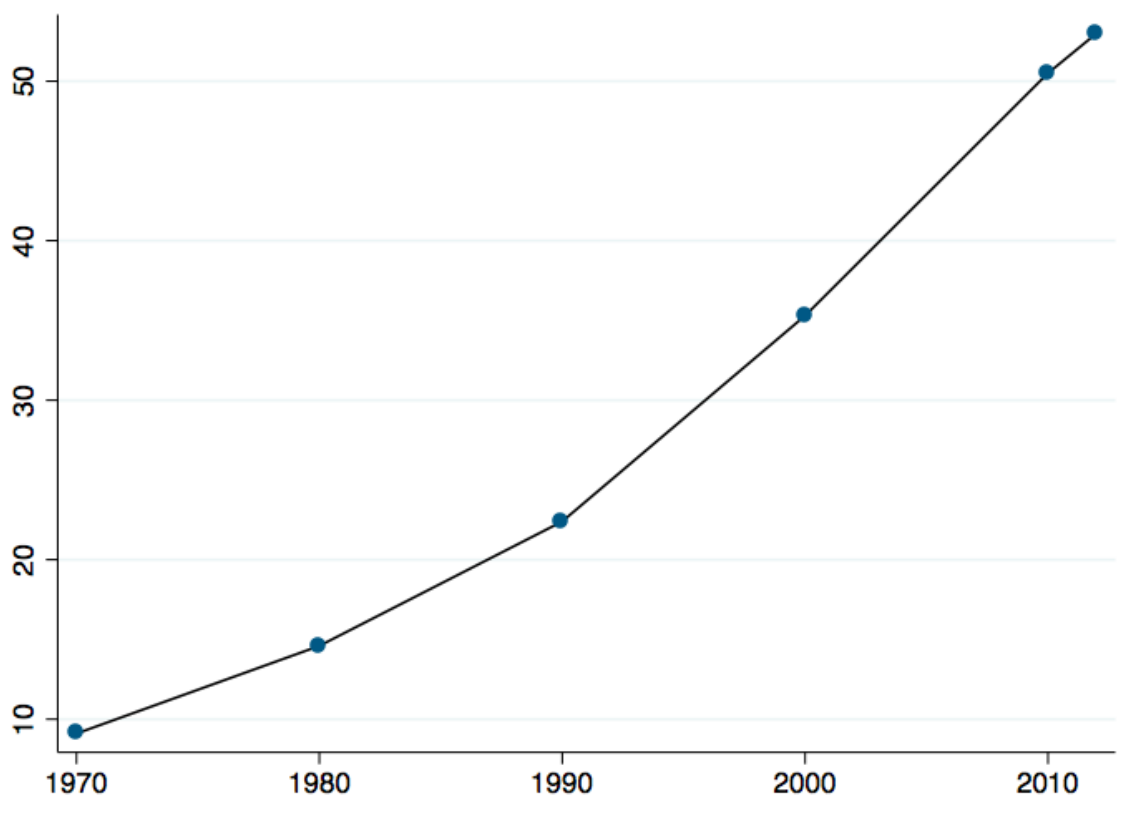
The president’s predictions, however, turned out to be incorrect. The bill’s protections for family reunification and privileging of immigrants with skills opened the door for a vast number of immigrants to migrate to the U.S. A substantial number of these immigrants came from non-traditional destinations, such as Latin America and Asia. (Gjelten, 2015). Unlike the traditional

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<sup>4</sup> Both the Republican and Democratic Parties endorsed ending the National Origins quotas by 1956.

white and Black populations in the U.S. during this period, these groups experienced exponential population growth. Latinos in 1965 accounted for about 4% of the total population. The number of Latinos in the U.S. grew from about 8.1 million in 1965 to slightly under 20 million by 1985 (Pew Research Center, 2015). This rate of growth surpassed nearly all other racial/ethnic groups, making Latinos one of the fastest growing demographics in the U.S. during the post war period.

*Figure 2.1. Growth of the U.S. Latino Population (Millions)*



Source: U.S. Census Bureau

Many of the new migrants moved to areas that already had some presence of individuals with similar nationalities, which created areas of immigrant clustering (Massey 1985; Massey et al., 1987; Massey et al., 1998). This growth created a system of networks, where new immigrants already in the U.S. encouraged further immigration (Massey & Capoferro, 2008; Massey & Taylor,

2004; Sassen, 1991). Consistent with these arguments, Mexican workers concentrated heavily in the southwestern states of California, Texas, and Arizona following the passage of the Immigration and Nationality Act of 1965 (Durand, Parrado, & Massey, 1999). These states were home to populations of Mexican workers even prior to World War II. The new migrant population soon moved into the major cities in other states, including New York, New Jersey, and Illinois. Five years later, 91% of the Mexican population in the U.S. lived in California, Texas, Illinois, or Arizona (Durand, Massey, & Capoferro, 2005).

The environment for Latino migrants to the U.S. started changing during the 1970s. The American economy began experiencing structural changes as it shifted away from a manufacturing-based to a service-based economy (Block, 1990; Hirschorn 1984; Powell & Snellman 2004). Advances in technology, access to labor in developing countries, and the growth of global finance all contributed to deindustrialization in the 1970s and 1980s (Alderson & Nielsen, 2002; Brady et al., 2007). The U.S. was further experiencing stagflation in the 1970s, with recession and inflation occurring simultaneously. These macroeconomic problems resulted in increasing joblessness in the U.S. workforce (Gilpin, 1981; Kennedy, 1987).

These economic shifts reduced the internal demand for unskilled and semi-skilled labor (see Borjas, Freeman, & Katz, 1997). As a result, labor in the U.S. began seeing increased competition for fewer employment opportunities. This resulted in downward pressure on wages and a willingness on the part of workers to accept positions with lower job security and little hope of upward mobility (Sassen, 1991). Consequently, the labor market began to resemble an hourglass, in that it was bifurcated with a significant number of positions at the top (skilled labor) and the bottom (unskilled labor), but few positions in the middle, which had been characteristic of previous eras (Portes & Zhou, 1993; see also Rumbaut, 1994). Additionally, the 1970s witnessed



a substantial growth in large multinational corporations resorting to outsourcing. High paying jobs were now being sent overseas to factories in Latin America and/or Southeast Asia, where corporations could pay labor only a fraction of the cost of American labor. Americans further witnessed increasing economic competition from other countries, and U.S. trade surpluses transitioned into deficits.<sup>5</sup>

These structural changes opened the door for an anti-immigrant backlash (Jacobson, 2008). Historically, the U.S. experienced rises in anti-immigrant sentiment in times of economic recessions, such as the backlash against immigrants after World War I (Calavita, 1996). The perceived decline of American economic power, coupled with increasing macroeconomic difficulties, created a significant fear within the U.S. about its future economic security (Jaret, 1999; see also Brown, 2013; Chavez, 2008; Fox, 2004; Jacobson, 2008). A significant manifestation of this fear came in the form of anti-immigrant rhetoric. The simple argument was posed in the form of a question, “why would the U.S. continue to allow immigrants into the country to compete for the few jobs labor could fill, when there were many Americans pursuing these opportunities?” To make matters worse, many immigrants in the U.S. were seemingly willing to accept lower wages than other American workers, giving rise to the process of "ethnic succession" through which Latinos came to occupy positions previously filled by Blacks and Whites (Waldinger, 1996; Lopez-Sanders, 2009) This acceptance of lower wages led many labor unions to view the new immigrants as threats not only to their members, but also to their political power (Briggs, 2001). Immigrants could easily serve as strikebreakers that would undermine any effort by the union to coerce employers into higher wages. These dynamics caused labor unions such as

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<sup>5</sup>See Burns (1984) for a discussion of the transition from trade surpluses to trade deficits in the U.S. For a larger discussion of the perceived implications of this shift, please see Gilpin (1987).

the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and the Teamsters to lobby for increasing restrictions on immigration (Briggs, 2001).

In addition to the economic arguments, many other organizations mobilized against Latino immigrants due to perceptions of "racial inferiority" (Crawford, 1992; Santoro, 1999; Tatalovich, 1995). For example, the Federation for American Immigration Reform (FAIR) led by John Tanton made the argument that Latinos would fundamentally change American culture. Tanton, along with several others, argued for restricting Latino immigration to preserve American culture. Other groups founded largely to restrict Latino immigration included the American Immigration Control Foundation, the Center for Immigration Studies, and Pro English, a group devoted to recognizing English as the official language of the United States.

Although smaller in number, these groups began to raise pressure on elected officials to take some action to slow the flow of migrants to the U.S. (Alvarez & Butterfield, 2000; Hero & Tolbert, 1996). Much of the protest was targeted at undocumented migrants from Mexico. These migrants often crossed the border to find work as laborers, particularly in areas such as California and Texas (Donato & Armenta, 2011). While labor unions demanded protection from undocumented workers, the agricultural business in the Western U.S. demanded that they be allowed to bring in "guest workers" from Mexico to assist as field hands (Chavez, 1992; Kossoudji, 1992; Singer & Massey, 1998). These workers would often perform some of the more difficult tasks associated with farming for a fraction of the price charged for American labor. The agricultural firms stressed that without immigrant labor; prices for food production would rise, potentially leading to wider economic problems (McCarthy & Valdez, 1986; Piore, 1979). The central debate was how to protect agricultural interests while simultaneously appeasing organized labor interests in the East and Midwest, and satisfying vocal anti-immigrant groups. Agricultural

firms balked at ideas about penalizing employers for hiring undocumented workers, while labor-oriented interests demanded to slow the flow of undocumented workers that would compete with organized labor.

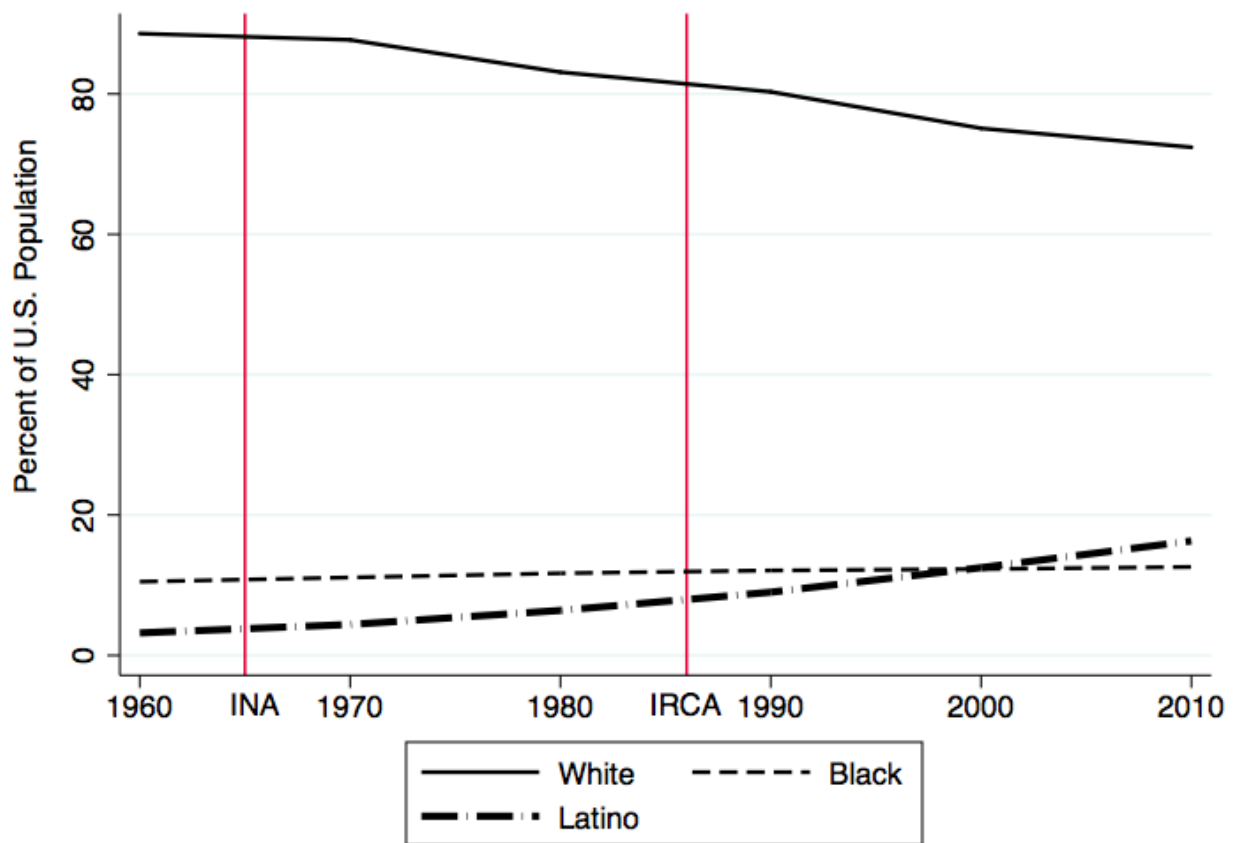
The debate led to a compromise in 1986 with the passage of the Immigration Reform and Control Act (IRCA). The compromise bill began the process of increasing border enforcement and establishing employer penalties. Creating a registry program, adjusting the status of Cubans and Haitians who entered the U.S. illegally and a legalization program for undocumented immigrants who provided proof of continuous residency in the US since January 1, 1982, were some of the alternative routes towards legal status that the bill provided. Additionally two special legalization programs for agricultural workers (SAW: Special Agricultural Worker and Replenishment Agricultural Worker (RAW) created a path to legalization for migrant farm workers, who were viewed as critical to protecting U.S. agriculture.

Initially, the adoption of IRCA appeared to slow migration and cause other migrants to return to their country of origin (Baker, 1997; Donato & Massey, 1992; Hagan, 1994). However, this slowdown was short-lived. Latino migration to the United States continued to increase, particularly after Mexico joined the Generalized Agreement on Tariffs and Trade (GATT) in 1986 and the North American Free Trade Agreement (NAFTA) in 1994. These two treaties increased the flow of goods and services between the United States and Mexico, which created greater integration between the two economies.

This rapid growth of Latino migrants led to a sizable demographic change in the United States population as a whole. The Latino population grew by 57.9% from 22,354,059 in 1990 to 35,305,818 in 2000 and subsequently increased by another 43% to approximately 50,477,594 in

2010.<sup>6</sup> Figure 2 demonstrates that this rate of growth appears to begin its acceleration in 1965 with the Immigration and Naturalization Act, and further accelerates after IRCA in 1986. Simultaneously, with the passage of IRCA, we see that the White population in the U.S., while still overwhelming, falls below 80% after 1986. We further see that percentage of the population that is African American or Black is surpassed by the percentage of Latinos at the turn of the

*Figure 2.2. The Growth of Latinos as a Percentage of the U.S. Population 1960-2010.*



Note: See Karen Humes, Nicholas Jones, and Roberto Ramirez. 2011. Overview of Race and Hispanic Origin 2010. Also 2010 Census Briefs. U.S. Census Bureau.

<sup>6</sup> Source: U.S. Census Bureau, see: <https://www.census.gov/content/dam/Census/library/publications/2001/dec/c2kbr01-3.pdf> and <http://www.census.gov/prod/cen2010/briefs/c2010br-04.pdf>

millennium. These data demonstrate that Latinos continued to be one of the fastest growing demographics within the U.S., even after the passage of IRCA attempted to slow this rate of growth. Latinos throughout the United States in 2012 accounted for 16.7% of the population and were responsible for almost half of the country's population growth during the 2000s (Fry, 2008).

### **The Shifting of the Latino Population to the Nuevo New South**

One of the major consequences of IRCA was the legalization of approximately two million undocumented Mexicans in the U.S., primarily in southern California and Texas. As this population began to receive their legal paperwork en masse, the new workers began flooding their local labor markets. The law of supply and demand dictates that this increase in available workers should create downward pressure on wages in the absence of increasing demand. Unfortunately, during the early 1990s, the U.S. entered into a recession. This recession was particularly harsh in California due to the end of the Cold War and cutbacks at the federal level in defense spending.

These declining economic conditions created a dynamic where new Mexican migrants shifted from traditional destinations in the southwest to new destinations throughout the eastern and southern parts of the U.S. (Anrig, Wang, & McClain, 2006; Arreola, 2004; Farrell, 1999; Frey, 2003; Johnson, Johnson-Webb, & Farrell, 1999; Light, 2006; Light & von Scheven, 2008; Massey, 2008; Sills, 2011; Hernandez-Leon & Zuniga, 2005; Murphy, Blanchard, & Hill, 2001; Kochlar, Suro, & Tafoya, 2005). A striking feature of the shift to non-traditional destinations is that Latino migrants headed for smaller municipalities, including those in more rural areas. This is interesting, in that intuition would suggest that migrants would head to the major U.S. cities on the eastern seaboard. Although some migrants did indeed go to these cities, and others remained in the traditional destinations, over a million Mexicans headed into the central, Midwestern, and southern U.S. states. These areas began the period in the 1990s with a negligible number of Mexicans in their populations. By the turn of the millennium, many of the southern and Midwestern states

experienced double-digit growth in the percentage of Mexicans in their populations.

There is agreement in the literature that the causes of this shift are multi-faceted (Massey et al., 1987; Massey, Goldring, & Durand, 1994). Broadly, the causes can be broken into four components: 1) the implementation of IRCA and the militarization of the border, 2) the economic consequences of IRCA and saturation of traditional markets, 3) economic restructuring and transitions in the U.S. South and 4) creation of social networks following the initial establishment of residency in new destinations. Below, I discuss each of these causes in greater detail.

### **The Implementation of IRCA and the Militarization of the Border**

This combination of a poor economy and rising numbers of ‘foreigners’ becoming U.S. citizens made Mexicans and Latinos political scapegoats (Andreas, 2000; Chavez, 2001; Cooper & O’Neil, 2005; Dunn, 1996; Lee, 2003; Massey, Durand, & Malone, 2002). Governor Pete Wilson of California placed the task of stopping the flow of illegal immigrants at the center of his re-election campaign. One of Wilson’s campaign commercials stated, “The federal government won’t stop them at the border, yet requires us to pay billions to take care of them” (Andreas, 2000). This rhetoric fueled the belief that Mexican workers were a net drain on California’s economy, and that the federal government was unwilling to assist the state in stopping the ‘invasion.’ Wilson symbolically ordered the California National Guard to San Diego to halt Latinos from entering California and stealing jobs. More significantly, a law known as Proposition 187 came into effect by referendum in 1994. Proposition 187 barred undocumented immigrants from receiving basic social services, including public education and non-emergency health care (Bean, Chavone, Cushing, de la Garza, & Freeman, 1994; Dunn, 1996; Nevins, 2002).<sup>7</sup>

In September 1993, Chief Silvestre Reyes of El Paso initiated Operation Blockade. Reyes

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<sup>7</sup> For an analysis of Proposition 187, please see Margolis (1994/1995).

ordered hundreds of his officers to line up on the Mexican border and to monitor it around the clock. The officers further began to rebuild the fence separating Ciudad Juarez from El Paso. A week later, the Border Patrol announced the Operation Blockade would continue indefinitely. Operation Blockade, later referred to as Operation Hold the Line, was credited with significantly reducing the flow of undocumented Mexicans into El Paso. A year later, California initiated Operation Gatekeeper in San Diego to “restore integrity and order to the nation’s busiest border” (Bersin, 1996). Operation Gatekeeper produced a high wall and provided border patrol agents with sophisticated equipment to monitor activities in the area on a constant basis. These activities, while seemingly draconian, appeared to have the effect of pacifying the border (Massey, 2007).

The militarization of the border created a series of unintended consequences. It pushed migrants to seek alternative points of entry and to rely on “coyotes” or human smugglers. Militarization further increased the reliance of new migrants on their social networks for entry into the U.S. Rather than using traditional crossing points, migrants from Mexico sought alternative routes into the U.S., which were often much more dangerous (Eschbach, 1999; Cornelius, 2001; Massey, 2008; Massey & Capoferro, 2008). For example, instead of crossing from Tijuana to San Diego, migrants would instead make perilous voyages across the Arizona desert. Similarly, rather than crossing from Juarez to El Paso, migrants crossing into Texas would search for alternative routes along the Rio Grande. Further, migrants were increasingly compelled to turn to “coyotes” or human smugglers to make the journey across (Eschbach, 1999; Cornelius, 2001; Rubio-Goldsmith et al., 2006; See also Donato, Wagner, & Patterson, 2008; Hagan, 2008; Martinez, 2015). Rather than stopping undocumented Mexicans from entering, the fortification of the border seemed only to encourage immigrants to pursue more treacherous routes (Dunn, 1996; Orrenius, 2005; Andreas, 1998, 2000). Moreover, once these immigrants reached the U.S., many did not

dare to attempt to go back to Mexico for fear of never being able to return. Interestingly, the border fortifications pushed Mexican migrants into locations where they previously did not go en masse, and encouraged these migrants to either stay in the U.S. or seek areas with comparatively less police presence. Since the bulk of border militarization took place in the traditional destinations of California and Texas, migrants were now forced to move to alternative locations to protect their safety and avoid deportation.

### **Deflection and Employer Enforcement**

In addition to raising the difficulty of entering the traditional destinations of California and Texas, life became increasingly difficult for those migrants living in these traditional destinations. Once IRCA allowed for these migrants to receive legal status, Mexicans living in traditional destinations began to flood local labor markets. Given that the U.S. was experiencing a recession, the oversupply of labor created a downward push on wages. In response, backlashes such as those led by Pete Wilson against ‘illegals’ began to grow in influence in traditional destinations. In response to the perceived problem of illegal immigration, local governments began to take actions to deflect the flow of immigrants away from their cities (Lalonde & Topel, 1991; Camarota, 2003; Bump, Lowell, & Petterson, 2005).

In his seminal study, Light (2006) demonstrates that the city of Los Angeles took several actions to worsen the living situation of Mexican immigrants in an effort to push them out of the city. First, the growth of the Mexican population drove up the price of rents, making it more difficult to afford housing. However, since the labor market was saturated, wages could not keep up with housing prices. This created economic incentives for Mexican migrants to move to alternative locations. Simultaneously, Light argues that the city of Los Angeles began aggressively enforcing ordinance laws to shut down places of employment for Mexican migrants. Light’s work demonstrates that the city was able to deflect approximately a million Latino migrants beginning



in 1980. This activity is an example of deflection, where localities seek to make living conditions intolerable for illegal immigrants within its territory (Donato & Massey, 1992, 1993; Light, 2006; O'Hara, 2002; Saiz, 2003; White & Hurdley, 2003). These behaviors, coupled with increasing border fortification, likely pushed Mexican migrants to seek alternatives to these traditional destinations (Durand et al., 2005; Marrow, 2013; Suro & Singer, 2002). Many traditional destinations took other actions to deflect their immigrant populations, such as raising their minimum wages (Von Scheven & Light, 2012). By raising minimum wages, these states made the employment of lower skilled laborers more expensive. This, in turn, tends to reduce the number of laborers employed by businesses. The effect of this policy was to freeze out Mexican workers from low wage jobs. California also took steps to rigorously enforce these laws, further undermining the ability of Mexican laborers to find jobs (Bernhardt, McGrath, & DeFillippe, 2007).

In addition to these actions, significant empirical evidence demonstrates that the employer sanction provisions in IRCA adversely affected the wages of migrant workers (Donato & Massey, 1993; Kossoudji & Cobb-Clark, 2002; Orrenius & Zavodny, 2005; Rivera-Batiz, 1999). Bansak and Raphael (2001) demonstrate that the enforcement of employer sanctions led to significant reductions in the wages of Latinos compared to both Whites and Blacks (Bansak & Raphael, 2001). Catanzarite and Augilera (2002) report similar results by demonstrating that Latinos suffered a reduction in wages at mixed job sites where White and Black workers were also present (Catanzarite & Aguilera, 2002). Further, these disparities grew even more markedly for undocumented Mexican workers. Hall et al. (2010) report that male undocumented workers were paid 17% less than documented males, whereas undocumented females were paid 9% less than their documented counterparts (Hall, Greenman, & Farkas, 2010). Taken together, with Latinos

facing increasing enforcement, systematic actions by the traditional destinations to make life more difficult, and declining wages, we see that there was a clear push from the traditional destinations to new destination states.

### **The Economic Restructuring of the U.S. South**

In addition to the ‘push’ factors associated with the militarization of the border, coupled with increasing political and economic stress on migrants in traditional destinations, the American south offered several ‘pull’ factors that attracted Mexican migrants. Since the early 1970s, the transition of the U.S. from a manufacturing to a service based economy led to several structural changes in the eastern part of the country. Manufacturing jobs, which had served as the traditional form of work for blue-collar workers, were gradually being replaced by jobs in the service industry. Factories in the south either closed due to foreign competition or were increasingly automated, thereby reducing the need for labor. The manufacturing jobs that remained tended to be low paying but high risk, giving a disincentive for individuals to enter this sector (Griffith, 2005).

Despite these changes, the U.S. south appeared to be an attractive environment for both American and foreign multinational firms (Cobb & Stueck, YEAR; Smith, 1998; Maunula, 2005; Eckes, 2005). The south traditionally maintained a weak tradition of labor unions compared to the north and Midwest. Southern states further offered several advantages, such as low income taxes and lower minimum wage requirements (Brattain, 2001; Cobb, 1992; Gaventa, et al., 1990; Maunula, 2005). Further, southern states offered comparatively less social welfare to their citizens, thereby reducing the tax burden on larger corporations. These characteristics led to greater economic growth in the south during the 1980s and 1990s in comparison to the north and the Midwest.

In this period of greater investment and business consolidation, the southern food processing industry began to see considerable growth (Mohl, 2005; Parrado & Kandel, 2008;

Hagan, Lowe, & Quingla, 2011; Stuesse, 2009; Mohl, 2009; Brueggemann & Brown, 2003; Fink, 1998). To maintain these growth levels, southern food producers needed to access a pool of low wage laborers that were willing to take high-risk jobs that were not necessarily steady (Broadway, 1995; Gouveia & Saenz, 2000; Griffith, Broadway, & Stull, 1995; Sassen, 2000). Economically, the food processing industry required laborers to be very flexible, but also accept lower wages. Although these requirements were unattractive to many laborers in the south, Latino workers heading to the region from the west willingly accepted them (Bean & Lowell, 2003). Unlike White and Black labor in the south that was accustomed to steady pay and labor protections, the reference point for Mexican workers in terms of pay, job stability, and acceptable risk was considerably lower (Thrift, 2000; Smith, et al., 2005).<sup>8</sup> To illustrate, a White worker who once was employed by a textile manufacturing plant was probably less likely to view a job in food processing as a desirable job, particularly since the U.S. government would provide some welfare protection for this individual. However, a Mexican migrant had no such welfare protection, and may have been accustomed to harsher labor conditions at home, if not total unemployment and poverty. In the aggregate, this created a situation where Mexican labor was willing to accept low wages for greater risk in comparison to both Whites and Blacks. Consequently, employers in the south seemed to favor hiring Latino workers, and the process of ethnic succession in many low wage sectors emerged (Donato, Bankston, & Robinson, 2001; Donato, Stainback, & Bankston, 2005; Kirschenman & Neckerman, 1991; Moss & Tilly, 2001; Hyde & Leiter, 2000; Leiter, Hossfeld, & Tomaskovic-Devey, 2001; Leiter & Tomaskovic-Devey, 2000; Lopez-Sanders, 2009; Marrow, 2011, 2007; Waldinger, 1996).

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<sup>8</sup> For a discussion of the different type of labor required in the new economy, please see Peck and Tickell (2002).

In addition to the seeming willingness to work for lower wages, two other factors contributed to the growing attractiveness of the South. First, the U.S. population in the east and south seemed to be aging, whereas the birth rates of Whites and Blacks seemed to be declining (Griffith, 1995; Tienda & Mitchell, 2006). As a result, there were simply fewer competitors for the large influx of Mexican migrants heading to the south. Additionally, younger Whites and Blacks did not actively pursue employment in low wage sectors. Instead, these individuals seemed to either pursue college degrees or head to urban areas in search of service work. With fewer younger workers from both Whites and Blacks, the relatively younger Mexican population was able to fill these positions. The potential to find work created a considerable pull from the traditional destinations, where the labor market was saturated and the government was becoming increasingly aggressive (Durand, Massey, & Capoferro, 2005; Light 2008). The growth in the food-processing sector created further opportunities for Latinos in both construction and the hospitality industry. Interestingly, in both of these industries, employers in both sectors appeared to characterize Mexicans as “hard-working” and having “good attitudes” compared to Black labor (Neckerman & Kirschmann, 1991; Moss & Tilly, 1996; Waldinger, 1996; Waldinger & Lichter, 2003a; Winders, 2006; Zamudio & Lichter, 2008).

### **The Creation of Social Networks**

The success of initial pioneers paved the way for the establishment of migrant social networks in the southern U.S. As was the case in the initial wave into the Southwestern U.S., the distribution of migrants tends to reflect the establishment of communities (Massey, 1985).

While the initial migrants to the new south tended to be younger, single, and perhaps more adventurous, the majority of migrants tend to select destinations where someone familiar is already established (Massey et al., 1987). Following this logic, the settling of the initial group of migrants likely allowed for family reunification. As these communities grew, the new migrants began to

demand more services that were not necessarily available in their area. For example, Mexican migrants to the south might want to spend entertainment money on food and entertainment, but lacked both services in Spanish. As a result, demand grew for more Latino migrants that would fill these needs.

This led to a process where the initial pioneers to the new south paved the way for their families, as well as friends and other interested migrants. Several studies demonstrate that the flow of migrants to a location may continue even if the labor market appears saturated (Bartel, 1989; Kritz & Nogle, 1994; Lindstrom & Ramirez, 2010; Massey, Goldring, & Durand, 1994; Neuman & Tienda, 1994; Saenz, 1991; Stamps & Bohon, 2006; Bohon, Massengale, & Jordan, 2006). However, even with the rapid influx of labor, increasing investment in the south improved opportunities in other industries, such as construction, hospitality, as well as other services. Due to the high turnover rates in these jobs, the market could seemingly absorb continued arrivals of Latinos. Latino migration to the South therefore increased due to social network ties and increasing family reunification. The social networks created by the migrants provided assistance, support, and information, all of which allows for increases in the flow of migrants from old to new destinations (Hagan, 1994, 1998; Massey et al., 1987; Massey et al., 1993; Pessar, 1999). In this case, the growth of the community in the South paved the way for increasing numbers of Mexican migrants to travel from the old destinations in the west to the new ones in the South.

### **North Carolina as a New Destination**

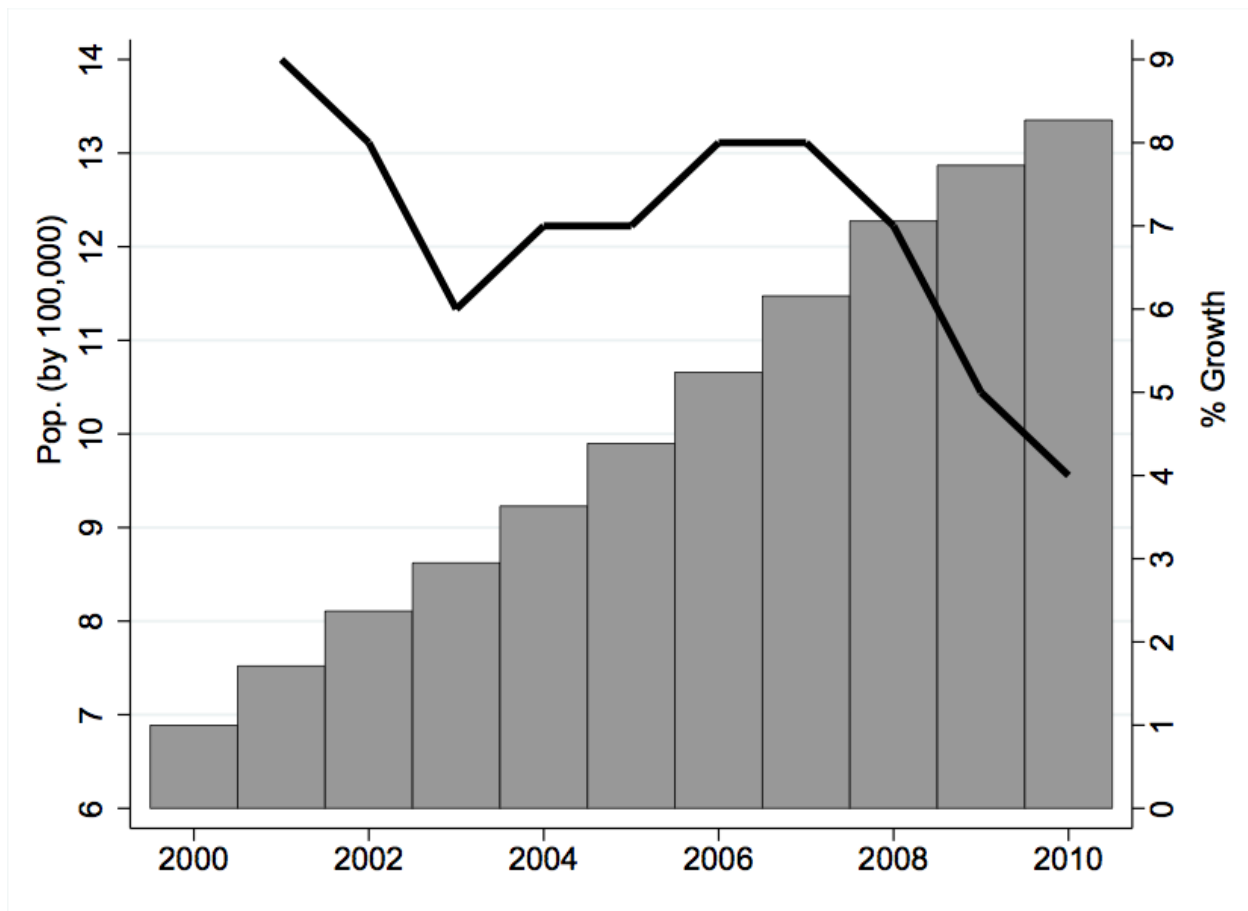
This increased diversification of the southern economies, movement of manufacturing industries, and greater population flows to the south all encouraged Latino immigration to North Carolina. By 2010, North Carolina was ranked sixth in terms of Latino population growth (Governor's Office of Hispanic Latino Affairs, 2010). According to Suro and Singer (2002), North Carolina contains three of the top five New Destinations that are experiencing "hyper-growth" in

their Latino populations, or growth rates exceeding 300% in the period from 1980-2000. These cities include Raleigh, Greensboro, and Charlotte (Suro & Singer, 2002; Singer, 2004). Suro and Singer classify these areas as Small base cities with Fast Growth, ranging from 932-1,180%. Economic growth during this period led to an increase in demand for low-wage labor, which contributed to a quadrupling of the state's Latino population during the 1990s. The population continued to grow in the 2000s with Latinos becoming 7.4% of the population by 2008 (Governor's Office of Hispanic Latino Affairs, 2010). Interestingly, North Carolina is identified as an emerging metropolis of the "Nuevo New South" where counties such as Wake and Durham located within the Raleigh-Durham metropolitan area are known in the literature as areas of "Hispanic hyper-growth" (Furusetth & Smith, 2006).

North Carolina became a key destination for Latino workers due to a shift of economic investment from the northern to the southern states, greater economic activity spurred by NAFTA and the Central American Free Trade Agreement (CAFTA), and an increase in opportunities in the meat-packing, poultry, textile, steel, and construction industries. Figure 2.3 illustrates the growth of the Latino population from 2000 to 2010 in the state of North Carolina, according to the U.S. Census. From 2000-2010, the Latino population grew exponentially in the state. In 2000, Latinos represented only 4.7% of the state's population. By 2010, Latinos in accounted for 9% of North Carolina's population (+91%).

The data clearly demonstrate that Latino migrants increasingly arrived in the state, and that North Carolina became a Nuevo New South destination of choice. The state offered opportunities in construction, agriculture, and other services. According to Kasorda and Johnson (2006), Latinos in North Carolina grew at a rate of over 500% between 1990 and 2004, and now account for approximately 7% of the state's population.

*Figure 2.3. The Growth of the Latino Population in North Carolina, 2000-2010.*



Note: See U.S. Census Bureau.

Why did North Carolina experience such large growth in its Latino population? Some of the causes for this growth are similar to the general reasons for Latino migration to new destination states. The state also became more attractive as a destination due to a shift of economic investment from the northern to the southern states, greater economic activity spurred by NAFTA and the Central American Free Trade Agreement (CAFTA), and an increase in opportunities in the meat-packing, poultry, textile, steel, and construction industries (Ansley & Shefner, 2009; Dever, 2009; Griffith, 2005; Hagan, Lowe, & Quingla, 2011; Kasarda & Johnson, 2006; Mohl, 2003; Parrado & Kandel, 2008; Portes, Fernandez-Kelly, & Haller, 2009). These industries required a workforce that would accept low wages, high turnover, and general job instability. In addition to representing

a large proportion of workers in the food processing industry, immigrant workers are also well represented in other jobs considered undesirable and traditionally poorly paid (Gomez-Quinones, 1981).

There are three industries that served to attract Latinos to North Carolina specifically. The oldest industry that has served to draw this population is the agricultural industry. The state's apple and Christmas tree farms have attracted numerous temporary workers with H-2 visas to North Carolina's rural areas (Griffith, 2005). These workers have often replaced African American seasonal workers in agricultural positions. In addition to these agricultural jobs, a large draw for the Latino population is North Carolina's food processing and poultry industry (Griffith, 1993; Striffler, 2001, 2005). The poultry industry in the state has become increasingly consolidated, with large firms controlling all aspects from inception to harvesting. The tasks assigned to labor in this industry are often very dangerous, creating disincentives for individuals with some other means to join. As mentioned earlier, Mexican migrants do not necessarily enjoy social supports from society, thereby making it reasonable for these individuals to take these low pay, high-risk jobs. The third industry that has opened to Mexican migrants is the state's seafood processing. Specifically, the Latino presence in the state's blue crab industry has grown considerably, which has again displaced African Americans from these positions (Griffith, 1999). Levitt (2001) finds that Dominican communities use their knowledge of the crabbing industry to facilitate immigration.

However, a key difference that separates North Carolina from other new destination states is that the population does not seem to be declining. Instead, the state has seen considerable growth in the metropolitan areas of the Research Triangle (consisting of Raleigh, Durham, and Chapel Hill) and Charlotte. The Research Triangle houses three of the state's major universities: the



University of North Carolina at Chapel Hill, Duke University, and North Carolina State University. Charlotte is home to the state's financial powerhouses, including Bank of America. Interestingly, the largest concentration of Latinos is located between these two metropolitan areas, which are connected by two major freeways (I-40 and I-85). The Latino population between the two major metropolitan areas seems to be the largest source of growth, though the size of the population appears to be growing statewide. Additionally, the state appears to have four rural counties that are drawing many new Latino migrants. These include Montgomery, Sampson, Lee, and Duplin (Kasorda & Johnson, 2006).

### **The Political Backlash in North Carolina**

Although Latinos were becoming integral parts of the state's economy, the state's history of little exposure to Latinos soon led political leaders to engage in a public display of anti-immigration rhetoric. The state's political establishment viewed the new Latino population with suspicion, and in some cases, outright hostility. Both Republican and Democratic politicians shared a bipartisan consensus that Latino migrants posed an economic and security threat to the state's citizens. During one of the gubernatorial debates in 2008, Democratic candidate Beverly Perdue emphasized that North Carolina's police agencies, "needed to get folks out of the country who are here illegally, if they are accused of committing a crime." Republican candidate and future governor Pat McCrory shared this sentiment by adding, "the cost of illegal immigration to our jails, to our hospitals, to our schools, is much greater than any net benefit of illegal immigrants." Both parties further claimed that the federal government was either unable or unwilling to confront the threat of Latino migrants, and favored using North Carolina's police agencies to jail and deport Latinos residing in the state illegally.<sup>9</sup>

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<sup>9</sup> Although both major parties were hostile to Latino migrants in 2008, the exception was Libertarian candidate Michael Munger, who argued that while everything should be done to keep

These attitudes allowed North Carolina to join efforts by several other new destination states to wrest control of immigration enforcement away from the federal government. This movement was driven by the belief that the federal government was either unable or unwilling to address the problem of illegal immigration (Boushey and Luedtke 2011; Chavez and Provine 2009; Gulaskekaram and Ramakrishnan 2013, 2015; Stewart 2012; Skerry 1995; Suro 2015). Anti-immigration activists increasingly argued that Latino migrants were abusing Americans by absorbing resources without paying taxes (Branton et al. 2011; Brown 2013; Chavez and Provine 2009; Donato and Armenta 2011; Wallace and Figueroa 2012). These activists further warned that inaction would only encourage more undocumented immigrants to enter the U.S., thereby creating a downward spiral in the quality of life. Facing this perceived threat, several new destination states began to copy parts of Proposition 187 by seeking to deny Latino migrants access to public schools, non-emergency public health systems, and welfare services. When the Supreme Court ruled that Proposition 187 was unconstitutional in 1998, anti-immigrant activists resorted to ballot initiatives that would enable state governments to re-assert their authority over immigration laws (Hegan 2008). Arizona, Colorado, Florida, Georgia, Illinois, Nevada, New Mexico, New York, Oklahoma, and Texas all passed legislation similar to Proposition 187.<sup>10</sup> Further, from 2006-2008, a total of 2,437 anti-immigration bills were introduced in 44 statehouses nationwide.<sup>11</sup> Of those, 557 (22.86%) passed, of which only 20 (3.6%) were vetoed

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undocumented immigrants from entering the U.S., those that were in the state should be afforded the same human rights and education as any other citizen in North Carolina. See: <http://www.indyweek.com/indyweek/mike-munger-third-party-but-not-a-third-wheel/Content?oid=1211641>.

<sup>10</sup> Lacayo, R. 2004. "Down on the Downtrodden". *TIME*. 19 December 2004).

<sup>11</sup> Statistic obtained from data from the National Conference of State Legislatures Immigrant Policy Project.

by state executives. This wave of anti-immigrant legislation soon extended to local governing bodies. In his 2011 study, O'Neil demonstrates that 72.6% of the 215 American towns and counties that debated anti-immigrant laws passed these ordinances.

The movement by states to design their own immigration policies soon gained federal support from representatives in the U.S. Congress. In 1996, Congress created an explicit new role for states and localities to enforce immigration law through the implementation of two new statutes. The Anti-terrorism and Effective Death Penalty Act (AEDPA) and the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA). The IIRIRA allowed police to utilize a provision known as 287(g), which empowered local governments to enforce national immigration policies. Under 287(g) local police departments entering memorandums of agreement (MOA's) with the Attorney General's Office were allowed to cross-deputize police officers to act as agents of immigration enforcement (Lewis et al. 2012). There are two specific types of 287(g) authority; the jail enforcement model and the task force model (Seghetti et al. 2006). Under the jail enforcement model, federally trained and cross-deputized local immigration officers are encouraged to check the immigration status of a detainee. Under the task force model, a police officer can search for the immigration status of an individual without a criminal arrest. Consequently, the task force model "awards non-federal officers broad discretionary authority to make arrests based on civil immigration status alone during the course of routine policing" (Coleman and Kocher 231).

Congressional support for devolution further increased following the 9/11 terrorist attacks (Bigo 2002; Rudolph 2007). Politicians increasingly began to tie migrants together with terrorists and label them both as security threats. On November 25, 2002, Congress passed the Homeland Security Act, which allowed the Immigration and Customs Enforcement office (ICE) to expand

its cooperation with state and local law enforcement agencies. The belief was that local law enforcement could provide better information about their jurisdictions, which could then be synthesized and analyzed at the federal level. Florida established the first 287(g) partnership in 2002, followed by Alabama in 2003 (Capps et al. 2011). From 2006-2010, the number of agreements increased by 763% from 8 to 69 (Chishti and Bergeron 2011). The U.S. further created a second federal/local partnership in 2008 known as Secure Communities (Kohli et al., 2011; Rodriguez et al., 2010).

### **Local Police as Enforcers of Immigration Law**

The shift from federal to local control over immigration law has had a profound impact in the so called 'Nuevo New South' locations including North Carolina (Fink 2003; Mohl 2003; Smith and Feruseth 2006; Suro and Singer 2002; WInders 2005; Coleman and Kocher; Coleman 2009; Winders 2007). These programs and initiatives made local law enforcement agencies and their officers central players in the U.S immigration system. In theory, obtaining this specialized local knowledge would improve the efficiency and effectiveness of immigration enforcement. However the most significant concern was that empowering local police officers to enforce immigration law would lead to an increase in racial profiling and targeting of Latinos. In particular, opening the door for a situation referred to as "protracted vulnerability", where the Latino population in new destinations states were often times at the mercy of the whims and behavior of individual police officers. (Pham 2004; Chisti 2002; Bosniak 1994; Motomura 1994; Olivias 2007; 1994; Wishnie 2001).<sup>12</sup> In North Carolina, one clear way by which Latinos were profiled was by the strategic placement of what is commonly referred to in the Latino

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<sup>12</sup> Interestingly, there are very few studies in favor of immigrant federalism in the literature, and these studies are overwhelmingly published in law reviews.

community as “retenes” or roadblocks around locations most frequented by Latinos. For example in Alamance County, “retenes” were placed outside Sunday morning church services, Latino grocery stores and neighborhoods with a significant Latino population (Capps, Rosenblum, Rodriguez, & Chisti, 2011; Nguyen and Gill 2015).

This situation was not unique to North Carolina but was part of a national pattern where racial and ethnic minorities received different treatment from police officers. Studies by Bobo (1999), Alexander (2001), and Weitzer (2010) argue that the major institutions of societies with long histories of ethnic tension typically treat minority groups in an inferior way, thereby limiting their incorporation into mainstream society. Since police officers are typically viewed as protectors of those enjoying privilege within the state, this majority/minority discord produces social separation between the minority population and the state’s police forces (Ellison and Smyth 2000; Ivkovic 2008; Milton-Edwards 1997; Weitzer 1995, 2015). Engel (2003) argues that this social separation typically contributes to tension and hostility between police and minorities. Through interviews, Weitzer and Tuch (2006) and Dixon et al. (2008) report that minorities were more hostile toward police officers, and that the interaction of police and African Americans, as well as Latinos, tended to reinforce structural inequality. This argument is supported by studies done by Tyler and Huo (2002), Rosenbaum et al. (2005), and Weitzer and Tuch (2006), which all demonstrate that both African Americans and Latinos were more likely to report mistreatment at the hands of the police. The evidence of disparity in treatment of both African Americans and Latinos in comparison to whites supports the idea that police support a racial hierarchy in society. The police serve to suppress any efforts by minorities to alter their subordinate status, while reinforcing the dominant status of whites (Bobo 1999; Hasisi and Weitzer 2007; Weitzer and Tuch 2006). Empirically, these arguments suggest that relationships

between police and the new Latino population should be very tense, and that police chiefs are likely to share the suspicion of new Latino migrants with North Carolina's political leadership.

There is substantial anecdotal evidence that local police agencies did indeed use their new power to target the Latino population in their communities. In one well-known case in 2014, the federal government charged that Alamance County Sheriff Terry Johnson used his officers to specifically target Latinos in his district. Johnson purportedly told his deputies to, "Go out there and get me some taco eaters,"<sup>13</sup> and that, "If you stop a Mexican, don't write a citation, arrest him."<sup>14</sup> In a separate case, Johnston County Sheriff Steve Bizzell stated publicly that Mexicans were "trashy" and "breeding like rabbits"<sup>15</sup>

These statements suggest that the police and sheriff's departments in North Carolina followed the directive of their local politicians and harassed new Latino communities throughout the state. However, these conclusions are difficult to demonstrate conclusively. For example, the Justice Department's suit against Sheriff Johnson was dismissed in August 2015. The judge claimed that despite these statements, there was not sufficient evidence to establish that racial profiling against Latinos took place in Alamance County. This raises the question: how can we conclusively determine if local police officers target Latinos at a higher rate than other groups? In the following chapter, I present an explanation for why Latinos face systematic targeting by police, and present a strategy to systematically determine if this racial targeting occurs using data on traffic stops from North Carolina's Department of Justice.

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<sup>13</sup> <https://www.justice.gov/iso/opa/resources/55620121220953110360.pdf>

<sup>14</sup> <http://www.copblock.org/21210/north-carolina-sheriff-targeted-latinos-called-them-taco-eaters/>

<sup>15</sup> <http://www.wral.com/news/local/story/3502350/>

### **CHAPTER 3: NORTH CAROLINA'S POLICE AGENCIES AND THE NEW LATINO POPULATION**

Is there convincing evidence that local police in North Carolina viewed the new Latinos as a threat, and worked to systematically target them? To address this question, we must systematically analyze police behavior, both over time and across the state's various police agencies. This chapter analyzes the behavior of North Carolina's police officers following traffic stops from 2002-2014. By examining the actions of individual officers following traffic stops, after they observe the race and ethnicity of the driver, we can assess whether or not Latinos face systematically disparate treatment compared to whites and African Americans by the state's police agencies. The analysis further examines if there are any changes in police treatment of Latinos over time.

This analysis demonstrates that police agencies in North Carolina created a racial hierarchy in terms of their treatment that places Latinos in an intermediate social position between whites and blacks. The place of Latinos in this racial hierarchy evolved at varying rates for different police agencies. At the start of the decade, Latinos were at the bottom of the racial hierarchy, and subject to higher search rates than both whites and African Americans. However, over time, Latinos appeared to gradually assume the intermediate group position in the racial hierarchy by 2010. By this point, Latinos faced lower search rates statewide than those faced by African Americans, but continued to face higher search rates than whites. Additionally, the rate of this change is not uniform across the state. Latinos seemed to make greater gains in some localities, while facing higher search rates than African Americans in other jurisdictions. This evidence suggests that some police agencies eventually placed Latinos in the intermediate

category, but others resisted and continued to place Latinos in a subordinate position in comparison to both whites and African Americans.

This chapter proceeds in five steps. First, I discuss the group position thesis and its application to studies of police behavior. Second, I discuss how the group position thesis evolved to include Latinos in addition to whites and African Americans, therefore giving rise to North Carolina's racial hierarchy. Third, I discuss studies of police interactions with Latinos that explain why many agencies place Latinos in the intermediate social position between whites and blacks. Fourth, given that these previous studies are limited to particular locations over smaller time periods, I next outline a way to examine police behavior systematically across time and across space using data on traffic stops. After presenting a research design, I test the racial hierarchy hypothesis that police place Latinos in an intermediate category between whites and African Americans using data on North Carolina's police traffic stops from 2002-2014. After demonstrating that the racial hierarchy did evolve in North Carolina, I demonstrate that there is considerable variation across the state's police agencies in terms of the relative position of Latinos in the state's racial hierarchy. I show that this variation may be explained by four factors: the geographic location of the agency's jurisdiction (rural v. urban), the size of the agency, the institutional design of the police agency (department v. sheriff), and the political leanings of the jurisdiction that the agency serves (Republican v. Democratic). These results establish that there appears to be a systematic difference between larger, urban, Democratic police departments and smaller, rural, Republican sheriffs' departments. To begin, let us first outline the key components of racial hierarchy theory that are often used to explain police behavior toward minority groups.

### **Group Position Thesis and the Emergence of the Racial Hierarchy Concept**

Police behavior toward racial minorities is often explained using a theoretical perspective known as the Group Position Thesis (GPT). GPT argues that competition for society's limited



resources is at the root of racial attitudes and animosity (Blalock 1967). This competition can be thought of as an effort to secure a group's power to obtain and sustain a level of resources, which in turn will reinforce the group's dominant position. This theory divides society into two groups: the dominant group that obtains the larger share of society's resources and enjoys all of its benefits, and the subordinate group which receives a smaller share of the pie, and experiences exclusion from some of society's benefits. The theory assumes that members within the group share common interests, with those in the dominant group seeking to maintain its status, power, and resources, and those in the subordinate group are seeking a greater share of benefits from society. Members of the dominant group are motivated by 'perceived threats,' which are beliefs that their group will lose its privilege and favorable treatment to the subordinate group (Jacobs 1979; Jackson 1989; Weitzer & Tuch 2006). On the other hand, the subordinate group experiences a sense of 'perceived advantages,' which inform the group's members that they are unequal to the dominant group and should challenge for greater resources and access (Bobo and Hutchings 1996; Kinder & Sanders 1996; Quillian 1995; Bobo 1999).

Theoretically, police agencies serve as tools to suppress the subordinate group (African Americans) while maintaining the privilege of the dominant whites (Weitzer 2010, 2015). The creation of the U.S. government by white property owners, two centuries of dominance of whites over U.S. political institutions, the history of slavery, and efforts by states to disenfranchise African Americans have all placed whites in the dominant position in American society, while placing African Americans in the subordinate position. This disadvantage is clear empirically: African Americans earn less than whites,<sup>16</sup> are less educated,<sup>17</sup> are more likely to be

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<sup>16</sup> [http://www.demos.org/sites/default/files/publications/RacialWealthGap\\_1.pdf](http://www.demos.org/sites/default/files/publications/RacialWealthGap_1.pdf)

<sup>17</sup> <http://www.theatlantic.com/business/archive/2015/12/black-white-unemployment-gap/421497/>

incarcerated,<sup>18</sup> and are underrepresented in U.S. political institutions. Given that this arrangement is so favorable to whites, but so unfavorable to African Americans, social position theory would predict that whites would do all in their power to maintain their dominant status, while African Americans would do all in their power to revise it. To meet this challenge, whites are able to leverage law enforcement agencies to preserve the current racial order. African Americans are therefore perceived to be a threat to social order and require police control (Weitzer 1990, 1995; Weitzer & Tuch 2006).

Though simplistic, GPT does offer an explanation for the interaction in the U.S. between whites as the dominant group and African Americans as the minority subordinate group. The theory further offers an explanation for why African Americans face disproportionate searches, arrests, incarceration, and harsher sentencing than whites from American police. However, one area where the theory may be too simplistic is its division of society into whites and blacks, since it does not offer an explanation for what happens when demographics change due to the arrival of a third group. In the case of North Carolina, this shift occurred during the 2000s, with the proportion of Latinos rapidly rising in the state. Presumably, police again take cues from the dominant group, and will treat Latinos in a manner that is consistent with the level of threat felt by whites. This turns the focus to the question: what factors influence white hostility toward Latinos, and the sense that they pose a threat to white dominance?

To address this question, let us consider why Latinos began migrating to North Carolina. Latinos arrived in the state to follow opportunities in the meatpacking, poultry, textile, steel, and construction industries (Ansley & Shefner, 2009; Dever, 2009; Griffith, 2005; Hagan, Lowe, & Quingla, 2011; Kasarda & Johnson, 2006; Mohl, 2003; Parrado & Kandel, 2008; Portes,

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<sup>18</sup> <http://www.naacp.org/pages/criminal-justice-fact-sheet>

Fernandez-Kelly, & Haller, 2009). These industries required a workforce that would accept low wages, high turnover, and overall general job instability. Although these requirements were unattractive, they were acceptable to many Latino workers heading to the region (Bean & Lowell, 2003). Latinos further took positions in other low paying service industries, such as construction and hospitality. Interestingly, in both of these industries, employers appeared to characterize Mexicans as “hard-working” and having “good attitudes” compared to African-Americans (Waldinger & Lichter, 2003a; Winders, 2006; Zamudio & Lichter, 2008). Unlike traditional labor in the south that was accustomed to steady pay and labor protections, the reference point for Mexican workers in terms of pay, job stability, and acceptable risk was considerably lower (Thrift, 2000; Smith, et al., 2005).<sup>19</sup> Consequently, employers increasingly favored hiring Latino workers, who began to replace lower income whites and African-Americans in risky and low paying jobs (Donato, Bankston, & Robinson, 2001; Donato, Stainback, & Bankston, 2005; Hyde & Leiter, 2000; Leiter, Hossfeld, & Tomaskovic-Devey, 2001; Leiter & Tomaskovic-Devey, 2000; Lopez-Sanders, 2009; Marrow, 2011, 2007; Waldinger, 1996).

If migrants tended to move to areas where they could find work, the level of Latino migration to any locality is endogenous of white demand for low wage, flexible labor. Latino migration grew in areas where whites sought to hire laborers that would accept low paying jobs for high risk. Since these workers provided a service that satisfied the demands of whites, it stands to reason that whites in areas with high levels of migration viewed Latinos more favorably. These more favorable attitudes likely translated into relatively better police treatment

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<sup>19</sup> For a discussion of the different type of labor required in the new economy, please see Peck and Tickell (2002).

of Latinos. We therefore see that economic demand motivated greater Latino migration and encouraged better police treatment of the new Latino migrant community.

This conclusion is supported by studies of police behavior in new destination states. While political leaders often support aggressive anti-immigration efforts, police often use their own discretion about whether or not to fully implement the law (Armenta 2015; Jones-Correa 2005, 2008; Lewis & Ramakrishnan 2007; Lucio 2013; Ridgely 2008). This finding is consistent with other studies of bureaucratic incorporation, which demonstrate that service providing bureaucracies, such as the public school system, are often far more accommodating to new migrants in comparison to those bureaucracies that are regulatory, such as welfare offices (Marrow 2009). The police departments are particularly interesting bureaucracies, in that they are both service providers of public safety, but also regulatory agencies that dispense punishment to alleged criminals. Although we might intuitively expect police agencies to prioritize their regulatory mission, many police chiefs place considerable emphasis on serving and incorporating Latinos in their jurisdictions (Decker et al. 2009; Lewis et al. 2012; Varsanyi 2008). This accommodating behavior may in part be driven by the empirical finding known as the “Latino paradox,” where rates of crime decrease as the number of immigrants in the area increase (Martinez et al. 2010; Sampson & Bean 2006; Sampson et al. 2005; Stowell et al. 2009). Since Latinos seem to engage in less crime, and contribute to the economic health of societies, the heads of numerous police departments seem to place an emphasis on building stronger relationships with the Latino community (Greene 2000; Reisig 2010).

Unfortunately, subordinate officers may undercut these efforts by racially profiling and targeting the Latino community (Huo & Tyler 2000; Chuerprakobkit & Bartsch 1999; Skogan 2005; Weitzer & Tuch 2004). This suggests that while heads of police agencies may seek to

elevate Latinos in a manner consistent with theories of bureaucratic incorporation, individual officers behave in a manner consistent with theories of racial hierarchy. The devolution of responsibility for immigration enforcement from the federal to the local level through programs such as 287(g) and Secure Communities worked to exacerbate the hostile tendencies of individual officers. This created a situation where Latinos are at the mercy of the behavior of individual police officers on any given day (Pham 2004; Chisti 2002; Bosniak 1994; Motomura 1994; Olivias 2007; 1994; Wishnie 2001).<sup>20</sup> Taken together, the accommodating behavior of police department heads coupled with the racial profiling of subordinates seems to support the prediction that Latinos should fall somewhere between whites and blacks in the racial hierarchy. This conclusion is supported by studies of Latino attitudes toward police (Ong & Jenks 2004; Skogan et al. 2002; Webster 2004).

Although these studies provide very valuable information, they suffer from three limitations. First, evidence of Latinos occupying the middle ground in the racial hierarchy is drawn from surveys of the population. This provides considerable insight as to the Latino perspective of where they fit into society, but does not provide evidence as to how police view the Latinos they are supposed to serve. Quantitative studies that do exist often have too few Latinos in their sample (Reitzel et al. 2004), and qualitative studies often only focus on comparisons of Latinos and Whites (Carr et al. 2007; Holmes 1998; Menjivar & Bejarano 2004; Duran 2009; Solis et al. 2009). Second, when examining the behavior of police, most surveys interview high-ranking officers. This strategy does not provide evidence about the attitudes of low ranking officers that typically interact with the Latino population. This further does not show

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<sup>20</sup> Interestingly, there are very few studies in favor of immigrant federalism in the literature, and these studies are overwhelmingly published in law reviews.

us how officers actually behave, but rather what their purported attitudes are toward the Latino population. This leads to our third limitation: these studies tend to rely on samples that mix Latinos with African Americans, or rely on evidence from specific geographic locations in limited timespans (Armenta 2015; Reitzel et al. 2004; Varsanyi 2008; Weitzer & Tuch 2006). We therefore cannot examine systematically the disparity in treatment of Latinos in comparison to whites and African Americans in various police jurisdictions and over time.

### **Using Police Behavior during Traffic Stops to Test Racial Hierarchy Hypotheses**

To address these limitations, a strategy recently adopted by quantitative studies of policing is to observe racial disparity using traffic stop data (Alpert et al. 2005; Durose et al. 2007; Epp et al. 2014; Ingram 2007; Ramirez et al. 2000; Davis et al. 2001; Tillyer 2010; Walker 2001). Police may exhibit wide discretionary behaviors in their encounters with citizens during traffic stops, including decisions to issue a citation, frisk, or arrest individuals. These routine patrolling activities are the most frequent reasons behind police-citizen encounters. Therefore, most studies exploring racial disparities in policing use traffic stop data and focus on two approaches: an occurrence approach vs. an outcomes approach (Baumgartner et al., 2014). The first approach explores disparities in the likelihood that minority drivers will be stopped by police officers when compared to whites. The second approach focuses on what happens to drivers after a stop has been made (Withrow 2004, 2006; Gaines 2006; Novak & Chamlin 2008; Tillyer, Klahm, & Engel 2011). An outcomes based-approach allows scholars to explore what happens to minorities after they are stopped: are they given a citation, a verbal warning, are they arrested, or searched? Since the outcome of what happens to a motorist after encountering a police officer is a formal expression of an officers' discretion and their authority to interpret the law, this approach allows researchers to explore the disparity in police behavior toward whites, African Americans, and Latinos after a stop has been made. Officers may choose to let a driver

off with a warning, the officer may search the driver or the officer may arrest the driver.

The next question is how to determine if police treat Latinos more harshly than whites or African Americans. Certainly, police cannot always observe the race or ethnicity of drivers prior to a stop. Drivers may be traveling at high speeds at various times of day, which may make it impossible for police officers to distinguish whites from African Americans, or identify any driver as Latino. Recent studies, however, address this problem by examining the post-stop behavior of police. Once a stop is made, police officers approach the suspect's car, allowing the officers to observe and identify the driver's race or ethnicity. At this point, police officers have discretion over how to treat the drivers they pull over. They may issue a warning, a citation, or initiate a search.<sup>21</sup> Theoretically, we would expect police officers to search individuals they view as suspicious, which is likely to include racial minorities. Based on the racial hierarchy arguments, we would expect the two following hypotheses to predict police behavior.

**Hypothesis 1.** Latinos are more likely than whites to be searched by police following traffic stops, but less likely to be searched than African Americans.

**Hypothesis 2.** The degree of search disparity between Latinos and whites falls as the Latino population grew from 2002-2014.

### **Examining Racial Hierarchy in North Carolina**

I test these hypotheses using the North Carolina Department of Justice's data on traffic stops throughout the state from 2002-2014. These data contain information on each traffic stop in the 310 police agencies throughout the state, which amounts to 19,929,272 individual

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<sup>21</sup> Another possibility is for officers to issue an arrest. One problem, however, with using arrests is that this behavior may not be discretionary. Police officers may be serving warrants or arresting a suspect based on their conduct prior to the stop. I therefore focus the analysis only on searches.

observations. The first task is to identify the departments that are appropriate to include in the analysis. The analysis should seek to exclude those departments with jurisdictions where there are too few Latinos to target in a systematic way. I therefore specify that in order to enter into the sample, the police department must conduct at least 50 searches of Latino drivers in the twelve-year period. This indicates that the police department must conduct at least 3.9 searches of Latino drivers per year. The purpose of this threshold is to remove agencies that service areas where so few Latinos exist that there is simply no opportunity to target these populations. Including these agencies with fewer Latinos in the data analysis might further magnify the actions of other agencies that have more, and bias the coefficients in favor of my hypotheses. Therefore, to make the sample more substantively reasonable, and in order to make the empirical tests more difficult for my hypotheses, I remove 180 of the agencies that fail to conduct at least 50 searches of Latinos in the thirteen year period, which amounts to 53% of the agencies.<sup>22</sup> I also remove all agencies that are restricted in scope, such as the State Capitol Police and campus security at the state's public universities. This leaves a total of 130 police agencies, or 41.94% of the state's police agencies and 47.9% of stops.<sup>23</sup> I further restrict the analysis to the period from 2002-2014, where the data appears to be more complete. The data identify 9,546,067 traffic stops in this set of agencies in the specified time period, indicating that there are more than sufficient numbers to conduct the analysis.

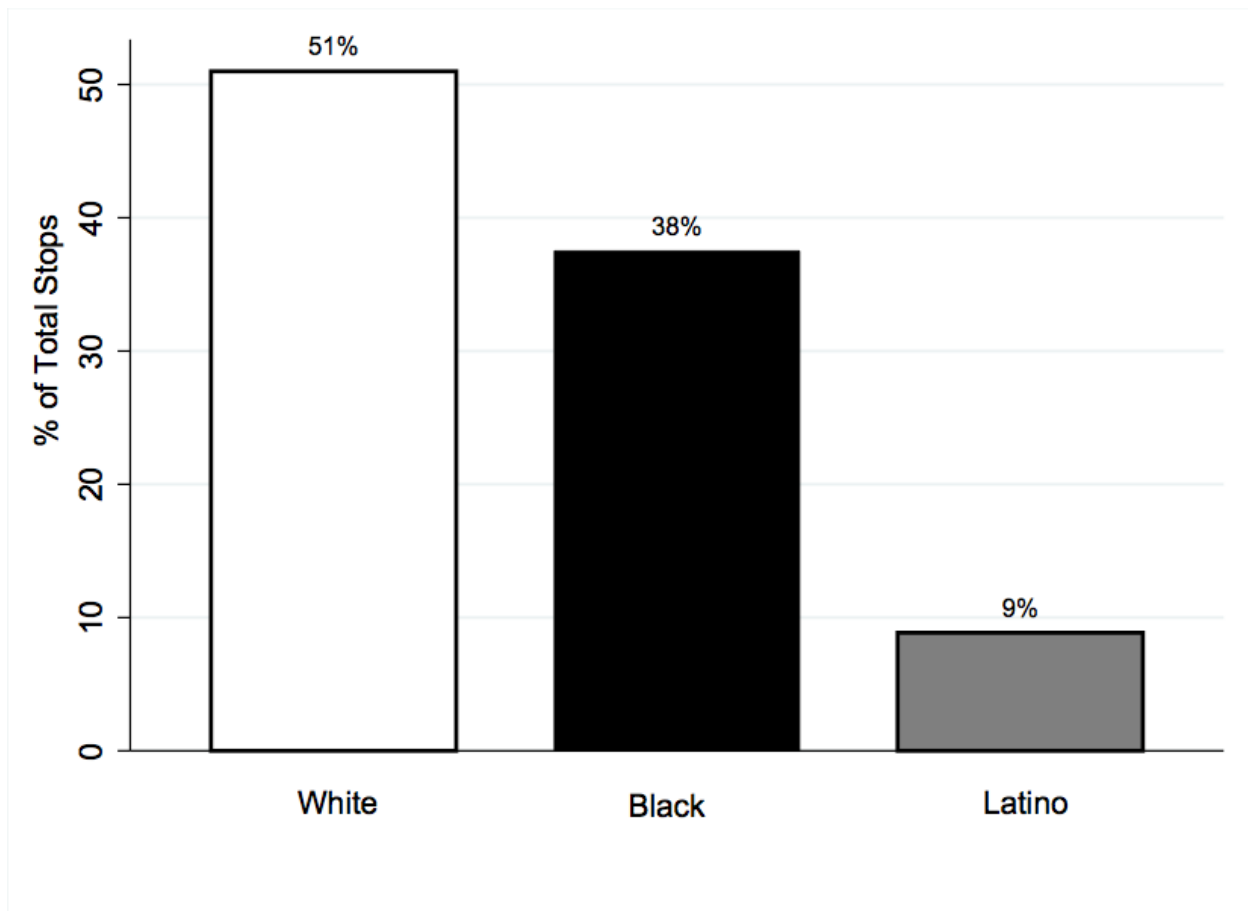
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<sup>22</sup> An alternative method is to focus on the size of the Latino population in a jurisdiction. This however neglects the possibility that Latinos may transit through a jurisdiction frequently, thereby subjecting them to interactions with the police. I therefore use the 50 searches over the fourteen-year period to account for these possibilities.

<sup>23</sup> A complete list of the agencies included in the analysis is provided in the appendix.



*Figure 3.1. Percentage of Stops issued to each Race/Ethnicity in North Carolina 2002-2014*

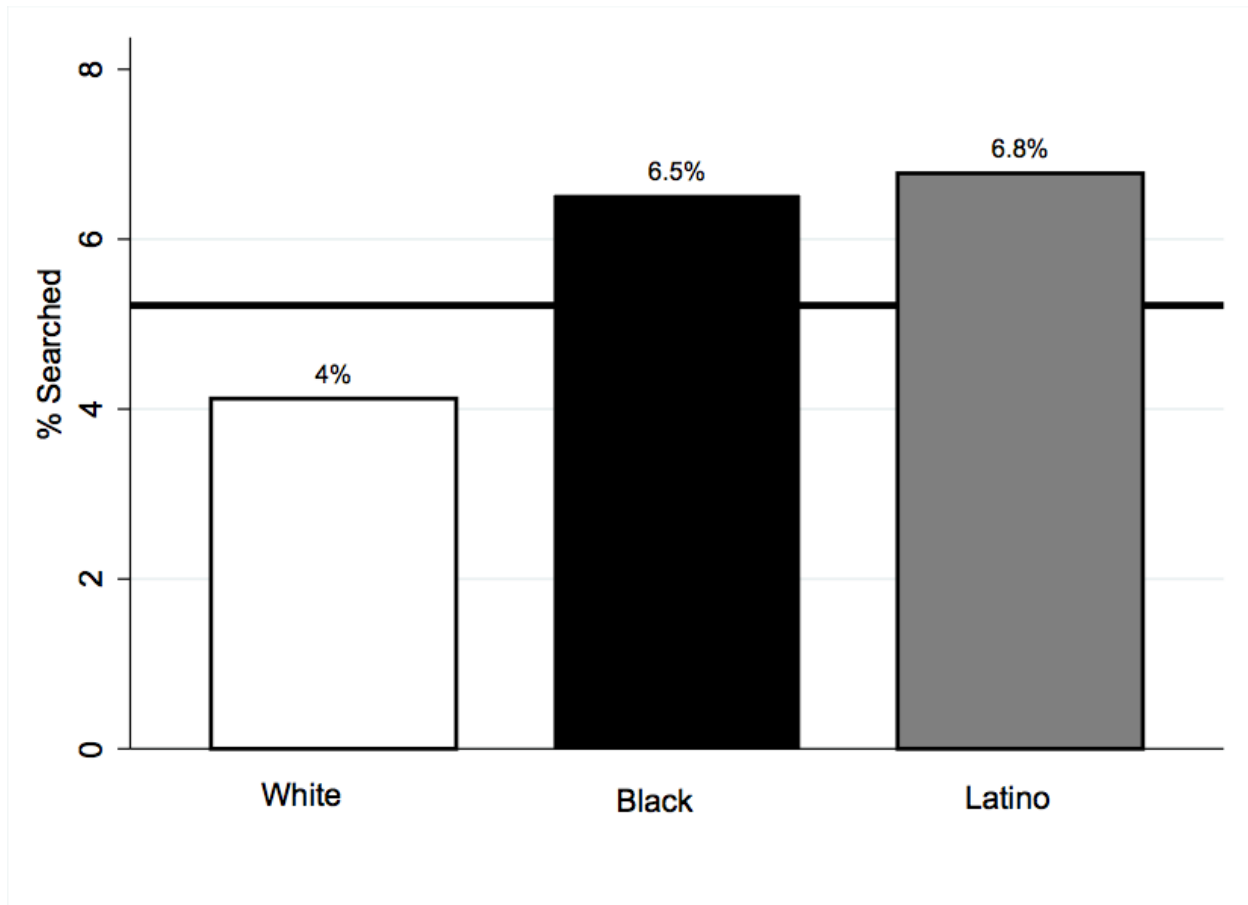


Note: The three major categories account for 98% of all stops in North Carolina during the period. The remaining 2% are drawn from other races and ethnicities.

Figure 3.1 examines the distribution of the stops by the selected police departments in the state over the twelve-year period. Approximately 51% of the cases were white drivers, 38% were African American drivers, and only about 9% were Latinos. The U.S. Census estimated in 2007 that the state's population consisted of 70% whites, 21.3% African Americans, and about 6.5% Latinos. These initial figures suggest that whites tend to be stopped 27% less relative to their size in the state's population, whereas African Americans are stopped 78.4% more relative to their size in the population. Even if we only examine stops, African Americans appear to be more at risk of being stopped relative to the size of the population compared to whites. For Latinos, the data indicate that this group is stopped 17% more relative to their size of the population. This is

certainly less than the frequency of stops for African Americans, but significantly more than whites.

*Figure 3.2. Search Rates by Race/Ethnicity in North Carolina 2002-2014*



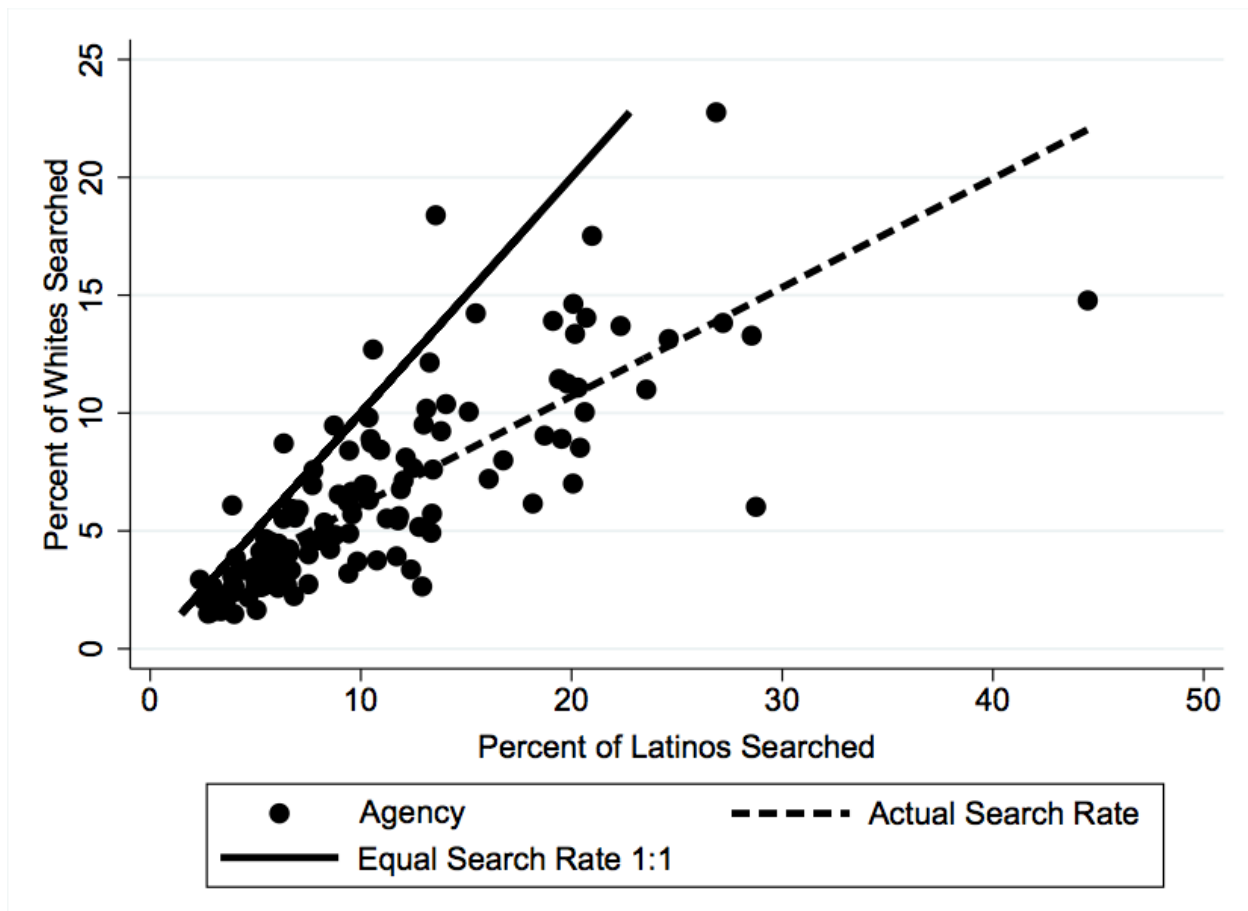
Note: Baseline search rate for entire population is 5.2%, represented by the solid black line. Police do not conduct searches in approximately 95% of all traffic stops.

Figure 3.2 presents the rate at which drivers were searched broken down by race/ethnicity. I calculate these figures by dividing the total number of whites searched by the total number of whites stopped in the entire period (White Searches/ White Stops). I follow the same procedure for African Americans (Black Searches/Black Stops) and Latinos (Latino Searches/Latino Stops). The solid black line in the middle of the plot represents the mean search rate, which is equal to 5.2%.

Interestingly, the rate of white searches is equal to 4%. This indicates that whites are searched at 22% less than all other drivers. On the other hand, we see that both African American and Latinos are searched at rates that are higher than the population average. African American drivers were searched in 6.5% of stops, whereas searches took place in 6.8% of the cases where Latino drivers were stopped. This indicates that in North Carolina, police are 62.5% more likely to search African Americans than whites, and are 70% more likely to search Latinos as opposed to whites. These findings clearly indicate that in the entire period: 1) Latinos did appear to be systematically targeted for searches more than whites 2) the rate at which Latinos are targeted for searches in North Carolina was nearly indistinguishable from the rate at which African Americans are targeted. These results clearly establish that Latinos face racial disparity in police treatment in comparison to whites, and that this disparity appears comparable to the disparity experienced by African Americans.

Figure 3.3 presents the rate at which each agency searched white motorists as a function of the rate at which they searched Latino motorists for the entire period. This figure allows us to determine if Latinos were searched with greater frequency than whites. The solid black line represents a one to one ratio, indicating that the search rates for Latinos is equal to the search rates for whites. The dashed line represents a regression line that estimates the percentage of whites searched as a function of the percentage of Latinos searched. The estimated coefficient is equal to .461. This indicates that a one percent point increase in the Latino search rate produces a corresponding .461 percent increase in the white search rate. In other words, increasing searches of Latinos does not produce corresponding increases in searches of whites. This demonstrates clearly that North Carolina's police agencies are systematically more likely to target Latinos than whites.

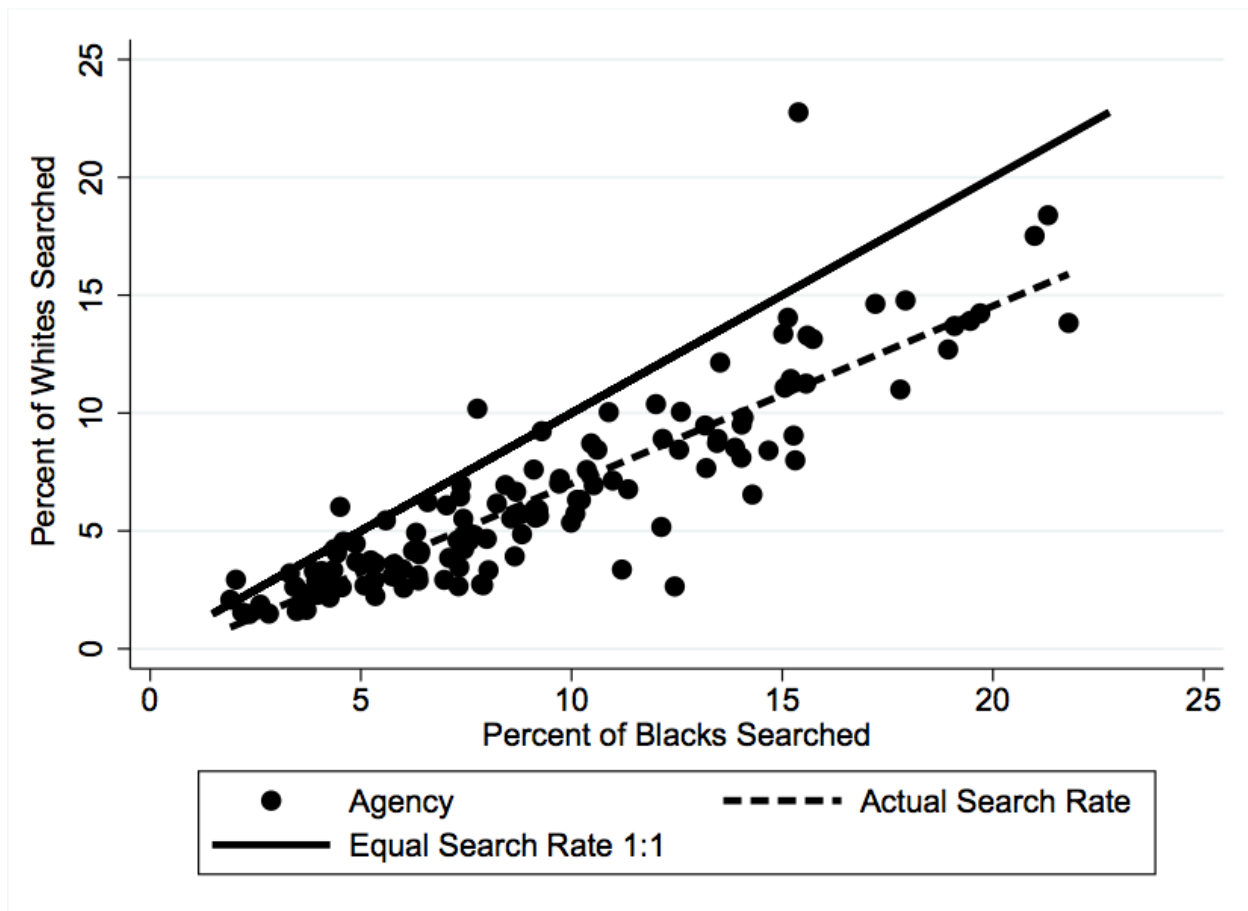
*Figure 3.3. Percent of White and Latino Drivers Searched, by Agency 2002-2014.*



Note. Data points are average search rates for each police agency that conducted at least 50 searches of Latinos from 2002-2014.

Let us compare the disparity in searches between Latinos and whites to that of whites and African Americans. Figure 3.4 presents a comparison between search rates for African Americans to search rates for whites. As was the case with Latinos, we see that the dashed line is less than the 1:1 ratio, indicating that police do not treat African Americans and whites equally. However, the coefficient on the regression is equal to .75. This indicates that a one percent increase in searches of African Americans produces a corresponding .75 percent increase in white searches. This is greater than the effect of increasing the Latino search rates. This analysis demonstrates that throughout the entire period, racial disparity in traffic stops appears to be worse for Latinos in comparison to both racial groups.

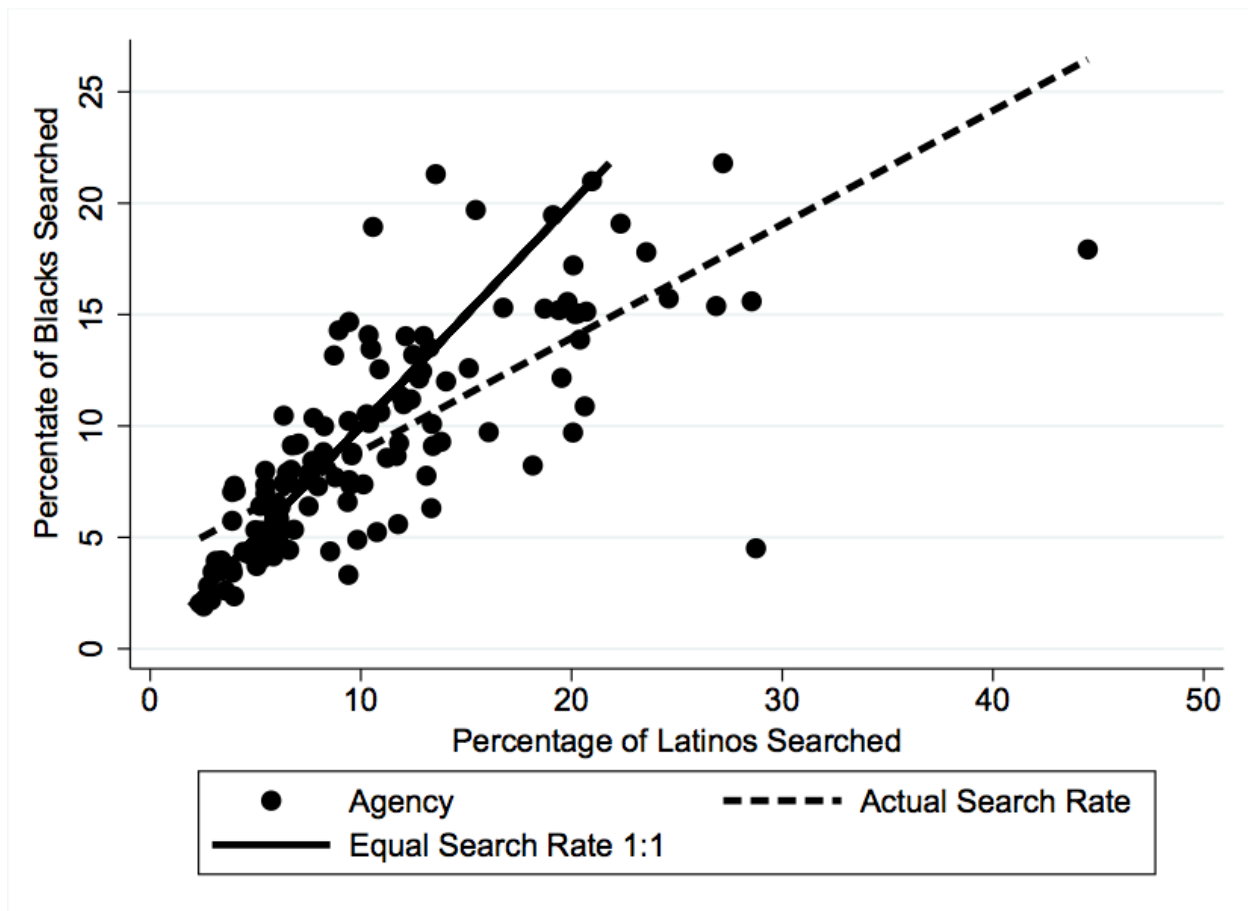
*Figure 3.4. Percent of White and Black Drivers Searched, by Agency 2002-2014.*



Note. Data points are average search rates for each police agency that conducted at least 50 searches of Latinos from 2002-2014.

Figure 3.5 makes a direct comparison between the Latino and African American search rates. The coefficient on the regression is equal to .51, indicating that each one percent increase in the Latino search rate corresponds to a half a percent increase in the black search rate. As was the case when comparing Latinos to whites, we see that police in North Carolina search Latinos more frequently than African Americans. These aggregate results suggest that rather than being in the intermediate category of the racial hierarchy, police in North Carolina place Latinos at the bottom, below both African Americans and whites.

*Figure 3.5. Percent of Black and Latino Drivers Searched, by Agency 2002-2014.*

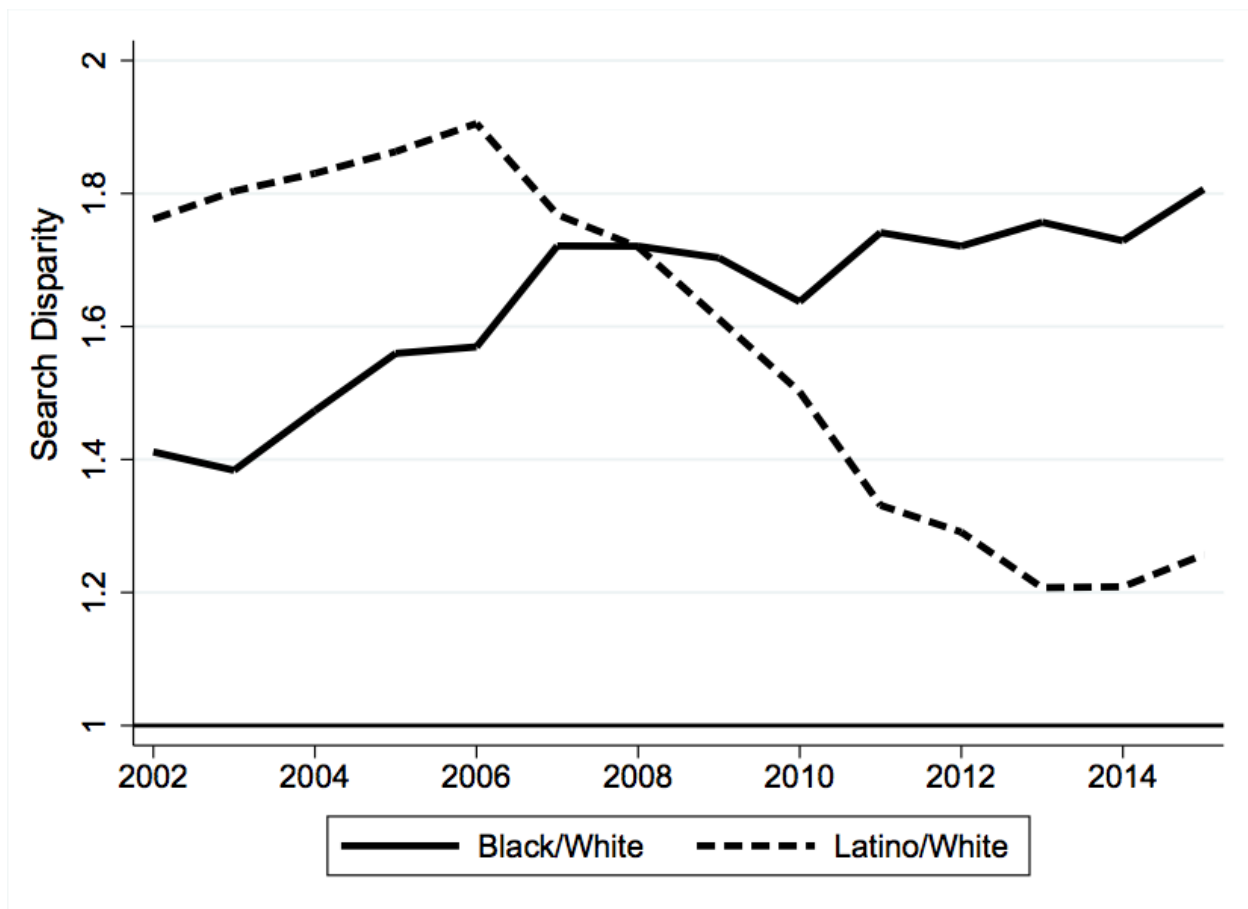


Note. Data points are average search rates for each police agency that conducted at least 50 searches of Latinos from 2002-2014.

While this is true in the aggregate, the data conform to the racial hierarchy hypotheses if we examine disparity over time. Figure 3.6 presents the calculated annual search disparity scores between Latinos and whites and African Americans and whites for each of the twelve years in the dataset. A value of 1 on the Y-axis indicates a 1:1 ratio, meaning that there is perfect equality in the number of Latinos searched compared to whites, or the number of African Americans searched compared to whites. For example, if Latinos face a 1:1 search ratio with whites, this indicates that Latinos are just as likely to be searched as whites, which suggests that Latinos are equal to whites in terms of the racial hierarchy of the police. On the other hand, if Latinos face a 2:1 search ratio, this demonstrates that Latinos are not equal with whites, and the police are

subjecting Latinos to harsher treatment. The same description applies when examining African Americans. If African Americans face a 2:1 search ratio in comparison to whites, this indicates that African Americans are treated more harshly than whites, and that they are ranked lower in the racial hierarchy of the police.

*Figure 3.6. Search Disparity between Latinos/Whites and African Americans/Whites 2002-2014.*



Note: Disparity scores for searches calculated annually for both Latino/White and Black/White.

If we can interpret differences in search disparities as evidence of how police view different racial/ethnic groups, we clearly see an evolution in the racial hierarchy as Latinos arrived in greater numbers throughout the decade. Beginning in 2002, when the Latino population was less than one million in the state, Latino/white disparity is greater than African

American/white disparity. Substantively, this indicates that Latinos fell at the bottom of the racial hierarchy at the decade's beginning. However, we see that both Latinos and African Americans seem to change places in the course of the decade. Latino/white disparity trends downward, and becomes less than Black/white disparity in 2008. On the other hand, African Americans become increasingly likely to face police searches, and reach an almost 2:1 ratio by 2015. Substantively, if we measure the place of these groups on the racial hierarchy using searches, Latinos move past African Americans into the intermediate category sometime in the middle of the first decade of the 2000s.

We therefore see support for the two hypotheses. According to Hypothesis 1, Latinos should face more police searches than whites, but fewer than African Americans. This pattern emerges in 2008, and continues for the rest of the period. We further see that as Latino migration increased throughout the decade, the level of racial disparity in policing between whites and Latinos fell. In 2002, Latinos were almost 80% more likely to face searches following traffic stops than whites. However, by the end of the period in 2014, Latinos were only 20% more likely than whites to face searches following traffic stops. This demonstrates that while Latinos remain in the intermediate category between whites and African Americans, police exhibited less aggressive behavior toward this group as the decade progressed, which corresponds to the increasing growth of the Latino population in the state.

### **Disaggregating the Results by Local Police Agency**

The results demonstrate that in the aggregate, police agencies eventually placed Latinos in the intermediate category between whites and African Americans. However, the police agencies of the state exhibited considerable variation in terms of their treatment of Latinos in comparison to both whites and African Americans. In some cases, the search disparity between Latinos and whites fell quickly. In others, Latino/white disparity increased precipitously early in



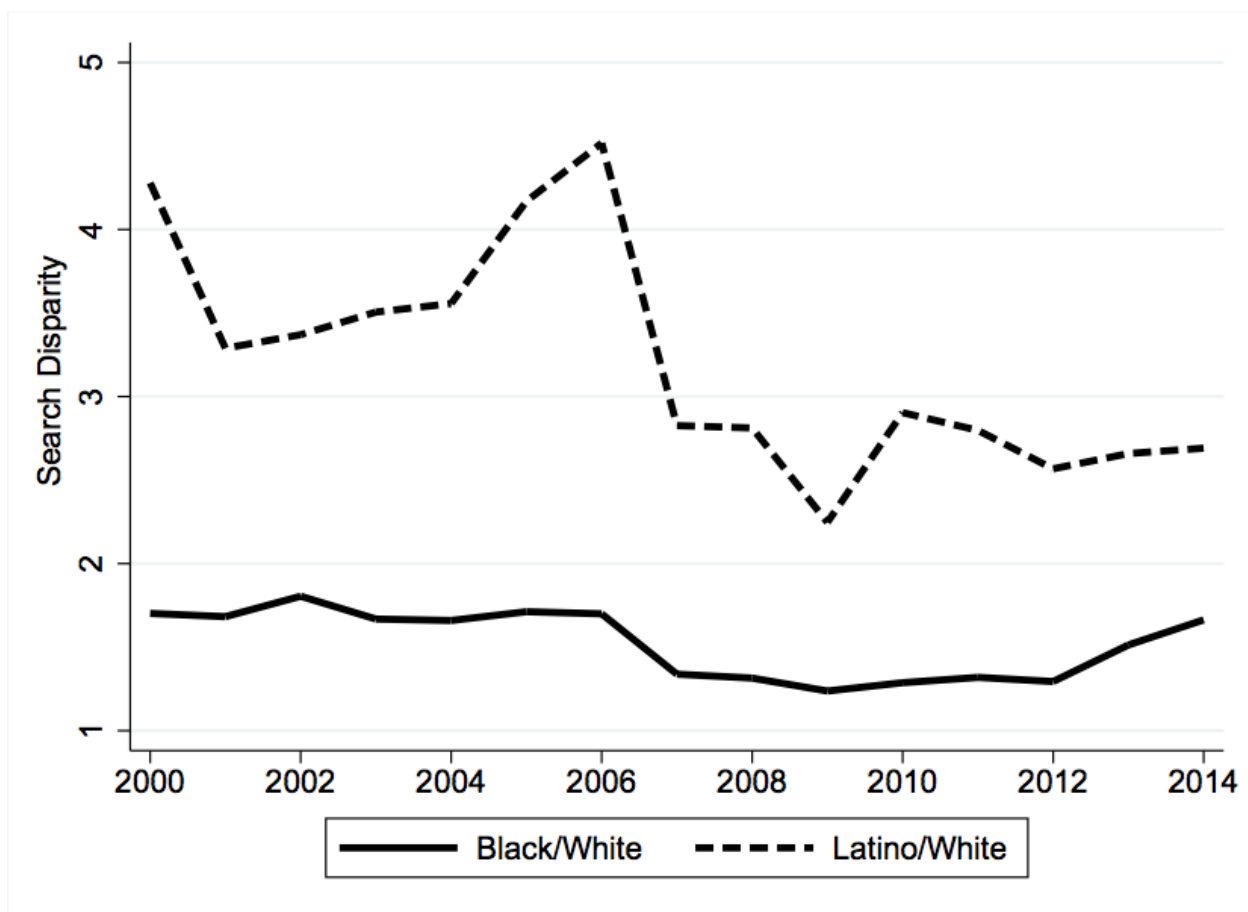
the period, but subsequently fell. In a third set, the decline in Latino/white disparity was very gradual.

Consider, for example, the case of the NC State Highway Patrol. The NC State Highway Patrol serves as an instrument of the Governor. As evidenced by the 2008 gubernatorial debate, we see that executives of North Carolina often did not appear sympathetic to Latinos in this time period. Instead, these elected officials viewed Latinos as a threat to the state's economy. This rhetoric appeared politically popular, and was therefore viewed as the majority opinion of whites throughout the state. If gubernatorial candidates believed that Latinos posed a statewide threat to whites, and that Latinos were an economic detriment versus a gain, we should not expect the NC Highway Patrol to improve its treatment of Latinos over the decade. Quite the contrary, since Latinos were viewed as undocumented, we would expect NC Highway Patrol officers to target them *more* frequently than even African Americans, given that African Americans tend to be citizens and can vote. This provides a critical test for the hypothesis that growing numbers of Latinos responding to white demand decreases racial profiling of Latinos. Unlike local police agencies, which respond to white demands for Latino labor, the NC Highway Patrol reflects a view that Latinos are detrimental, and therefore should target them more than all other groups.

In the period from 2000-2014, the NC State Highway Patrol performed 8,686,823 stops and conducted 62,655 searches. The NC Highway Patrol searched less than 1% of all of the drivers stopped (.0072%). This indicates that in about 99/100 instances, the NC Highway Patrol issues either a warning or a citation to stopped drivers, but does not search vehicles. During the period from 2002-2014, the NC Highway Patrol searched whites at a rate of .58% and African Americans at a rate of .86%. However, in the same period, the NC Highway Patrol performed searches after identifying a driver as a Latino at a rate of 1.8%. This indicates that the Highway

Patrol was 210% more likely to search Latinos as opposed to whites, and 109% more likely to search Latinos as opposed to African Americans. Figure 3.7 demonstrates that from 2000-2014, Latinos were consistently more likely to face searches than both whites and African Americans. Although the NC Highway Patrol does exhibit a decrease in Latino/white disparity over time, this agency was consistently more likely to search Latino motorists as opposed to white or African American ones. Even though Latinos only accounted for 9% of the agency's total stops, whereas whites accounted for 67% and African Americans for 23%, the agency consistently searched Latinos more frequently, indicating greater hostility to this group.

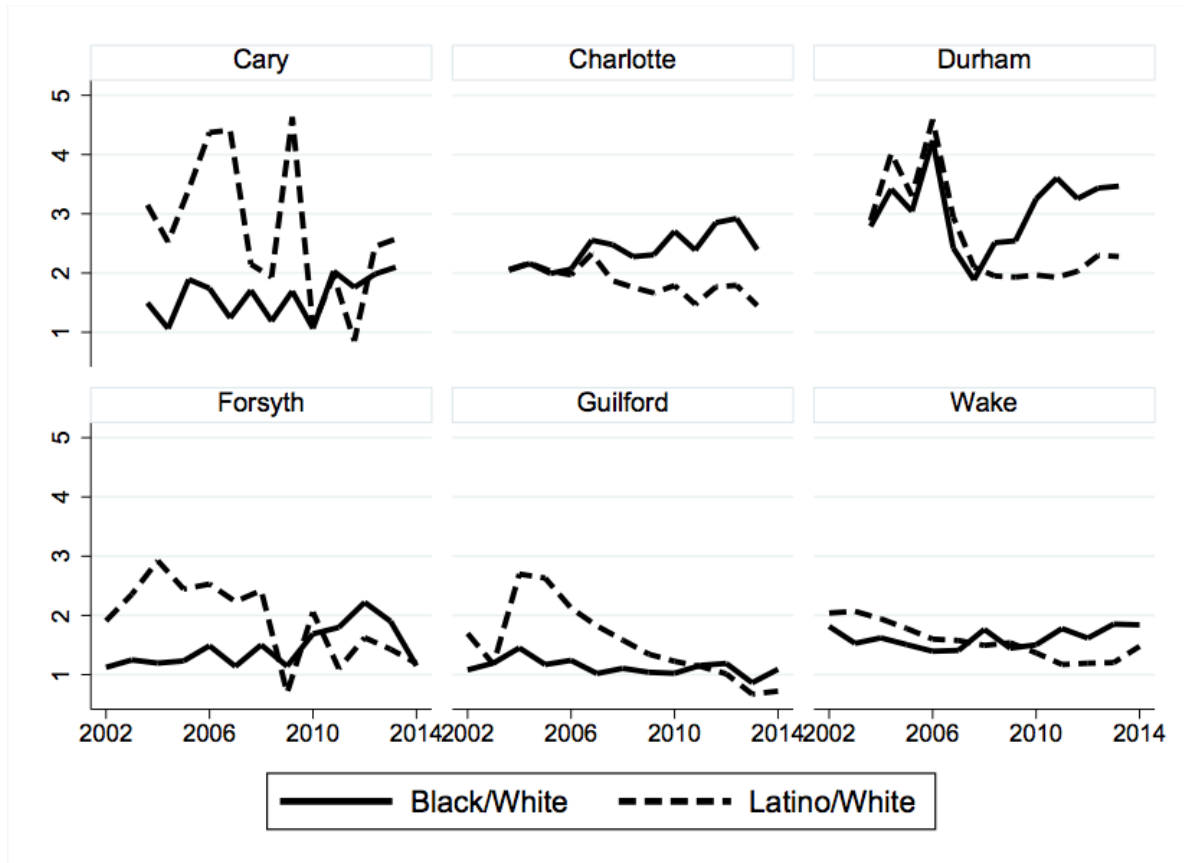
*Figure 3.7 Latino/White and Black/White Disparity in Searches performed by State Highway Patrol, 2002-2014.*



Note. The NC State Highway Patrol is responsible for 43.5% of all stops from 2002-2014 (7,591,664/17,434,911), but only 9% of all searches (49,017/546,642).

Although the NC Highway Patrol is a state level agency, we see similar variation in the set of local police agencies in the data. These agencies vary in terms of the geographic environment they operate in (urban v. rural v. suburban), the institutional structure of their organization (police department v. sheriffs' department), and the political orientation of their constituents. These factors existed well before Latino migration to North Carolina began en masse, meaning that we can observe how these factors either increased or decreased police receptivity toward the new migrant population.<sup>24</sup>

*Figure 3.8. Search Disparity between Latinos/Whites and Black/Whites in North Carolina's Six Major Police and Sheriffs' Departments, 2002-2014.*



Note. Top row are police departments and bottom row are sheriffs' departments. A plot examining the search disparity between Latinos/Whites and African Americans/Whites for each police agency is located in the appendix.

<sup>24</sup> This is advantageous in that it ensures that department organization and Latino migration are not endogenous.

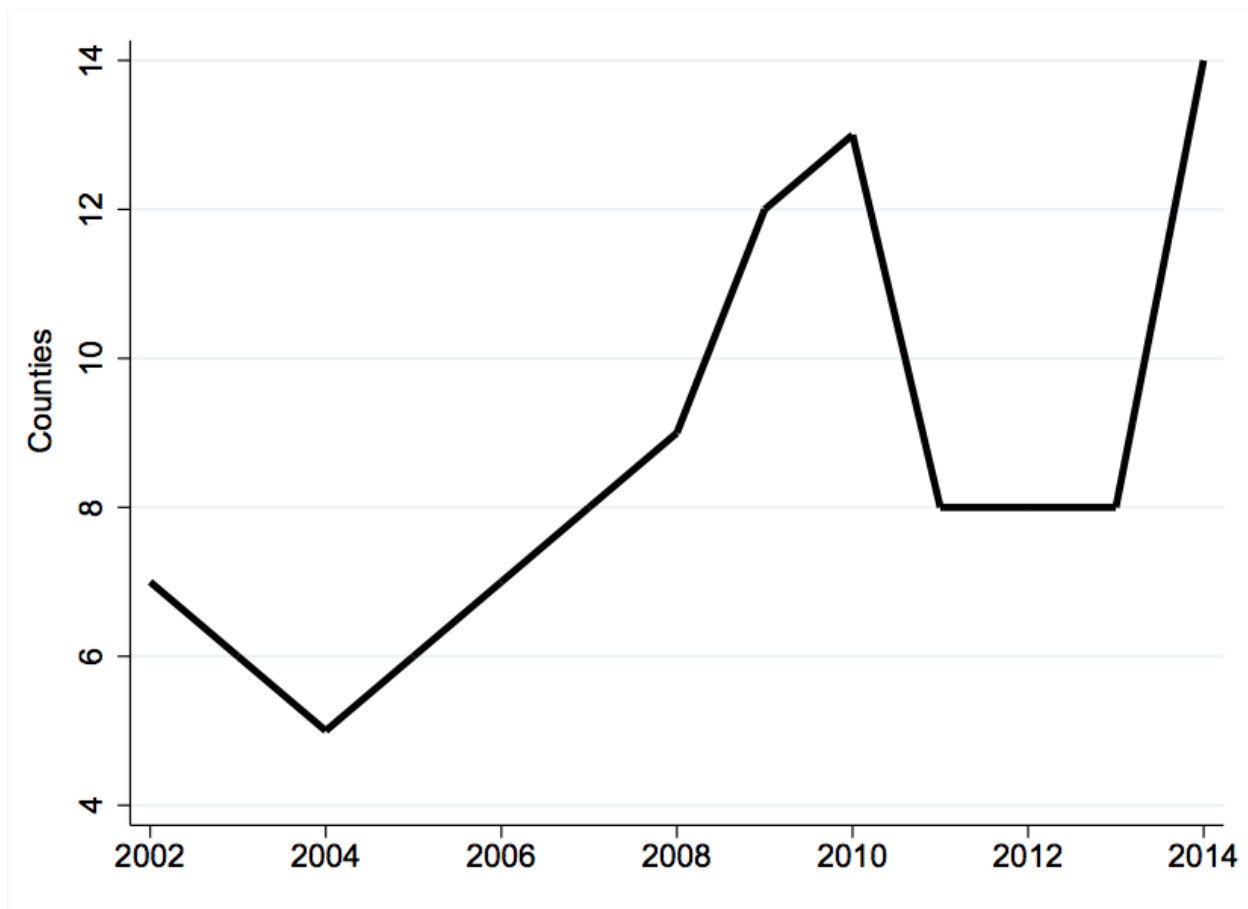
To illustrate this variation, consider Figure 3.8, which presents the racial disparities in police behavior for six agencies throughout North Carolina. Consistently, we see support for Hypotheses 1-2. Latinos move into the intermediate status as the decade progresses, and face greater search rates in comparison to whites, but lower search rates in comparison to African Americans. However, there is variation in how whites in different localities view Latinos. For example, notice that in Cary, Latino/white disparity far exceeds that of Black/white disparity for several years, and then abruptly falls below in 2013, only to rise up again in 2014. This is different from the Durham Police Department. In Durham, both Black/white and Latino/white disparity rose at the start of the decade, but both fell in 2006. Also, the level of Black/white and Latino/white search disparity was indistinguishable until 2008, after which the decreasing level of Latino/white leveled off and Black/white disparity rose precipitously. Similarly, the Charlotte-Mecklenburg police department generally did not treat Latinos much differently than African Americans until 2007, when Black/white disparity grew relative to Latino/white disparity. We also see that Latino/white disparity remained greater than Black/white disparity in the Forsyth and Guilford County Sheriffs' offices, but this is a different pattern than the Wake County Sheriff's Office. In Wake, the difference between Latino/white and Black/white disparity remains minimal at the start of the 2000s, but Latino/white disparity falls below Black/white disparity by 2009.

The key factors in explaining differences in racial profiling across varying agencies may therefore be differences in community level variables, including differences in attitudes toward Latino migrants. This turns the focus to the question: which communities tend to fear minorities more, and what factors exacerbate these fears?

### *Size of the Latino Population*

There are four key community level factors that can explain the variation across the various local jurisdictions. First, it is likely that communities that received large influxes of Latinos may behave differently toward this population than communities with fewer Latino migrants.

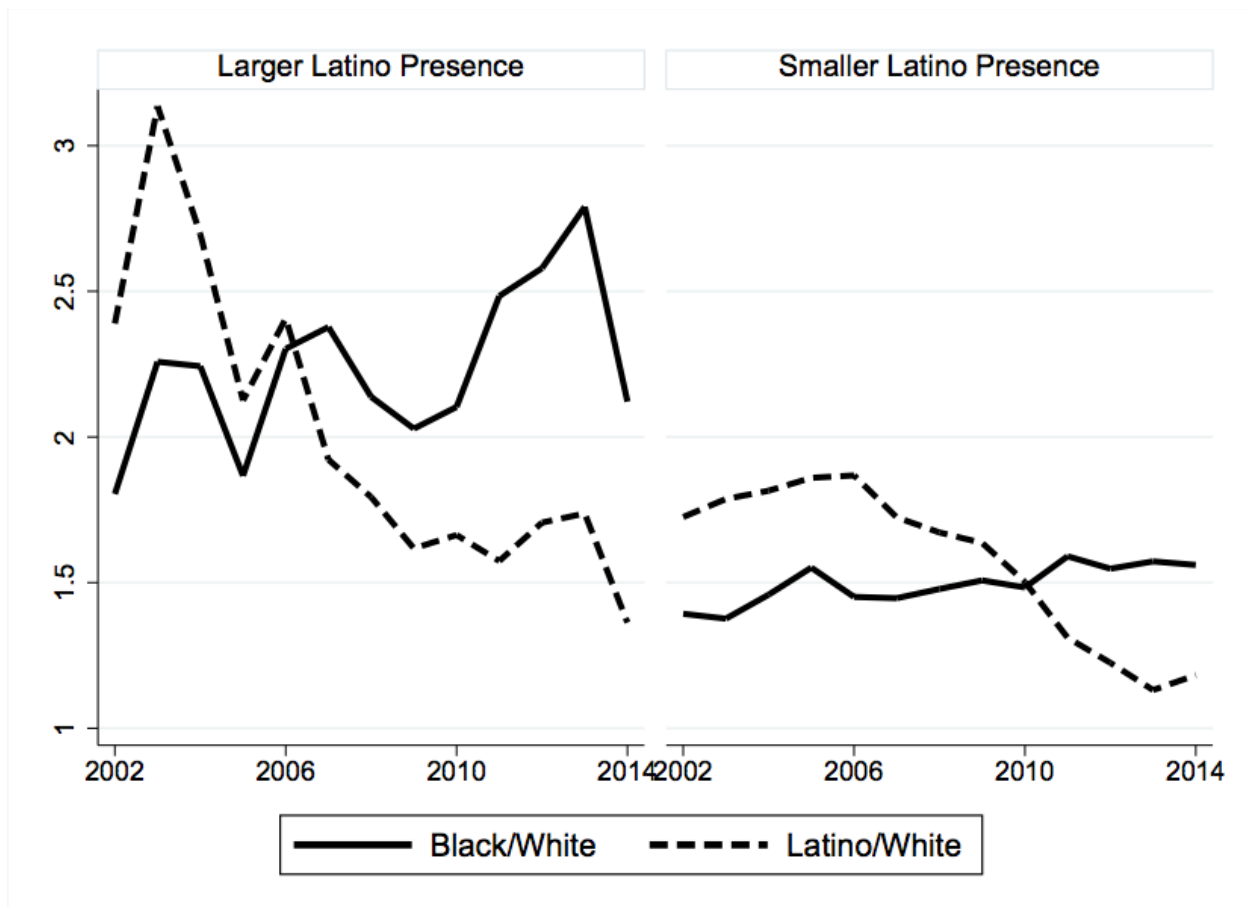
Figure. 3.9. Number of Counties in North Carolina where Latino Population was 15% as large as White Population, 2002-2014.



Note. County estimates use only agencies that conducted at least 50 searches of Latino drivers in the twelve year period.

Figure 3.9 illustrates the growth of Latinos relative to the white population in North Carolina. From 2002-2014, the number of counties where the Latino population equaled 15% of white population grew by 100% from seven to fourteen.

*Figure 3.10. Search Disparity between Latinos/Whites and Black/Whites in areas with a Large versus Smaller Latino Population*



Note. Large Latino population is defined as those jurisdictions in the sample with a Latino population that is equal to 15% of the white population.

Figure 3.10 examines this possibility by separately analyzing the decline in jurisdictions where the Latino population was greater than or equal to 15% of the white population on the left hand side of the plot, and the other jurisdictions where the Latino population was smaller on the right hand side. Immediately, we can see that Latino/white disparity is higher in jurisdictions

where there is a significant Latino presence. This is particularly true earlier in the first years of the period from 2002-2003. However, while Latino/white disparity is proportionally higher in jurisdictions with more Latinos relative to whites, the degree of this disparity *falls at a faster rate* in these jurisdictions as opposed to those with fewer Latinos. By 2006, Latino/white disparity fell below Black/white disparity in the jurisdictions with more Latinos. On the other hand, Latino/white disparity remained greater than Black/white disparity in areas with smaller numbers of Latinos until 2010. It therefore appears that much of the aggregate decline in Latino/white disparity took place in areas where Latinos were going en masse, as opposed to areas with sparser populations of Latino migrants.

### ***Jurisdiction Type***

Second, the agencies serviced different types of jurisdictions. Some of these jurisdictions were located in major urban areas with high population densities, such as Charlotte, Raleigh, and Greensboro. Others, such as Asheville and Durham, can be classified as smaller cities or suburbs. The majority of the state's police agencies operate in more rural areas. In the case of sheriffs' offices, these agencies are responsible for policing entire counties, which are often sparsely populated.

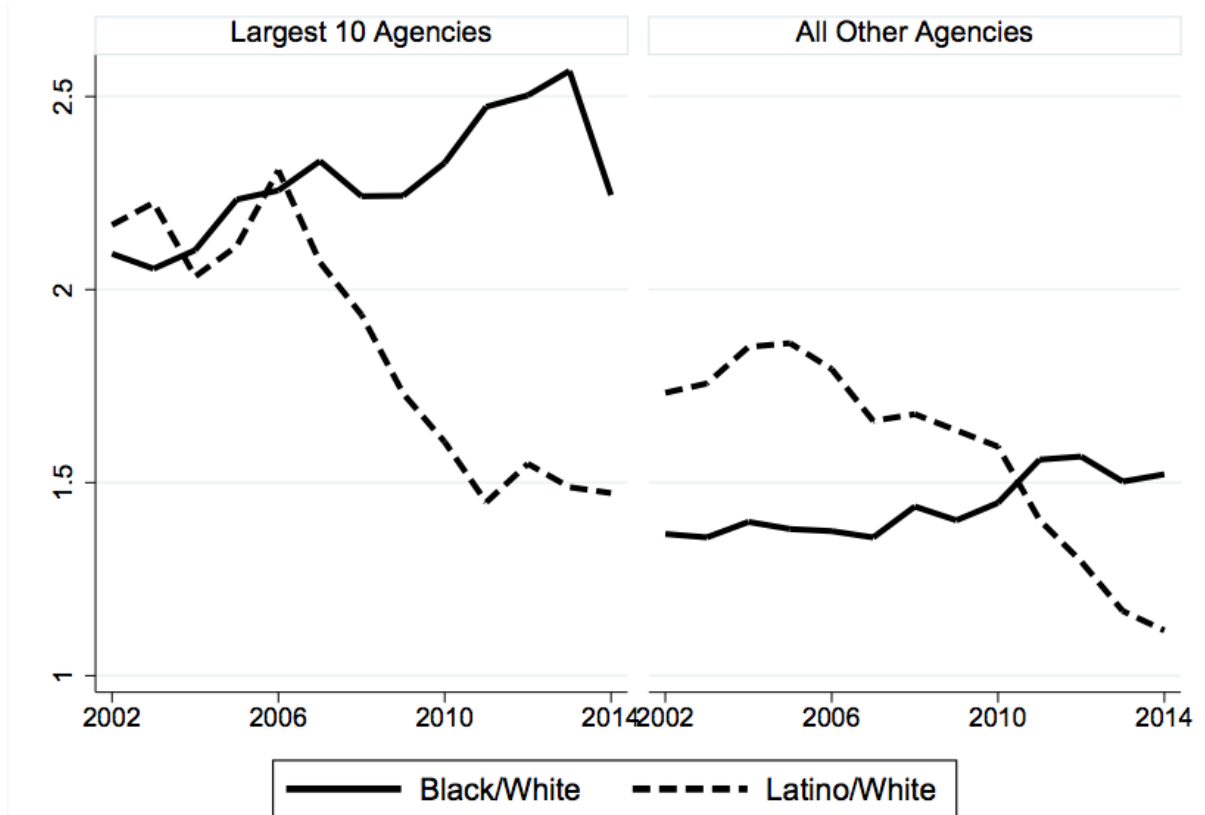
Table 3.1 identifies the police agencies that are responsible for the largest population centers of the state, defined as those jurisdictions with greater than 150,000 residents and over 200,000 stops. These agencies tend to be located in the larger urban areas of the state. Since this is where the bulk of Latinos tended to migrate, one possibility is that the patterns of decreasing racial disparity are different in rural and suburban areas versus urban areas. Given the larger populations, these agencies employ police officers, and engage in more stops and searches than the state's other agencies, and behave differently toward Latinos and African Americans in comparison to whites.

*Table 3.1. Traffic Stops and Search Disparity in the Ten Largest Agencies in North Carolina, 2002-2014.*

Agency	Total Stops	White Search Rate	Black Search Rate	Latino Search Rate	Black/White Disparity	Latino/White Disparity
Charlotte	1460094	.029	.07	.055	2.41	1.9
Raleigh	786652	.022	.043	.047	1.96	2.14
Greensboro	525819	.029	.064	.062	2.20	2.14
Fayetteville	425384	.039	.071	.041	1.82	1.05
Winston-Salem	423967	.015	.022	.029	1.47	1.93
High Point	260822	.034	.06	.059	1.76	1.74
Durham	250625	.027	.079	.065	2.93	2.41
Cary	204165	.015	.024	.04	1.6	2.67
Jacksonville	184750	.027	.073	.04	2.7	1.48
Wilmington	163040	.033	.08	.067	2.42	2.03

Note. Table excludes statewide agencies, such as the NC Highway Patrol.

*Figure 3.11. Search Disparity between Latinos/Whites and Blacks/Whites in Ten Largest Agencies versus Smaller Agencies 2002-2014*



Note. Although these ten police departments represent only 7.7% of the agencies in the analysis, they collectively account for 53% of all stops and 44.6% of all searches.



Figure 3.11 separately analyzes Latino/white and Black/white search disparity in the ten large police agencies, which serve the largest urban areas, and the other 130 police agencies. The larger agencies exhibit greater levels of racial disparity in searches between whites and both Latinos and African Americans. This makes intuitive sense, given that both African Americans tend to reside in urban areas, and that Latinos headed to the state's largest urban areas to find employment. There are, however, two patterns worth mentioning in addition to the proportionally higher search levels in the large agencies. First, the level of Latino/white disparity in larger agencies falls below that of Black/white disparity earlier in the period in comparison to smaller agencies. This suggests that while all white populations initially saw Latinos as more threatening than African Americans, this perception changed more quickly in urban areas versus rural areas. This suggests that whites were quicker to accept Latinos in urban areas where Latinos were performing greater services for whites, versus rural areas where some Latinos resided but few were employed.

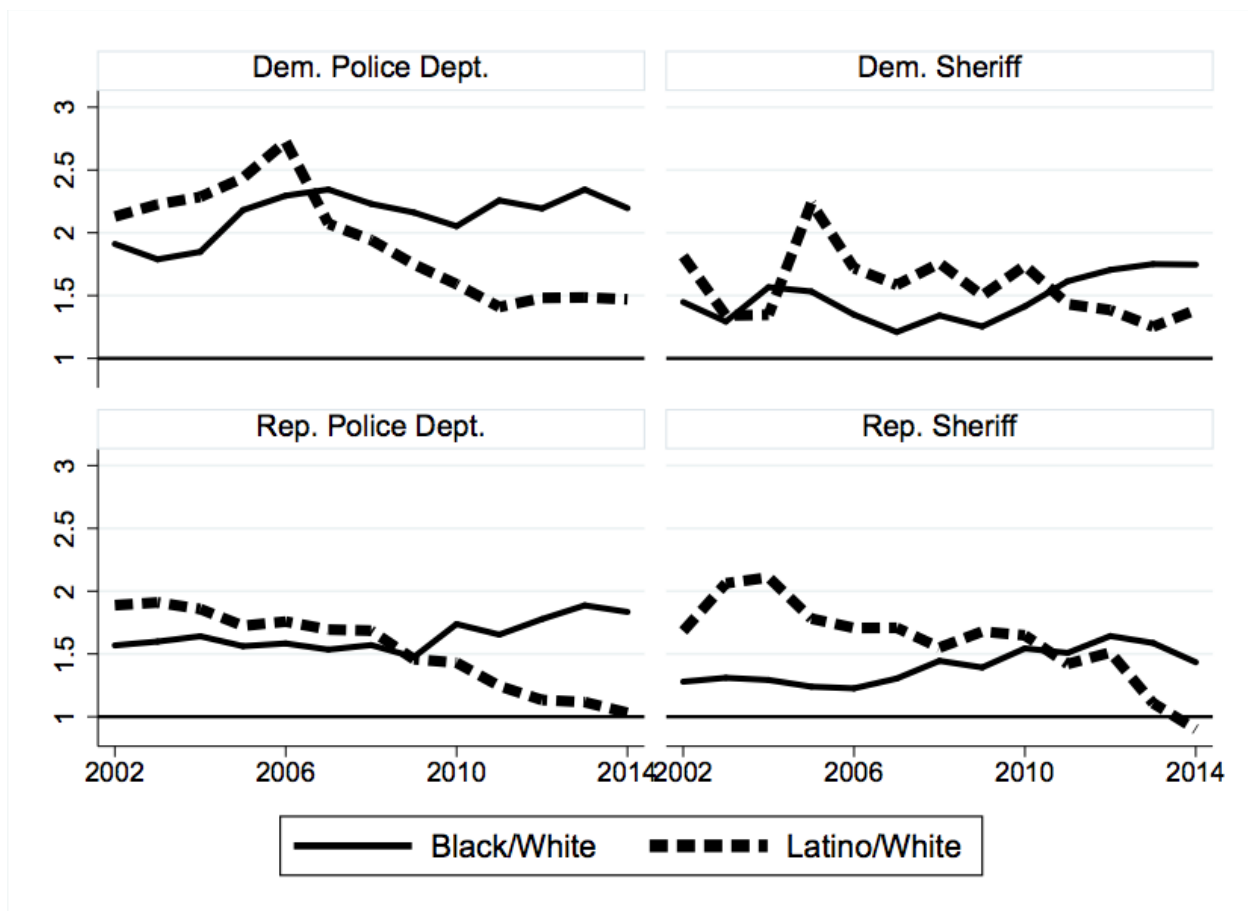
### ***Agency Type and Local Politics***

The majority of larger, urban areas in the state are service by police agencies, whereas smaller, rural areas tend to be serviced by sheriffs' departments. There are 51 sheriffs' departments (39.23%) and 79 police departments (60.77%). In addition to their geographic areas, another key difference between the two types is that while police chiefs are appointed, a sheriff is an elected position. This means that while appointed bureaucrats lead police departments, sheriffs are elected officials. Given that the political climate in the state toward Latino migrants during the period was less than welcoming, it is conceivable that some of the patterns we are observing are functions of agency type.

The reception by police agencies toward Latinos may also be a function of the political orientation of the jurisdiction they serve. Although both Republicans and Democrats expressed

hostility toward Latinos at the state level, the views of the national Democratic party were much more accommodating to Latinos. The opposite can be said of national Republicans, who frequently linked Latinos to terrorists, and demanded greater fortification of the southern border. The political orientation of each jurisdiction is determined by results of most recent presidential election cycle. Democratic jurisdictions are those that are located in counties that voted in the majority for the Democratic candidate. Republican jurisdictions are the opposite.

*Figure 3.12. Search Disparity between Latinos/Whites and Blacks/Whites in Police versus Sheriffs' Departments by Political Orientation of the Jurisdiction 2002-2014.*



Note: The ten largest agencies are all police departments as opposed to sheriffs' departments, which tend to be located in jurisdictions that are more sparsely populated. The majority of residents in 48% of the jurisdictions voted for Republican presidential candidates throughout the entire period. This is greater than the 12.3% of jurisdictions where residents voted for Democratic candidates throughout the entire period, and the 39.2% of jurisdictions that swung between Republican and Democratic presidential candidates.

Consistent with the previous results, the plot demonstrates that Latino/White disparity falls throughout the period. However, there are two interesting patterns. First, we see that the absolute level of Latino/White disparity is highest in Democratic police departments. These agencies tend to police areas in large urban centers where Latinos tended to settle. However, in Democratic police departments, the level of Latino/White disparity falls below Black/White disparity faster than any other police agency. This suggests that while police in these areas systematically target Latinos more than whites, Latinos do appear to move into the intermediate place in the racial hierarchy earlier in the urban liberal centers in comparison to all other types of jurisdictions. We further see that Latino/white disparity remains greater than Black/white disparity longer for jurisdictions policed by Republican sheriffs in comparison to the other agencies. This suggests that Republican sheriff's deputies may have tended to place Latinos at the lowest part of the racial hierarchy for a longer period than police officers.

## **Conclusion**

The devolution of power to enforce immigration law from the federal government made local police officers critical actors in the lives of the new Latino population arriving to North Carolina. The decision to use this new power was largely subject to the discretion of police officers throughout the state that served in a diverse set of agencies. Previous theoretical and empirical work explains police discretion as a function of a racial hierarchy. While whites sit at the top of the hierarchy, African Americans are placed in the bottom category and Latinos are given intermediate status. Based on these studies, we would expect that police in North Carolina would treat Latinos more harshly than whites, but less harshly than African Americans.

I systematically test these predictions using data on police discretion following routine traffic stops throughout the state. The results indicate that although Latinos faced harsher

treatment than both whites and African Americans throughout the entire period, the disparity between Latinos and whites fell throughout the decade, whereas the disparity between African Americans and Latinos increased. By 2010, the level of racial disparity between Latinos and whites was less than the disparity between African Americans and whites. This demonstrates that the racial hierarchy created by police in the state evolved to eventually place Latinos in the intermediate category.

We further see that there is substantial variation in the level of Latino/white disparity based on the size of the Latino population, geographic location, agency type, and political leanings of the jurisdiction. The results demonstrate that in police agencies in urban areas that tended to lean Democratic exhibited *greater* levels of Latino/white disparity than smaller agencies in more rural, Republican areas. However, the rate at which the disparity between Latinos and whites fell was faster in the urban, Democratic areas of the state as opposed to the Republican jurisdictions. The following chapter links each of these variables together in a theoretical framework to explain the varying levels of receptivity to the new Latino population.

## **CHAPTER 4: THE DETERMINANTS OF DISPARITY IN POLICE BEHAVIOR TOWARD LATINOS VERSUS WHITES**

The examination of the police behavior following traffic stops in North Carolina reveals two empirical patterns. First, while police in North Carolina treat Latinos in a harsher manner than whites, there is an unmistakable trend toward less racial disparity in police treatment of Latinos versus whites by local police agencies. This trend is observable when looking at the aggregated data and when examining each police agency individually. Second, although the trend toward less racial disparity is clear, the *rate* of this decline varies by agency. This suggests that there is variation throughout the state in both the actual level of white receptivity toward Latino migrants, and the rate at which Latinos were accepted in various localities. This raises the questions: when are police receptive to the growth of the Latino population, and when do police view the growth of the Latino population as a threat? Addressing these questions allows us to understand the variation in the rate at which Latino/white disparity in police searches fell, and understand the conditions under which it may rise again.

In this chapter, I argue that the uneven rate at which Latino/white disparity falls is a product of the tension between the economic benefits provided by Latino migrants and white fears of cultural change. The Latino population grew at the fastest rate in urban areas where demand for Latino labor was relatively higher, signifying that the local white populations in these areas were willing to tolerate the influx of this group so long as their presence translated to greater economic gains. The behavior of police departments and sheriffs' offices in these areas reflects the local population's receptivity to economic benefits provided by the new Latino population, such as a cheap labor pool and a larger consumer base for local industries. While

Latinos provided similar benefits to the state's rural areas, whites in these areas tended to hold political beliefs that aligned with the Republican Party, which maintains a platform that is more hostile to Latinos. Police servicing these areas therefore took cues from their Republican constituents and demonstrated greater hostility and aggressiveness toward Latinos in their jurisdictions. As a result, popularly elected sheriffs that serviced rural agencies with Republican constituents slowed the rate at which Latino/white disparity declined. The agencies that are the most resistant to the equal treatment of Latinos are those operating in larger jurisdictions and sheriffs' departments. However, the converse is also true: sheriffs facing Democratic constituencies, who tend to be more receptive to Latino migrants, are likely to *reduce* racial disparity. My analysis therefore indicates that the key drivers of Latino/white disparity are the political orientation of the jurisdiction, coupled with the size of the jurisdiction and the type of police agency (department v. sheriff), and the violent crime rate. In Democratic areas, larger agencies and sheriffs decreased the level of racial disparity in searches between Latinos and whites. This disparity is further reduced when levels of violent crime are high due to police awareness of the Latino Paradox, where neighborhoods with high concentrations of Latinos tend to experience less crime. Conversely, in Republican areas, sheriff departments' exacerbated racial disparity between Latinos and whites, thereby slowing the overall rate at which Latino/white search disparity declined statewide.

I develop this argument in several steps. First, I present the theoretical explanation for why the rate of decline in Latino/white disparity appears to vary across multiple jurisdictions. Next, I outline several hypotheses related to how partisan affiliation, agency size, and agency type (sheriff v. police department), and violent crime rates influence the level of Latino/white disparity in traffic stops. These hypotheses are then tested using data on 117 police agencies in

North Carolina from 2002-2014. The results support the conclusion that the growing Latino presence in the state is decreasing racial disparity in policing, but local factors may serve to impede or accelerate this decline. I conclude the chapter by discussing the implications of the results. Let us begin with a discussion of when and why whites view Latino migrants as a potential threat, given that this population often brings economic gains to the neighborhoods where they settle.

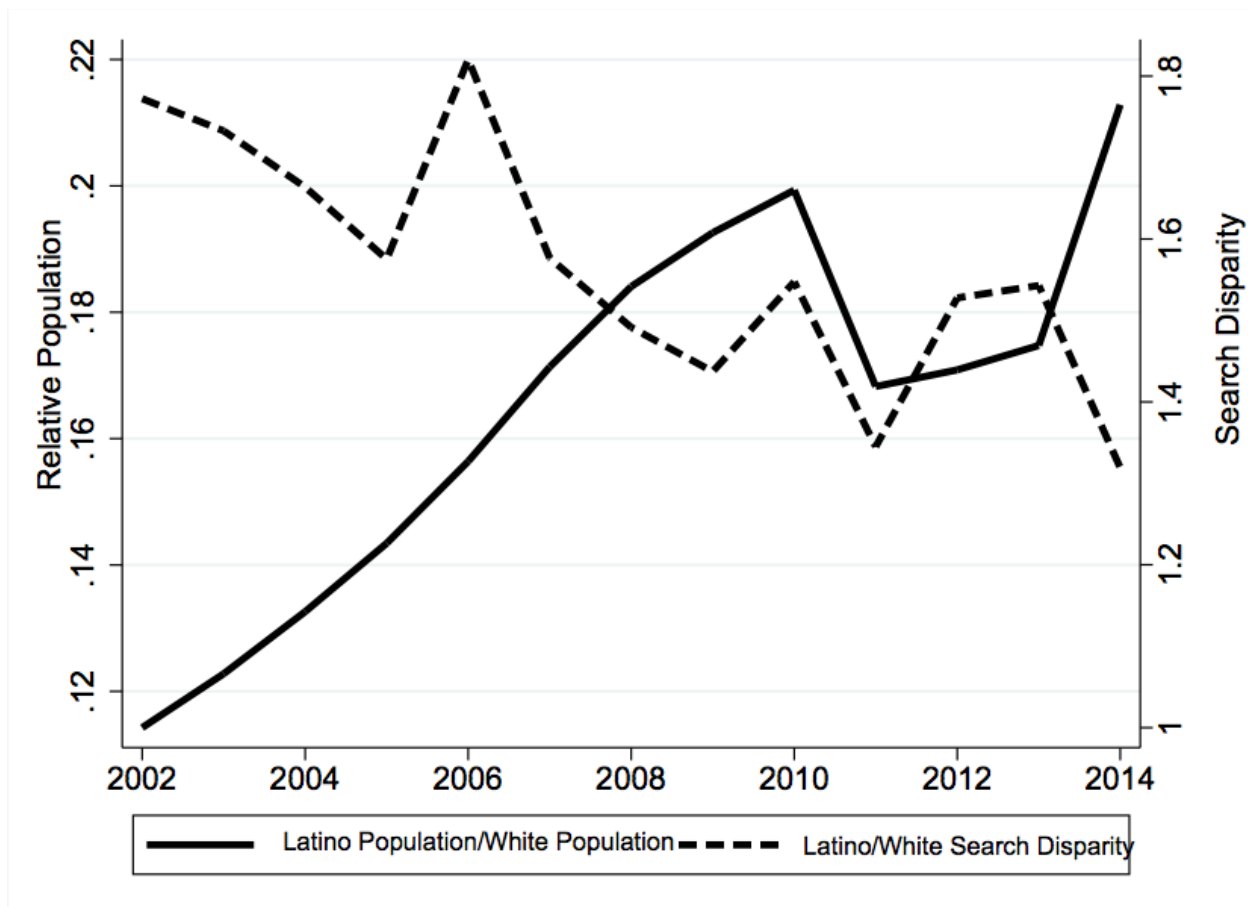
### **Economic Gains versus Fear of Cultural Change**

The key reason for why whites maintain more positive views of Latinos in comparison to African Americans and other ethnic minorities is that Latinos are seen as economically beneficial. As they arrived to North Carolina, Latino migrants increasingly contributed to their new communities throughout the state, particularly in the I-40/I-85 corridor. Latinos were filling one in three of the new jobs throughout the state, and were saving the construction industry close to \$2 billion dollars in revenue. In addition, Latinos were increasingly supporting local businesses with their revenue, particularly in areas such as education, health care, and entertainment. Taken together, Kasarda and Johnson (2006) estimated that Latinos contributed approximately \$9 billion dollars to the state in 2004, and projected that this number would double to \$18 billion by 2009. Clearly, the Latino growth was bringing positive externalities to the white population in the communities where Latinos were settling.

To illustrate the economic gains from Latino migration, consider the development of the city of Charlotte. Beginning in the late 1980s and into the early 1990s, construction began on the Bank of America Corporate Center, after the company announced it would move its headquarters to the city. Since Charlotte lacked a sufficient pool of blue collar laborers, the Houston based Becon Construction Company began recruiting Latinos from south Texas to relocate to North Carolina to build the project. These workers stayed in Charlotte, encouraged family members to

relocate to the state, and began sending their children to the city's public schools. Latinos soon comprised a substantial workforce needed to sustain and support the professional classes moving into the revitalizing and newly dynamic Charlotte area.

*Figure 4.1. The growth of Latinos relative to whites and the decline of Latino/white search disparity in Charlotte, 2002-2014.*



Note. Size of the Latino population relative to the white population in Charlotte-Mecklenburg increases from .11 in 2002 to .21 in 2014, an increase of 91%. In the same period, Latino/white search disparity fell by 25% from 1.77 in 2002 to 1.31 in 2014.

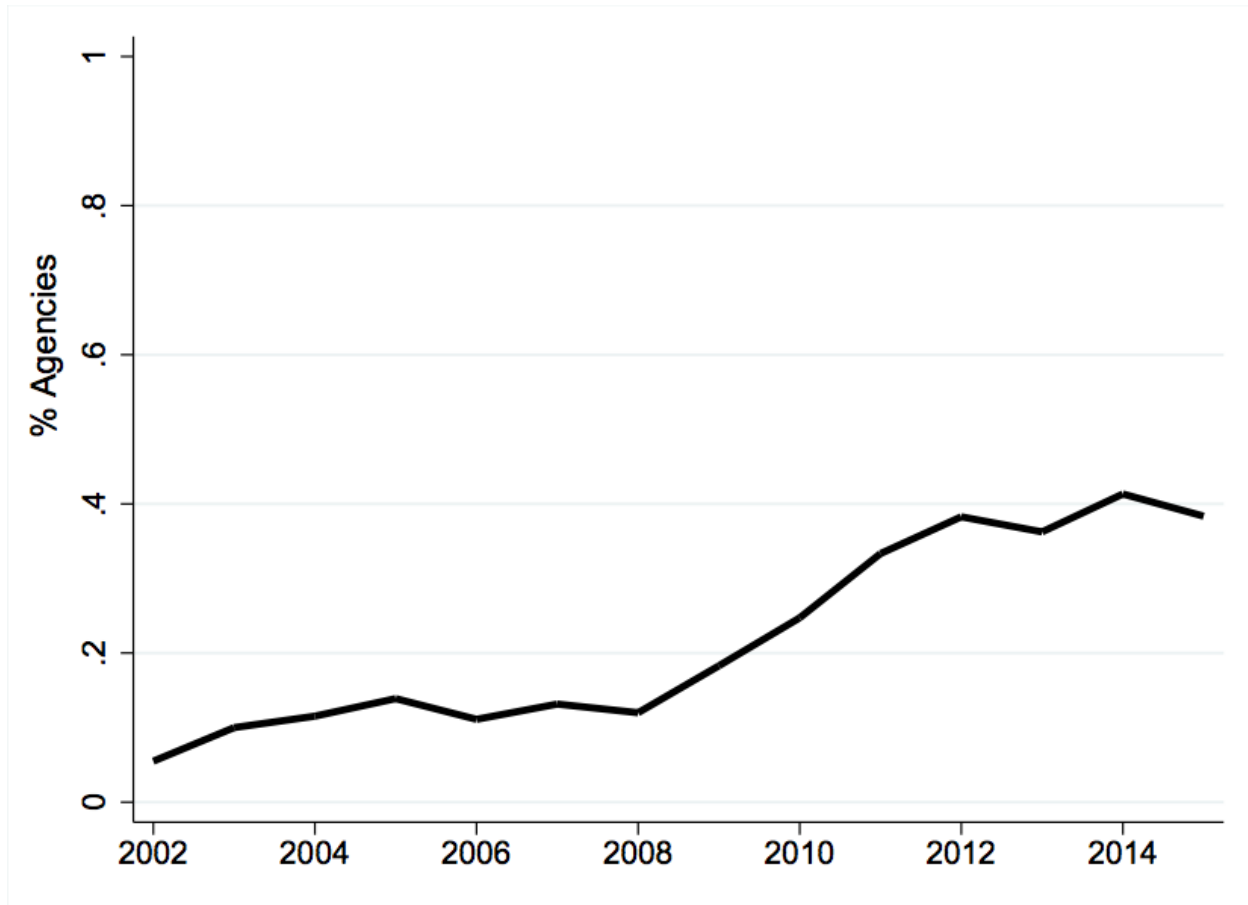
Figure 4.1 demonstrates that as the Latino population of Charlotte grew, and as Latinos satisfied white demands for labor, the racial disparity in police treatment between Latinos and whites fell. There appears to be a clear, inverse correlation between the growth of the Latino population relative to the white population in North Carolina and the decline in racial disparity in



police searches. This is likely a result of the positive reception whites gave to Latinos that were playing a key role in developing the city. Local politicians quickly recognized the value of Latino migrants and began outreach programs aimed at fostering better relations with the community. In 2015, following her election, Mayor Jennifer Roberts stated:

“When I first ran for office in 2004, people told me to hide the fact that I speak Spanish. In just eleven years, I can celebrate that.”<sup>25</sup>

*Figure 4.2. Percentage of Agencies with Latino/white Search Disparity Rates less than 1, 2002-2014.*



Note: Calculated after dropping agency years where fewer than 100 Latinos are stopped.

<sup>25</sup> <http://www.citylab.com/housing/2015/12/charlotte-north-carolina-immigrant-latino/417324/>

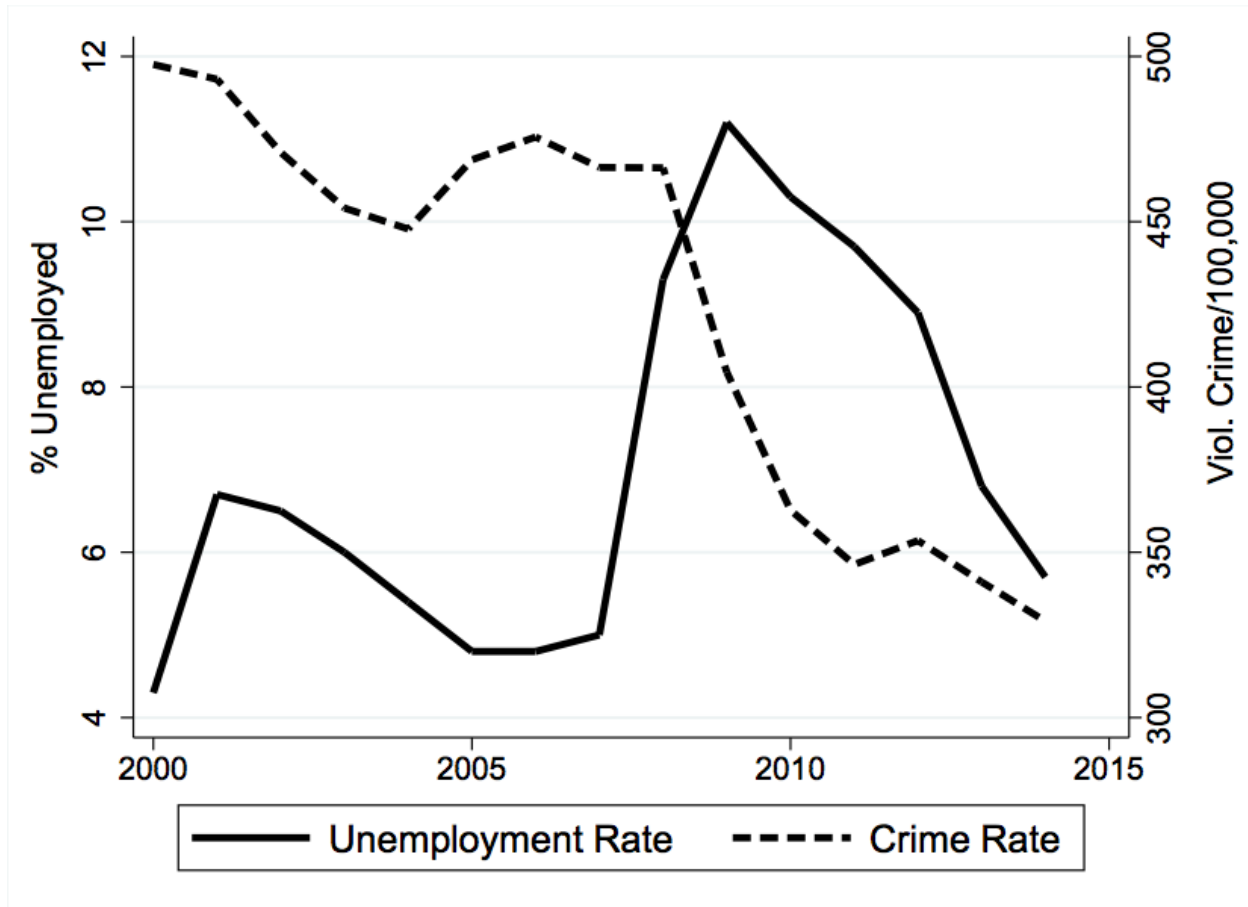
The case of Charlotte suggests that the growth of the Latino population is a function of white demand, and that Latinos moving to areas where whites sought their labor should receive relatively better treatment from local police. While the majority of agencies continued to search Latinos at higher rates than whites, Figure 4.2 demonstrates that the proportion of agencies that search Latinos less frequently than whites grew steadily throughout the time period, which corresponds to the fall in Latino/white search disparity identified previously. Surprisingly, by 2013, approximately 40% of North Carolina's police agencies searched whites at greater rates than Latinos. This trend can be attributed to North Carolina's increasing demand for Latino labor, which was the initial force that attracted Latinos to the state. This leads to the first hypothesis.

**Hypothesis 4.1.** Increasing the growth of Latinos relative to the white population in a jurisdiction decreases Latino/white search disparity.

However, although Latinos provided an economic boost to whites, a substantial number of white citizens began expressing concern about the long-term implications of Latino migration to the state. These citizens raised concerns that the Latino presence would change the localities in a negative way. The initial explanations for white fears of Latinos were motivated by what is referred to as the Immigrant Threat Narrative (Newman 2013; Dunaway et al 2010; Ayers and Hofstetter 2008). Whites might fear Latino migrants due to concerns that Latinos may increase the crime rates, while driving down wages and overusing social services. Since whites overwhelmingly believe that Latinos in their community are "illegals," and news media coverage of Latinos focuses a great deal of attention on crimes Latinos are creating, this negative frame may influence white perceptions of the Latino community. Second, white fears of Latinos may be motivated by economic competition. The willingness of Latinos to accept lower wages, which

could threaten white economic security and raise white unemployment. Further, whites often raised concerns that Latinos required social support in the form of greater welfare payments, which in turn might necessitate higher tax rates.

*Figure 4.3. Unemployment Rate and Violent Crimes per 100,000 in North Carolina 2000-2014.*



Note. State unemployment data from Federal Reserve Bank of St. Louis, violent crime data obtained from DisasterCenter.com. Crime statistics calculated by dividing total number of violent crimes (homicides, rapes, etc.) by total state population and multiplying by 100,000.

However, the data presented in Figure 4.3 indicates that this “Immigrant Threat Narrative” is at odds with reality (Citrin et al. 2007). While Latino migration increased exponentially during the 2000s, North Carolina’s violent crime rate plummeted from 2000 to 2014. Consistent with the national pattern of the Great Recession, the state’s unemployment rate

increased from 2007-2013, but subsequently fell to lower levels. If the large spike were caused by Latino migration, unemployment in North Carolina would remain high and defy national trends.

Nonetheless, as evidenced by the presidential election of 2016, the Immigrant Threat Narrative remains quite powerful in persuading whites that Latino immigrants pose a significant security risk (Santa Ana 2004; Chavez 2008; Abrajano & Alvarez 2010). This belief does not appear to be motivated by economic or security concerns, but rather by a fear of cultural change, and the fear of white status in a minority-majority America (Abrajano & Hajnal 2015; Parker & Barretto 2014). In his widely cited work *Who are We? The Challenges to America's National Identity*, Samuel Huntington argues that the rapid growth of the Latino population in the United States poses a significant threat to the American Creed. He argues that the “Hispanization” of the U.S. is undermining traditional institutions, such as English as the primary language, the dominance of Protestantism over Catholicism, and the obligation of immigrants to assimilate. Huntington states that unlike previous waves of immigrants, such as the Irish, Italians, and Jews, Mexican immigrants resist adopting English and often identify as Mexicans first, Americans second. These trends supposedly threaten the concept of an American identity. Huntington’s argument indicates that immigration is shifting the country’s political landscape in such dramatic ways that it poses a threat to whites that may seek to preserve their conception of traditional American values. Theoretically, we can interpret this argument to suggest that growing numbers of Latinos threaten the traditional racial hierarchy of the U.S., where whites occupy the top position.

Although Huntington does not specifically make this case, his argument generally suggests that white hostility toward the Latino population is motivated by fear of losing the

privileged position in the U.S. racial hierarchy. Presently, whites are overrepresented in U.S. government institutions,<sup>26</sup> and have greater household wealth and lower unemployment rates than minorities. Whites also dominate the vast majority of U.S. cultural institutions. However, Latino migration threatens a change in this privileged status quo by growing the number of non-whites in the population. These demographic shifts may portend a future where multiple states become minority-majority states, or states where the white population falls below 50%. This raises a fear that whites will lose their privileged status. For example, the use of Spanish is growing in each of these states, including in public affairs. These changes may threaten white domination of economic and social institutions.

Consistent with backlash in other parts of the world, whites that fear these changes tend to gravitate toward the political right, which is represented in the U.S. by the Republican Party (Abrajano & Hajnal 2015; Hajnal & Rivera 2012). Demographically, the Republican Party tends to represent older white Americans, and has adopted a platform that is far more hostile toward Latino migrants (Miller & Schofield 2008; Jeong et al. 2011; Wong 2013). In the past three elections, the presidential candidates of the Republican Party portrayed Latino migrants as a nationwide menace, and promised to crack down on Latinos to defend whites against this cultural threat. Although Senator John McCain was once an architect of Comprehensive Immigration Reform, Republican Presidential Candidate McCain focused on defending the Arizona border and charged that Senator Obama was weak on immigration. Similarly, 2012 Presidential Candidate Mitt Romney argued that he would try to encourage Latino migrants to “self-deport” by making it harder for “illegals” to get jobs. And in the latest presidential cycle,

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<sup>26</sup> <https://www.washingtonpost.com/news/the-fix/wp/2015/01/05/the-new-congress-is-80-percent-white-80-percent-male-and-92-percent-christian/>.

eventual Republican President Donald J. Trump stated in his announcement speech on June 16, 2015 that:

“When Mexico sends its people, they’re not sending their best...they’re sending people that have lots of problems, and they’re bringing those problems to us. They’re bringing drugs. They’re bringing crime. They’re rapists.”

In addition to these statements, numerous studies provide systematic evidence that the Republican Party is providing a home for whites that are fearful of immigrants, and rally together to “take our country back.” Parker and Baretto (2014) demonstrate that whites that fear of losing their privileged position overwhelmingly support the Republican Party. These individuals often believe that all Latinos are Mexican and undocumented (Perez 2010; Chavez 2008). Abrejano and Hajnal (2015) demonstrate that there is an inverse correlation between positive sentiments of Latino migrants and affiliation with the Republican Party (67).

The strong correlation between anti-immigrant rhetoric and support for the Republican Party’s presidential platform gives us some indication of where white fears of Latino migrants are at their highest. If Republicans express greater fears about Latinos, and the attitudes of police and design of police agencies is endogenous to community fears, *we should expect greater racial profiling in jurisdictions that are comprised of mostly Republicans, and less racial profiling in areas comprised of mostly Democrats.* In North Carolina, the Republican Party won the presidential contest in 81 of the state’s counties in 2004, 79 of the state’s counties in 2008, and 60 of the state’s counties in 2012. These data demonstrate that while Republicans seem to traditionally dominate the state’s elections, the Democratic Party appears to be more successful in the state’s urban areas, including the Research Triangle and Charlotte.

While hostility toward Latino migrants is likely to be high in areas populated by Republican supporters, Abrejano and Hajnal (2015) demonstrate that the opposite is true in areas populated by Democratic supporters. The authors establish a positive correlation between favorable attitudes toward Latino migrants and identification with the Democratic Party. This finding is further supported by several other studies linking Latinos to strong support for the Democratic Party (Wong et al. 2011; Alvarez & Garcia Bedolla 2003; Hajnal & Lee 2011). Although the number of deportations in the Obama administration was very high, the president announced in 2012 that he would stop deporting Latinos younger than thirty years old who arrived in the U.S. before they were sixteen years old. Obama therefore won 75% of the Latino vote in the presidential election of 2012. The president announced in 2014 that the U.S. would refrain from deporting an additional five million Latino immigrants from deportation. These actions, coupled with the clear disproportionate support Democrats receive from Latinos, indicate that the Democratic Party appears to be far more welcoming toward Latinos than the Republican Party. In North Carolina, support for the Democratic Party is larger in the more urban areas of Charlotte, Durham, and Raleigh, along with Buncombe County, whereas support for the Republican Party is larger in the more rural areas. Interestingly, we also see that Latino/white disparity appears larger on average in Republican counties versus Democratic counties. This suggests that police in Republican areas tend to take cues from the hostility of their constituents toward Latinos, whereas police in Democratic areas observe the pro-Latino attitudes in their communities, and reflect these attitudes in their behavior.

### **The Effect of Community Attitudes on Racial Disparity in Policing**

Presumably, since police serve their local communities, and often recruit from the same pool, the behavior of the police should reflect their communities' political attitudes. We can therefore systematically identify where hostility toward Latinos is higher by examining election

results in the various counties where police agencies are located. If a police agency is serving a constituency that voted Democratic in a past election, a reasonable inference is that the constituency views Latinos more favorably. The police agency should therefore take actions to decrease racial profiling behavior of its officers. On the other hand, if a police agency is serving a Republican population, the agency may reflect hostility toward Latinos and seek to target them more aggressively. However, while party identification tells us where racial disparity between Latinos and whites is likely to be higher, it is still too blunt to fully account for the variation in search disparity. Multiple police agencies serve Republican constituencies, yet exhibit low levels of racial disparity in searches. A similar pattern exists for agencies that serve Democratic constituencies. The partisan leanings of the jurisdiction give some indication of what the police agency's constituents are demanding. Let us now consider what factors contribute to the ability and willingness of police agencies to respond to this demand.

First, police agencies are constrained by the size of their force (Brown 1981, Maguire 1994). Police forces grow in areas where communities express considerable fear of crime, particularly crime committed by racial minorities (Holmes 2000; Lawton 2007; Lee et al. 2010; Parker et al. 2005). Since the bulk of the state's minority population resides in the major cities, we would therefore expect police forces to be larger in urban areas. In Republican areas, where fears of minorities are relatively greater, larger police forces can use their police to 'protect' white constituents from Latinos. On the other hand, agencies with fewer financial resources may be less able to deploy sufficient resources to target Latinos due to manpower shortages. Agencies with greater capability, on the other hand, may have more personnel, equipment, and funds. These agencies may therefore exhibit more aggressiveness toward Latinos, which in turn should exacerbate the level of Latino/white disparity.



**Hypothesis 4.2.** Increasing the size of police agencies in Republican jurisdictions increases Latino/white search disparity.

However, the opposite is likely to be true in police agencies that operate in jurisdictions where constituents vote Democratic. In these areas, the population is likely to be less white, younger, and more hostile toward the practice of racial profiling by the police. Although this is unlikely to significantly change the behavior of smaller police agencies, larger agencies with more resources may respond to their communities' tolerance by funding cultural training for their police officers, or by hiring Spanish speakers to serve in their forces. This training may be aimed at constraining police impulses to target Latinos. Further, larger agencies may invest in more community relations programs aimed at building trust between the police and the Latino community. Given that constituents in these areas will be less tolerant of police misconduct, we should expect that larger agencies in Democratic jurisdictions restrain their officers in an effort to reduce racial disparity in traffic stops.

**Hypothesis 4.3.** Increasing the size of police agencies in Democratic jurisdictions decreases Latino/white search disparity.

The second set of factors that influence the degree of Latino/white disparity relate to the political incentives of police agencies. Since agencies are responsive to their communities, and Republican communities tend to be more hostile toward Latinos, we might expect Republican police agencies to increase their targeting of Latinos relative to whites. Although local politicians may encourage police chiefs to engage in this behavior, sheriffs are elected officials themselves, and are therefore constantly subject to popular pressure. Sheriffs therefore have an incentive to signal to their constituents that they are performing their job in a manner consistent with the constituents' wishes. Therefore, if operating in a Republican majority area that is more hostile to

Latinos, we should expect sheriffs to behave more aggressively toward Latinos in terms of racial profiling.

**Hypothesis 4.4.** Sheriffs departments in Republican jurisdictions increase Latino/white search disparity in comparison to police departments in Republican jurisdictions.

As is the case with agency capabilities, this effect should be different in Democratic jurisdictions. In these areas, politicians have no incentive to encourage police chiefs to target Latinos with greater frequency. However, as was the case in Republican jurisdictions, Democratic sheriffs also face popular pressure. In these areas, sheriffs that demonstrate racial profiling would likely face a backlash both from their Latino constituents and sympathetic whites. Rather than exacerbating racial disparity, sheriffs serving Democratic jurisdictions should therefore make an extra effort to reduce targeting of Latinos, if only to signal that they are representing their constituencies well. This leads to following reverse prediction:

**Hypothesis 4.5.** Sheriffs departments in Democratic jurisdictions decrease Latino/white search disparity in comparison to police departments in Democratic jurisdictions.

The third factor influencing racial disparity in police behavior is the level of crime in a particular jurisdiction. According to the racial hierarchy argument, minority groups may face backlash from the dominant group due to security fears. This raises the possibility that Latinos in North Carolina may face the risk of greater police harassment in the future if whites grow fearful of this population. The most common driver of this fear is the perception that minority groups are responsible for criminal violence, a stereotype bolstered by media outlets, popular culture, and political figures.<sup>27</sup> Traditionally, police agencies in the United States respond to public fear

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<sup>27</sup> For example, during the 1988 presidential campaign, President George H.W. Bush famously used the “Willie Horton ad”, which appealed to white fears of black violence. Hillary Clinton

of violent crime by targeting the African American community. However, as Latinos increased their presence in the state, whites in Republican jurisdictions expressed increasing concern that this community was responsible for drug smuggling and gang violence.

This is particularly relevant in the early part of the decade following 9/11. The terrorist attacks in 2001 created increasing concerns amongst whites about foreigners. Media coverage, along with some politicians, tended to conflate Latino migrants with terrorists, leading to increased white fear and anxiety.<sup>28</sup> Republican white fears were exacerbated by the unknown nature of this population, the perception that the population was foreign, and the fear of terrorism and gang activity. Therefore, while Republican whites did value the economic gains created by Latinos, they were also willing to view Latinos as a source for higher rates of crime. If police respond to these constituent attitudes, we would expect increases in violent crime rates in Republican jurisdictions to increase the level of Latino/white search disparity.

**Hypothesis 4.6.** Increasing the violent crime rate in a Republican jurisdiction increases Latino/white search disparity.

On the other hand, agencies that police Democratic areas may be less likely to accelerate their targeting of Latinos in response to violent crime for three reasons. First, if police agencies serve Democratic constituents, they will likely face more demands for further Latino incorporation, and punishments for excessive racial profiling. Second, since Democratic whites are less likely to fear Latinos, police do not need to engage in demonstrative policing of this

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similarly alluded to the idea of ‘superpredators’ in a speech supporting the 1994 Violent Crime Control and Law Enforcement Act.

<sup>28</sup> In an extreme example, the campaign of Presidential Candidate Tom Tancredo produced an ad suggesting that Islamic terrorists would pose as Mexicans, sneak across the southern border, and detonate a nuclear bomb: <https://www.youtube.com/watch?v=rBK7bWh1m04>.

community. This is particularly true given that neighborhoods with high concentrations of Latinos tend to experience less crime. As a result, police are free to use their resources elsewhere. Third, since Democratic areas tend to overlap with urban areas, police may follow their traditional pattern of targeting African American communities in response to high violent crime rates as opposed to Latinos. These three reasons lead us to the following hypothesis.

**Hypothesis 4.7.** Increasing the violent crime rate in a Democratic jurisdiction decreases Latino/white search disparity.

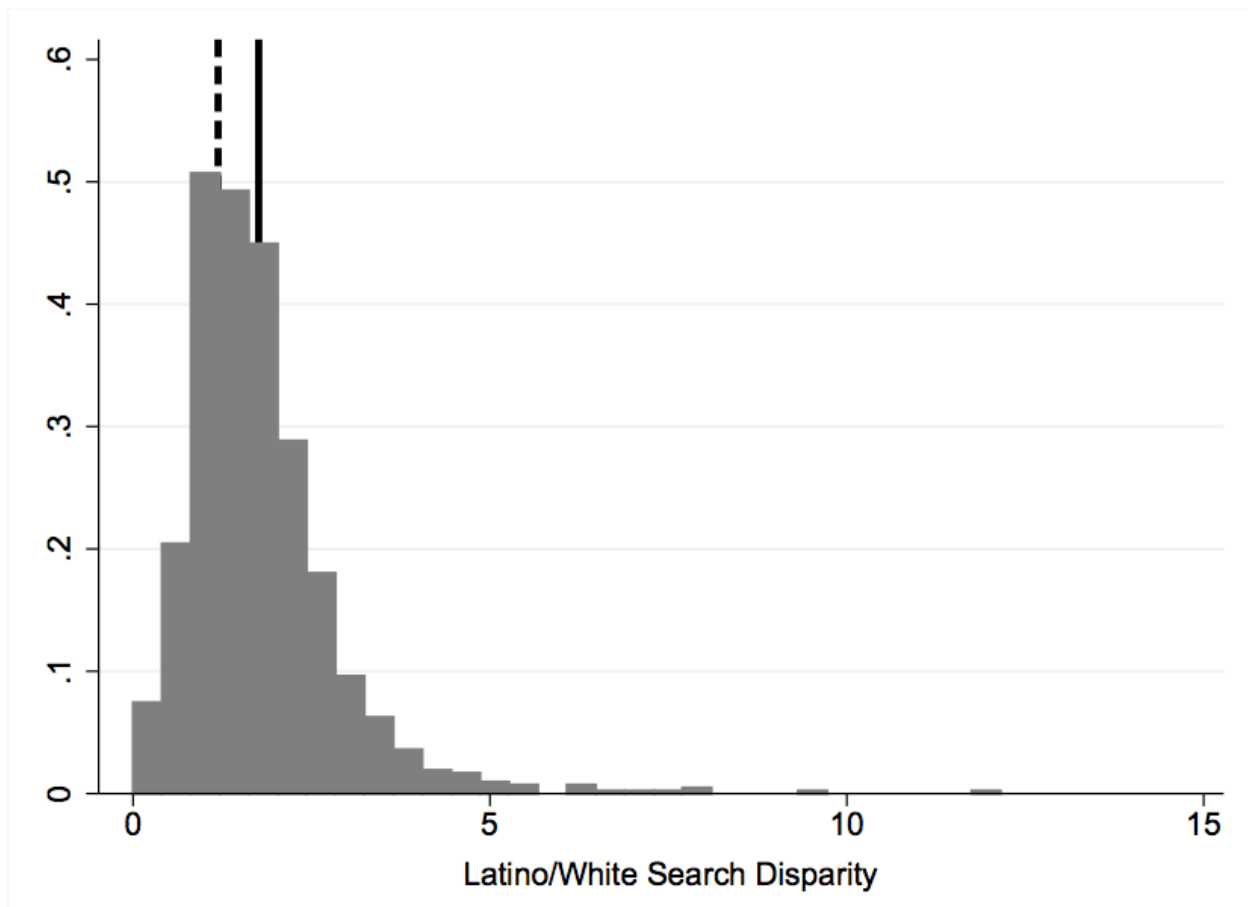
### **Research Design**

I again test the hypotheses using the data from the North Carolina Department of Justice on traffic stops throughout the state from 2002-2014. The dependent variable is the level of Latino/white disparity in each police agency in a given year. One possible concern with the measure is that it is vulnerable to significant fluctuations if a police agency fails to stop a sufficient number of Latinos, perhaps because too few live in the agency's jurisdiction. For example, if a police agency stopped two Latinos and searched one in a given year, the Latino search rate would be 50%. Since less than 4% of white drivers are usually searched following stops, the Latino search rate would likely overwhelm the white search rate, creating a false impression of significant disparity that is driven by too few Latino observations. To mitigate this concern, I drop all agency years where less than 100 Latinos are stopped. The 100-stop threshold provides a sufficient number of Latino stops to make a comparison with whites.

Figure 4.4 presents the distribution of the Latino/white Search disparity measure. The mean disparity in the period is 1.76, indicating that on average; Latinos were 76% more likely to be searched than whites following a traffic stop. The minimum disparity score is 0, indicating that no searches occurred when over 100 Latinos were stopped in the agency's jurisdiction.

Interestingly, while Latinos were searched more than whites in 80% of the agency years, Latinos faced a *lower* search rate than whites in 20% of the agency years.

*Figure 4.4. Distribution of Latino/White Search Disparity 2002-2014.*



Note: Distribution after dropping agency years where fewer than 100 Latinos are stopped. Dashed line at a score of 1, indicating that Latinos and whites are searched at an equal rate. Solid line represents the mean of 1.76.

### **Key Explanatory Variables**

*Latino Population/White Population.* Economic Hypothesis 1 argues that as the proportion of Latinos in a jurisdiction grows relative to the white population, the search disparity between Latinos and whites should decrease. I develop this measure using information from the U.S. Census to identify the annual estimated population of Latinos and whites in the county

where each agency is located.<sup>29</sup> For example, if I examine the Apex Police Department in 2006, I would use Census estimates of the white non-Hispanic population in Wake County for this year (511,185) and the white Latino population (53,192). I next create a ratio of Latinos in the county over whites, which in this case gives a value of:

$$53,192/511,185 = .104$$

This value gives an indication of how many Latinos are in a county for each white resident. According to Economic Hypothesis 1, increasing the number of Latinos relative to whites should decrease search disparity between Latinos and Whites. The Apex Police Department's score in 2006 is fairly close to the mean for the period, which is .109. Substantively, this indicates that on average in North Carolina's police jurisdictions, there is one Latino for every ten whites from 2002-2014.

Figure 4.5 presents a histogram of the Latino/white measure. We would expect that if this number grows, the level of disparity between Latinos and whites should fall. On the other hand, if this number is small, and there are many more whites per each Latino, the disparity in police searches between Latinos and whites should increase.

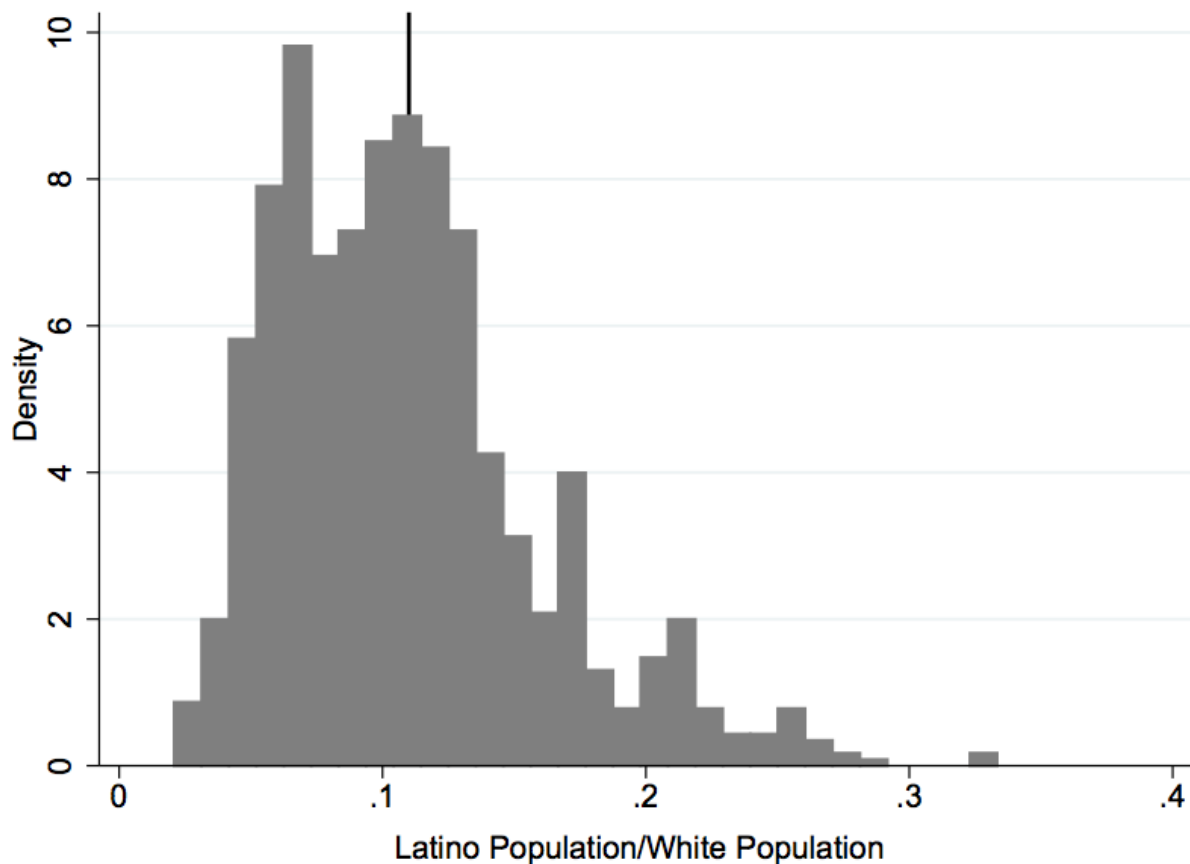
*Agency Jurisdiction Party Identification.* Hypotheses 4.2-4.6 are conditional on the political orientations of the white majority in a given jurisdiction year. I capture the political orientation of jurisdictions in a given year using the results of the past Presidential election for each county that corresponds to each police agency. For example, both the Durham Police Department and Durham's Sheriffs' office correspond to Durham County. Since Durham County consistently voted for the Democratic candidate in the period, I code the variable dummy variable Republican as 0 for the entire period. On the other hand, in the 2000 election, 50.97% of

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<sup>29</sup> See [www.census.gov](http://www.census.gov)

the vote in Mecklenburg County went for George Bush versus Al Gore. I therefore code the orientation for the Charlotte-Mecklenburg Police Department as Republican from 2002-2004. In the 2004 election, only 48% of Mecklenburg County voted for Bush, giving Democratic candidate John Kerry a victory. I therefore code Mecklenburg County as 0, indicating a Democratic County, from 2005-2008.<sup>30</sup> In total, the dataset includes 370 Democratic

*Figure 4.5. Relative Latino Population (Latino/white) in North Carolina, 2002-2014.*



Note. The standard deviation of the Latino/White measure is .0497, indicating that 95% of the observations are between 0 and .20. We see that there are only a few outliers where there are more than one Latinos for every five whites.

<sup>30</sup> Mecklenburg county remained Democratic in 2008 and 2012, which kept the value of the Republican variable equal to 0.

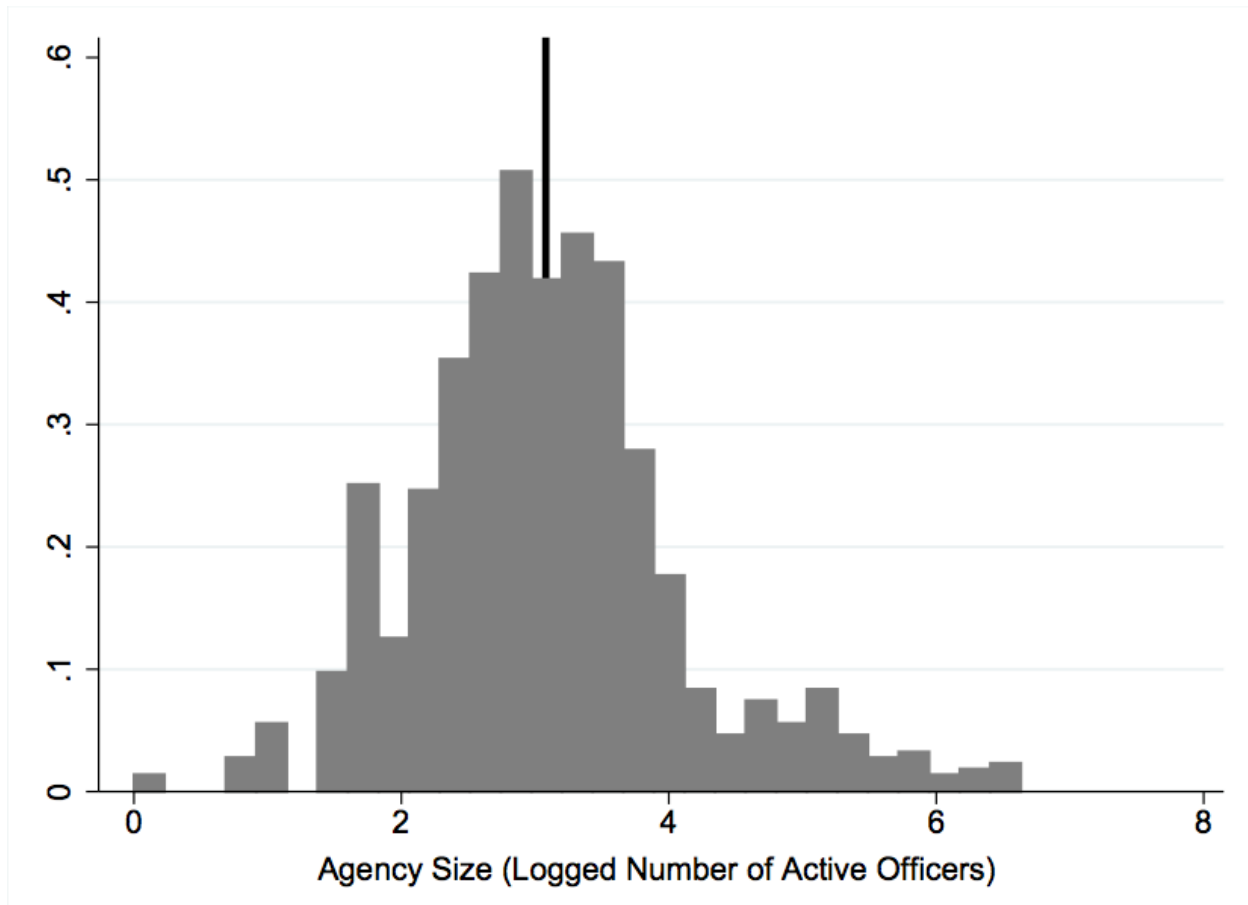
jurisdiction-years (34%) and 731 Republican jurisdiction-years (66%). The data indicate that there were significantly more Republican jurisdictions in North Carolina during the period, though the number of Democratic areas appeared to grow during the Obama presidency.

*Agency Size (Number of Active Officers).* Hypotheses 4.2 and 4.3 state respectively that the size of police agencies increases Latino/white disparity in Republican jurisdictions, but decreases Latino/white disparity in Democratic jurisdictions. I use several steps to estimate the number of active police officers in a given agency year. First, I use the traffic stop data from the North Carolina Department of Justice to identify each individual officer in each agency. Each traffic stop observation presents an office identification number, indicating which officer was responsible for the stop. I next count how many stops each officer performed each year. In many cases, the officer ID field contains an error, or is reported incorrectly. For example, officers may have entered alphabetical characters when the field requires a number. This led to several random officer IDs with only one stop. I therefore drop those officers that performed less than 50 stops in a given year. The threshold eliminates these error cases to provide a better measure of how many active officers were on patrol in a given agency year. I next count the number of active officers in each agency for each year, which provides a raw number of active officers. This count gives us an indicator of agency size by telling us how many officers are performing traffic stops. Agency size also corresponds to the size of the jurisdiction. This measure also eliminates the potential for collinearity with the Latino/White Population measure since it is not drawn directly from the census. It does, however, capture the urban/rural divide since agencies with more officers tend to be located in urban areas, whereas those with fewer officers are



located in more rural jurisdictions. Since there is considerable variance in this measure, I smooth the distribution by taking the natural log of count of active officers in an agency year.<sup>31</sup>

*Figure 4.7 Estimate of Agency Size, 2002-2014 (Logged Number of Active Officers)*



Note. The mean Agency Size measure is 3.08 with a s.d. of 1.01.

Figure 4.7 presents the distribution of the agency size measure. This measure demonstrates considerable validity. For example, given the large size of the city of Charlotte

<sup>31</sup> As a robustness check, I also measure agency size using the total number of traffic stops performed by an agency in a given year. The agencies with more stops correspond with larger sized agencies, whereas those with fewer stops correspond with smaller agencies. The correlation between the logged stops and logged officer scores is .95. The results are robust to this alternative specification.

compared to Chapel Hill, we would expect the Charlotte-Mecklenburg Police Department to have more police officers than the Chapel Hill Police Department. The mean score for the Chapel Hill Police Department is equal to 3.36, while the mean for the Charlotte-Mecklenburg Police Department is equal to 6.32.

*Sheriffs v. Police Departments.* Hypotheses 4.4-4.5 indicate that sheriffs' offices in Republican jurisdictions should increase racial disparity in searches, whereas sheriffs' offices in Democratic jurisdictions will decrease Latino/white search disparity. The information to identify sheriffs' departments is available from the North Carolina Department of Public Safety. Sheriffs' departments account for 30% of the agency years in the dataset (306 cases), and police departments account for the remaining 70% (726).

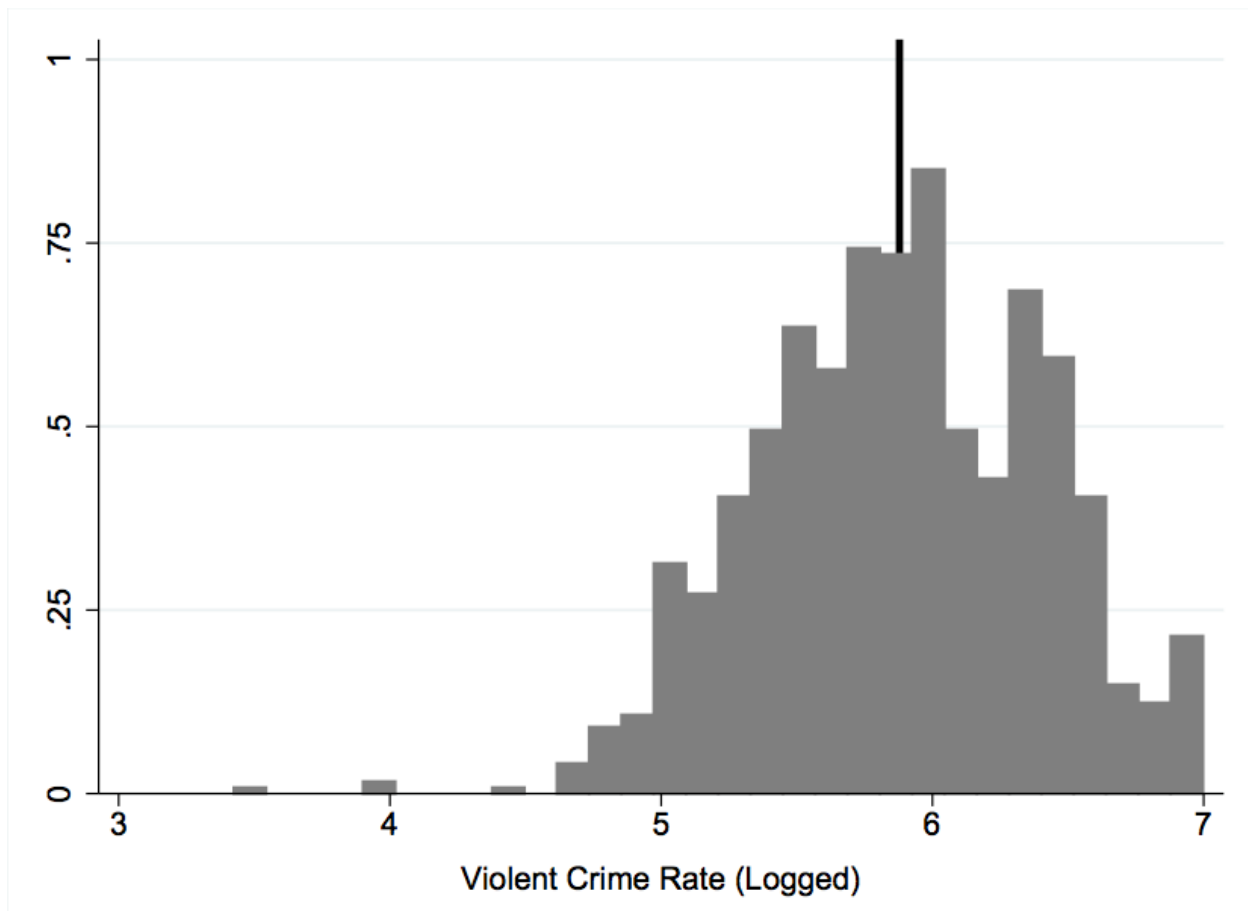
*Violent Crime Rate.* I examine the annual Violent Crime Index for each jurisdiction in each respective year, which is obtained from North Carolina's Department of Justice.<sup>32</sup> The violent crime rate measures the number of murders, rapes, robberies, and aggravated assaults per 100,000 residents for each agency's jurisdiction.

*Search Rate.* I further control for risk of crime in the jurisdiction by including the overall search rate for a police agency in a given year. Presumably, if an area is experiencing higher rates of violent crime, officers are more likely to perform searches. The search rate is calculated by dividing the total number of searches in an agency year by the total number of stops. This control is intended to account for the baseline search rates in particular jurisdictions.

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<sup>32</sup> Please see: <http://www.ncdoj.gov/Crime/View-Crime-Statistics.aspx>

*Figure 4.8. Violent Crime Rate in each Agency Jurisdiction, 2002-2014 (Logged)*



Note. The mean score is 5.88, with a standard deviation of .519, a min of 3.4 and a max of 6.99.

*Republican Governor.* I also include a dummy variable capturing whether or not Republicans controlled North Carolina’s executive branch. North Carolina had a Democratic governor from 2002-2012, after which Republicans assumed control. The dummy variable is therefore coded as 0 unless the year is greater than 2012.

*Fixed Effects.* I also include dummy variables identifying each of the counties and years in the sample. This allows me to ensure the results are not driven by any peculiar cases.<sup>33</sup>

<sup>33</sup> Since these variables are intended to ensure the robustness of the results, and do not test anything theoretically, I do not present the coefficients of each agency and yearly dummy variable in the tables.

## Method

I test the hypotheses using three Ordinary Least Squares (OLS) Regression models. The dependent variable of Search Disparity is a continuous measure. Figure 4.4 indicates that the dependent variable is fairly normally distributed, making OLS the appropriate method. The first model presents an OLS regression using each of the covariates on the entire sample of police agencies from 2002-2014. The second model examines Democratic and Republican jurisdictions separately, given that the expectations for the effects of the independent variables differ depending on the political leanings of the local population. Model 2 presents the results examining only the cases where the police agencies serve jurisdictions in counties that were won by Democratic Presidential candidates. Model 3 examines these effects in jurisdictions won by Republicans.

## Results

Table 4.1 presents the results of the three models, which demonstrate support for five of the seven hypotheses.<sup>34</sup> Let us first analyze Hypothesis 4.1, which predicted that increases in the size of the Latino population relative to the white population decreases Latino/white search disparity.

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<sup>34</sup> I reanalyze the results after dropping outliers in the dependent variable that are two standard deviations above the mean. The results strengthen and support six of the seven hypotheses. The exception is Hypothesis 4.4, which predicted that increases in the violent crime rate would increase Latino/white disparity in Republican jurisdictions.

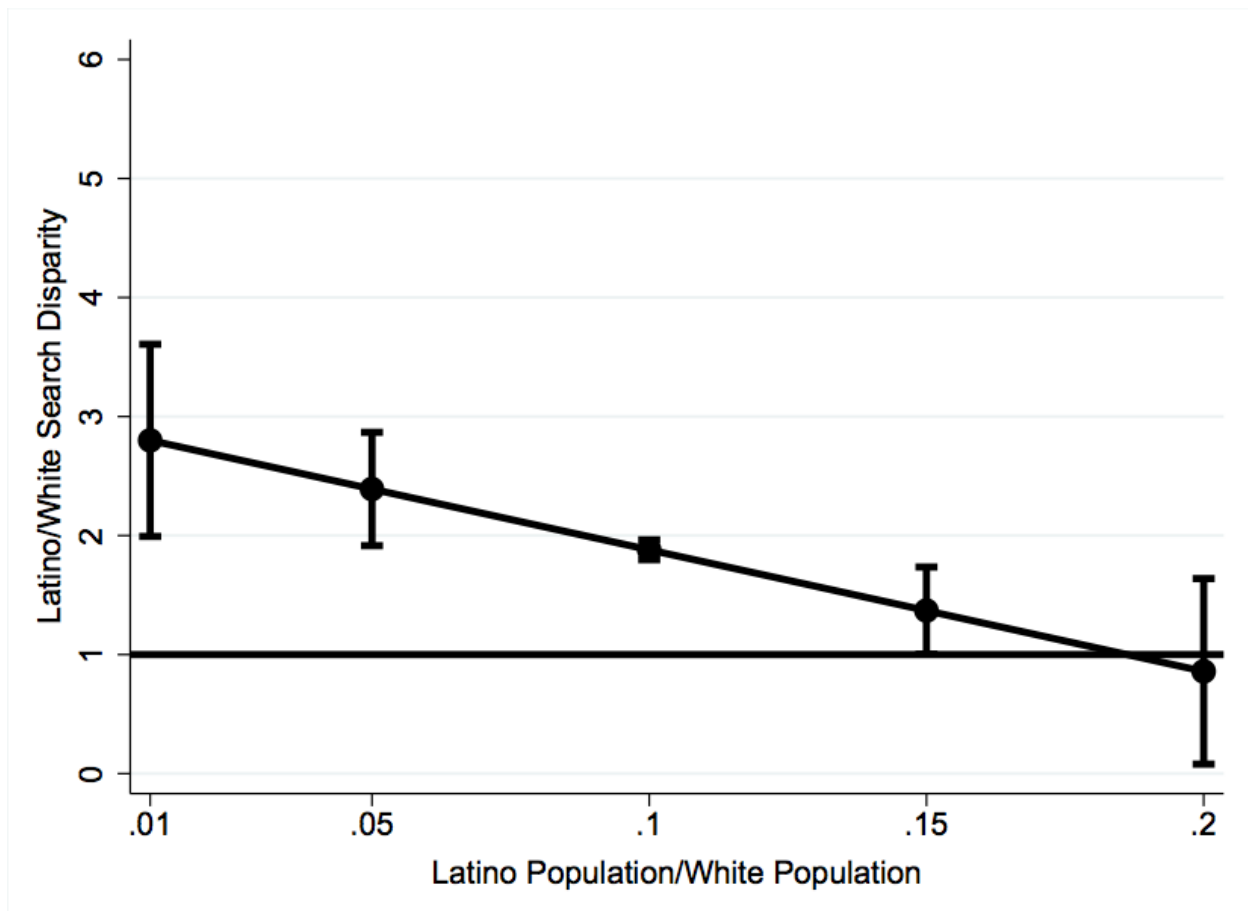
*Table 4.1. Local Determinants of Latino/White Search Disparity in Traffic Stops*

	All Jurisdictions	Democratic Jurisdictions	Republican Jurisdictions	Dem/Rep Difference
Latino/White Pop.	-10.22** (4.24)	-20.5** (8.4)	-13.1** (6.7)	-
Agency Size	-.071 (.051)	-.166* (.09)	-.025 (.06)	-
Sheriff	.002 (.11)	-.564** (.23)	.218* (.12)	***
Violent Crime Rate	-.162 (.153)	-1.35*** (.52)	.096 (.15)	***
Search Rate	-3.6*** (1.03)	-.319 (2.97)	-4.76*** (1.12)	-
Republican Governor	-.485** (.235)	-.304 (.277)	-.297 (.389)	-
Constant	4.74 (1.2)	10.75 (3.2)	3.43 (1.4)	
N	931	286	645	
Df	862	253	584	
R <sup>2</sup>	.262	.298	.300	

\* p<0.10, \*\* p<0.05 \*\*\*p<.01

Note. Robust standard errors are presented in parentheses. All models include year and county fixed effects. Loss of observations due to missing data and case-wise deletion.

*Figure 4.9. Effect of Increasing Latino Presence Relative to Whites in All Jurisdictions*



Note. Estimates are from Model 1, which includes all jurisdictions.

Figure 4.9 plots the effect of increasing the Latino population relative to whites in the full sample. The coefficient of Latino/White Population is negative and significant at the .05 level in the aggregate model with all jurisdictions and both of the models separated by party affiliation. According to the model's estimate, if the Latino population is equal to about 10% of the white population in a given jurisdiction, the disparity in police searches between Latinos and whites is equal to 1.88. This indicates that Latinos are 88% more likely to face searches following traffic stops than whites. If the size of the Latino population increases by 5% (+ 1 s.d.), Latino/white disparity falls by 27% to 1.37. Substantively, this indicates that while Latinos are 88% more likely than whites to face searches if their population is only 10% of the white population,

Latinos are only 37% more likely to face searches than whites if their population increases to 15% of the white population. Consistent with Hypothesis 4.1, we see that the relative size of the Latino population in a jurisdiction decreases racial disparity in policing. We therefore see that one key reason for the decline of Latino/white disparity in police searches is that the Latino population grew relative to the white population. The Latino population averaged about a 5% growth rate, while the white population grew at a rate of about 2%. This indicates that the size of the Latino population relative to the white population increased, causing a decline in Latino/white search disparity.

*Figure 4.10a. Effect of Increasing Latino Presence Relative to Whites in Democratic Jurisdictions*

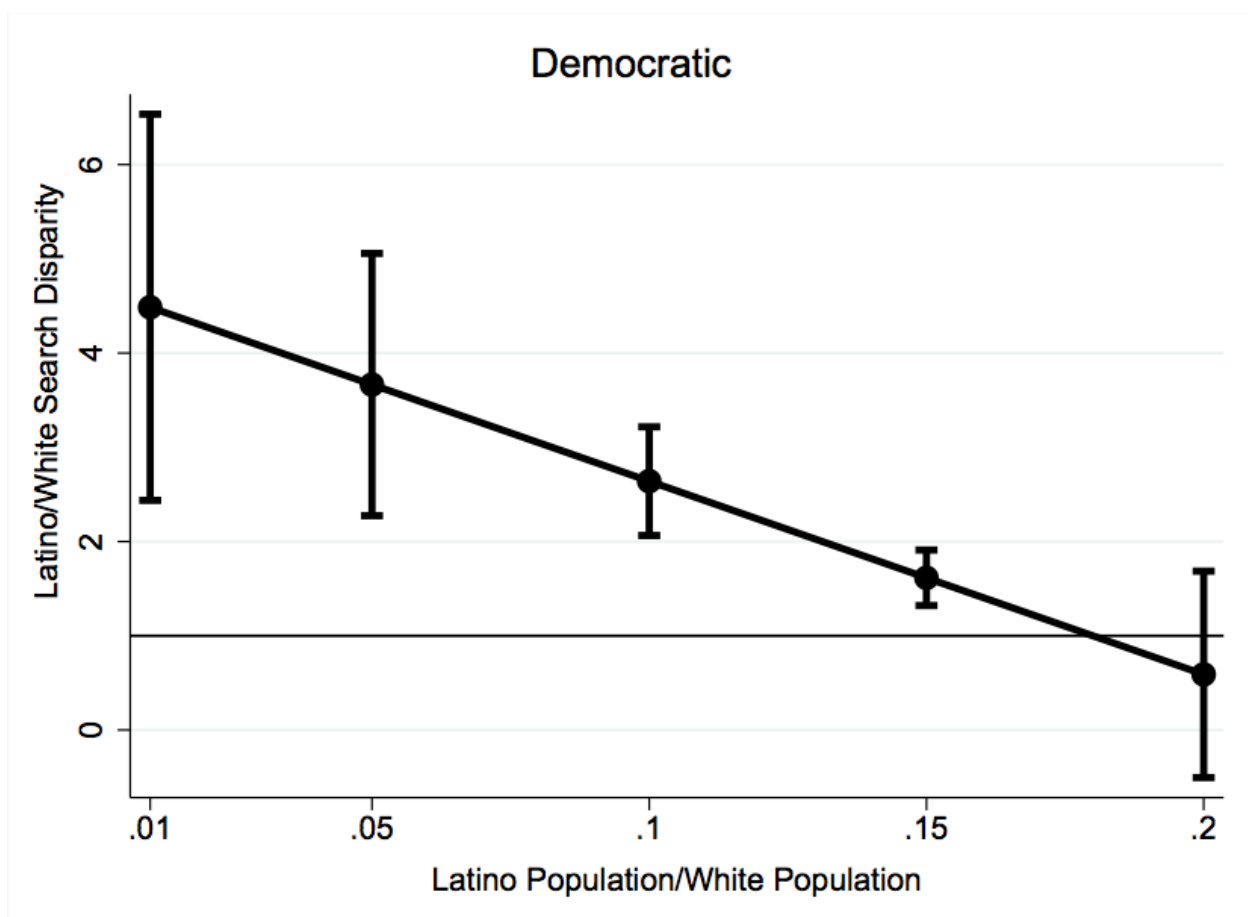
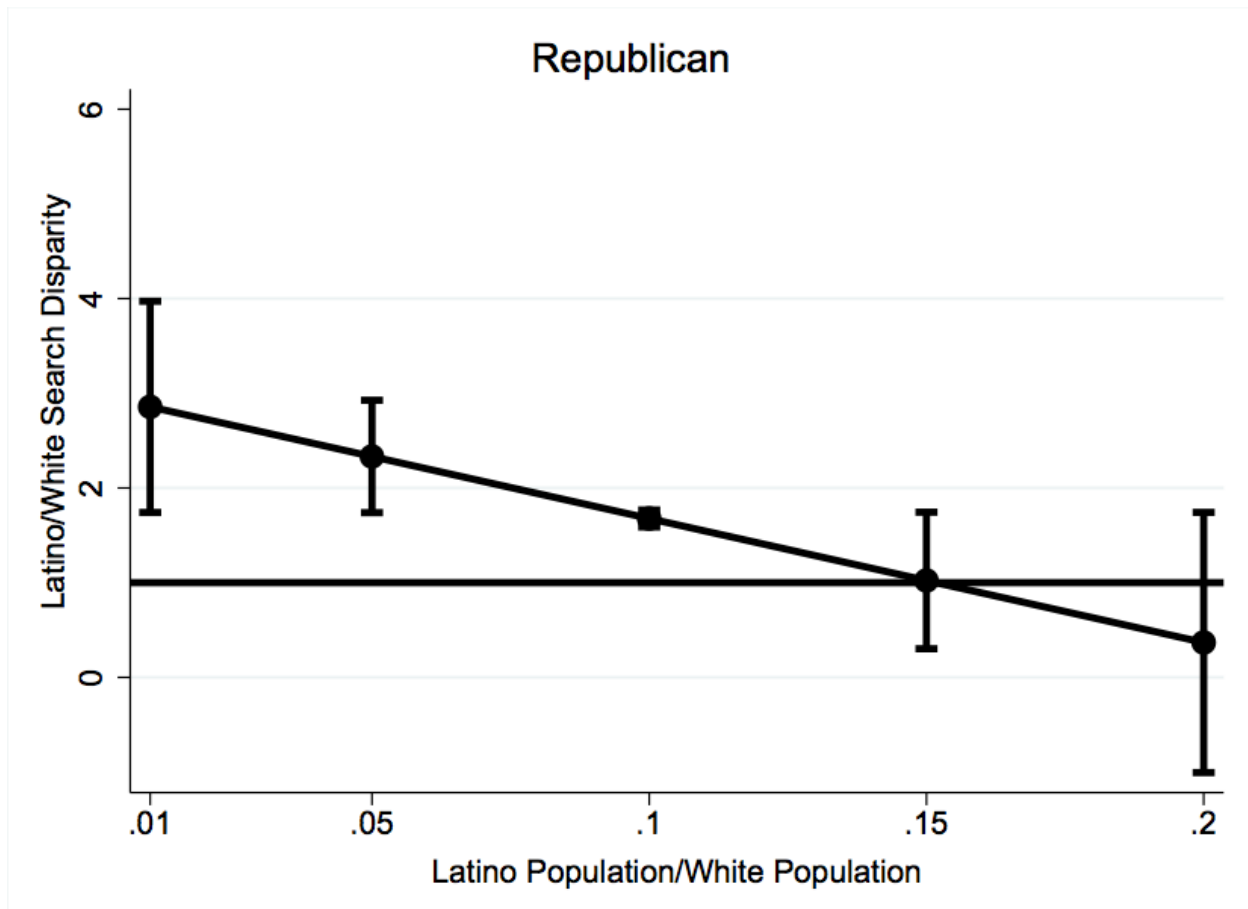


Figure 4.10b. Effect of Increasing Latino Presence Relative to Whites in Republican Jurisdictions



Note. All other independent variables held at their means. The size of the Latino population was larger relative to whites in Democratic jurisdictions, with a mean of .135, versus Republican jurisdictions, with a mean of .093.

Let us now examine the effect of the size of the Latino population relative to whites on Latino/white search disparity by the partisan leanings of each jurisdiction. Interestingly, we see that while Republican constituents may be more suspicious of Latinos than their Democratic counterparts, the estimated level of Latino/white disparity is *lower* in Republican as opposed to Democratic jurisdictions. However, an increase in the size of the Latino population relative to the white population creates a larger decrease in Democratic as opposed to Republican jurisdictions. There are several points worth noting about these findings. First, the mean Latino/White population score of .135 in Democratic jurisdictions is greater than the mean of .093 in

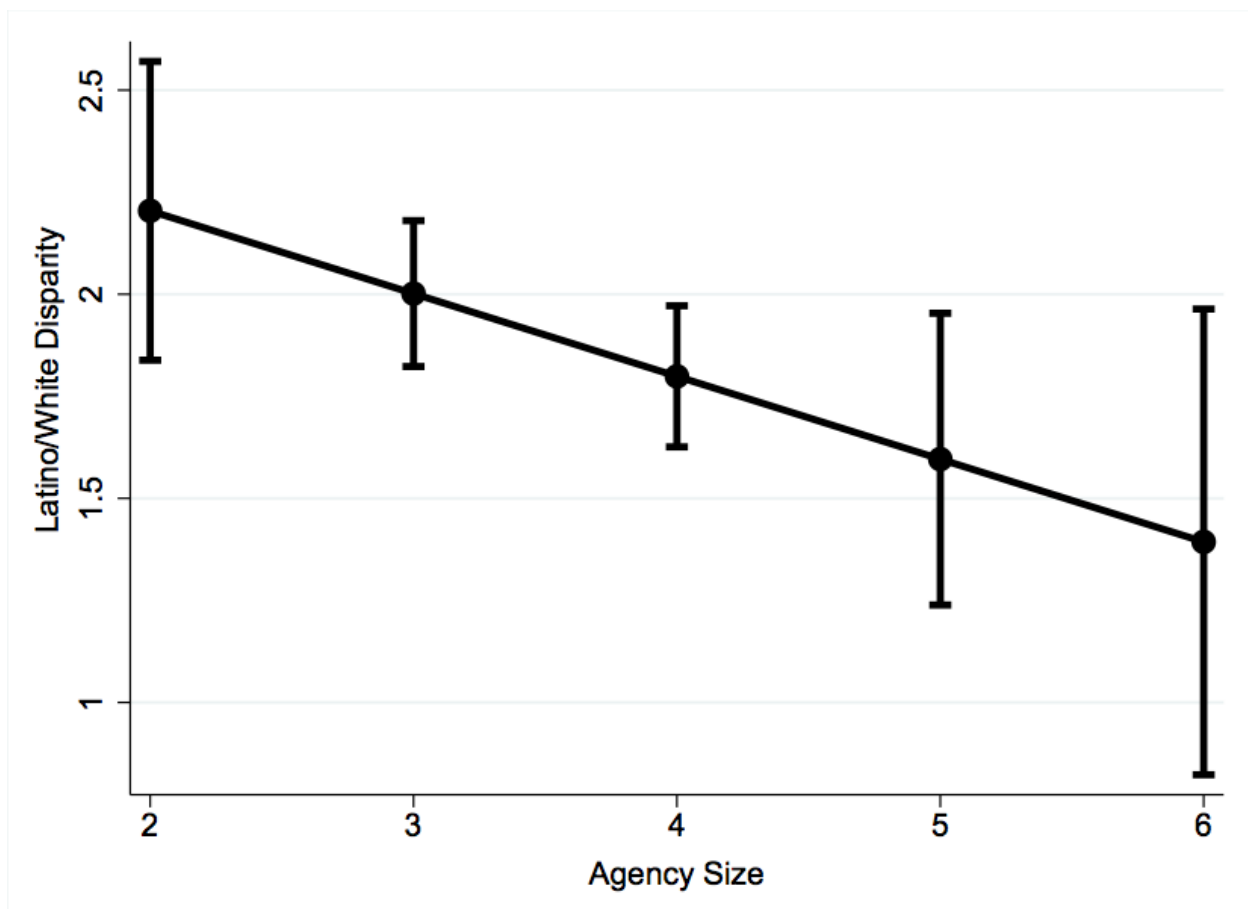


Republican jurisdictions. This means that on average, there is a larger population of Latinos in Democratic areas, which corresponds to the pattern of Latino settlement in the state's urban areas. Therefore, in order to compare how increasing the size of the Latino population relative to whites affects search disparity, let us examine an increase from the mean in both jurisdiction types by one standard deviation. If we assume the Latino population is approximately 15% as large as the white population in a Democratic jurisdiction, the model predicts that the Latino/white search disparity is equal to 1.62. In other words, Latinos are 62% more likely to face searches than whites. However, if the size of the Latino population increases to 20% of the white population, the model predicts a Latino/white search disparity score of .59. In other words, if the Latino population is equal to 20% of the white population in a Democratic area, Latinos are 41% *less likely* to face searches as opposed to whites. While this represents a 64% decrease in search disparity, the more interesting result is that increasing the size of the Latino population in Democratic jurisdictions may encourage police to search Latinos less frequently than whites.

We see a similar finding in Republican jurisdictions. The mean size of the Latino population in comparison to whites in these jurisdictions is 10%. The model estimates that Latino/white disparity at this size is approximately 1.68. The prediction is that Latinos are 68% more likely to face searches than whites. If the size of the population increases to 15% of the white population, the predicted search disparity is 1.02. If the Latino population grows from 10 to 15% of the size of whites in Republican jurisdictions, Latino/white search disparity falls by 97%. Latinos move from being 68% more likely to face searches to only 2% more likely. These findings demonstrate that the growth of the Latino population decreases search disparity between Latinos and whites, regardless of the political leanings of the white population.

Let us now turn to the discussion of Hypotheses 4.2-4.3, which focused on the effect of increasing agency size on Latino/white disparity. These hypotheses predicted that the effect of agency size is conditional on the political leanings of the jurisdictions. Large agencies in Republican jurisdictions, that presumably serve more urban areas, are more likely to exacerbate the search disparity between Latinos and whites. On the other hand, large agencies in Democratic jurisdictions are likely to ameliorate Latino/white search disparity. While the results support the latter prediction regarding Democratic jurisdictions, we do not see support for Hypothesis 4.2 about Republican jurisdictions.

*Figure 4.11. Effect of Agency Size on Latino/White Search Disparity in Democratic Jurisdictions*



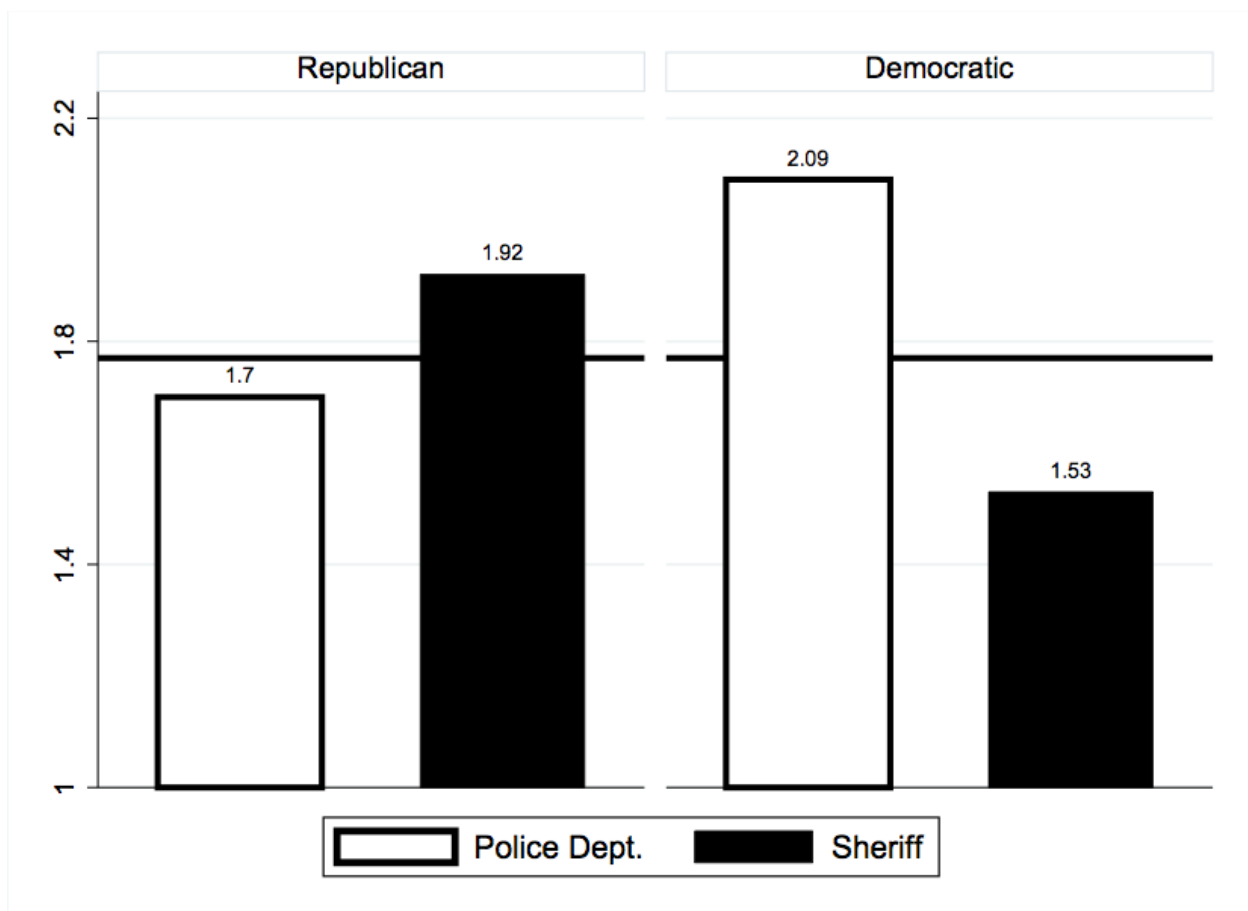
Note. All other independent variables held at their means.

Figure 4.11 presents the predicted effect of increasing agency size in a Democratic jurisdiction. The mean agency size score in a Democratic jurisdiction is equal to 3.4. The model predicts that the level of Latino/white disparity at this agency size score is equal to 1.95. Substantively, this indicates that if an agency is somewhat smaller, which means that it is serving a suburb or smaller town, Latinos are 95% more likely to face a search than whites. If the agency size is increased by one standard deviation, the predicted Latino/white disparity score is equal to 1.76, which is a 10% decrease. Although this is not as large an effect, we do see support for the hypothesis that Latinos are likely to fare better if police agencies in Democratic jurisdictions are relatively larger. This suggests that Latinos in Democratic jurisdictions are likely to face less disparity in more urban as opposed to rural areas.

While the data only supports the predictions regarding Agency Size for Democratic jurisdictions, we see substantial support for Hypotheses 4.4 and 4.5 regarding the effects of sheriffs. Since they are popularly elected, sheriffs should in theory better reflect the preferences of their white constituents toward Latinos. Figure 4.12 shows substantial support for this prediction. The left hand side presents estimates the level of Latino/white disparity in both police and sheriffs departments in Republican jurisdictions, whereas the right hand side presents the model's corresponding predictions in Democratic jurisdictions. We see that Republican sheriffs *increase* Latino/white disparity by 13% within their jurisdictions in comparison to police departments, whereas sheriffs in Democratic jurisdictions *decrease* Latino/white disparity by 27%. More significantly, we see that Republican police departments are below the mean Latino/white disparity score of 1.77, whereas Republican sheriffs are above the mean. Conversely, Democratic police departments are above the mean Latino/white disparity score, whereas Democratic sheriffs are significantly below the mean. These results support the

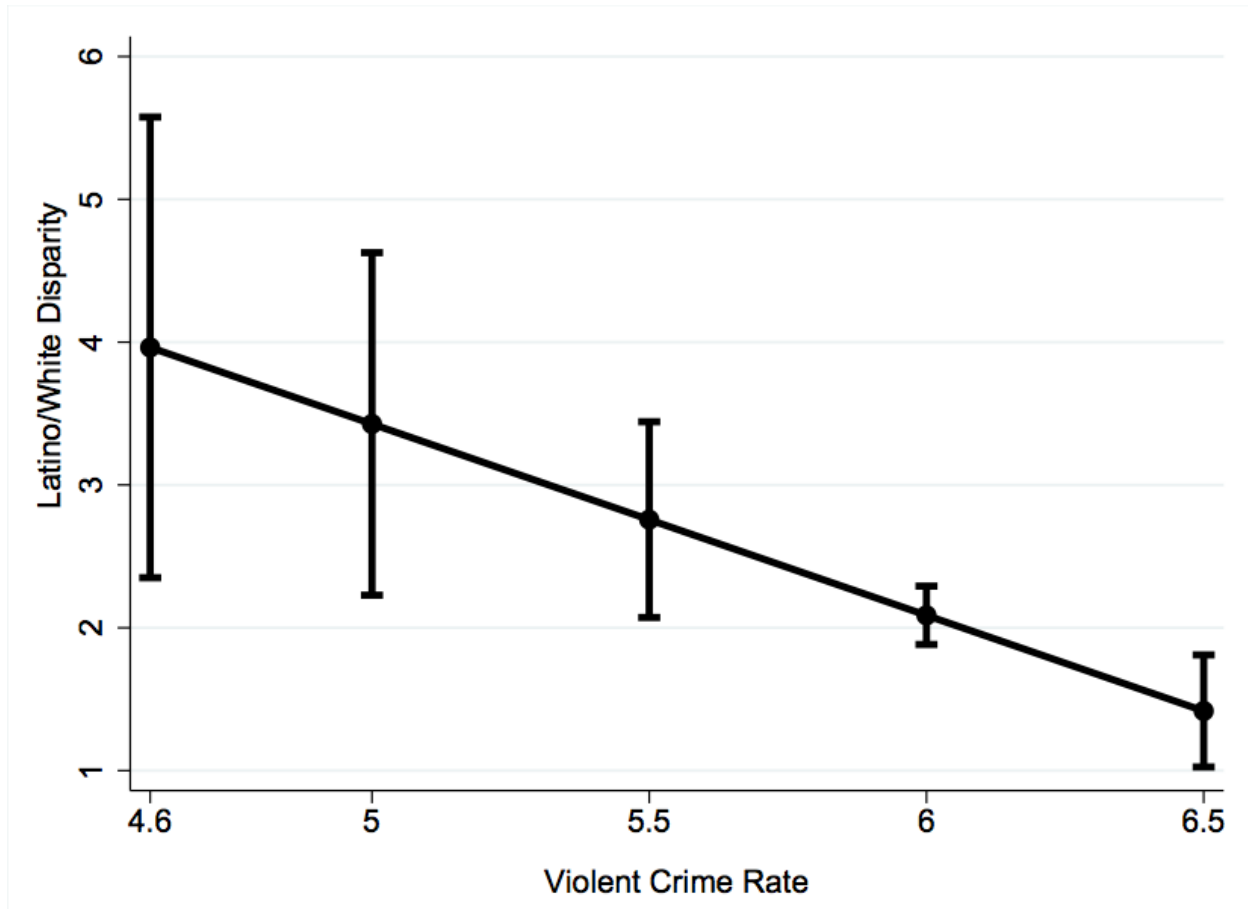
hypotheses that sheriffs are more responsive to their constituents than police departments, and that sheriffs reflect the attitudes of their white constituents toward Latinos. Republican sheriffs search Latinos more in comparison to whites, whereas Democratic sheriffs decrease, but do not eliminate, the disparity between Latinos and whites. We therefore see clear evidence that agency type is an important predictor of Latino/white disparity, and that sheriffs are responsive to the attitudes of their constituents.

*Figure 4.12. Police v. Sheriffs' Departments in Republican and Democratic Jurisdictions*



Note Solid line is equal to 1.77, which is the mean Latino/white disparity score in the aggregate sample.

*Figure 4.13. Effect of Violent Crime Rates on Latino/White Search Disparity in Democratic jurisdictions.*



Note. All other independent variables held at their means.

Finally, let us examine Hypotheses 4.6-4.7, which predicted that increases in violent crime would increase Latino/white disparity in Republican jurisdictions, but decrease it in Democratic jurisdictions. While the data do not support Hypothesis 4.6 about Republican jurisdictions, we do see support for Hypothesis 4.7, in that increases in the violent crime rate decrease Latino/white disparity in Democratic jurisdictions. Figure 4.13 plots the effect of increasing violent crime in Democratic neighborhoods. The mean violent crime score in Democratic jurisdictions is equal to 6, which yields a Latino/white disparity prediction of 2.11. If violent crime is increased by one standard deviation to 6.5, the Latino/white disparity prediction falls by 32% to 1.44. Substantively, this indicates that if violent crime rises to high levels,

Latinos are only 44% more likely to be searched than whites as opposed to 100% more likely. This is consistent with the prediction of Hypothesis 4.7, and supports the idea that police in Democratic jurisdictions do not seem to view Latinos as sources of violent crime. Instead, in times of high violent crime, police *decrease* their propensity to search Latinos in comparison to whites.

The empirical results support five of the seven hypotheses. We see clear evidence that increases in the size of the Latino population correspond to a decrease in racial disparity in police searches. We further see that in Democratic jurisdictions, larger agencies with more populous jurisdictions improve their treatment of Latinos, particularly if violent crime rates increase. However, the most interesting finding is the difference in the behavior of sheriffs in Democratic versus Republican jurisdictions. Since sheriffs are elected, these police agencies should be more responsive to their communities' attitudes toward Latinos. We see evidence that Democratic sheriffs exhibit greater tolerance, whereas Republican sheriffs reflect the greater hostility of their constituents toward the Latino population.

These results further suggest that a urban/rural divide exists in police treatment of Latinos. North Carolina's Democratic strongholds are in the major urban areas of Raleigh, Durham, and Charlotte for the later part of the period. In these areas, police decreased their targeting of Latinos in respond to larger jurisdiction size and higher violent crime rates, particularly if they were elected sheriffs. On the other hand, while there is generally less policing in the smaller agencies due to their limited capability, Republican sheriffs seem particularly aggressive when interacting with the Latino population in comparison to whites.

#### **Case Comparison: Alamance County v. Buncombe County**

To further illustrate the result, this section presents a case comparison between the sheriffs' offices of Alamance and Buncombe County. Alamance County is the geographic center

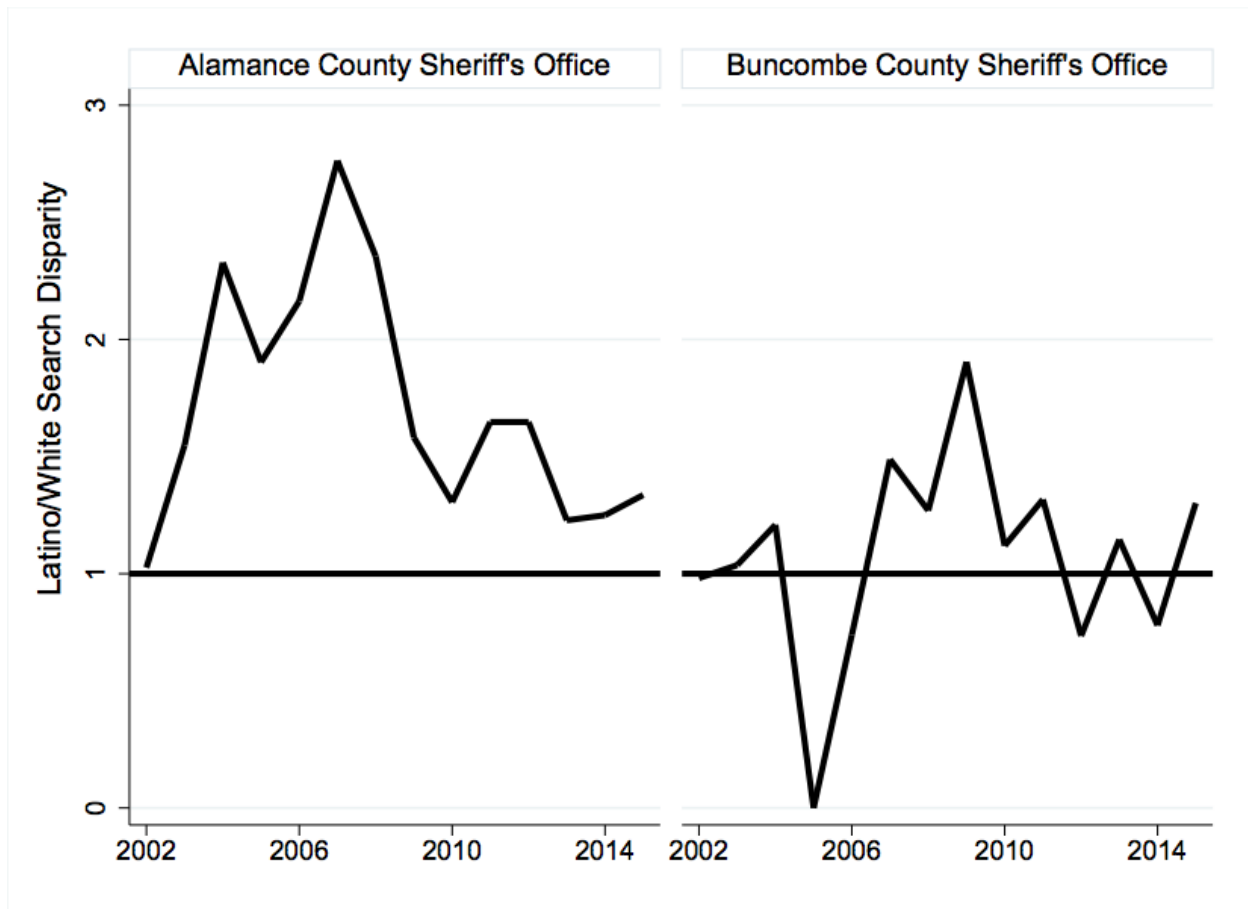
of the state, with an area of 435 square miles, and a population of approximately 150,000 residents. It is home to the major city of Burlington, which has approximately 51,000 residents, or about a third of the county's population. Alamance County has been a Republican stronghold for each of the ten years in the analysis.

Buncombe County shares several similarities. It is a 660 square mile area, with a population of approximately 240,000 residents. The major city in Buncombe County is Asheville with approximately 83,000 residents, or a third of the population. This is a similar urban/rural distribution to Alamance. While Buncombe began the period as a Republican area, it shifted to a Democratic area in 2008 with the election of Barack Obama. It has remained so in the election of 2012 and in 2016.

Theoretically, I would expect demand for protection from Latino migrants to be relatively higher in Alamance County generally, and in Buncombe County until 2008. Therefore, I would predict that Latino/White search disparity would be very high in Alamance for the whole period, and Buncombe until 2008. After 2008, I would expect Buncombe to reduce the level of Latino/white search disparity. Since sheriffs lead both agencies, I would expect the difference between Republican and Democratic areas to be the most pronounced.

Figure 4.14 compares the search disparity between Latinos and whites in both counties over time. We see several clear patterns. First, in the Republican stronghold of Alamance County, the disparity between Latinos and whites is quite high. In 2005, Latinos in Alamance County were twice as likely to face a search in comparison to Whites. Similarly, although no Latinos were searched in 2005 in Buncombe County, Latinos were twice as likely as Whites to face searches in 2008 under Republican leadership.

Figure 4.14. Comparison of Search Disparity in Alamance County (R) and Buncombe County (D) Sheriff's Offices.



Note. Horizontal line indicates equal search rates between Latinos and whites.

Clearly, both sheriffs' offices did seem to respond to demand for protection from Latinos. However, after 2008, the level of Latino/White search disparity in Buncombe County began to fall rapidly. By 2012, Latinos were *less* likely to be searched than whites, and faced comparable search rates for from 2012-2015. We also see the general trend toward fewer searches in Alamance County. However, although there is a decline, Latinos still face much higher search rates than whites in Alamance County. In the same period where Latinos faced comparable search rates in Buncombe, Latinos were approximately 50% more likely to be searched in Alamance. The difference between the two counties is that one is a consistent Republican county, whereas the other is a Democratic one.



We can see further evidence of this in the statements of the law enforcement officers of both counties. In 2012, the U.S. Department of Justice sued Alamance County Sheriff Terry Johnson, accusing him and his department of extensive racial profiling. Although this lawsuit was eventually dismissed, the data clearly demonstrate that Latinos faced a disproportionate risk of search in Alamance County throughout the entire decade. In the lawsuit, the Department of Justice cited testimony that Johnson ordered his deputies to, “put heat on” Latino neighborhoods in 2008, and that “if you stop a Mexican, don’t write a citation, arrest him.”<sup>35</sup> These quotes correspond to the general level of aggressiveness revealed in the data.

However, in 2008, Buncombe appeared to shift from supporting the agenda of the Republican Party to the Democratic Party. Before the shift, Vice Mayor of Asheville Holly Jones stated in 2007 that the focus on illegal immigration was “a bad use of community energy.”<sup>36</sup> Following this shift, the Buncombe County Sheriffs’ Office has taken several steps to engage in community outreach. For example, police agencies throughout the county appeared to have made an effort to recruit minority officers.<sup>37</sup> Generally, the city seems to enjoy better community relations between police and minority groups.<sup>38</sup> These observations indicate that the city generally favors a more tolerant approach toward policing the Latino community. The

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<sup>35</sup> [https://www.justice.gov/sites/default/files/crt/legacy/2012/12/21/acso\\_complaint\\_12-20-12.pdf](https://www.justice.gov/sites/default/files/crt/legacy/2012/12/21/acso_complaint_12-20-12.pdf)

<sup>36</sup> [http://mountainx.com/news/community-news/city\\_council\\_backs\\_off\\_policing\\_illegal\\_immigration/](http://mountainx.com/news/community-news/city_council_backs_off_policing_illegal_immigration/)

<sup>37</sup> <http://www.citizen-times.com/story/news/local/2016/10/02/asheville-police-struggle-find-minority-officers/90731288/>

<sup>38</sup> <http://www.citizen-times.com/story/news/local/2015/02/13/sheriff-apd-work-needed-minority-relations/23376271/>

Buncombe Sheriffs' Office appears to be following this lead by reducing the profiling of Latinos, as evidenced by the data post 2008.

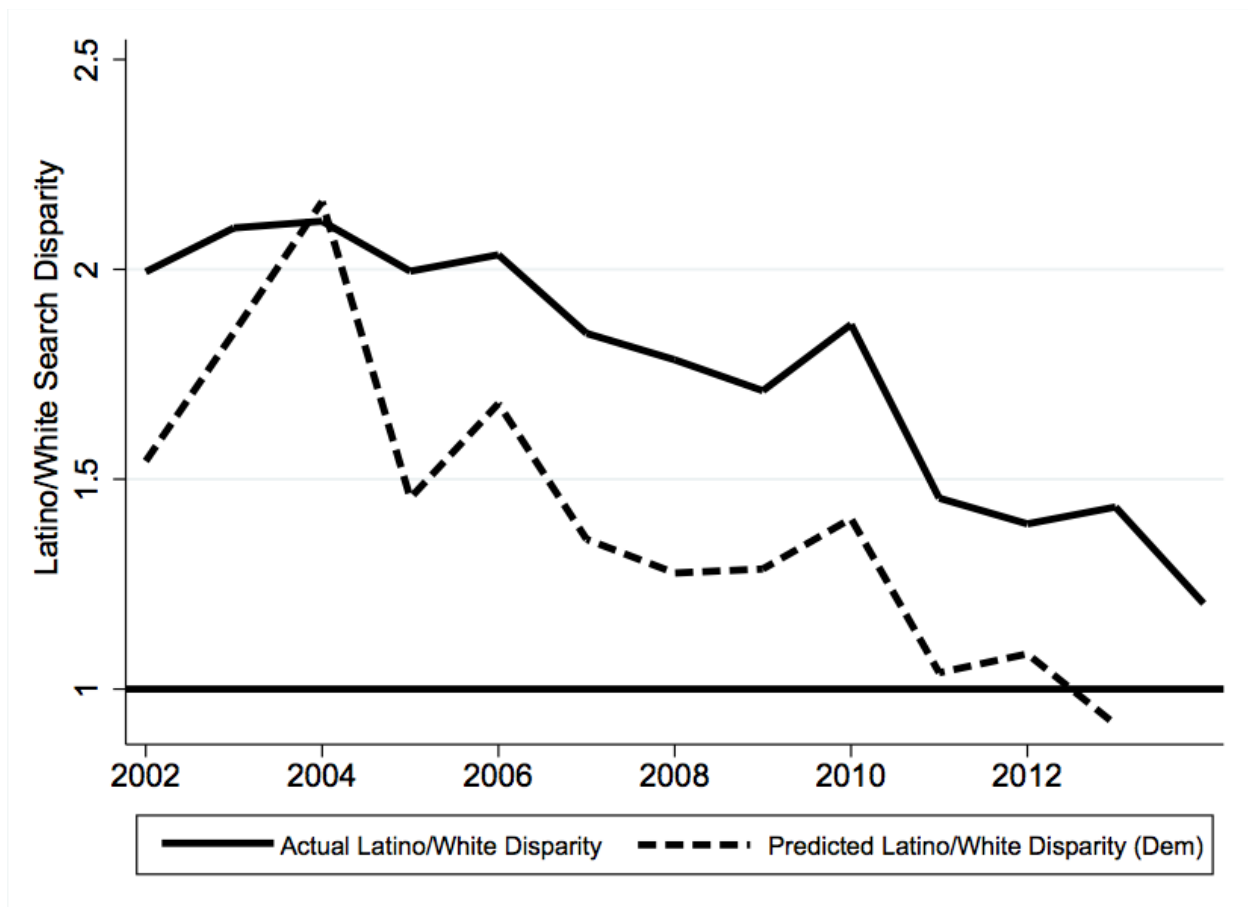
### **The Impact of Political Leanings on Policing**

Substantively, the results indicate that police behavior toward Latinos is heavily influenced by the partisan orientation of their local jurisdictions. While the growth of the Latino population always decreases, the rate at which Latino/white disparity declines is faster in Democratic jurisdictions as opposed to Republican jurisdictions. On the other hand, Republican sheriffs slow the decline of Latino/white disparity while Democratic sheriffs accelerate it. Moreover, agency size and violent crime rates both decrease Latino/white disparity in Democratic jurisdictions. From a policy standpoint, it appears that the racial disparity in policing between Latinos and whites would decrease if the entire state shifted from its current political composition to one where the entire state leaned Democratic. Throughout most of the period, voters in North Carolina leaned Republican, with three quarters of the state voting for Bush in both elections, and about 60% for McCain and Romney in 2008 and 2012, respectively. This raises the question: what would the state look like if the public in North Carolina was more supportive of the Democratic party's platform, and its more inclusive orientation toward Latino migrants?

Figure 4.15 estimates the effect of shifting all of North Carolina's jurisdictions from their actual political orientation to leaning Democratic. The model predicts a substantial proportional decrease in the level of racial disparity between Latinos and whites in every year except 2004. The mean difference in Latino/white disparity from the actual data in North Carolina and the predictions for an all Democratic North Carolina is -.22. This indicates that on average, Latinos in an all Democratic North Carolina would be 55% more likely to face searches as opposed to 76% more likely to face searches (-12%). However, while the model predicts lower racial

disparity between Latinos and whites, it is important to note that the predicted trend matches the actual trend. Switching to an all Democratic North Carolina affects the level of racial disparity, but not the rate at which racial disparity in searches between Latinos and white is decreasing.

*Figure 4.15. Actual Latino/White Disparity in North Carolina and Predicted Latino/White Disparity with all Democratic jurisdictions, 2002-2013*



Note. Estimates generated from out of sample predictions using Model 2. Solid line represents actual Latino/white disparity whereas dashed line represents predictions with only Democratic jurisdictions.

## Conclusion

This chapter began with the question: why is the rate of decline of Latino/white search disparity faster for some police agencies, but slower in others? Theoretically, I argue that these differences can be explained by four key factors: the growth of the Latino population and the

economic benefits to local areas resulting from their migration, the partisan political leanings of given jurisdictions, and the size and type of police agency. The initial wave of Latino migrants occurred due to economic opportunities, as was the case in Charlotte. As a result, the influx of the new population brought benefits to whites in local economies in terms of a cheaper labor force and greater consumer spending. These economic gains increased some white support for Latino migrants, particularly in the urban, Democratic jurisdictions. However, in more rural, Republican jurisdictions, Latinos were viewed as potential cultural threats, and were therefore greeted with more hostility. If police agencies reflect the attitudes of the constituents they serve in their jurisdiction, we should expect that police agencies serving Republican areas exhibit greater levels of disparity in police treatment toward Latinos. On the other hand, areas that represent Democratic constituents should be more accommodating toward Latinos, and we should expect to see less racial disparity. The party identification of jurisdictions captures the demand side. The ability of each agency to respond to these demands is a function of their size and whether or not agency is a sheriffs' department, where the head faces political pressure for retention.

Taken together, we see support for five of the seven hypotheses. First, the evidence demonstrates that increasing the size of the Latino population relative to the white population decreases racial disparity in policing in all jurisdictions. Second, we see that there are some key differences in how police agencies with different political leanings treated the new Latino population. Latino/white disparity decreased relatively more in Democratic jurisdictions if the agency was larger and urban, if the agency was a sheriffs' office, and if there was a higher rate of violent crime, prompting police to turn away from the Latino population. On the other hand, Republican sheriffs behaved more aggressively toward Latinos in the state's rural areas. In terms

of police hostility toward Latinos, we therefore see evidence of not only a rural/urban divide, but also a partisan and department/sheriff divide. It appears that police discretionary behavior toward Latinos was more accommodating in Democratic, urban areas, whereas police behavior was more aggressive in rural areas policed by Republican sheriffs. *This indicates clearly that police behavior toward the Latino population is a politicized activity.*

This chapter therefore establishes that the place of Latinos in the state's racial hierarchy is largely driven by white attitudes toward this community. Since whites may value the economic gains provided by Latinos, police may treat Latinos better than African Americans. However, because of white fears that Latinos pose a cultural threat to their societal dominance, police agencies continue to target this population more than whites. We therefore see that Latinos can only approach full incorporation and come close to the status of whites in Democratic jurisdictions, particularly when these are patrolled by sheriffs' offices that face elections. In Republican jurisdictions, police agencies will seek to prevent Latinos from fully incorporating into the population, and push them closer to the status of African Americans in the state's racial hierarchy. In the following chapter, I seek to identify when and why whites viewed Latinos as a relatively larger threat than African Americans, and how these views have evolved in North Carolina over time.

## **CHAPTER 5: THE DETERMINANTS OF DISPARITY IN POLICE BEHAVIOR TOWARD LATINOS VERSUS AFRICAN AMERICANS**

The growth of the Latino population, combined with cooperative agencies in Democratic jurisdictions, lowered the overall level of racial disparity displayed North Carolina's police toward the Latino population throughout the 2000s. This placement of Latinos in the intermediate category of the North Carolina law enforcement community's racial hierarchy is consistent with other societies where non-black minorities reside. For example, in the United Kingdom, Asians are often viewed as superior to African immigrants, but remain inferior to whites (Brah 1996; Song 2003, 2004). Similarly, French Arab populations are viewed with suspicion, but are often considered superior to black African immigrants (Bleich 2009). Yet, in both of these cases, both Asians in Britain and Arabs in France continue to experience some resistance to their upward mobility, and may at times find themselves treated in a manner similar to Africans by law enforcement. For example, following the 9/11 terrorist attacks, suspicion rose in both European states about Asian and Arab immigrants. This behavior by parts of the British and French law enforcement community pushed the position of non-black minorities downward in their societies' racial hierarchy.

This chapter discusses where, when, and why police in North Carolina treat Latinos in a manner similar to African Americans, and when police treatment of Latinos improves relative to African Americans. At the beginning of the 2000s, police tended to search Latino drivers at greater frequencies than both whites and African Americans. This suggests that police tended to view Latinos with greater suspicion than African Americans, despite the long history of police targeting the latter group. However, the place of Latinos in law enforcement's racial hierarchy

shifted by 2007, as Latinos faced fewer searches than African Americans. This trend continued throughout the period as Latinos faced declining search rates, whereas police began searching African Americans more frequently. I argue that this shift in the racial hierarchy can be explained as a function of the state's rural/urban and political divides. In the more urban, Democratic jurisdictions, local police agencies behaved more aggressively toward African Americans while seeking to incorporate the new Latino population. The Republican jurisdictions display a different dynamic. The more urban Republican jurisdictions serviced by police departments treated both African Americans and Latinos worse than whites, but exhibited little difference between the two minority groups. On the other hand, the rural jurisdictions serviced by sheriffs departments targeted Latinos for searches at higher rates than both African Americans and whites. This behavior reflected white hostility in rural Republican areas locals perceived that Latinos provided fewer economic benefits and posed both cultural and security threats. In these environments, popularly elected Republican sheriffs had opportunistic strategic incentives to target Latinos in response to white fears for political gains.

I make this argument in several steps. First, I describe the trend in the disparity in police searches between Latinos and African Americans, and compare this pattern to the trends in Latino/white search disparity. Second, I present an explanation for how the rural/urban and Democratic/Republican divisions predicts the level of Latino/African American search disparity in the various police jurisdictions of the state. I argue that African Americans are more likely to be targeted in Democratic, urban jurisdictions, particularly when violent crime rates are relatively higher. Latinos, on the other hand, face greater police targeting in Republican rural areas policed by sheriffs. I conclude by arguing that the while police now seem to search Latinos relatively less than African Americans, this is likely the result of movement by the Latino

population to safer urban, Democratic areas, as opposed to increasing incorporation of police acceptance in rural Republican areas.

### **Comparing Police Behavior During Traffic Stops Toward Latinos versus African Americans**

Latinos and African Americans faced comparable risks of police searches in North Carolina from 2002-2014. Though police stopped African Americans more frequently than Latinos, police conducted searches of 6.5% of African American drivers in comparison to 6.8% of Latino drivers. African Americans and Latinos were respectively 62.5% and 70% more likely to face searches than whites, who were only searched 4% of the time. These descriptive data suggest that in the aggregate, police were more likely to search both African Americans and Latinos drivers, but did not significantly distinguish between the two minority groups.

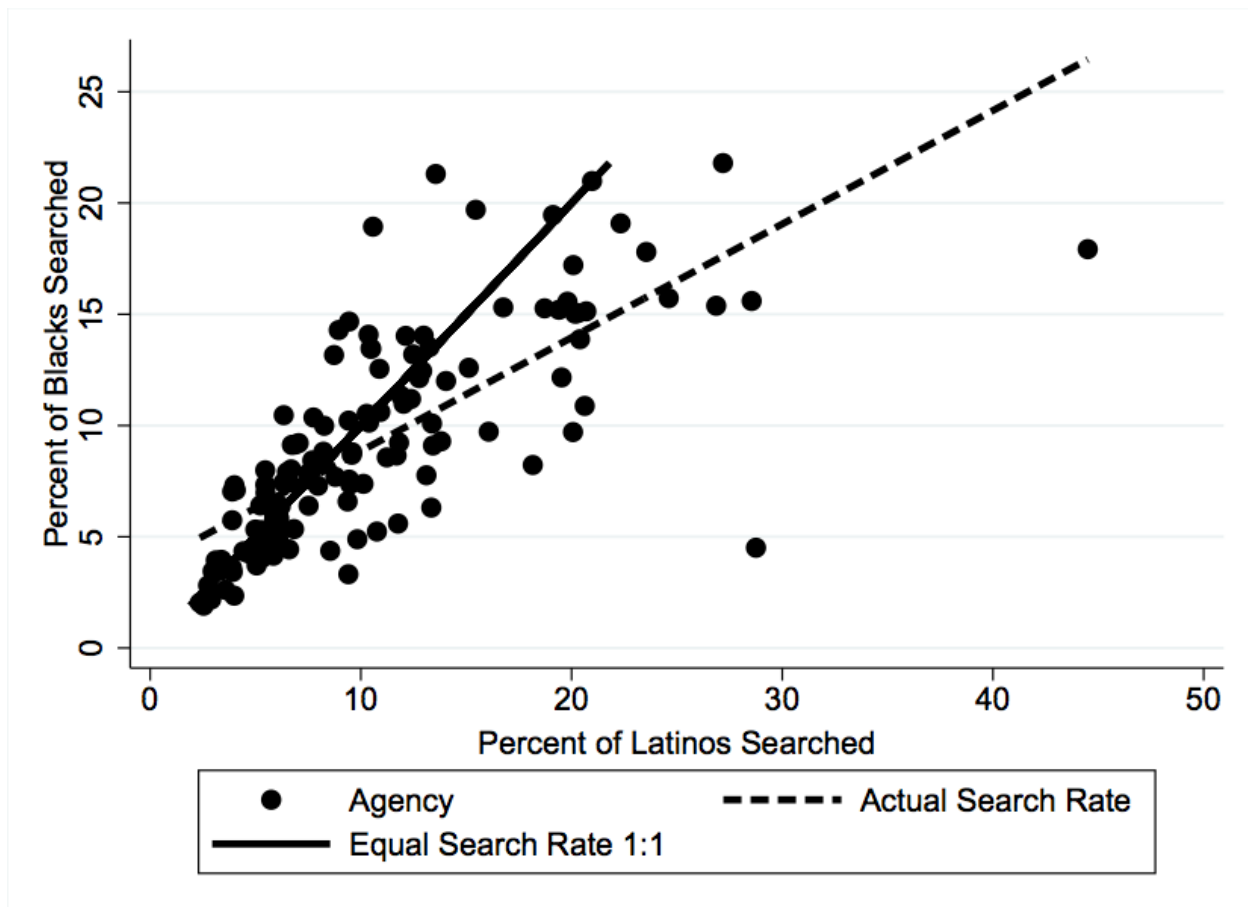
We see a slightly different picture by examining the behavior of each agency. Figure 5.1 presents the rate at which each agency searched African American motorists as a function of the rate at which they searched Latino motorists from 2002-2014. The solid line represents a 1:1 ratio, indicating that the percentage of Latino motorists searched is equal to the percentage of African American motorists searched. The dashed line beneath is a regression line that estimates the percentage of blacks searched in each agency as a function of Latinos searched. In this case, the estimated coefficient is .51. This indicates that each one-percent increase in the Latino search rate corresponds to one half of one percent increase in the African American search rate. We can therefore see that the Latino search rate is significantly greater than the African American search rate.

However, we see a more nuanced picture if we map the trend in Latino/African American search disparity over time. Figure 5.2 compares the level of Latino/white search disparity to the level of Latino/African American search disparity throughout the period. The plot demonstrates



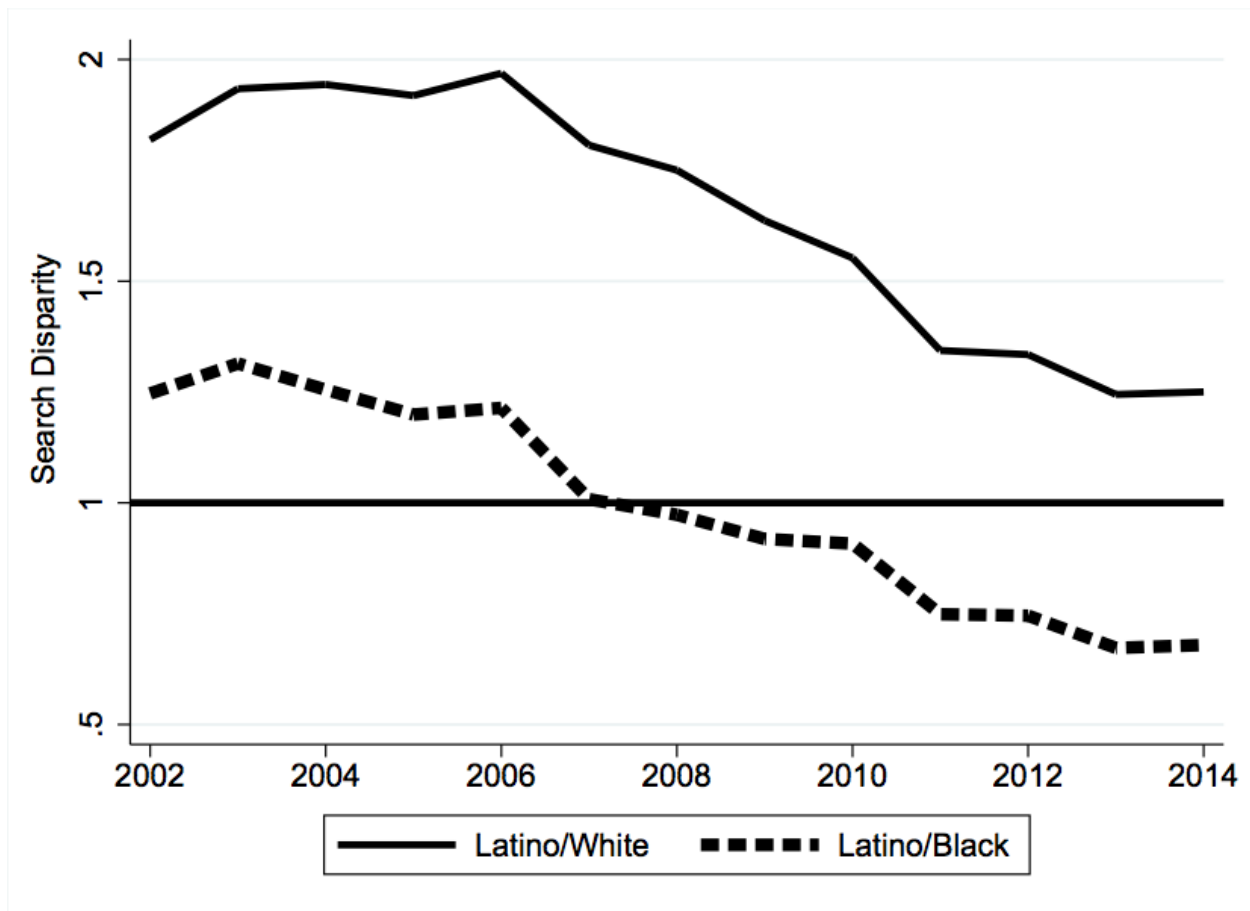
that Latino/white disparity was proportionally higher than Latino/African American disparity. Substantively, this means that the difference in search disparity between Latinos and whites is much higher than the difference between Latinos and African Americans. In both sets of comparison, the level of disparity drops over time, indicating that Latinos in North Carolina faced increasingly lower comparative search rates throughout the decade. However, unlike Latino/white disparity, we see that by 2007, Latinos faced a *lower* risk of being searched by police following a traffic stop than African Americans. The difference between Latinos and African Americans continued to widen to 2014, as both Latino search rates fell and African American search rates rose.

Figure 5.1. Percent of Black and Latino Drivers Searched, by Agency 2002-2014.



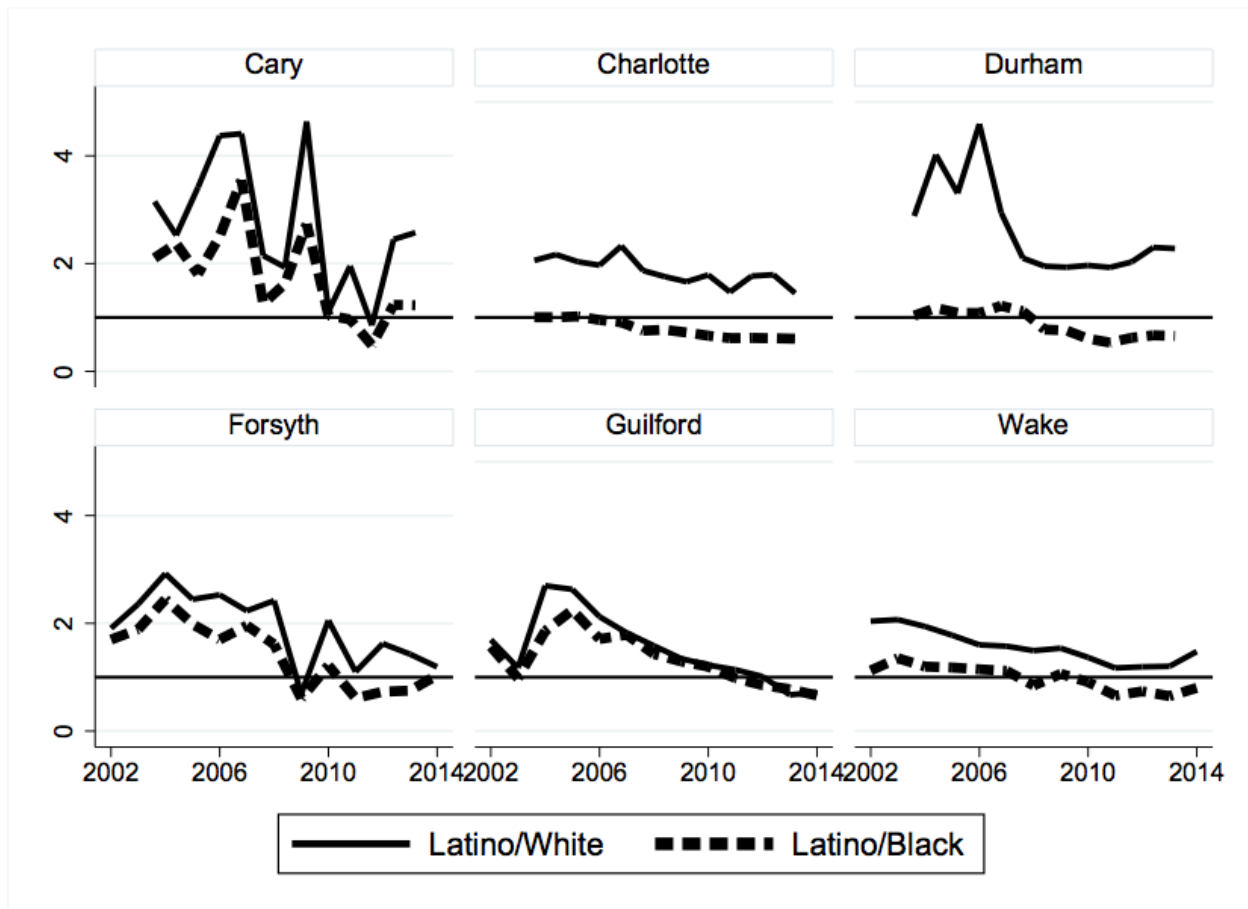
Note. Data points are average search rates for each police agency that conducted at least 50 searches of Latinos from 2002-2014.

*Figure 5.2. Latino/Black and Latino/White Search Disparity in North Carolina 2002-2014.*



Note: Black/Latino Relative Disparity calculated using data at the state level. This level of Latino/Black disparity is calculated in the same manner as Latino/White disparity: (Latinos Searched/Latinos Stopped)/(Blacks Searched/Blacks Stopped). A 1:1 score on this ratio indicates that Latinos and African Americans are searched at equal rates. On the other hand, a score that is greater than 1 indicates that Latinos face higher search rates than African Americans, whereas a score less than 1 indicates that African Americans are searched more frequently than Latinos.

*Figure 5.3. Search Disparity between Latinos/Whites and Latinos/Blacks in Six Major Police and Sheriffs' Departments in North Carolina, 2002-2014.*

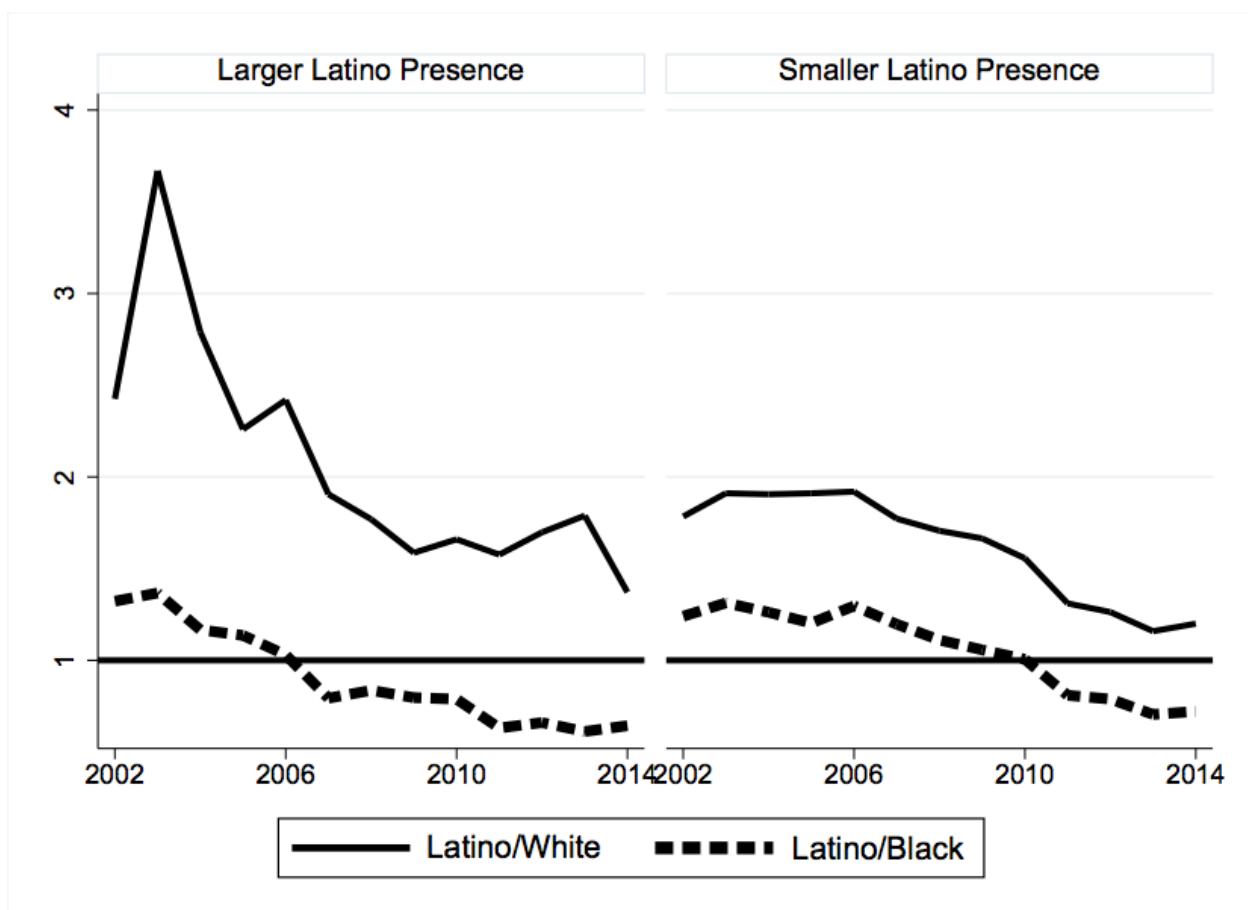


Note. Top row are police departments and bottom row are sheriffs' departments. A plot examining the search disparity between Latinos/Whites and Latinos/Blacks for each police agency is located in the appendix.

Figure 5.3 again demonstrates that substantial variation exists between the state's various police agencies. There is substantial variation between these three police and three sheriffs' departments, and that the variation does not always resemble the disparity in searches between Latinos and whites. For example, while the Latino/white and Latino/Black search disparities seem to trend together in Cary, Latino/Black disparity is proportionally lower than Latino/white disparity in Charlotte and Durham. While Latino/white disparity is much higher in Durham, Latino/Black disparity remains close to 1 throughout the decade. This indicates that while the Durham police department viewed Latinos differently than whites, the police tended to treat

African Americans and Latinos similarly. In the Forsyth and Guilford Sheriffs' offices, Latino/white and Latino/Black search disparity also trend together, indicating that Latinos were targeted more than both whites and African Americans. On the other hand, in Wake County, we see similar behavior to the Charlotte police department. The Wake County sheriffs' office exhibits a proportional drop in Latino/Black disparity in comparison to Latino/white disparity. This indicates that while police search whites less frequently than both African Americans and Latinos, the two minority groups experience similar police treatment in terms of searches.

*Figure 5.4. Search Disparity between Latinos/Whites and Latinos/Blacks in areas with a Large versus Smaller Latino Population*



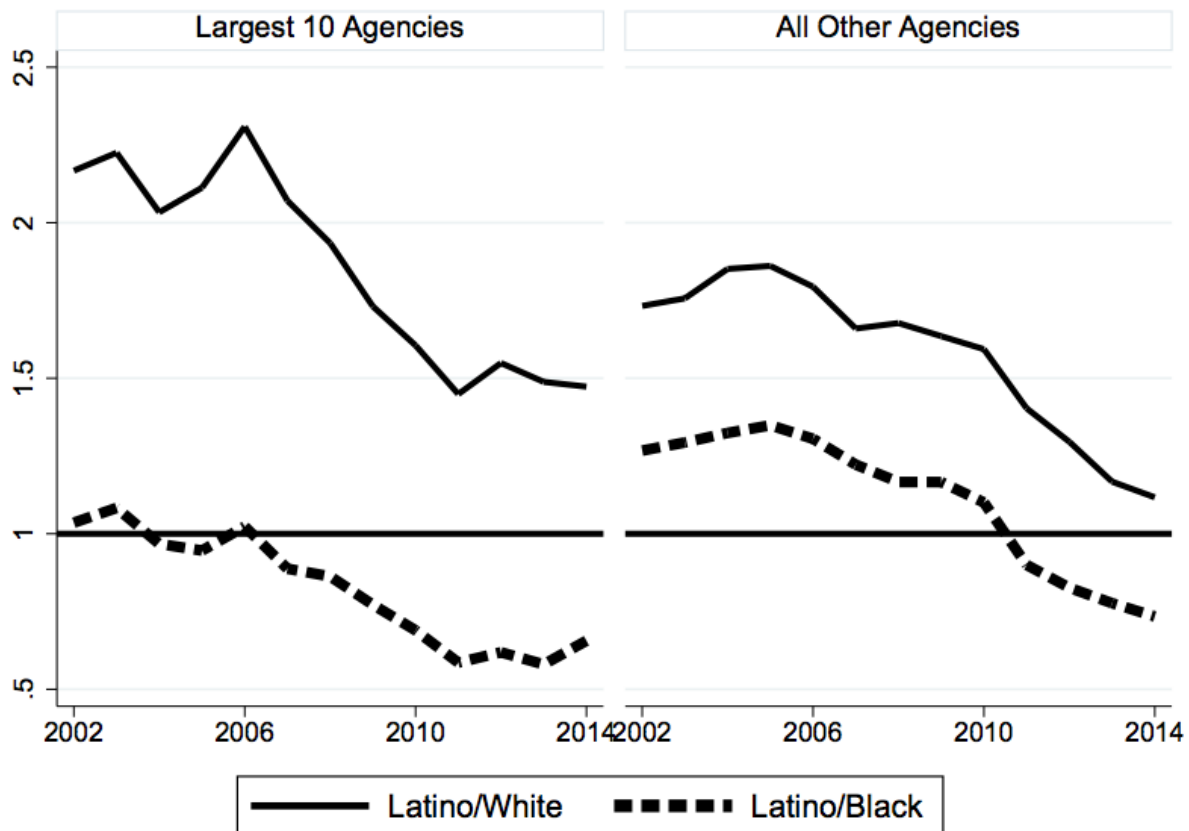
Note. Although these ten police departments represent only 7.7% of the agencies in the analysis, they collectively account for 53% of all stops and 44.6% of all searches.

The varying levels of Latino/white search disparity can be explained by four factors: the size of the Latino population relative to the white population, the size of the jurisdiction and corresponding size of the police agency, the agency type (police department v. sheriff), and the political orientation of the jurisdiction. Let us now examine if these factors also influence the willingness of police to search Latinos relative to African Americans. Figure 5.4 examines the Latino/Black search disparity in two sets of cases: one on the left hand side where the Latino population is greater than 15% of the white population, and another on the right hand side where the Latino population is smaller. From the plot, we see that Latinos appear to fare better than African Americans in jurisdictions where their presence relative to whites is larger. These areas likely contain more economic opportunity for Latinos, and tended to be in the urban, Democratic areas of the state. In areas with larger populations of Latinos, the Latino/Black disparity score falls below 1 in 2006, indicating that Latinos faced lower search rates than African Americans. In the areas with smaller populations, Latinos faced higher search rates than African Americans until 2010. This suggests that like Latino/white disparity, greater numbers of Latinos in a jurisdictions leads to lower search rates for Latinos. However, this also indicates that while Latinos are searched relatively less in areas where their population is larger, African Americans tend to experience higher search rates than Latinos.

Figure 5.5 demonstrates an even bigger difference between the largest ten agencies in the state and the other smaller ones. While the search disparity between Latinos and whites is greater in the state's largest urban agencies, the difference between Latinos and African Americans is almost non-existent between 2002-2006. By 2007, the disparity between Latinos and African Americans falls below 1 in the largest 10 agencies, indicating that Latinos face fewer searches in comparison to African Americans. This demonstrates that when Latinos first arrived in the

state's major urban areas, police treated them in a similar manner to African Americans. There did not appear to be a difference in police treatment between the racial minority groups. On the other hand, we see a clear difference in the other agencies of the state. Until 2010, Latinos appeared to face a much higher disparity in searches compared to African Americans. The two groups appear to converge by 2011, and Latinos face lower search rates following 2012. The data suggest that in terms of police searches, Latinos are searched less frequently by police

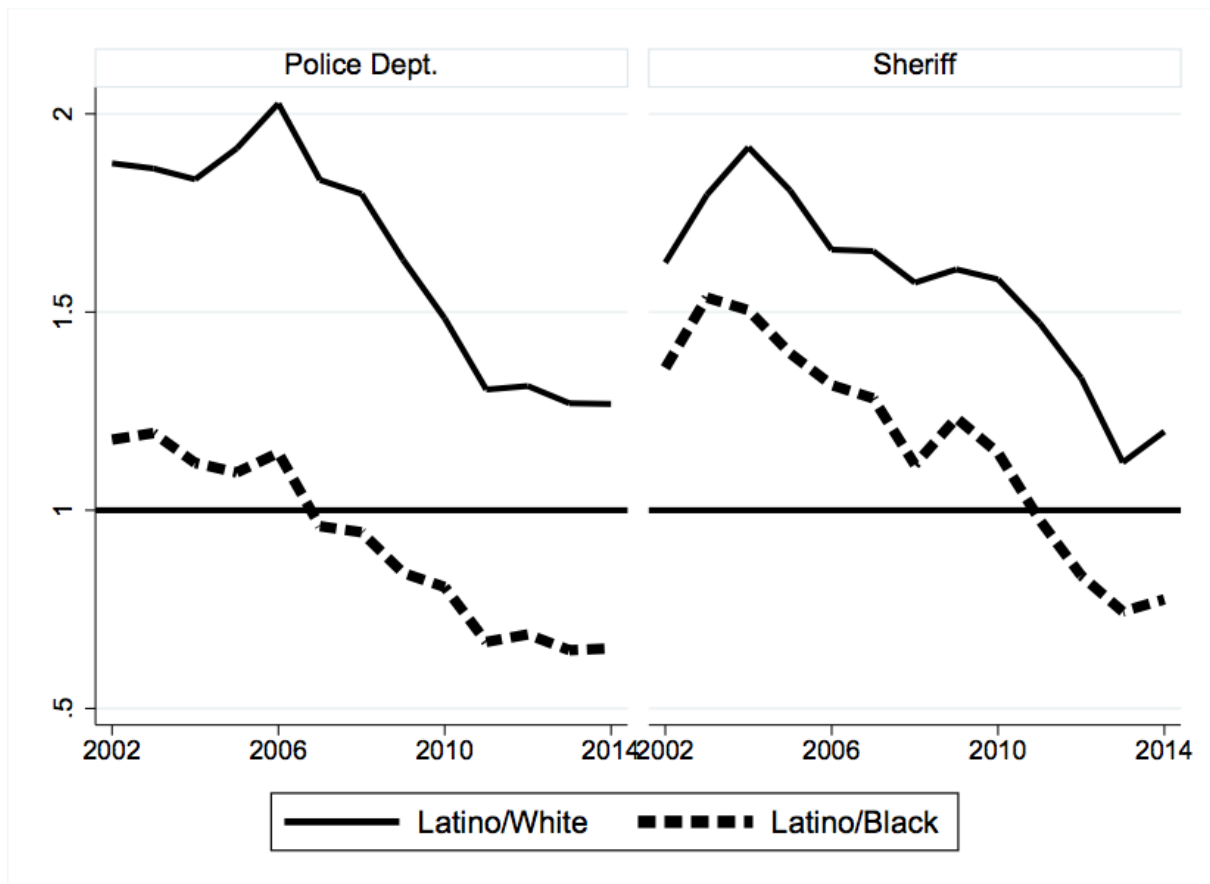
*Figure 5.5. Search Disparity between Latinos/Whites and Blacks/Whites in Ten Largest Agencies versus Smaller Agencies 2002-2014*



Note. Although these ten police departments represent only 7.7% of the agencies in the analysis, they collectively account for 53% of all stops and 44.6% of all searches.

in comparison to African Americans in the state's urban areas, but were searched more frequently in comparison to African Americans in the state's rural areas until 2011. After this point, police treatment of both groups appeared relatively equal, with African Americans experiencing a slightly higher search frequency than Latinos.

*Figure 5.6 Search Disparity between Latinos/Whites and Latinos/Blacks in Police versus Sheriffs' Departments 2002-2014.*

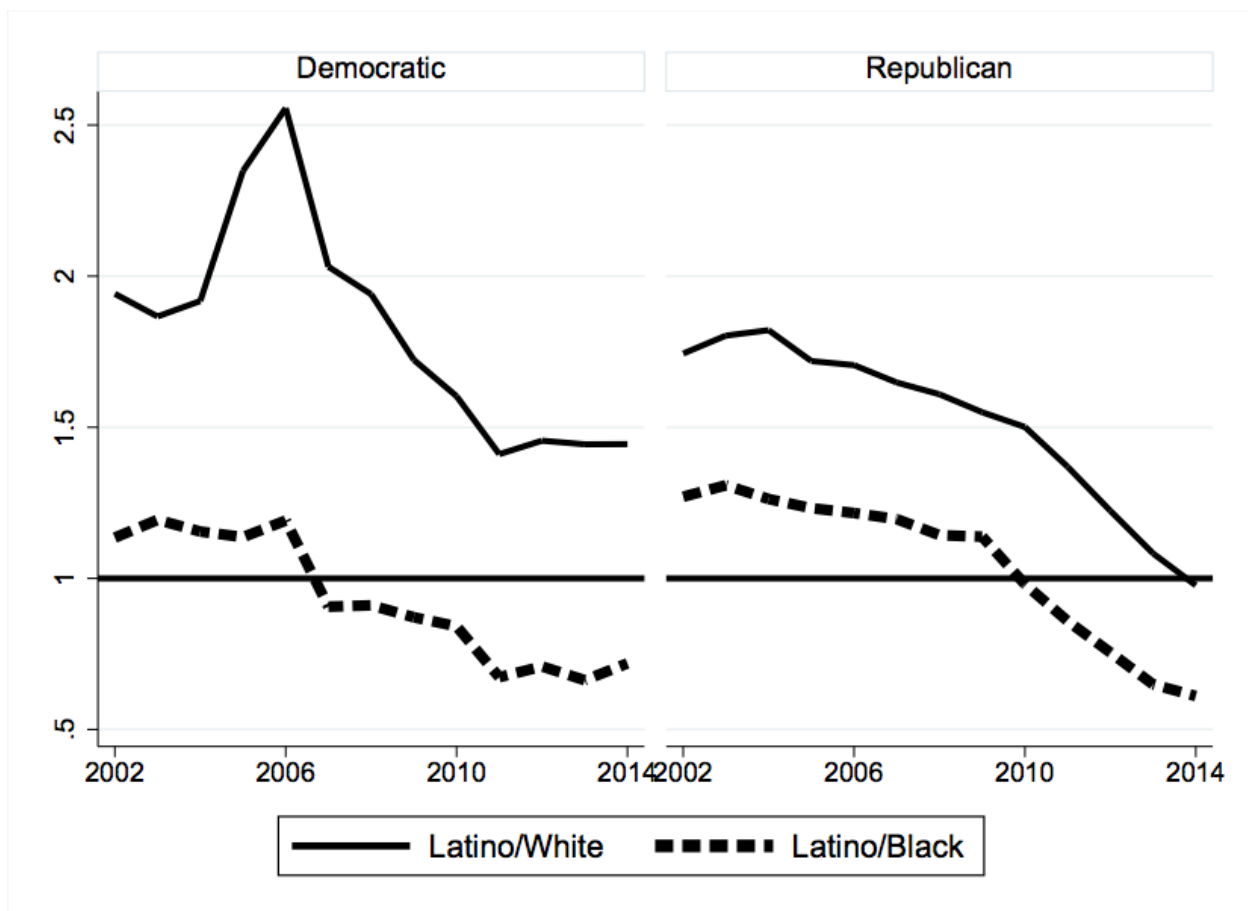


Note: The ten largest agencies are all police departments as opposed to sheriffs' departments, which tend to be located in jurisdictions that are more sparsely populated.

Figure 5.6 demonstrates a similar pattern when comparing Latino/Black disparity in police versus sheriffs' departments. In the state's police departments, which tend to be more urban, Latino/Black disparity falls below 1 in 2007, indicating that Latinos were less likely to face searches than African Americans. In sheriffs' departments, however, Latinos are more likely

to face searches than African Americans until 2011. Further, the overall level of Latino/Black search disparity is much higher in sheriffs' as opposed to police departments. This demonstrates an interesting finding: African Americans face more searches than Latinos in urban areas patrolled by police departments, whereas Latinos are targeted more than African Americans by popularly elected sheriffs in rural areas.

*Figure 5.7. Search Disparity between Latinos/Whites and Latinos/Blacks in Democratic versus Republican jurisdictions, 2002-2014.*



Note. The majority of residents in 48% of the jurisdictions voted for Republican presidential candidates throughout the entire period.

We again see the corresponding pattern by analyzing the agencies based on the partisan leanings of their constituents. In Democratic areas, the level of Latino/Black disparity is



relatively small, and falls below 1 early in the period. In Republican areas, however, Latino/Black disparity remains greater than 1 for a longer duration, and falls at a relatively slower pace.

Taken together, these descriptive results suggest that Latino/Black disparity is relatively greater and more persistent in the state's more rural Republican areas policed by sheriffs. However, in the state's more urban areas, police agencies seem to quickly improve their treatment of Latinos relative to African Americans, though Latinos consistently face more searches than whites. These patterns raise the question: why did the state's police agencies initially view Latinos as more threatening than African Americans, and what explains the rate at which they shifted away from Latinos to African Americans? The following section presents a theory that links each of the above variables into a causal mechanism behind Latino/Black disparity.

### **Reactive versus Structural Racism in Police Agencies**

With the exception of Native Americans, no group has experienced more racial discrimination than African Americans throughout U.S. history.<sup>39</sup> Black Africans originally arrived in the United States as slaves for the purposes of working on plantations owned by white landowners. After independence, African Americans were only considered three fifths of a person for census purposes, but were denied equal status under the law. Even after the American Civil War, African Americans were denied reparations and given few resources to begin acquiring wealth post slavery, which was particularly significant since the vast majority of

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<sup>39</sup> A reasonable argument could be made that while African Americans are typically considered at the bottom of the racial hierarchy, this designation likely belongs to Native Americans, given that efforts were made to systematically eliminate the latter. However, due to a lack of data, I do not explore this here.

American wealth is inherited. As a result, present data indicate that African Americans tend to have less wealth, experience higher poverty levels, are less likely to complete college degrees, and have shorter life expectancies than American whites.<sup>40</sup> African Americans are also underrepresented in U.S. political institutions (Baretto, Segura, & Woods 2004; Griffin & Keane 2006; Hutchings, McClerking, & Charles 2004), suggesting that this group remains in a subordinate status in comparison to the dominant white group, which comprises U.S. society. In the 114<sup>th</sup> session of Congress beginning 2015, there were 46 African Americans in both the U.S. House and Senate out of a total of 535 members (8.5%). The U.S. Census in 2010 estimated that African Americans represented 12.6% of the U.S. population, indicating that African American representation in Congress is 32.5% less than the number of African Americans in the overall population.

This institutional racism is also evident in the American justice system. In 2010, the incarceration rate for African Americans was 4,347 males per 100,000 residents, which was 541% larger than the rate for white males, which was 678 per 100,000 residents.<sup>41</sup> That same year, African Americans represented 40% of the U.S. prison population, which is 217% greater than their share of the general U.S. population. An abundance of studies demonstrate that African Americans are systematically more likely to be harassed, searched, and arrested by police officers than whites (Baumgartner et al 2016; Burch 2013; Epp, Maynard-Moody, & Haider-Merkel 2014). These patterns, coupled with the clear overrepresentation of African

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<sup>40</sup> Pew Research Center. 2013. King's Dream Remains an Elusive Goal; Many Americans See Racial Disparities. 22 August, available at: <http://www.pewsocialtrends.org/2013/08/22/chapter-3-demographic-economic-data-by-race/>.

<sup>41</sup> U.S. Department of Justice. 2009. Prison Inmates at Midyear 2009-. Available at: <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=2200>.

Americans in prison, demonstrate conclusively that American law enforcement and the justice system places African Americans in a subordinate status in comparison to the dominant whites. The long history the oppression of African Americans in U.S. institutions, and in North Carolina explains why Black/White disparity persists. The difference between whites and blacks in terms of police treatment is institutional, and embedded into police agencies in both Democratic and Republican jurisdictions. As a result, a larger presence of African Americans in a given jurisdiction will always lead police to target this group more than any other, including the Latino population.

**Hypothesis 5.1.** Increasing the size of the African American population in a particular jurisdiction increases police targeting of African Americans relative to Latinos.

Given the long history of hostility toward the African American population in the United States, we would expect to observe differences in treatment of African Americans versus whites in nearly every one of North Carolina's police agencies. This "normal" targeting of the jurisdictions' black population unfortunately represents the status quo. The tendency of police to target African Americans is exacerbated by media stereotypes of blacks as violent, uneducated, and criminal. These images often imply linkages between African Americans and violent crime. Although there has been clear decline in violent crimes since the 1991,<sup>42</sup> whites and police perceive exaggerated risks about violent crimes committed by African Americans due to these stereotypes (Brunson & Miller 2006; Farrall et al 2009; Fryer 2016; Quillian & Pager 2001). Interview data suggests that police are likely to view areas where African Americans reside as high crime risk areas or poor neighborhoods, and may therefore behave more aggressively

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<sup>42</sup> See FBI Uniform Crime Reports from the National Archive of Criminal Justice Data, <https://www.bjs.gov/content/dtdata.cfm>

toward citizens in these areas compared to more affluent locations (MacDonald 2001; Norris 1992; Schlosser 2013). This suggests that police tend to behave more aggressively in areas that are believed to have high crime rates, and that these areas tend to be populated by African Americans. These expectations are corroborated in field studies and interviews of both African Americans and police officers (Brunson & Weitzer 2009; Desmond et al 2016; Weitzer & Brunson 2015). From these studies, we can extrapolate the expectation that police will increase searches of African Americans in response to high violent crime rates.

**Hypothesis 5.2.** Increasing the violent crime rate in a particular jurisdiction increases police targeting of African Americans relative to Latinos.

Several studies indicate that police forces grow in areas where communities express considerable fear of crime, particularly crime committed by racial minorities (Holmes 2000; Lawton 2007; Lee et al 2010; Parker et al 2005). If fear of minorities drives the growth of organizations, larger police organizations are a signal of greater white fears of minority violence. For example, police agencies tend to be larger in urban areas with higher concentrations of African Americans, as opposed to areas where the African American population is smaller. The size of a police agency therefore provides an indication of a community's general fear of crime, particularly violent crime committed by African Americans. The size of police agencies is likely to grow in areas in response to white demands for protection from the perceived threat of African American violence.

**Hypothesis 5.3.** Increasing the size of the police agency operating in a particular jurisdiction increases police targeting of African Americans relative to Latinos.

While these factors explain why police agencies target African Americans more relative to Latinos, the shift in traditional police focus from African Americans to Latinos can be

explained as a function of three key factors. The previous chapter establishes that Republicans are more likely than Democrats to view Latinos as a threat to white economic, political, and cultural dominance. Since police agencies reflect the values of their constituents in their respective jurisdictions, police targeting of Latinos is higher in areas where majority of constituents voted Republican.

While this demand in Republican jurisdictions is a necessary condition for police action, we must next establish where a substantial presence of Latinos existed such that police could actually target this group. Latinos arriving to the state of North Carolina headed to areas where greater economic opportunities existed. Geographically, Latinos tended to cluster in the Piedmont area in the central part of the state, and particularly along the cities of the I-85 corridor. The urban areas of the Research Triangle and Charlotte welcomed the Latino migrants to meet their labor needs. As a result, we should expect that in urban areas, the economic benefits provided by Latinos encouraged police to behave less aggressively toward this population, thereby increasing Latino/Black search disparity.

**Hypothesis 5.4.** Increasing the size of the Latino population relative to the white population increases police targeting of African Americans relative to Latinos.

While Latino labor was viewed positively in the urban, more Democratic areas where Latinos worked, whites in the more rural, Republican surrounding areas did not necessarily share these views. For example, while Latino labor was welcomed in the Research Triangle cities of Raleigh, Durham, Chapel Hill, and Carrboro, Latinos are often unable to live in these cities due to the high cost of living. Latinos therefore settled in nearby Alamance County, where the cost of living is relatively lower. However, unlike Orange, Durham, and Chatham, Alamance is a majority Republican county. This suggests that whites in Alamance may be relatively more

hostile to Latinos than in the Research Triangle counties, particularly since the economic benefits provided by Latinos tend to go to the urban areas outside of Alamance. Moreover, relatively wealthier whites in these areas were better positioned to push for police protection from Latinos, particularly if the perception arose that the new Latino population was driving down property values. Therefore, whites likely responded to the growing number of Latino arrivals with alarm, given their fears that the Latino presence would weaken them financially and change the demographics of their neighborhoods.

Additionally, media coverage of Latinos overwhelmingly portrayed this group as undocumented, and perhaps tied to gangs and Mexican drug cartels. If Republican constituents saw evidence that reinforced these stereotypes, they would likely continue to push local law enforcement to crack down on Latinos. This pressure would likely drive police in Republican jurisdictions to view Latinos and African Americans as equally threatening to white dominance. Therefore, whites in urban areas with Republican leaning attitudes likely viewed African Americans and Latinos as equal threats. These public attitudes gave police agencies little incentive to distinguish between the two groups. As a result, police in Republican areas with larger concentrations of both African Americans and Latinos would likely target both groups at roughly equal rates. This would increase the disparity between both minority groups and whites, but would minimize the disparities between Latinos and African Americans since police would target both groups equally.

**Hypothesis 5.5.** Police targeting of African Americans and Latinos equalizes in jurisdictions with Republican police departments.

These police departments in more urban and suburban areas likely contained a higher number of African Americans and Latinos, allowing agencies to target both. On the other hand,

the agencies with seemingly the greatest incentive to shift attention from African Americans to Latinos were sheriffs' offices in the more rural areas in the central and western parts of the state. Unlike police departments, sheriffs are political officers that are popularly elected. In Republican areas, sheriffs would therefore have incentives to "protect" whites from both African American and Latino groups. However, for popularly elected sheriffs, a key difference between African Americans and Latinos is that the former group is overwhelmingly comprised of citizens that have the ability to vote. If sheriffs seek to retain office, there is little incentive to antagonize African Americans, given that this group can vote. On the other hand, Latinos may be less likely to vote, and therefore seemingly make for easy and high profile targets when demand for protection increases. This may explain why several rural sheriffs, such as Alamance County's Terry Johnson, found it politically useful to "go get some Mexicans." Empirically, we should therefore expect targeting of Latinos to increase relative to African Americans in Republican oriented jurisdictions that are policed by sheriffs' offices in more rural areas, where the corresponding size of the police agency tends to be relatively smaller.

**Hypothesis 5.6.** Police targeting of Latinos increases relative to police targeting of African Americans in Republican sheriffs' jurisdictions with relatively smaller police forces.

Taken together, we can explain the behavior of police agencies toward both minority groups as a function white political attitudes, the geographic location of the agency (rural v. urban), and the agency type (sheriff v. police department). Democratic leaning whites in the state's urban areas were less likely to associate Latinos with crime, given economic benefits Latinos were providing to the community. With more socially liberal constituents, and a greater concentration of African Americans, police agencies in the large Democratic urban areas

therefore focused their efforts on policing African Americans, particularly if violent crime rates were relatively higher. Conversely, agencies serving more suburban and urban Republican areas targeted both African American and Latinos equally, given that their constituents viewed both as violent and crime risks. On the other hand, in more rural jurisdictions policed by sheriffs, who tended to be more rural with fewer African Americans, police developed the incentive to cater to white suspicion of Latinos by targeting this population. These empirical expectations are captured in Table 5.1.

*Table 5.1. Empirical Expectations of Latino/Black Search Rates as a function of Agency Type/Jurisdiction Location and Political Orientation.*

	Democratic	Republican
Police Dept (Urban)	African Americans > Latinos	African Americans $\approx$ Latinos
Sheriff (Rural)		Latinos > African Americans

## Research Design

I test the six hypotheses by again using the data from the North Carolina Department of Justice on traffic stops throughout the state from 2002-2014. The dependent variable is Latino/Black search disparity, which is calculated using the following ratio:

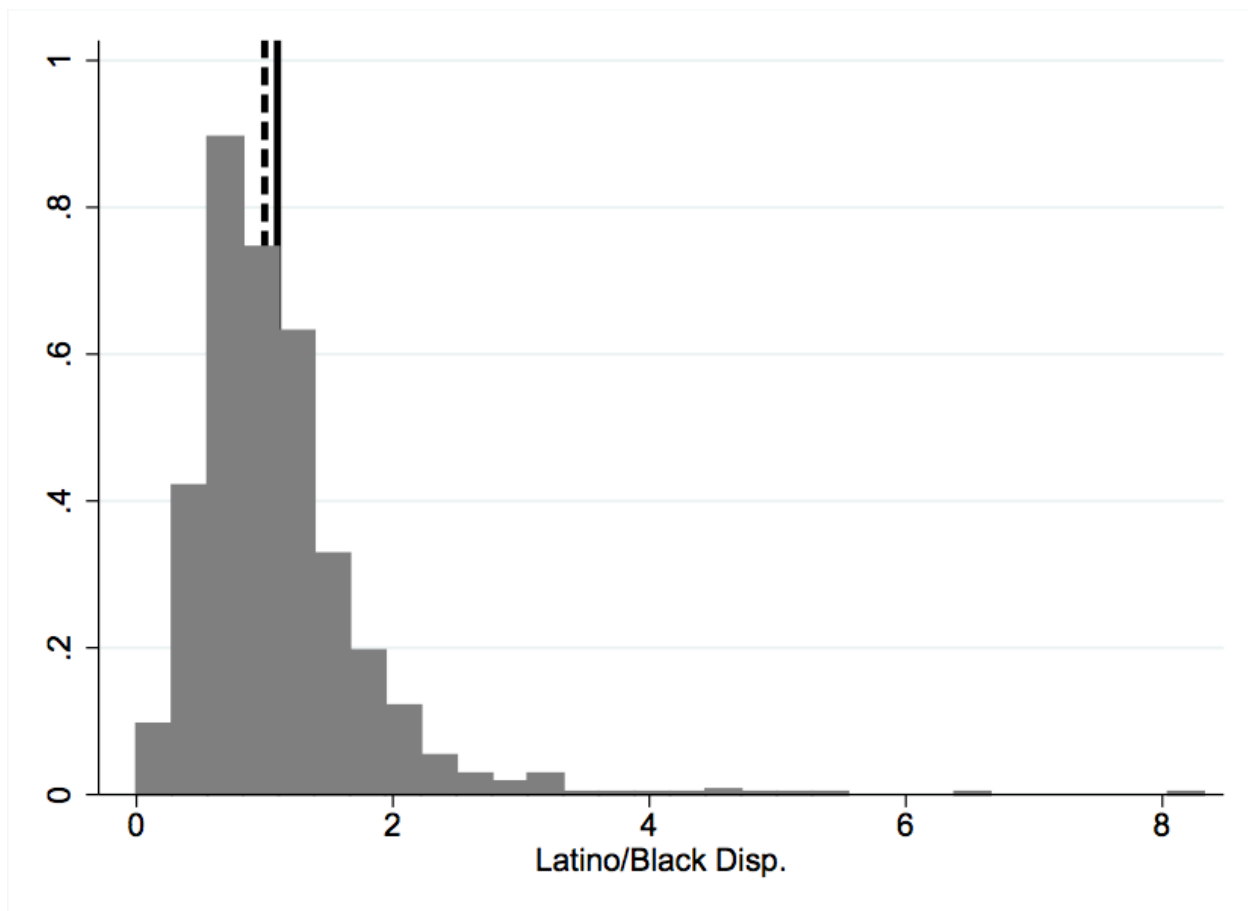
$$\text{Latino Search Rate/Black Search Rate}$$

A 1:1 ratio indicates that the Latino and Black search rates are equal, and that police are likely to search African Americans as they are Latinos. A score that is greater than 1 indicates that the Latino search rate is greater than the Black Search rate, or that police search Latinos relatively more than African Americans. Conversely, if the Latino/Black search disparity score is less than 1, the Black search rate is greater than the Latino search rate, indicating that police target African Americans relatively more in comparison to Latinos. To ensure the validity of the



dependent variable, I again drop those cases where there are less than 100 stops of Latino and African American drivers. Figure 5.8 presents the distribution of the Latino/Black disparity score. The mean is equal to 1.1, indicating that on average, Latinos are 10% more likely to face searches than African Americans.

*Figure 5.8. Distribution of Latino/Black Search Disparity 2002-2014.*



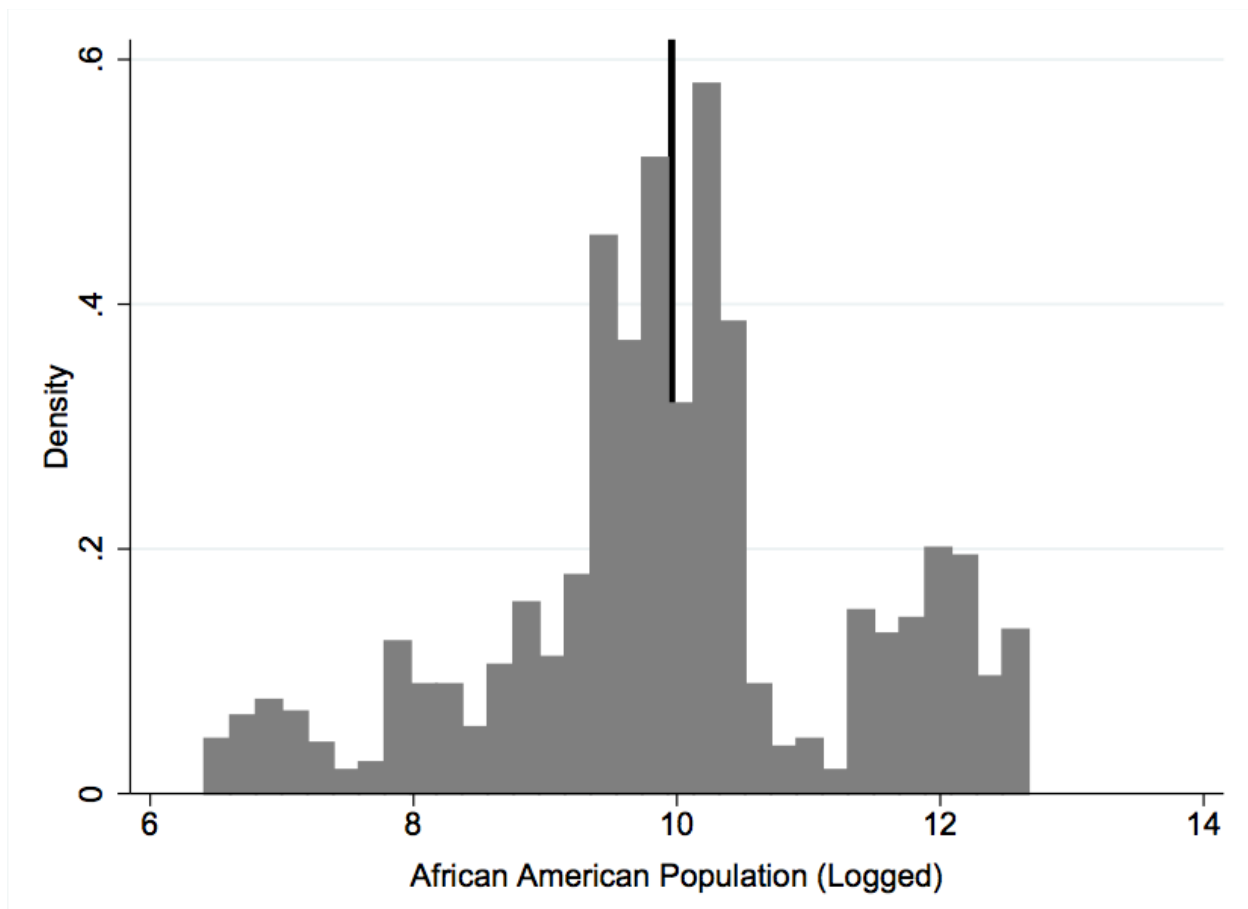
Note: Dashed line represents a value of 1, indicating that the Latino search rate is equal to the Black search rate. Solid line represents the mean. Score computed after dropping cases with less than 100 stops of either Latinos or Blacks.

### **Key Explanatory Variables**

I use the same set of independent variables as the previous models, with two additions. First, I include a logged measure of the jurisdiction's African American population. Hypothesis

5.1 argues that larger numbers of African Americans in a jurisdiction encourage police to target African Americans more relative to Latinos. I test this hypothesis using Census estimates for each county where each agency is located.<sup>43</sup>

*Figure 5.9. Size of African American Population in North Carolina's Police Jurisdictions, 2002-2014.*



Note. The mean African American Population score is .9.96, with a standard deviation of 1.38, a min of 6.4 and a max of 12.67.

Figure 5.9 presents a histogram of the variable, which appears to follow a normal distribution. My expectation is that as the number of African Americans in a jurisdiction

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<sup>43</sup> See [www.census.gov](http://www.census.gov).

increases, the Latino/Black disparity score will decrease, indicating that police are more likely to search African Americans as opposed to Latinos.<sup>44</sup>

Second, since Hypotheses 5.5-5.6 argue that the effect of Agency Type (sheriff v. police department) is contingent on Agency Size, I include an interaction between the sheriff dummy variable and the Agency size variable. The interaction is intended to capture the behavior of police in Republican jurisdictions. The expectation of Hypothesis 5.5 is that in Republican police departments, the level of Latino/Black disparity should be close to 1, indicating that police exhibit little difference in their behavior toward both groups. On the other hand, Hypothesis 5.6 predicts that police should increase their targeting of Latinos relative to African Americans in smaller sheriffs' jurisdictions. I therefore expect the coefficient of the sheriff dummy to be positive, whereas the interaction between sheriff and agency size should be negative. Substantively, this would mean that sheriffs increase targeting of Latinos relative to African Americans, but both minority groups are likely to be treated equally in larger agencies. I also again include controls for Republican control of the Governor's office, as well as fixed effects for each year (2003-2014) and each of the counties.

## **Method**

I again test the hypotheses using three Ordinary Least Squares (OLS) Regression models: one model that includes the entire sample of North Carolina's police agencies and their jurisdictions, one that only examines agencies serving areas that lean Democratic, and a final one

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<sup>44</sup> An alternative strategy is to measure the African American population relative to the size of the white population using the ratio Black population/White population. While the results associated with the African American population are robust to this specification, the ratio exhibits collinearity with two of the other key variables (Agency Size and Violent Crime Rate). Since these variables are also key to testing the theory, and since the size of the African American population is highly correlated to the Latino/White ratio, I use the size of the African American population.

examining agencies serving areas that lean Republican. The split sample allows for a test of Hypotheses 5.1-5.4, which predict an increase in Latino/Black disparity is driven by increased police attention to African Americans in Democratic jurisdictions in response to a larger Black population, higher violent crime rates, larger organizations, and a larger population of Latinos relative to whites. On the other hand, Hypotheses 5.5-5.6 predict that in Republican jurisdictions, sheriffs increase searches of Latinos relative to African Americans in smaller agencies, but the two minority groups are treated roughly equally in larger agencies. Splitting the sample further allows us to ensure that the different causal dynamics are not also occurring in jurisdictions with the opposite political orientation. For example, if Democratic sheriffs increase their search rates of Latinos in smaller jurisdictions, this contradicts a key premise and refutes the theoretical argument. Similarly, if Republican police agencies increase their targeting of African Americans over Latinos in response to high violent crime rates, this also contradicts the theoretical argument. Splitting the sample allows us to determine if the predicted causal factors are influencing Latino/Black disparity in the expected political jurisdictions.

## **Results**

Table 5.2 presents the results of the three OLS models, which provide support for five of the six hypotheses. We clearly see that there are significant differences in policing in jurisdictions with different political orientations. The African American population, violent crime rate, and agency size variables are only significant in Democratic jurisdictions. Larger African American populations, higher violent crime rates, and larger agencies all increase policing of African Americans relative to Latinos. This demonstrates that Latino/Black disparity in Democratic jurisdictions appears driven mainly by police targeting of African Americans. On the other hand, the interaction between the sheriff dummy and agency size are significant in the

full and model and the Republican only model, but not the model with only Democratic jurisdictions. By contrast, the sheriff variable is only significant in Republican jurisdictions.

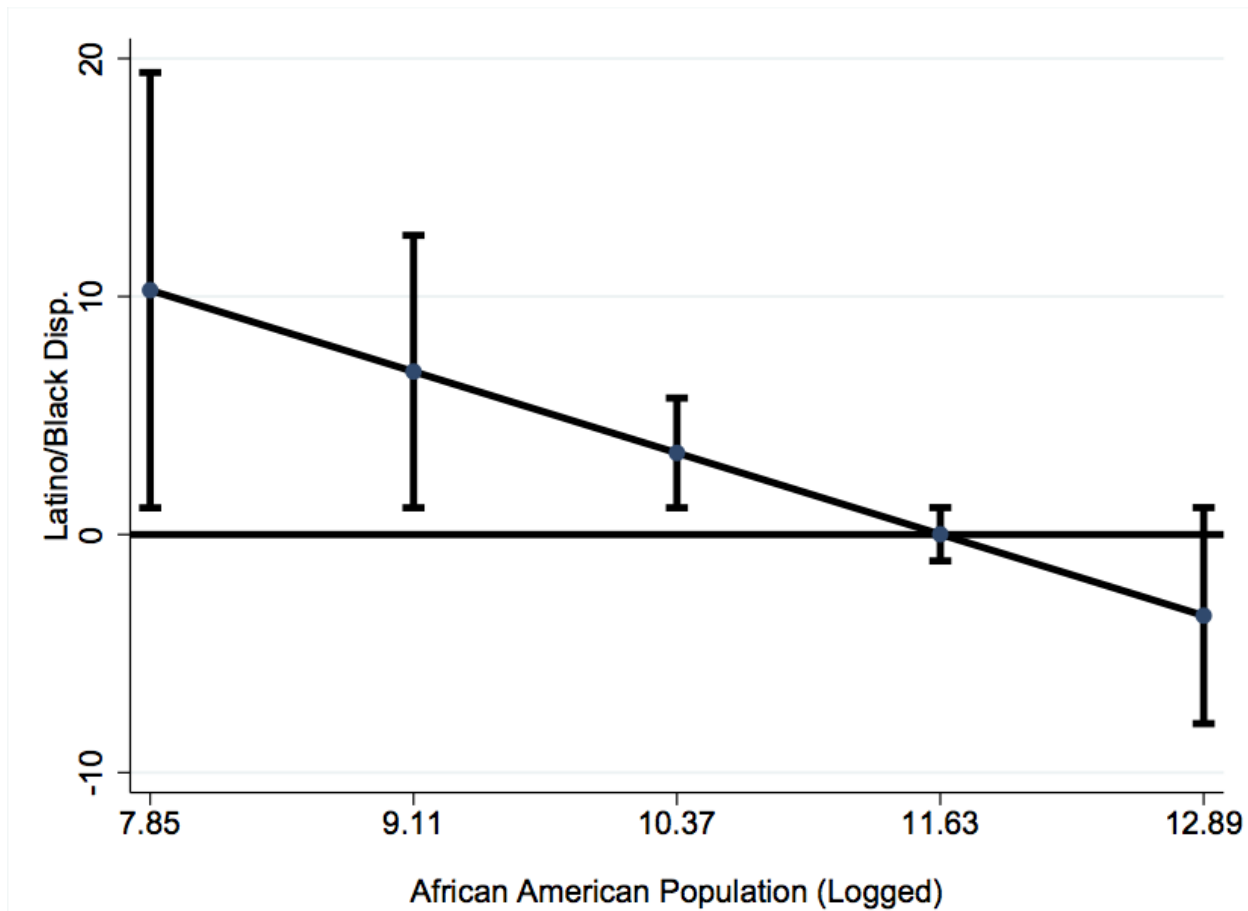
*Table 5.2. Latino/Black Disparity in Traffic Stops, 2002-2014.*

	All Jurisdictions	Democratic Jurisdictions	Republican Jurisdictions	Dem/Rep Difference
African American Population	-.565 (.442)	-2.71** (1.37)	-.49 (.49)	-
Violent Crime Rate	-.143 (.097)	-.891*** (.284)	.025 (.098)	***
Agency Size	-.096*** (.031)	-.172*** (.052)	-.027 (.034)	**
Latino Population/White Pop.	-.475 (4.2)	-7.1 (5.4)	2.99 (9)	-
Sheriff	.983*** (.25)	.592 (.51)	1.26*** (.29)	-
Sheriff*Agency Size	-.25*** (.08)	-.173 (.15)	-.326*** (.09)	-
Search Rate	-1.76** (.75)	1.31 (2.1)	-2.34*** (.76)	*
Republican Governor	-.51*** (.16)	-.287 (.33)	-.533* (.27)	-
Constant	8.4 (4.4)	32.82 (13.2)	6.12 (4.84)	
N	916	285	631	
Df	845	250	568	
R <sup>2</sup>	.30	.31	.35	

\* p<0.10, \*\* p<0.05 \*\*\*p<.01

Note. Robust standard errors are presented in parentheses. All models include year and county fixed effects.

*Figure 5.10. Effect of African American Population on Latino/Black Disparity in Democratic Jurisdictions.*

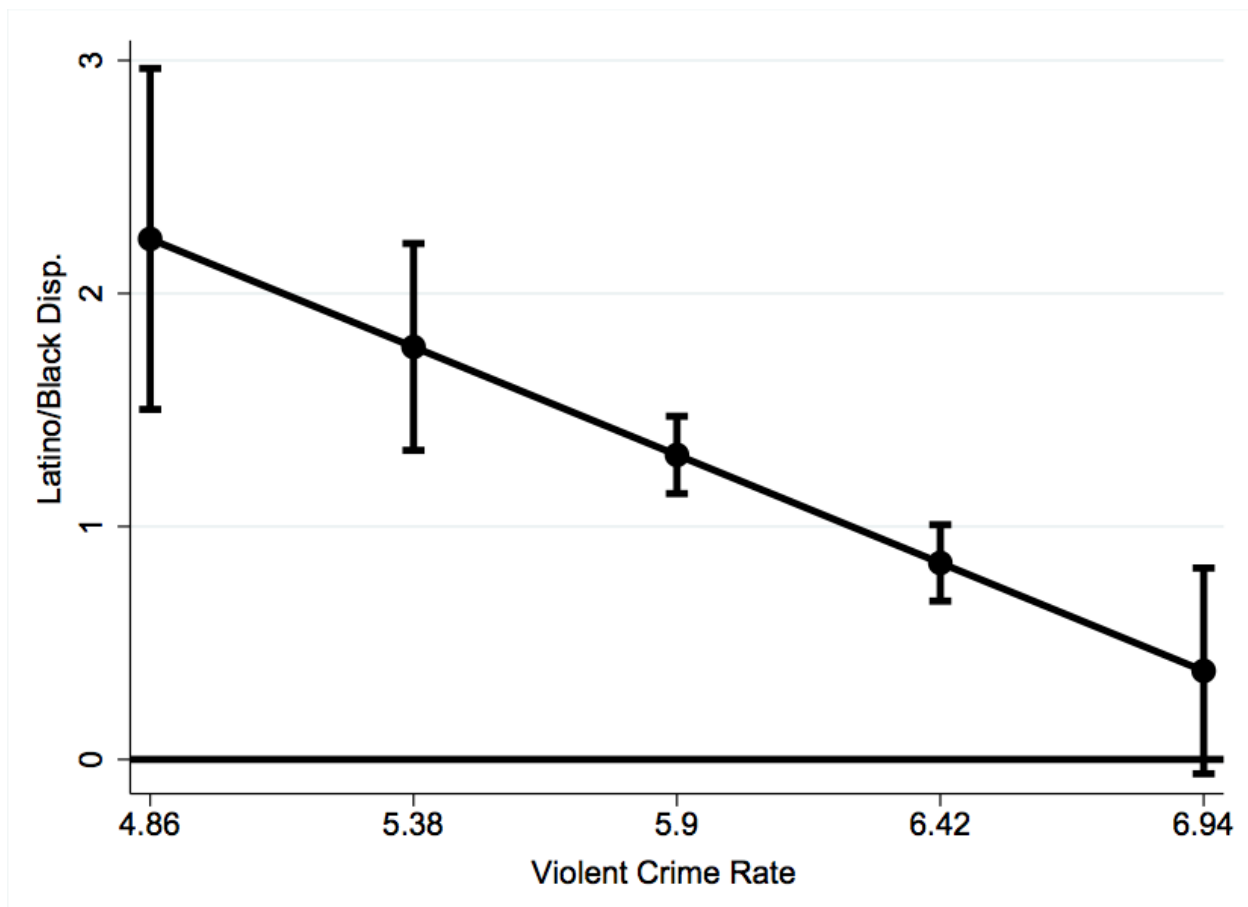


Note. Effect estimated using Model 2. All other independent variables held at their means.

Let us examine the test of Hypothesis 1. The coefficient of African American population in Model 2 indicates that a one-unit increase in the logged African American population significantly increases the relative disparity between Blacks and Latinos. Figure 5.10 estimates the effect of the African American population on Latino/Black disparity at the mean plus and minus two standard deviations. This prediction reveals that size of the African American population exhibits several interesting effects. At the left hand side of the plot, we see that small African American populations positively increase Latino/Black disparity. As the size of the African American population increases to the mean and above, there is a statistically insignificant decrease in Latino/Black disparity. This result may be partially due to the nature of

the Latino/Black disparity measure, which may grow very large if the number of African American searches is small. As a result, the model may be over-predicting the size of Latino/Black disparity in areas with few African Americans. We therefore see mild support for the first hypothesis. While the size of the African American population is significant in the Democratic sample, there is no significant difference between the Democratic sample and the Republican sample. We therefore cannot be certain that the effect of the African American population is significantly different than zero, though it is negative and significant in the Democratic sample.

*Figure 5.11. Effect of Violent Crime Rates on Latino/Black Search Disparity in Democratic Jurisdictions.*



Note. Effect estimated using Model 3. All other independent variables held at their means.

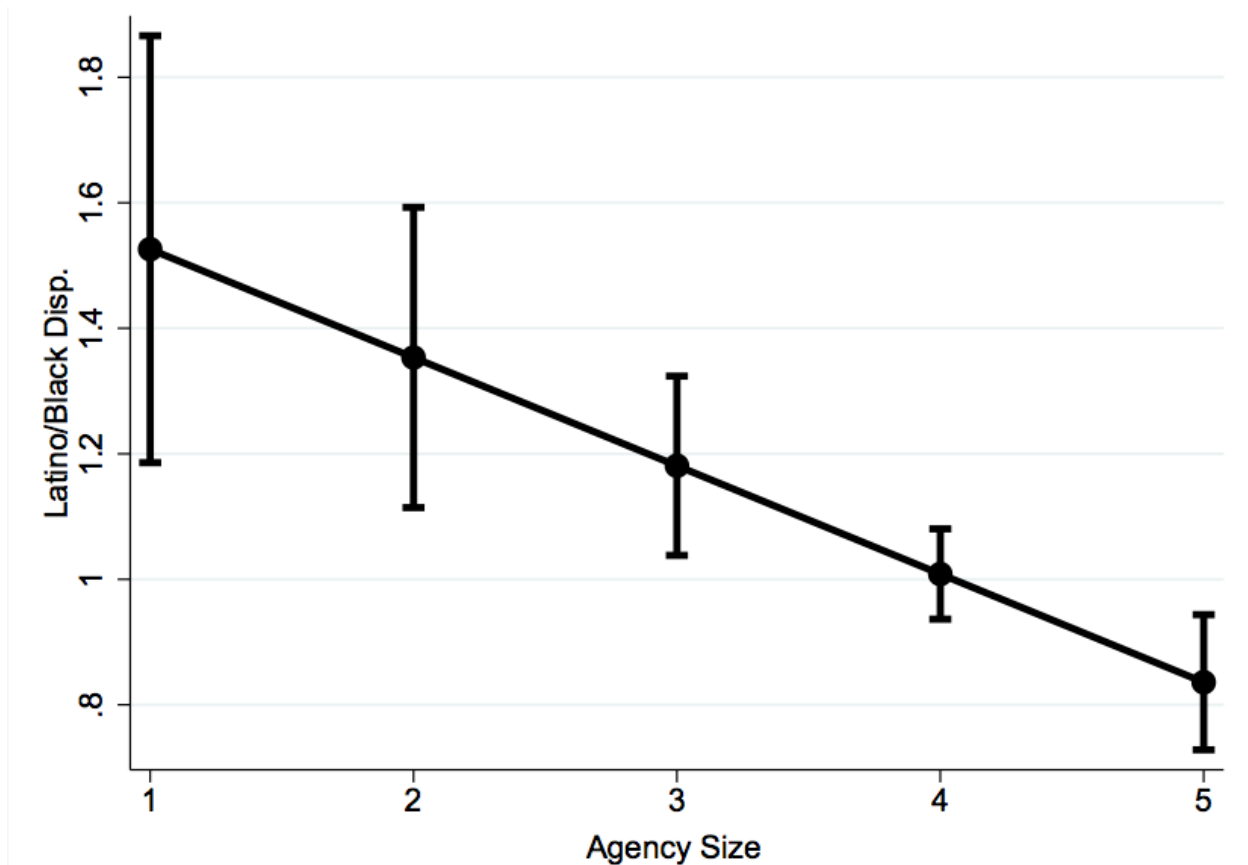
The results provide greater support for Hypothesis 5.2, which predicted that police in Democratic jurisdictions would turn their focus to African Americans as opposed to Latinos in response to higher violent crime rates. Figure 5.11 plots the effect of the violent crime rate on Latino/Black disparity at the mean, as well as one and two standard deviations above and below. We see that higher levels of violent crime push police in Democratic jurisdictions to search African Americans more relative to Latinos. The model predicts a 1.3 Latino/Black disparity score at the mean level of violent crime (5.89), indicating that Latinos are 30% more likely to face searches in comparison to African Americans. This estimate falls to .84 if the violent crime score is increased by one standard deviation to 6.42. This indicates that if violent crime increases, Latinos become 16% less likely to face searches as opposed to African Americans. This represents a 35% shift away from Latinos toward African Americans in terms of search disparity. This is clear evidence in favor of Hypothesis 5.2 that increases in violent crime encourage police in Democratic jurisdictions to increase searches of African American as opposed to Latino drivers.

Figure 5.12 examines Hypothesis 5.3 by mapping the effect of Agency Size on Latino/Black Disparity in Democratic jurisdictions. We see that as Agency Size increases, the level of Latino/Black disparity falls, indicating that larger agencies that are responsible for more populous jurisdictions are more likely to search African Americans and less likely to search Latinos. The model estimates that Latino/Black disparity is equal to 1.18 at the mean agency size score of 3. This indicates that in the average sized agency, Latinos are 18% more likely to face searches than African Americans. If the size of the agency increases to a score of 4, Latino/Black disparity falls to 1.01. While this is only a 14% decrease, it substantively indicates that Latinos and African Americans are searched at roughly equal rates. We therefore see support for



Hypothesis 5.3 that larger police agencies in Democratic jurisdictions are more likely to target African Americans as opposed to Latinos.

*Figure 5.12. Effect of Agency Size on Latino/Black Search Disparity in Democratic Jurisdictions.*

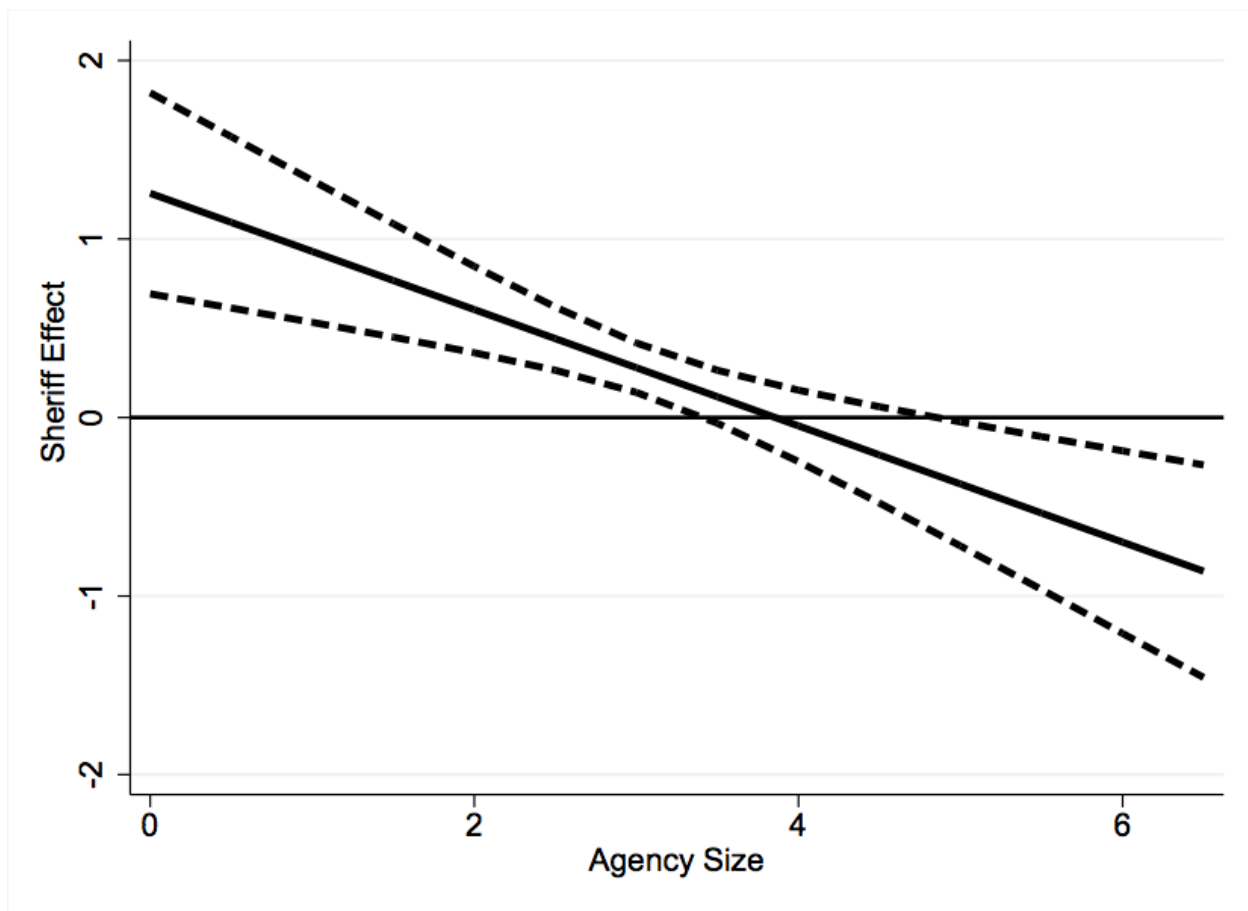


Note. Effect estimated using Model 2. All other independent variables held at their means. Since the interaction term is statistically insignificant, the sheriff dummy is set to 0.

Let us now turn to the examination of the Republican jurisdictions and Hypotheses 5.5-5.6. From Table 5.2, we see that the Sheriff variable is positive and significant at the  $p < .05$  level in only the full sample and the Republican sample. This indicates that Republican sheriffs are more likely to target Latinos in comparison to African Americans. We also see that the interaction is negative and significant at the  $p < .05$  level in the full sample and the Republican sample. Substantively, this demonstrates that sheriffs in Democratic areas are no more likely to

target Latinos than police departments. Hypothesis 5.5 and 5.6, however, predict that the behavior of Republican police sheriffs does significantly differ from police departments. Republican sheriffs deputies should search Latinos more frequently than African Americans, whereas officers serving police departments should search both at roughly equal rates.

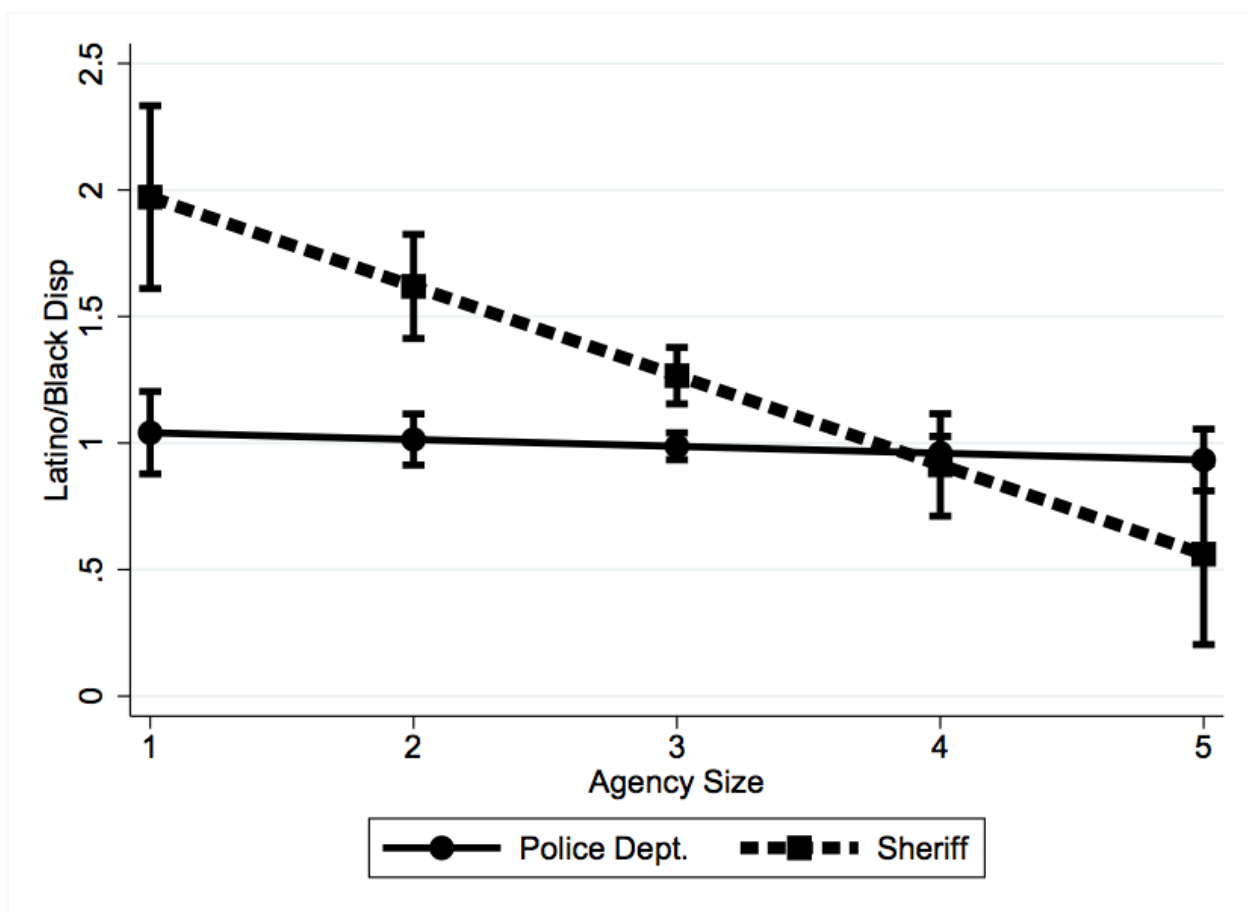
*Figure 5.13. The Effect of Republican Sheriffs on Latino/Black Disparity Conditioned on Agency Size.*



I examine the interaction term using the technique discussed by Brambor et al (2006) to interpret the effect of Republican sheriffs, conditional on agency size. Since I cannot directly interpret the interaction term from the Table, Figure 5.13 presents the effect of shifting from a police to a sheriffs' department in Republican jurisdictions, conditioned on Agency Size. The left hand side of the plot represents the effect of smaller, rural Republican sheriffs on Latino/Black

disparity. As predicted, we see that Republican sheriffs in smaller rural agencies increase the search rate of Latinos in comparison to African Americans. Since both 95% confidence intervals are above 0, we see that this increase is statistically significant at the  $p < .05$  level, and is consistent with Hypothesis 5.6. However, as Agency size grows toward the right hand side of the plot, we see that the model predicts lower levels of Latino/Black disparity if the agency is a sheriffs' department. The next step is to compare these predictions to the predicted Latino/Black disparity scores from sheriffs' departments to those of police departments.

*Figure 5.14. The Effect of Sheriff Agency Type on Latino/Black Search Disparity Conditioned on Agency Size in Republican Jurisdictions*



Note. Effect estimated using Model 3. All other independent variables held at their means.

Figure 5.14 presents this comparison. The circles capture the effect of increasing agency size in police departments, whereas the squares capture the effect of increasing agency size in sheriffs' departments. Remarkably, the model predicts a Latino/Black disparity score close to 0 for Republican police departments of all sizes. Consistent with Hypothesis 5.5, this indicates that Republican police departments search Latinos and African Americans roughly equally. Both African Americans and Latinos are lumped into a minority category that is always searched more frequently than whites. There does not appear to be a significant distinction between Latinos and African Americans in terms of police searching. However, Republican sheriffs departments behave much differently. The plot demonstrates that smaller sheriffs departments search Latinos significantly more than African Americans, whereas larger sheriffs departments are indistinguishable from Republican police departments. This shows clear support for Hypotheses 5.5 and 5.6. While suburban and urban Republican police agencies do not distinguish between African Americans and Latinos, rural Republican sheriffs are significantly more likely to target Latinos in comparison to African Americans.

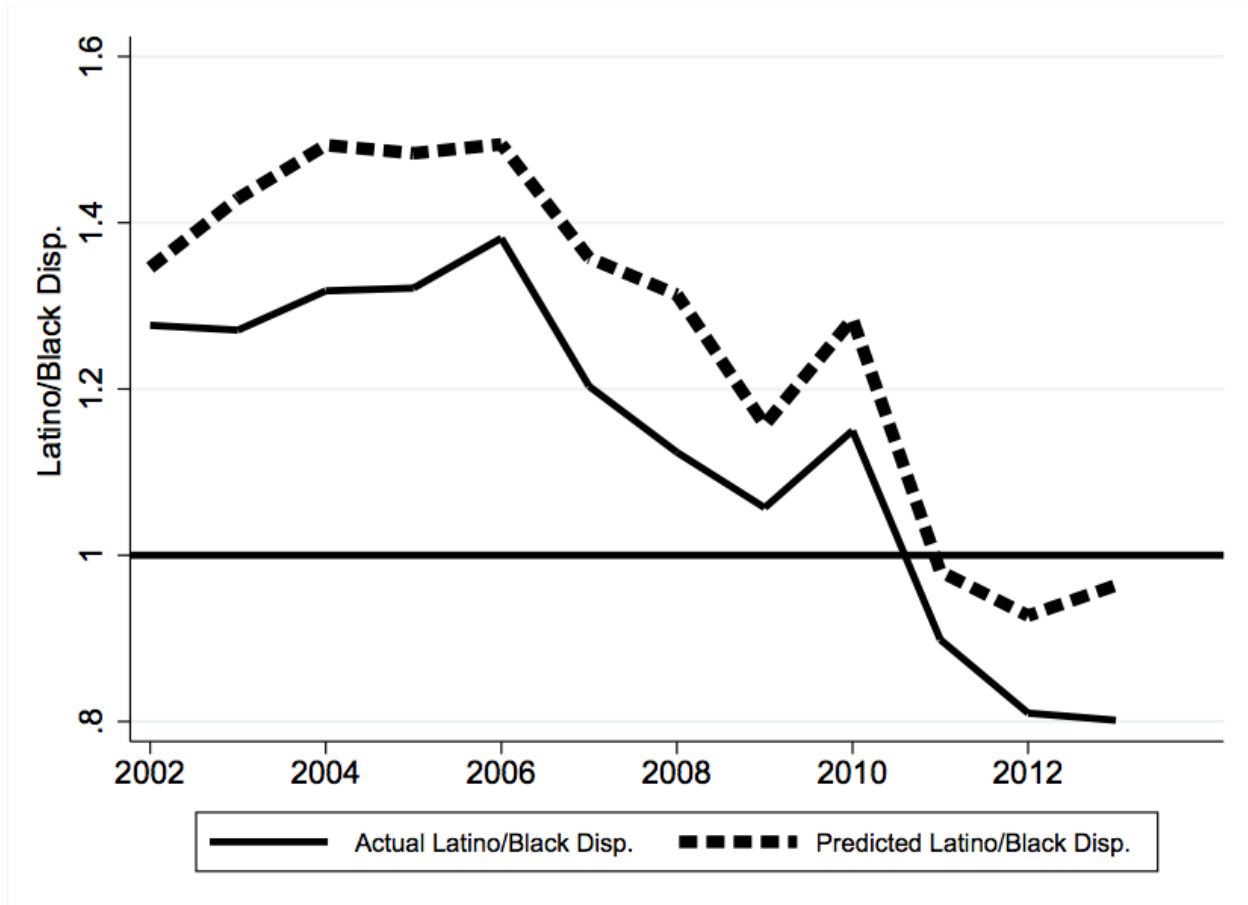
*Table 5.3. Difference in Predicted Latino/Black Disparity in Republican Police Departments v. Sheriffs.*

Agency Size	Police Dept.	Sheriff	% Increase
1	1.04	1.97	89%
2	1.01	1.62	60%
3	0.987	1.27	29%

Table 5.3 presents the predicted Latino/Black disparity scores in cases where the agency is a Republican police department versus the cases where the agency is a Republican sheriff for various agency sizes. Hypothesis 5.6 predicted that sheriffs would significantly increase Latino/Black disparity in the smallest rural agencies, but that this effect would not be observable in the larger agencies. We see that in the smallest agencies, with size scores equal to 1, sheriffs

increase their targeting of Latinos relative to African Americans by 89%. However, if the size of the agency grows to a score of 4, the effect becomes insignificant, with sheriffs decreasing their targeting of Latinos relative to African Americans by only-5%. Figure 5.13 and Table 5.3 therefore demonstrate that Republican sheriffs tend to increase their targeting of Latinos relative to African Americans, whereas Republican police departments tend to lump both groups together and treat them both worse than whites.

*Figure 5.15. Actual Latino/Black Disparity in North Carolina and Predicted Latino/Black Disparity with all Republican Sheriffs, 2002-2013*



Note. Estimates generated from out of sample predictions using Model 3. Solid line represents actual Latino/Black disparity whereas dashed line represents predictions with only Republican sheriffs.

To further illustrate the impact of Republican sheriffs and their targeting of Latinos, Figure 5.15 estimates the effect of changing all of North Carolina's jurisdictions to Republican sheriffs. I next create out of sample predictions using Model 3. We see that if North Carolina consisted entirely of Republican sheriffs' offices, the level of Latino/Black disparity shifts in favor of African Americans and against Latinos. Latinos face an average 12% average increase in Latino/Black disparity. The effect of Republican sheriffs is tempered by the variation in agency size throughout the state. Larger agencies do not target Latinos more than African Americans, and instead treat minority groups equally, though more harshly than whites. However, Figure 5.15 does demonstrate that Latinos would fall beneath African Americans if Republican sheriffs policed every jurisdiction in North Carolina.

## **Conclusion**

This chapter sought to explore how white security fears shifted police attention from African Americans toward Latinos at the start of the decade, and why police returned to African Americans by the end of the period. I demonstrate that these aggregate patterns are a function of attributes of local agencies, specifically the political orientation of their constituencies, the size of the agency and its corresponding jurisdiction, and the agency type (sheriff v. police department). In Democratic jurisdictions, police agencies increase searches of African Americans relative to Latinos if the African American population is relatively larger, if the violent crime rate is higher, and if the size of the agency is larger, signifying that the agency is in an urban area. This suggests that African Americans tend to face harsher police treatment in comparison to Latinos in the state's large, Democratic cities, which tend to view Latinos more favorably due to their contributions to the local economy. In Republican jurisdictions, police departments discriminate against both Latinos and African Americans in comparison to whites, but do not differentiate between the two minority groups. Republican police departments

therefore minimize Latino/Black disparity. Republican sheriffs, on the other hand, systematically search Latinos more frequently than African Americans, but only in the more rural jurisdictions. Republican sheriffs in more suburban or urban areas do not significantly differentiate from police departments.

From this chapter, we see that the ability of Latinos are able to move into the intermediate category in of the state's racial hierarchy in more Democratic jurisdictions. This movement is accelerated by factors that encourage police to target African Americans, such as high violent crime rates. By contrast, in Republican jurisdictions, the best Latinos can do is to achieve equality with African Americans in terms of police treatment. This occurs in the state's suburban and urban areas serviced by police departments. On the other hand, the level of Latino/Black disparity is greatest in the jurisdictions of these Republican sheriffs. From the previous chapter, we also know that the level of Latino/white disparity maximizes in rural jurisdictions policed by sheriffs. Taken together, the two sets of results demonstrate that Latinos are at the bottom of the racial hierarchy for Republican sheriffs, and face the greatest risk of racial profiling in these red, rural jurisdictions.

## **CHAPTER 6: CONCLUSION: THE FUTURE OF POLICE RELATIONS WITH THE LATINO COMMUNITY IN NORTH CAROLINA**

This research demonstrates that while Latinos in North Carolina face systematic discrimination at the hands of the state's police agency, there is clear evidence that the level of racial disparity in policing appears to be falling. While the disparity in police searches remains persistent in some areas of the state, the level of Latino/white disparity seems to be declining. In some areas, Latinos and whites are approaching equality in terms of police treatment. Additionally, we see that although police behaved more aggressively toward Latinos than African Americans at the start of the decade, police are gradually improving their treatment of Latinos while worsening their treatment of Blacks, particularly in liberal, urban areas. These findings about police behavior in North Carolina lead to several key conclusions for the study of the racial hierarchies in law enforcement.

### **Advances in the Study of Racial Hierarchies in Policing**

A hidden assumption in much of the sociological and policing literature assumes that racial hierarchies constructed by law enforcement are relatively static. For example, GPT assumes that the positions of whites in comparison to African Americans is constant, and that African Americans will never receive better treatment from police than their white counterparts. A similar conclusion about the place of Latinos emerges from the current theoretical and empirical evidence comparing police treatment of racial and ethnic minorities. These findings suggest that police place Latinos in an intermediate category between whites and African



Americans. Latinos receive better police treatment than African Americans, but are treated more harshly than whites. These positions are considered constant, and typically do not change.

This analysis, however, demonstrates that the racial hierarchy constructed by North Carolina's law enforcement agency was dynamic rather than constant. Latinos began the decade at the bottom of the state's racial hierarchy in nearly every law enforcement agency. However, Latinos moved into the intermediate category in the hierarchy by the middle of the decade. One of this project's key contributions is the demonstration that racial hierarchies shift, and that non-white groups may switch positions relative to each other throughout the course of time. The dynamic nature of law enforcement's racial hierarchy raises the question of what factors cause shifts in positions between racial minorities in society, and how close can racial minorities come to reaching parity with whites in terms of police treatment?

This project then addresses this question by analyzing how local factors either improve or worsen police treatment of Latinos in comparison to both whites and African Americans. We see that the place of Latinos in North Carolina's racial hierarchy is a function of jurisdiction level factors influencing the behavior of the local police agencies. The analysis demonstrates that although Latino/white disparity remains higher in urban liberal areas, these larger police agencies are more likely to afford Latinos better treatment in comparison to African Americans. By contrast, Latino/white disparity is lower in the more rural areas of the state, but remains higher than Black/white disparity. Taken together, these findings demonstrate that Latino/white disparity tends to be greater in urban, liberal areas in comparison to rural, conservative jurisdictions. However, Latinos moved into the intermediate position in the state's racial hierarchy at a faster rate in the state's urban, liberal areas than in the rural, conservative areas. In particular, the analysis demonstrates that rural Republican sheriffs exhibited the greatest

resistance to moving Latinos out of the bottom category of the state's racial hierarchy. These agencies consistently treated Latinos worse than both whites and African Americans.

A key insight from these analyses is that the racial hierarchy adopted by a local law enforcement agency is a product of the local conditions it faces. The placement of Latinos below African Americans, equal with African Americans, or above African Americans can be explained by variation in the political leanings of the jurisdiction, the agency type, and the agency size. We see that although Latino/white disparity was quite high in larger, liberal jurisdictions, police agencies serving these areas quickly moved Latinos from a position of equality with African Americans to the intermediate category. This process was accelerated further when popularly elected sheriffs serviced these areas. These sheriffs sought to curry favor with the new Latino population, and the whites that employed them. On the other hand, popularly elected sheriffs in conservative, rural North Carolina appeared to view Latinos as more of a threat than African Americans, and placed Latinos at the bottom of the racial hierarchy. Yet, the level of Latino/white disparity tended to be less in rural Republican sheriffs departments in comparison to Democratic leaning areas, even as Latinos were treated worse relative to both whites and African Americans in these areas.

### **Future Implications for Latinos in North Carolina**

Yet, there are still several warning signs for this population. President Donald Trump carried the state of North Carolina by a 51-47% margin on a platform that was openly racist toward Latinos. Trump repeatedly announced his intentions to strictly enforce immigration law and deport Latinos to Mexico. This anti-immigrant rhetoric struck a chord with several voters in

the state, who were more likely to view the impact of immigration negatively.<sup>45</sup> In the wake of Trump's victory, several hate groups, including the Ku Klux Klan, surfaced in major cities to celebrate. These behaviors quickly created a climate of fear in many Latino residents throughout the state that the police would be used to deport community members.

Clearly, North Carolina is quite divided in its attitudes toward Latino migrants. On one hand, Latinos are critical to sustaining North Carolina's economic growth and progress. On the other hand, the election of Trump indicates that a significant portion of the white population views Latinos with greater hostility, and as agents of unwelcome cultural change. This rural/urban split in political attitudes is observable in the behavior of police officers toward Latino migrants in various jurisdictions throughout the state. Generally speaking, the analysis indicates that police agencies created a form of racial hierarchy, with the white population as the dominant group and the African American and Latino population in the subordinate status. However, there is considerable variation across the various counties of the state, and throughout the 2000s in terms of how close Latinos come to equality with respect to whites, and the differences between Latinos and African Americans in terms of police treatment. The analysis leads to three major findings.

First, the results demonstrate that the growing size of the Latino population relative to Whites throughout North Carolina is contributing to a decline in racial disparity in policing between the two groups. In 2002, police were 80% more likely to search Latinos than Whites following traffic stops. To put this in perspective, African Americans were 40% more likely to face searches in comparison to Whites. This demonstrates that at the start of the decade, Latinos

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<sup>45</sup> [http://www.journalnow.com/news/elections/state/exit-poll-results-n-c-voters-worried-about-economy/article\\_8cadeb23-6d7f-501c-8fe6-f2a3b019f9a2.html](http://www.journalnow.com/news/elections/state/exit-poll-results-n-c-voters-worried-about-economy/article_8cadeb23-6d7f-501c-8fe6-f2a3b019f9a2.html)

faced the greatest level of police scrutiny, and the highest level of police hostility when examining each of the three major racial/ethnic groups. However, by 2014, Latinos and African Americans switched places in North Carolina's racial hierarchy. Police were 20% more likely to search Latino versus Whites following traffic stops, but were close to 80% more likely to search African Americans in comparison to Whites. This decrease in racial disparity is a direct function of the growth of the Latino population relative to the state's White population. The implication of this finding is that racial disparity in policing will continue to decline as the Latino population continues to grow relative to native Whites. This population growth is largest in North Carolina's cities and surrounding areas, such as Charlotte, Raleigh, Durham, and the surrounding Research Triangle cities of Chapel Hill, Carrboro, Cary, and Hillsborough.

The larger size of the Latino population may have led to greater accommodation or acceptance, particularly as Latinos became more integrated into the state's local economies. The key driver behind Latino migration to North Carolina was the pursuit of economic opportunities in several of the state's growing industries, such as food processing, hospitality, construction, and other seasonal sectors. As these industries grew more dependent on Latinos to provide a pool of flexible labor, local areas seemed to develop an incentive to incorporate versus target Latinos in their communities. Police agencies likely followed these demands by targeting Latinos less in comparison to Whites. These results demonstrate that Latinos gained protection from police targeting by strength in numbers – a larger Latino population in a police jurisdiction generally leads to lower levels of racial disparity in policing.

Second, the analysis clearly demonstrates that police behavior toward Latinos is politicized. Police agencies appear to take political cues from White attitudes regarding how to treat Latinos in their communities. In areas that lean Democratic, police agencies are often better

at restraining the racial profiling of Latinos, particularly larger agencies with greater resources. Agencies with greater capabilities could spend surplus resources to train their officers in cultural sensitivity, hire Spanish-speaking officers, or engage in community outreach programs. Each of these activities served to decrease the incentives of individual officers to profile Latinos, thereby contributing to lower levels of Latino/White racial disparity in policing. The results therefore demonstrate that racial disparity in searches following traffic stop between Latinos and Whites is lower when police agencies serve Democratic leaning jurisdictions, and when these agencies have greater resources and/or are led by sheriffs.

On the other hand, these patterns reverse for police agencies operating in Republican leaning jurisdictions. In these areas, which tend to be more rural, Latinos are often viewed as cultural threats. Since Latinos speak Spanish as opposed to English, tend to be more Catholic, and are perceived to be overwhelmingly undocumented, Republican constituents tend to view this group as threats to the traditional power hierarchy as opposed to positive contributors to society. Police agencies in Republican jurisdictions reflect these attitudes in their behaviors. While agencies with more resources invest in outreach in Democratic jurisdictions, similar agencies in Republican jurisdictions are likely to use their resources to deploy more officers to set up roadblocks, engage in greater patrols of Latino neighborhoods, and/or use ICE resources to enforce immigration laws. As a result, more powerful agencies serving Republican constituents exacerbate the degree of racial disparity in police treatment of Latinos and Whites. Sheriffs serving Republican constituents further worsen Latino/White disparity, due to their political incentives to target Latinos. Since many Republican leaning jurisdictions tend to be rural, and these areas tend to be policed by sheriffs, Republican jurisdictions are often quite

hostile toward Latinos, and lead to considerable disparities in police treatment of Latinos relative to whites.

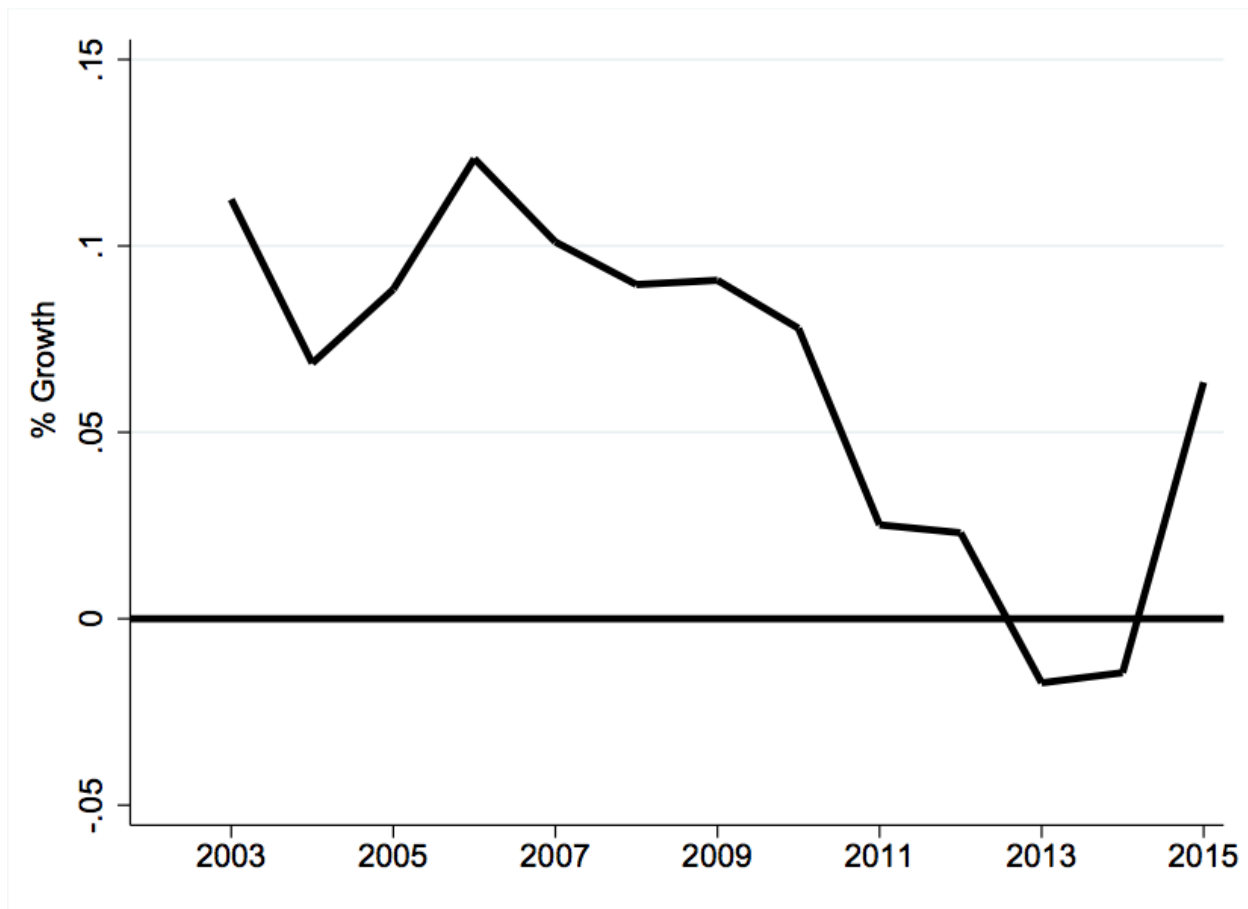
The statistical analysis demonstrates that the effect of agency size and type reverse depending on the political orientation of the police jurisdiction. This alone is interesting, since it shows that the behavior of police is politicized. In areas that are sympathetic to Latinos, which tend to be more urban, police are more likely to favor Latinos when making the discretionary choice to search vehicles following traffic stops. Police in Republican areas behave in the opposite way, and are more likely to search vehicles for contraband or evidence of citizenship. We would therefore expect to see a divergence in Latino/White search disparity depending on geographic location. However, since most Latino migrants tend to move to North Carolina's urban areas where police treatment is relatively better, police behavior in the aggregate appears better, with declining search disparities between Latinos and Whites.

The study's third major finding is that the place of Latinos in the state's racial hierarchy is largely driven by the reaction of Republican sheriffs in more rural jurisdictions. Empirically, Latinos faced greater levels of racial profiling than African Americans at the start of the 2000s, but moved into the intermediate category as the decade progressed. The evidence demonstrates that Latinos received better treatment than African Americans in the state's urban, Democratic centers. However, in larger Republican jurisdictions, Latinos and African Americans were treated relatively equally by police, but worse than whites. Police in these areas do not seem to distinguish between the two groups and view both as threats to white dominance. Latinos appear to fare the worst in terms of their interaction with law enforcement in the state's rural Republican areas, where sheriffs systematically target them more than any other racial/ethnic group. The

political orientation of Republican constituents in these jurisdictions suggests greater distrust of minorities, which is capitalized on by opportunistic sheriffs seeking re-election.

Taken together, these findings offer a mixed picture for Latinos in the state. If increases in the size of the Latino population decrease racial profiling in all jurisdictions, we might expect the pattern of falling Latino/white search disparity to continue. Latinos represent the fastest growing demographic in North Carolina. The growth of this population tends to be in the state's urban areas, which are also largely Democratic. This suggests that the falling rate of Latino/White search disparity may *increase*. Since these urban areas are policed by larger police agencies, and these agencies should reflect the greater tolerance toward Latinos in these areas, Latinos may face fewer searches in the future. This is especially true in larger sheriff's offices, such as those in Wake and Durham County.

*Figure 6.1. The Growth of Latinos as a Percentage of the U.S. Population 1960-2010.*



Note. Percentage growth is calculated using the following formula:  $(\text{Latino Population}_t - \text{Latino Population}_{(t-1)}) / \text{Latino Population}_{(t-1)}$

However, there are also several ominous signs for North Carolina's Latino community. First, Figure 6.1 shows that the rate of Latino migration to North Carolina has been slowing since its peak in 2006. From the analysis, we know that a larger population of Latinos correlates with lower levels of Latino/White disparity. In some areas, Latino/White search disparity is coming close to a value of 1, indicating that the two groups are treated equally following by police following traffic stops. This slowdown in the growth of the Latino population may stop this movement toward equality in police treatment following traffic stops. The larger concern is that the Latino population in the state declined from 2012-2014. If the Latino population does shrink,



the political power of this community may likewise fall, which may lead to another rise in racial profiling.

*Table 6.1. Counties in North Carolina with Shifting Political Orientations*

County	Obama Margin of Victory	Trump Margin of Victory	Republican Swing
Robeson	17.4	4.8	22.2
Gates	4.1	9	13.1
Richmond	3	10	13
Bladen	2	9.4	11.4
Granville	4.5	2.5	7
Martin	4.7	1.5	6.2
Nash	1	.25	1.25

Note. Data from N.C. Board of Elections.<sup>46</sup>

Fortunately, there are three possible guards against this regression. First, the Latino population again grew in 2015 at a rate of about 6%. This return to growth may indicate that the period from 2002-2014 was simply a blip, and that positive growth rates will continue. Second, it is unlikely that Latinos will lose support from the Democratic Party at the local level in North Carolina. The reason for this is that the Democratic Party has seemingly made Latinos a critical part of its national election strategy, and the key to future competitiveness in states such as Texas and Arizona. For these reasons, local officials in urban areas, where Latinos tend to populate, will likely continue outreach programs aimed at this community. Third, many of the efforts to sensitize police officers to improve their interactions with Latinos have already been implemented. Barring a significant loss of funding, these programs may institutionalize, and may therefore slow any regression back to higher rates of Latino/white disparity.

<sup>46</sup> See <http://www.newsobserver.com/news/politics-government/election/article114427363.html>.

However, this depends on the willingness of local police agencies to view the reduction of Latino/White search disparity as a priority. Although this is often the case in jurisdictions supportive of the Democratic Party, the opposite is true in Republican areas. The party of Donald Trump ran a clear platform against Latinos, and appeared quite successful in North Carolina. Table 6.1 indicates that seven counties flipped in 2016 from Obama to Trump. This indicates that there does appear some degree of white backlash against Latinos on the state. Further, President elect Trump promised a crackdown on undocumented migrants nationwide, with a particular focus on Latinos. This indicates that Obama era program such as the Deferred Action for Childhood Arrivals (DACA) will likely be reversed. Since this platform led the Republicans to victory in North Carolina, there is simply no rational reason why Trump would not go forward with his promises to deport Latino migrants, and no reason for local police agencies to restrain their efforts to follow these orders. This bodes very poorly for the future prospects of the Latino community in North Carolina.

Additionally, a third risk to Latinos is that their safety may be undercut by the economics of housing prices. As was the case when rising prices deflected Latinos to new destinations from traditional ones, housing prices in North Carolina's urban areas are rising. This trend may harm efforts of Latinos to reside in urban areas where they are relatively safer. Instead, Latinos may be pushed out of residence in the state's urban areas to surrounding ones, which are often more rural and policed by sheriffs. For example, Latinos that are unable to afford housing in the Research Triangle may move to the city of Mebane. Although Mebane's housing prices are cheaper, it is also in Alamance County, which is led by the infamous Sheriff Terry Johnson. This problem is augmented by the popular sentiment in the state against Latino migrants. We might therefore expect that as districts shift from Democratic to Republican, more sheriffs will believe that

scapegoating Latinos for social ills is a winning proposition. The election of Donald Trump supports the belief of these sheriffs that mobilizing white fears against Latinos will lead to electoral rewards.

However, another trend appears to be arising that may work in favor of the Latino community. Increasingly, cities, counties, and states are willing are making efforts to resist federal directives from Washington and are asserting states rights. Although these arguments were often used to prevent racial integration, liberal politicians now appear willing to invoke these arguments to avoid implementing some of the harsher directives of the Trump administration. For example, the cities of Asheville, Charlotte, Durham, Carrboro, and Chapel Hill all have municipal ordinances that address questions related to undocumented immigration.<sup>47</sup> These municipalities will likely seek to protect their rights to address immigration in defiance of federal policy. Given that each of these areas is a larger, urban, and Democratic area, each of them may work to shield Latinos from any new efforts at the federal level to enforce immigration law.

In some ways, this will create two North Carolinas for Latinos in the state. In the more urban areas, where Latinos are viewed as critical parts of the state's economic growth, it is likely that the trend toward lower racial disparity in police treatment will continue. In more rural areas, however, Latinos may find themselves increasingly vulnerable to the efforts of opportunistic Republican sheriffs. This dynamic may motivate Latinos to try to reside in the more urban areas of the state, and avoid contact with rural areas.

These trends suggest a very mixed picture for the future of Latinos in North Carolina. On one hand, we can see clear evidence that racial profiling by police is declining. This is

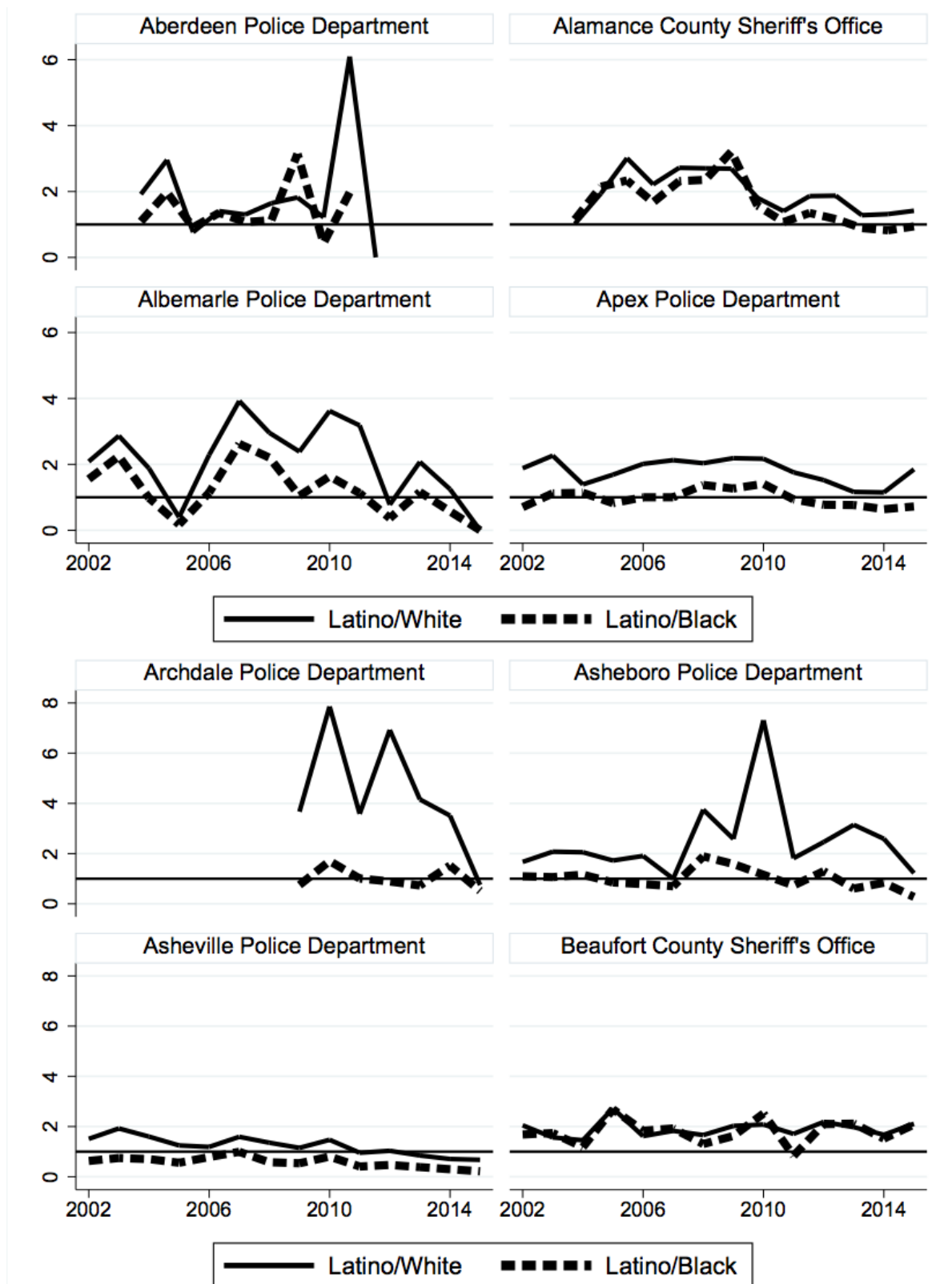
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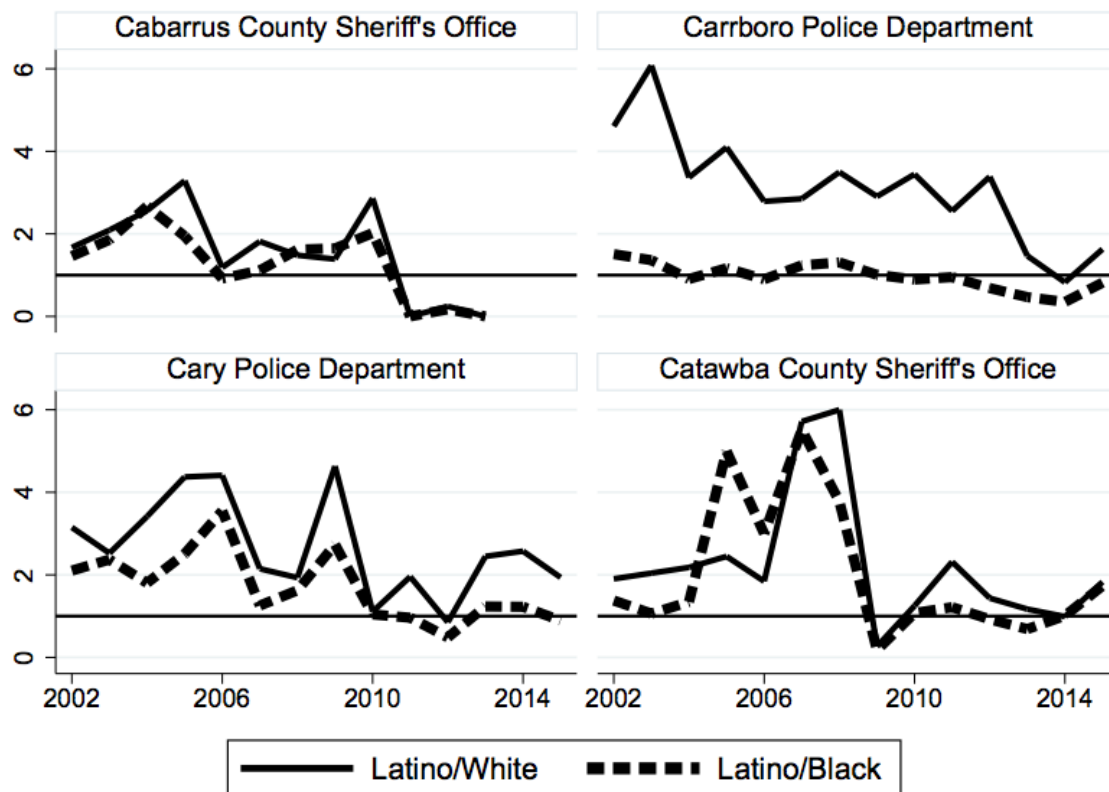
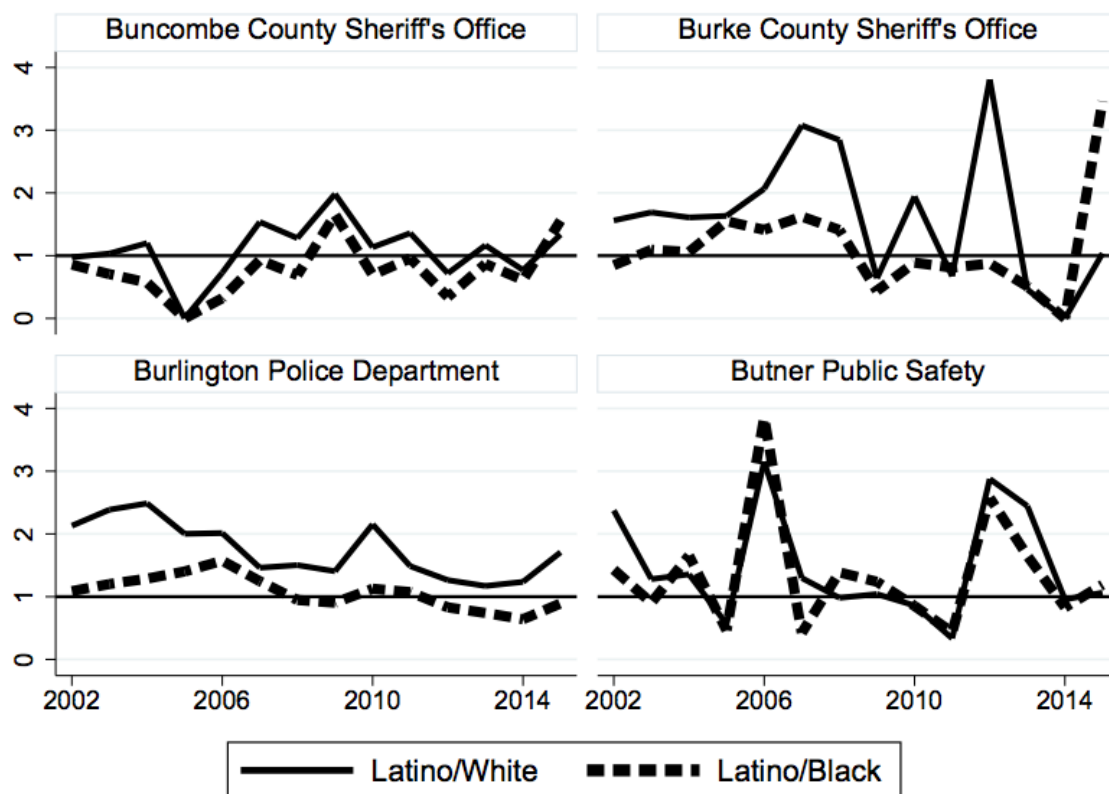
<sup>47</sup> See <http://nccapitolconnection.com/2015/07/16/sanctuary-cities-in-north-carolina/>.

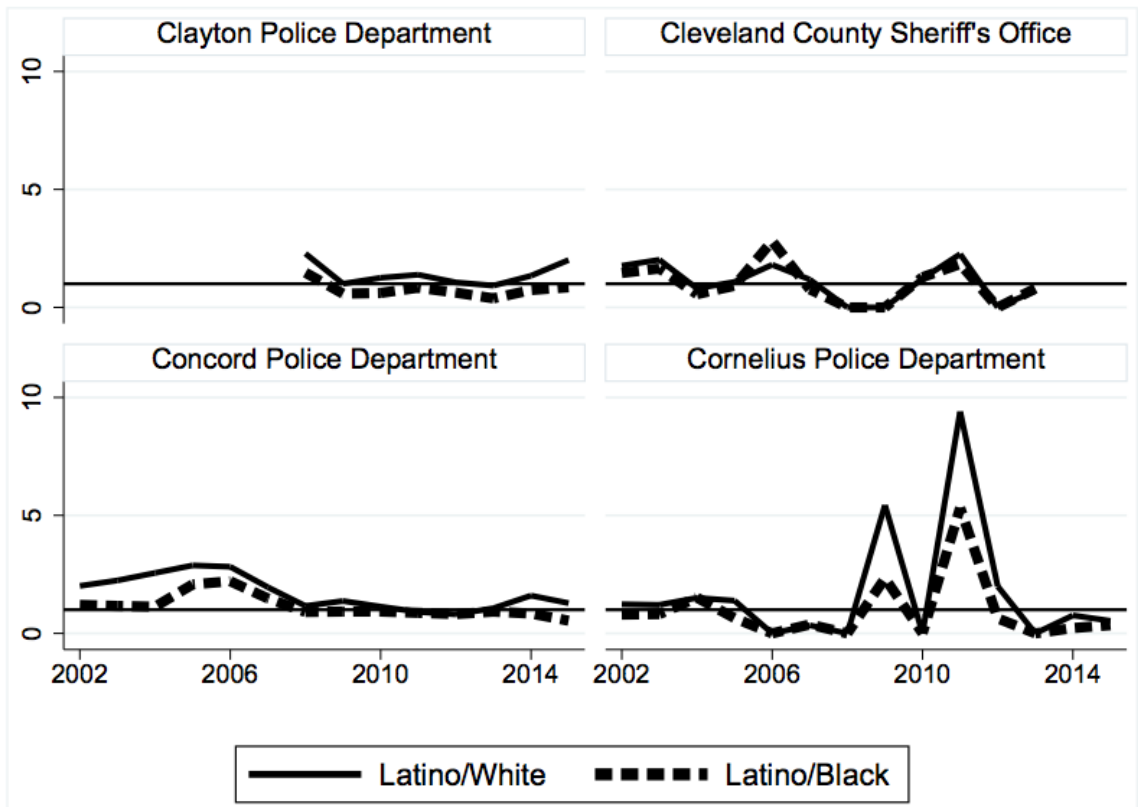
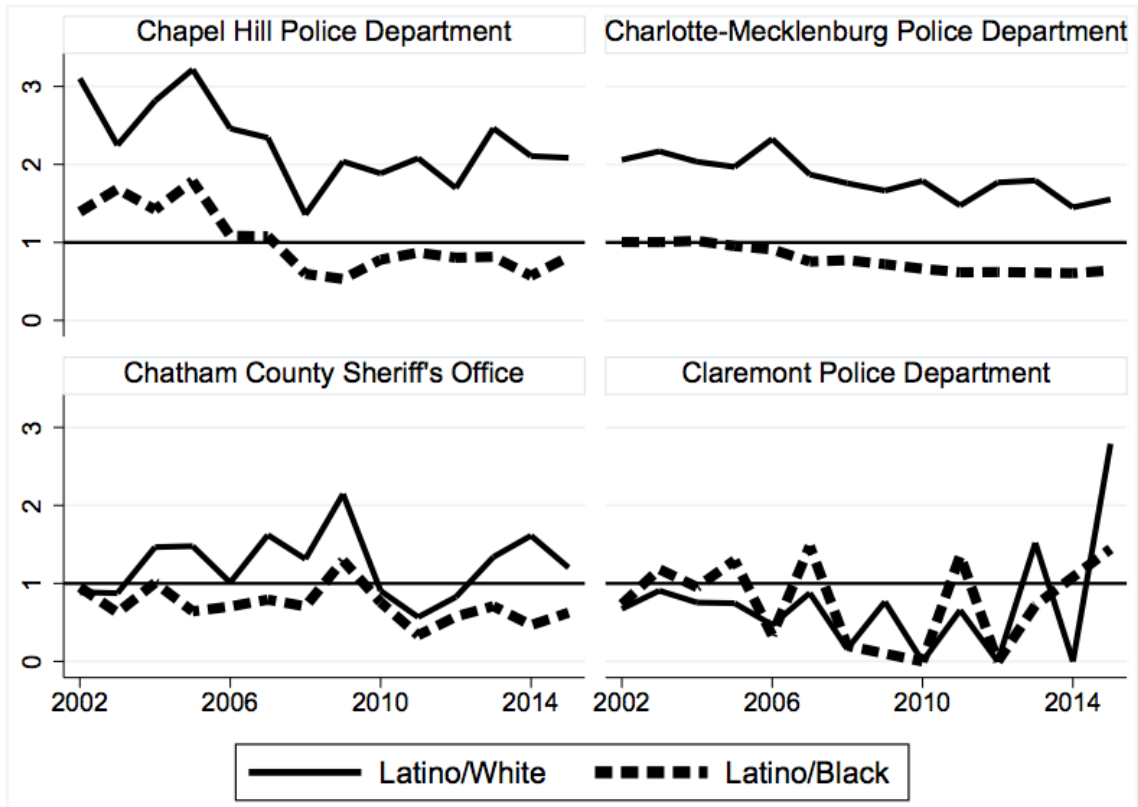
particularly the case in more urban areas where populations have Democratic leanings. The major cities fitting this description may be willing to refuse compliance with new federal efforts to remove Latinos, especially given the economic contributions of the Latino communities to these societies. On the other hand, the recent election, the slowdown in the growth of the Latino population may worsen racial disparities in policing between Latinos and whites.

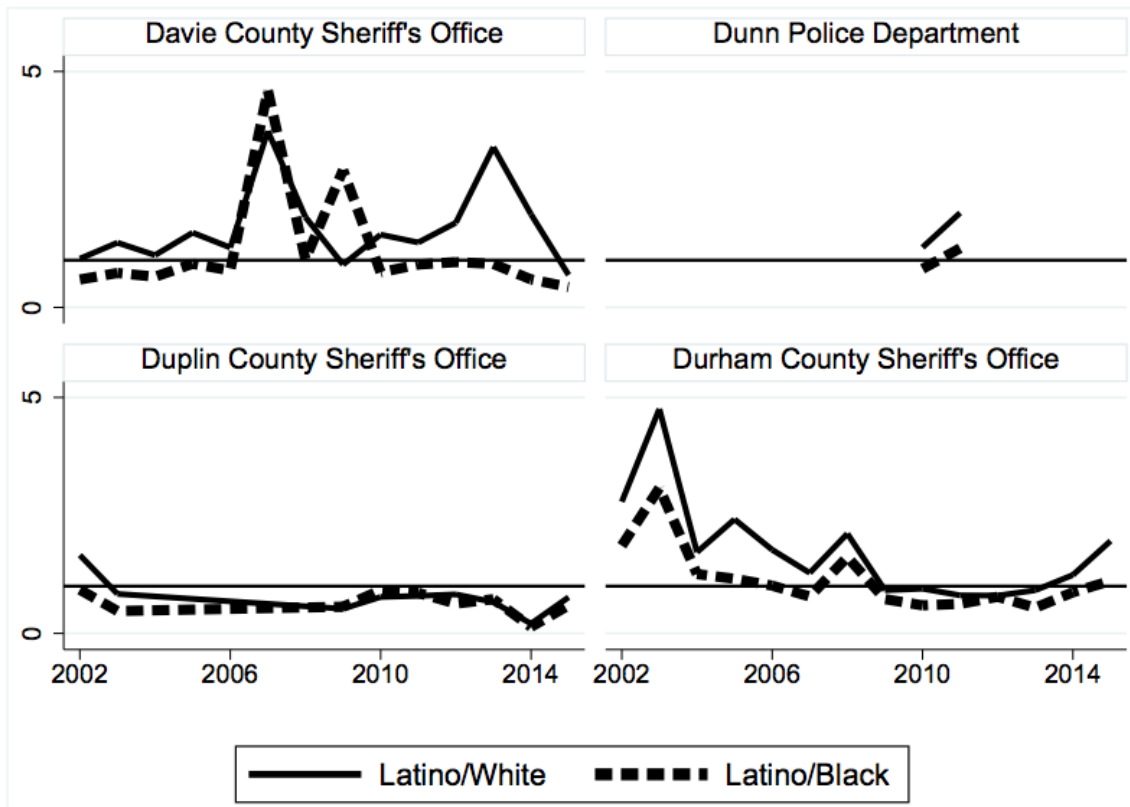
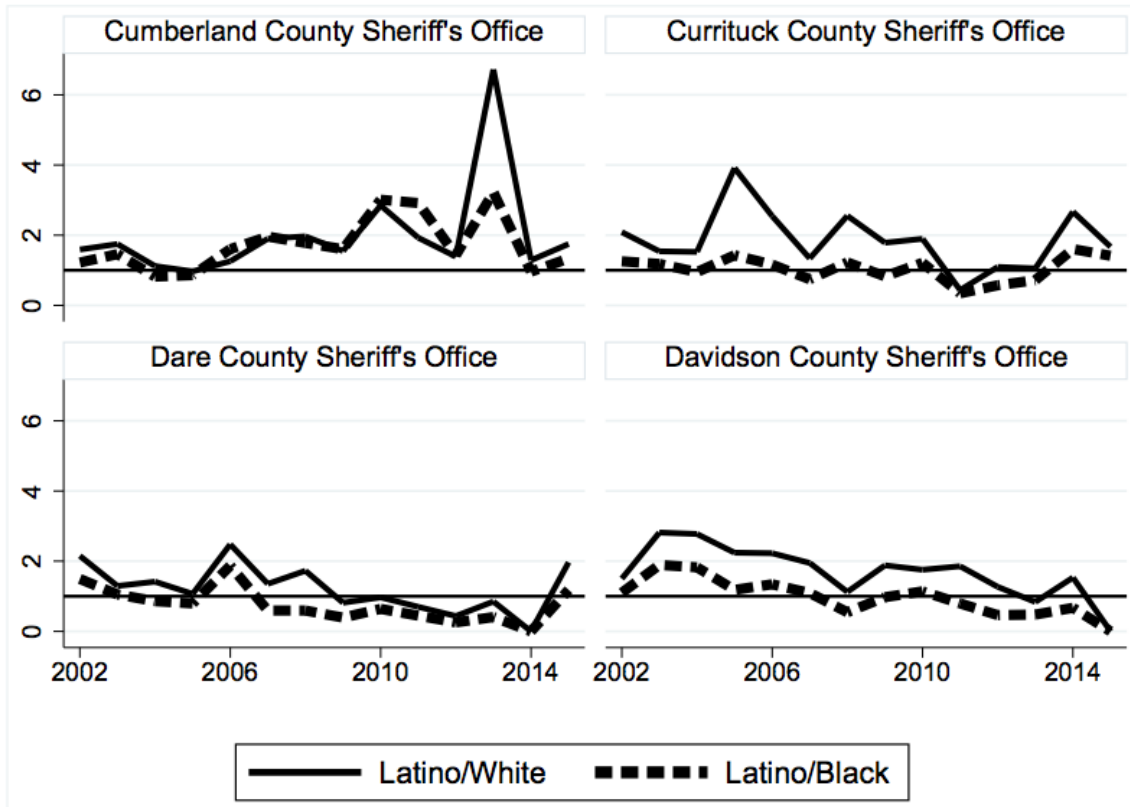
Demographically, however, if the Latino community can continue to grow and continue to contribute to the state, it is possible that many more police jurisdictions in North Carolina will develop cooperative relations with the community. Ideally, this will lead to further incorporation, and an eventual end to racial discrimination in policing.

**APPENDIX: LATINO/WHITE AND LATINO/BLACK SEARCH DISPARITY IN RELEVANT NORTH CAROLINA POLICE AGENCIES, 2002-2014**

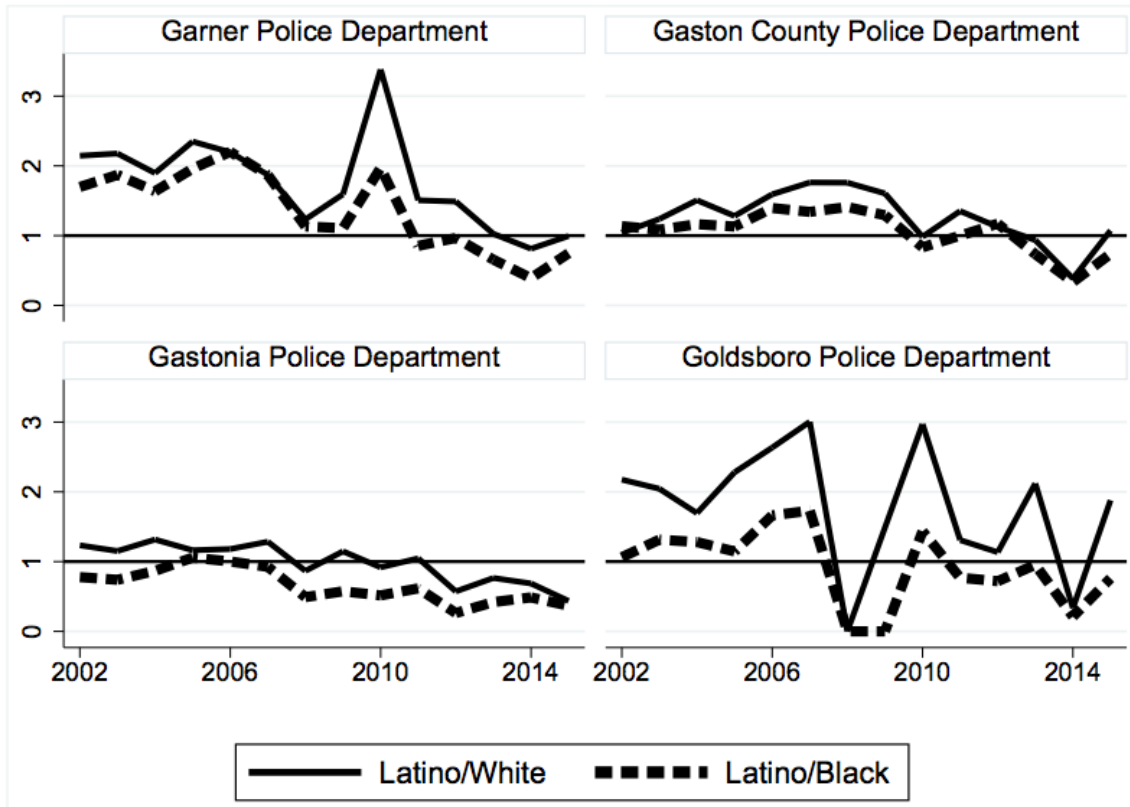
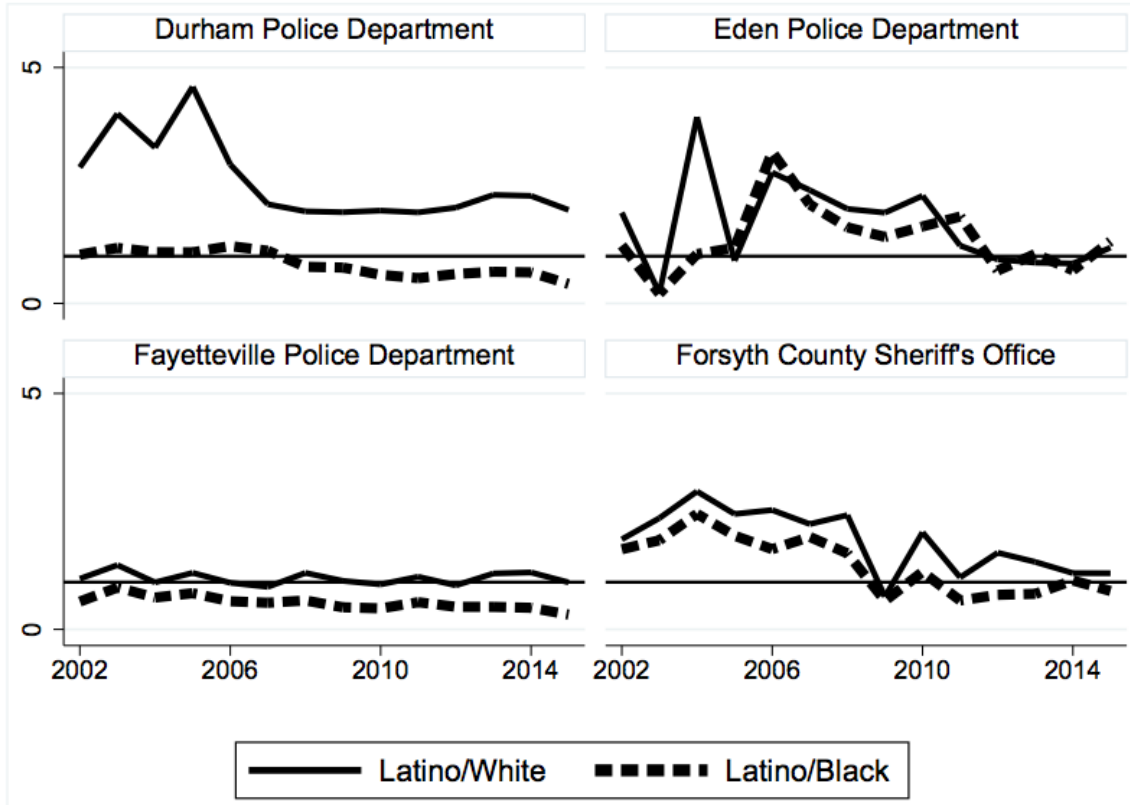


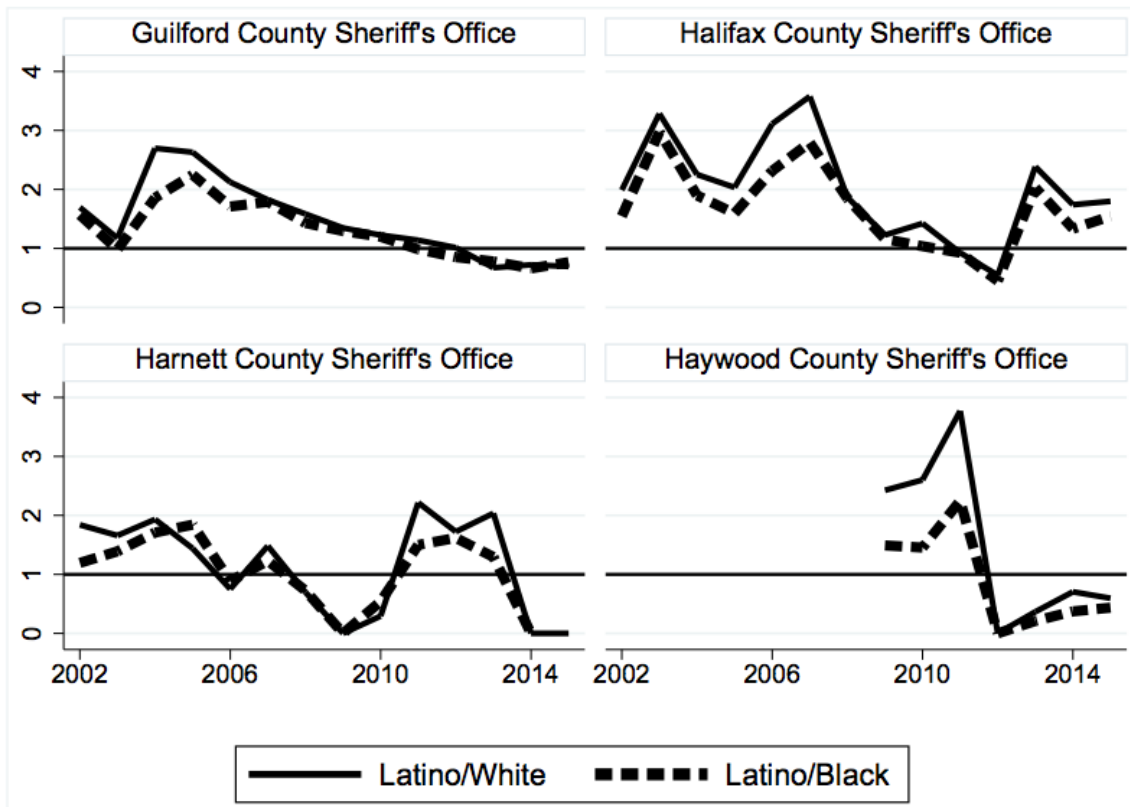
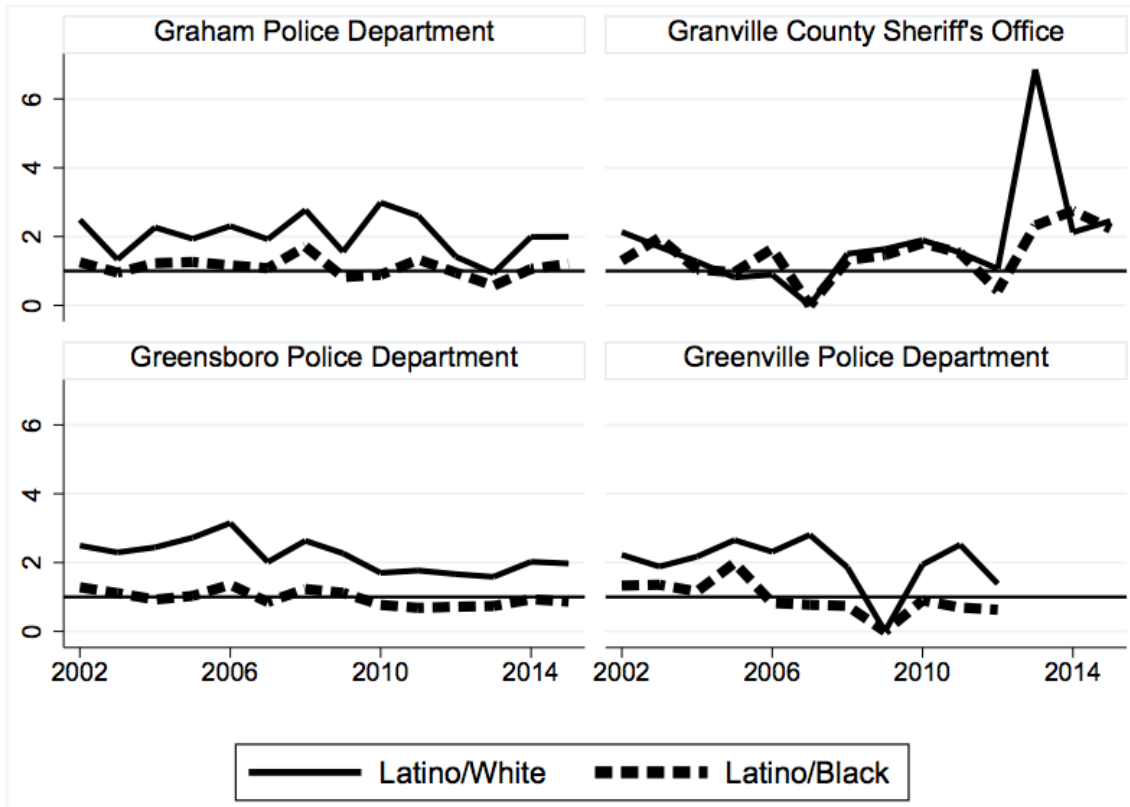


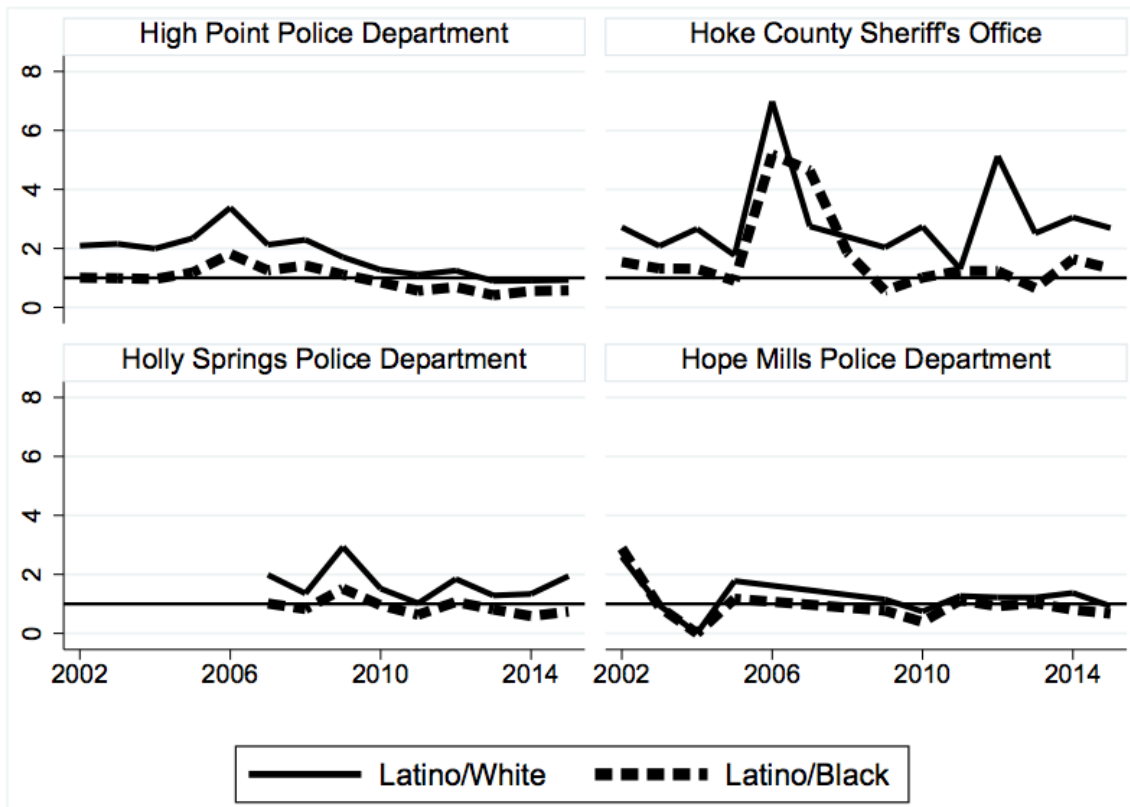
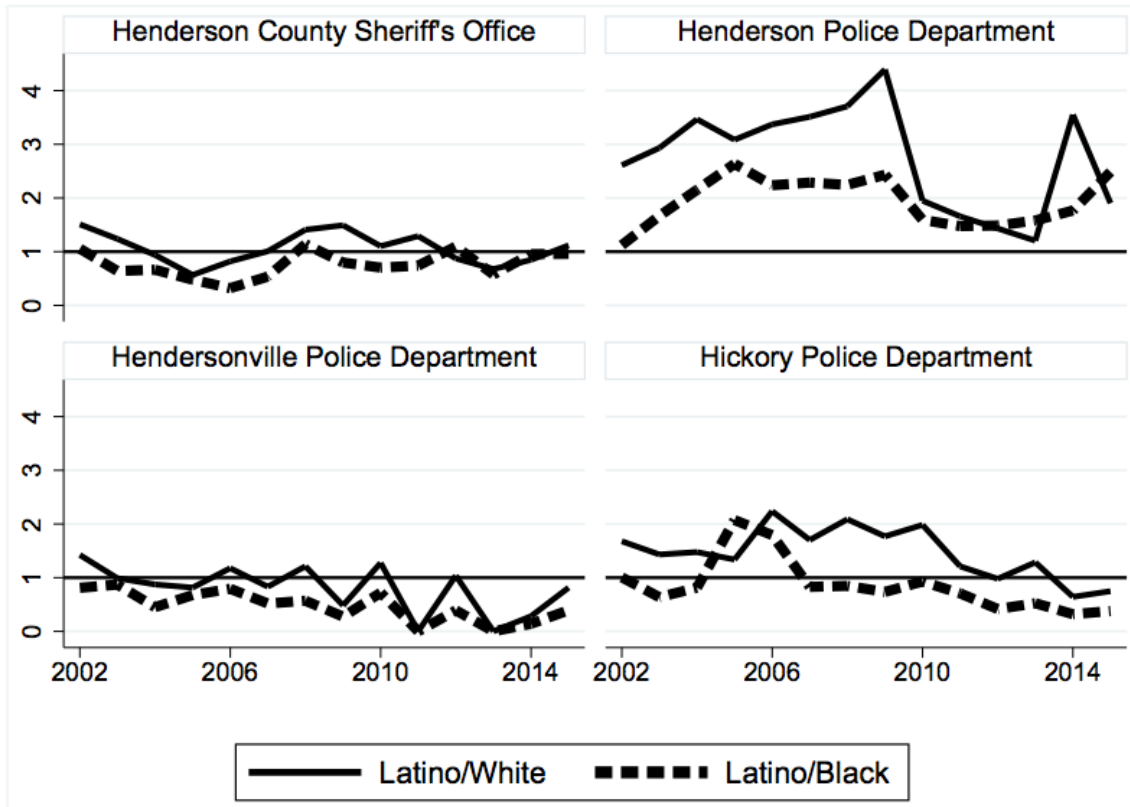


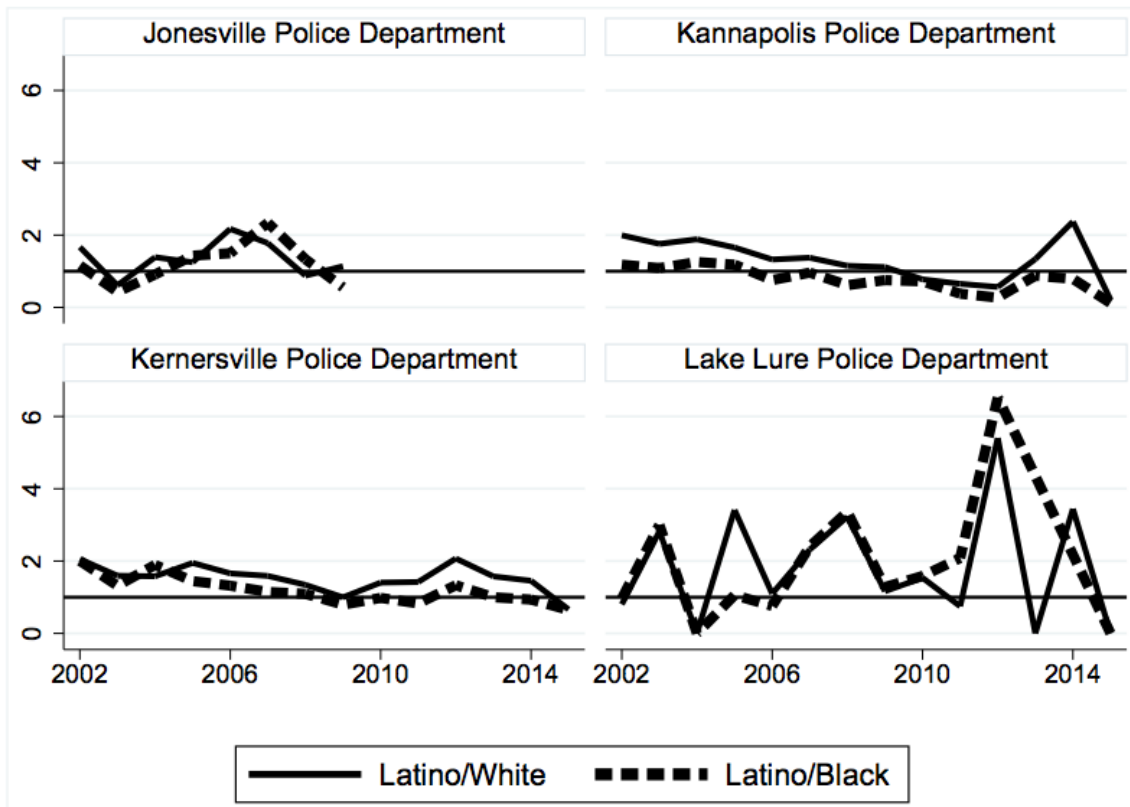
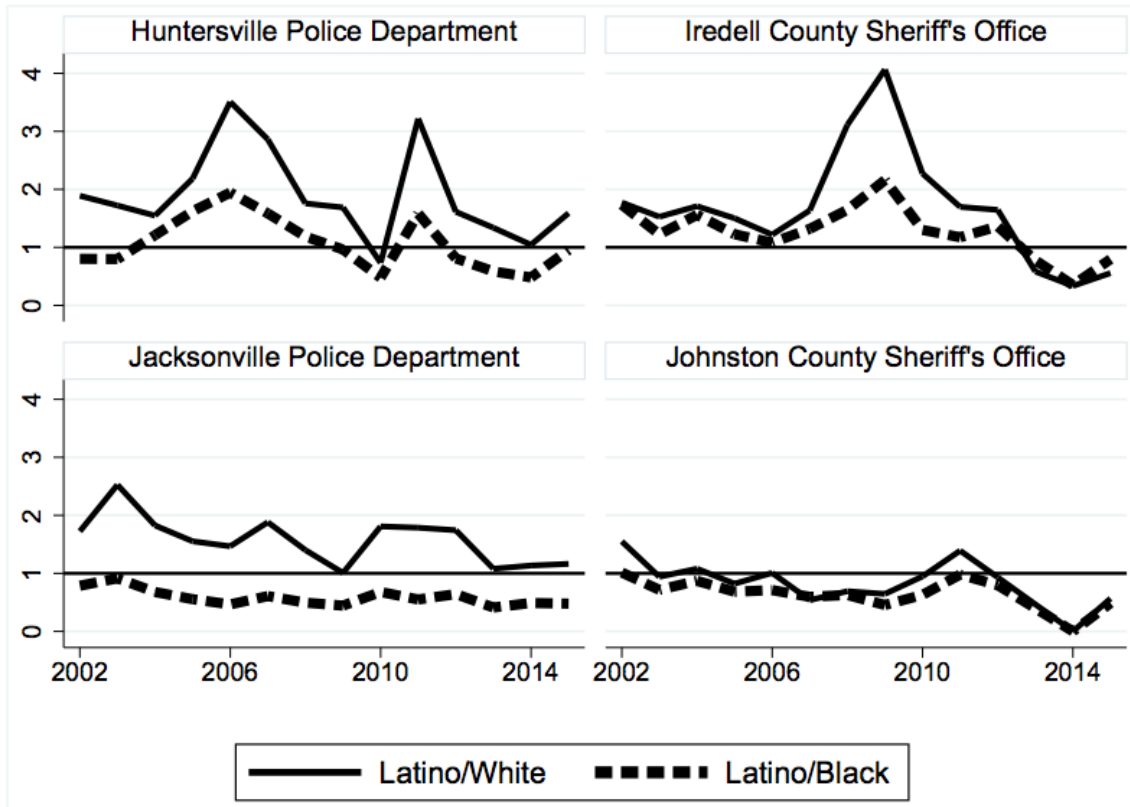


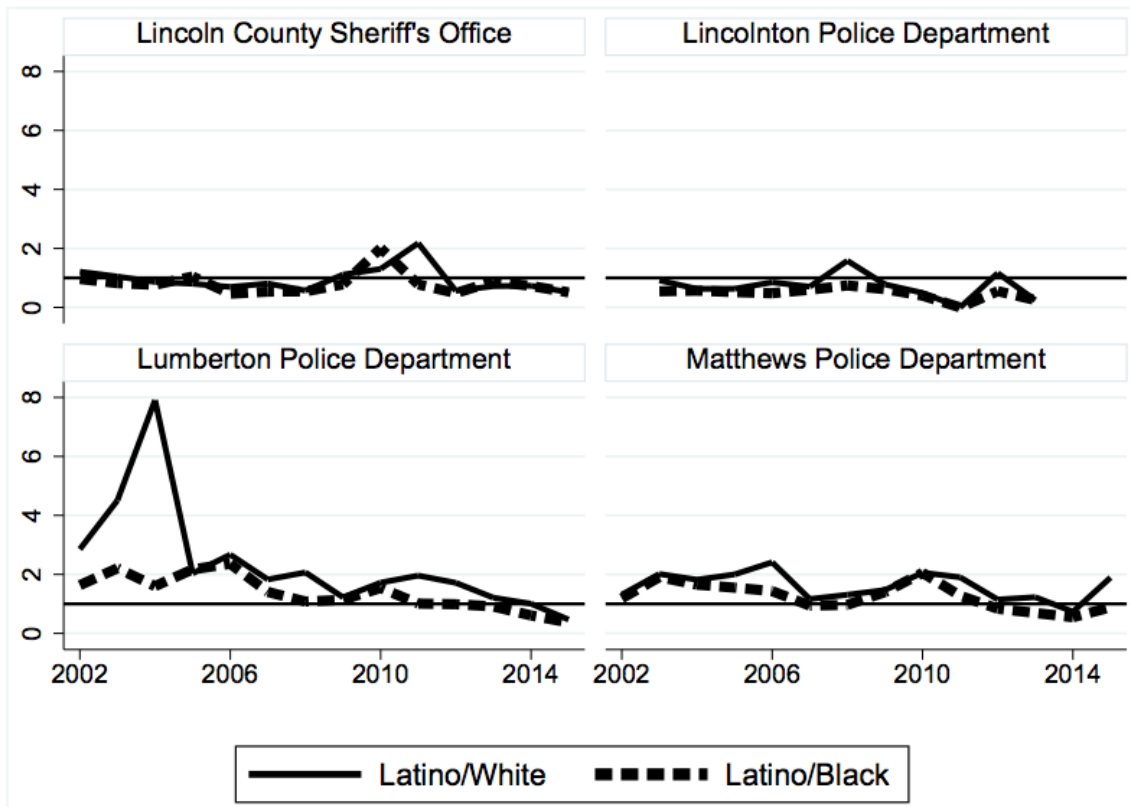
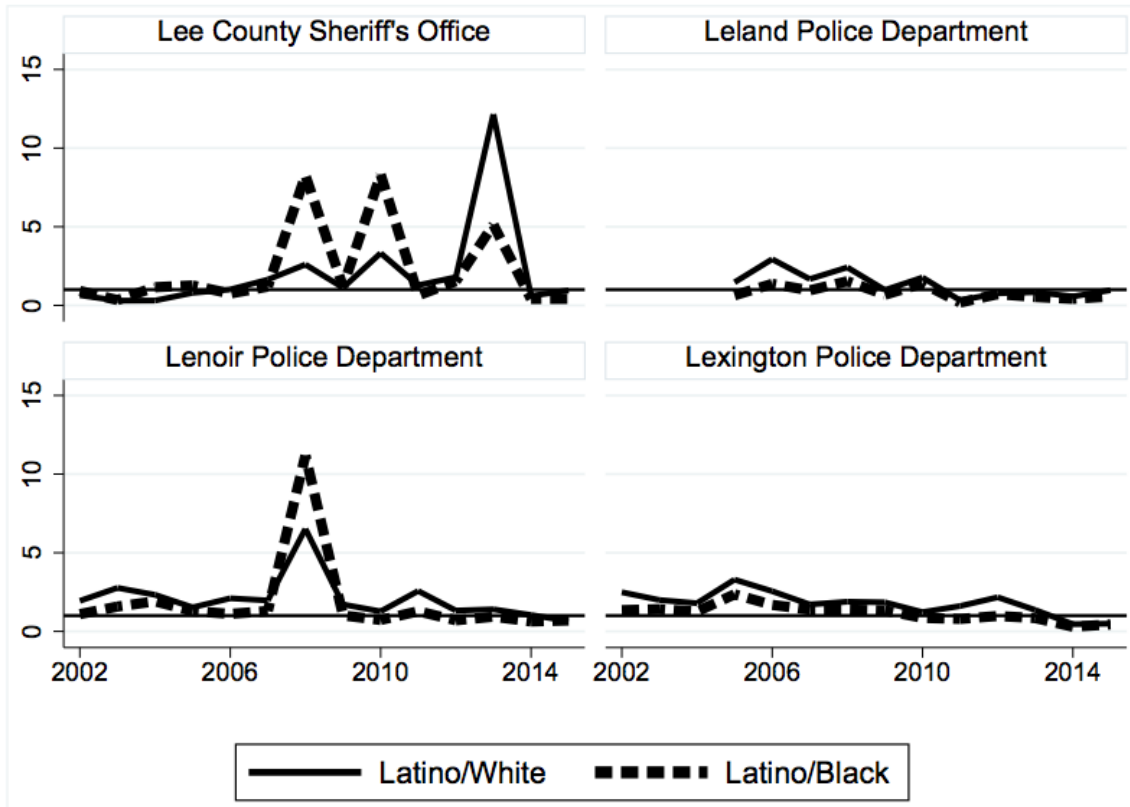


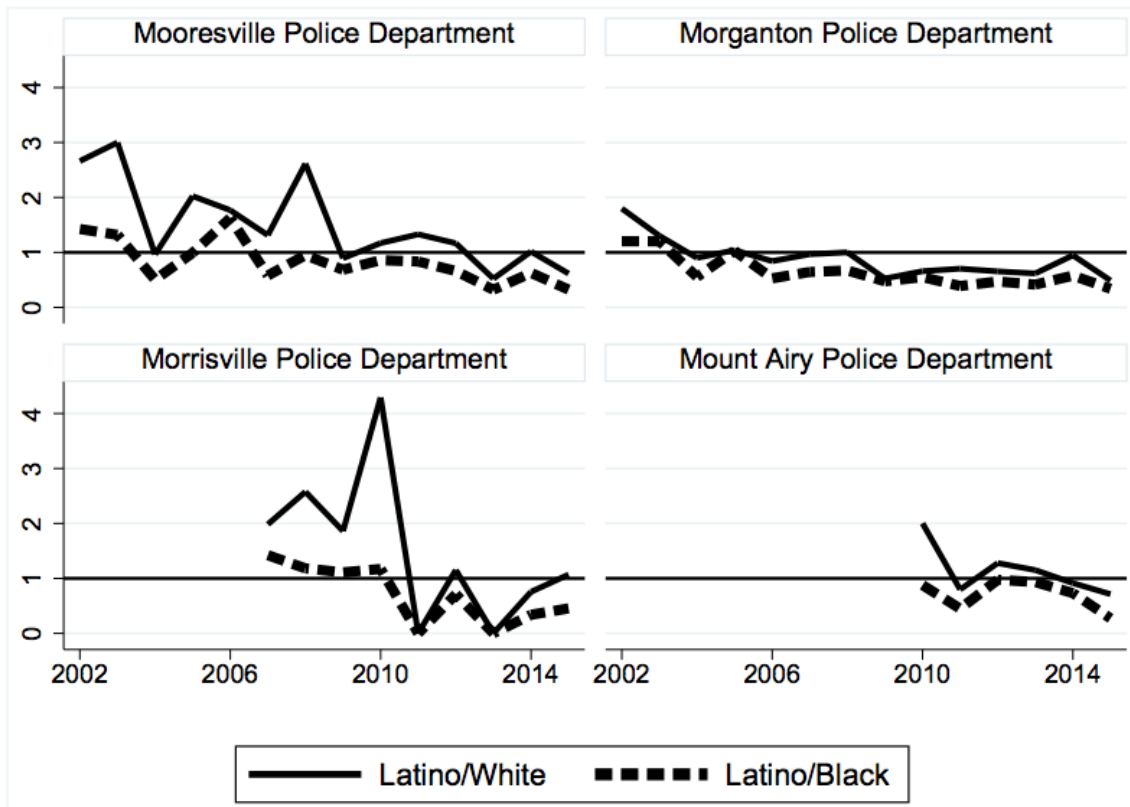
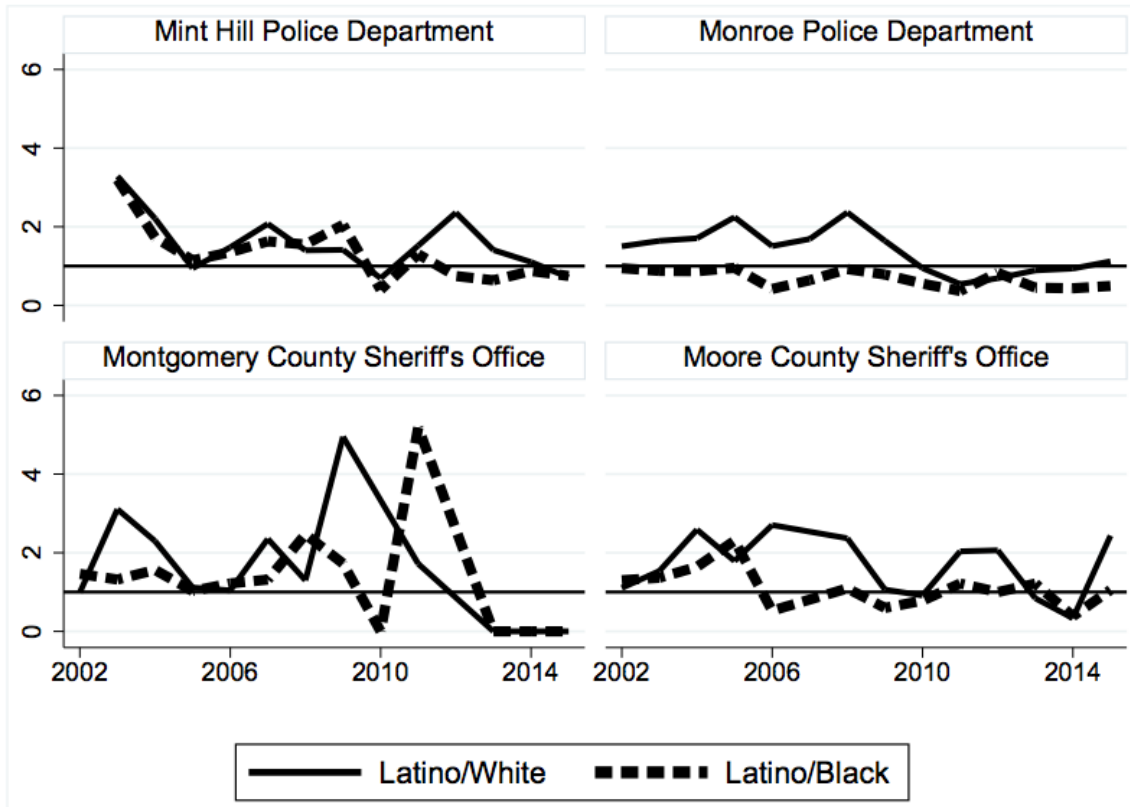


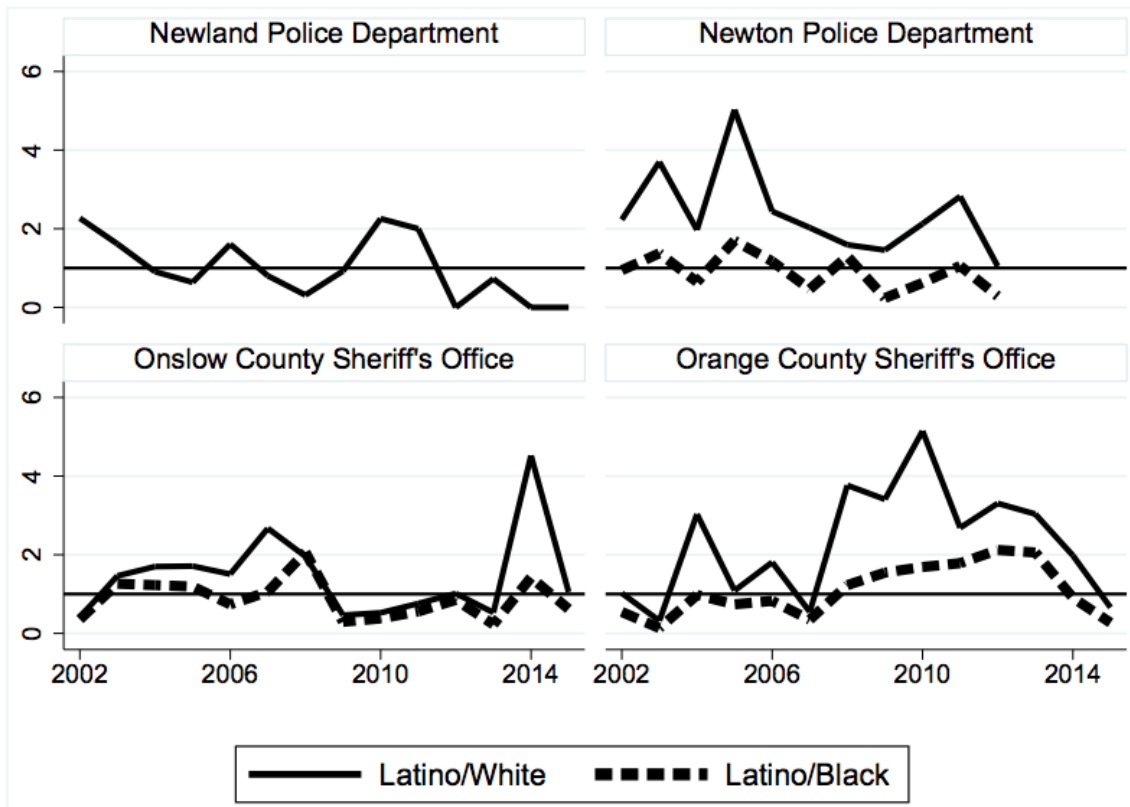
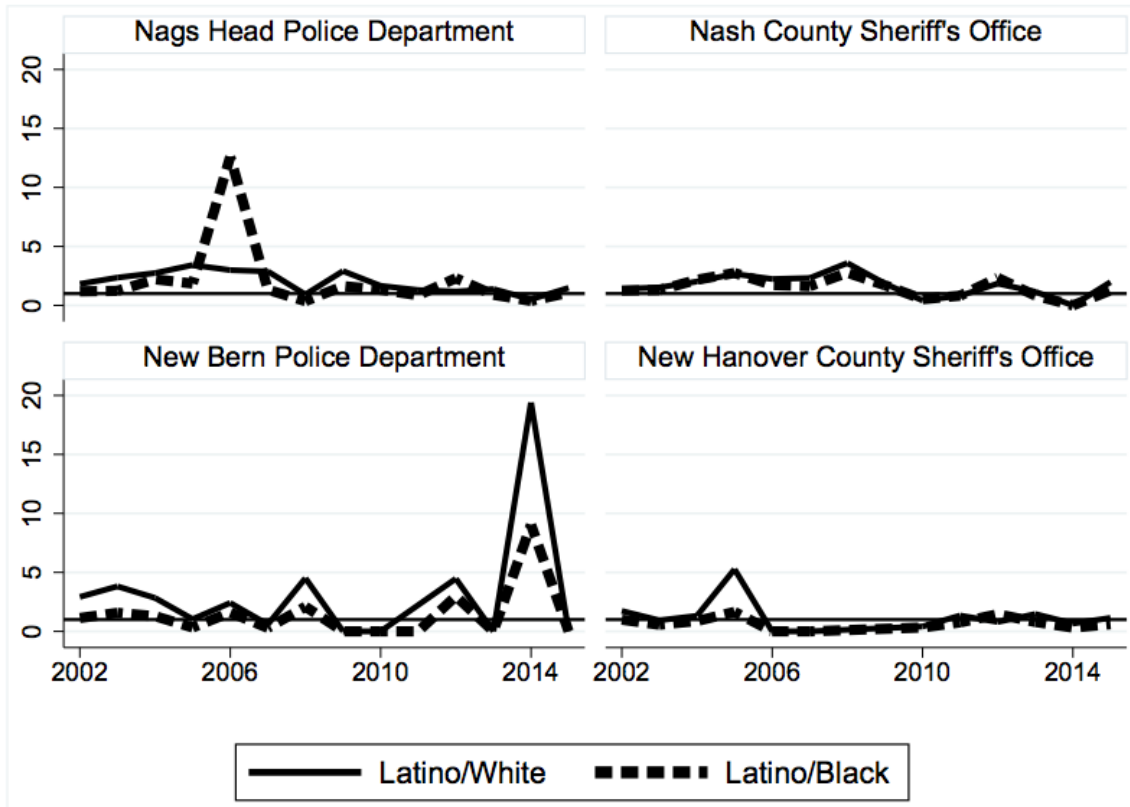


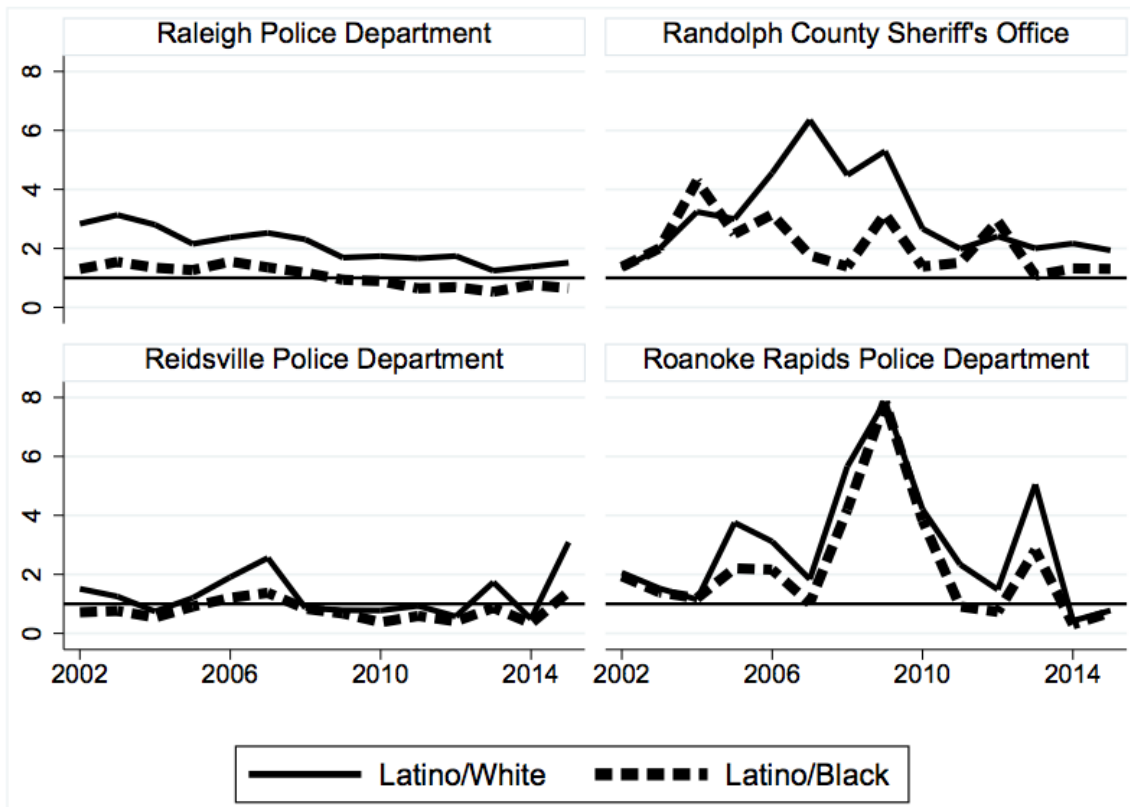
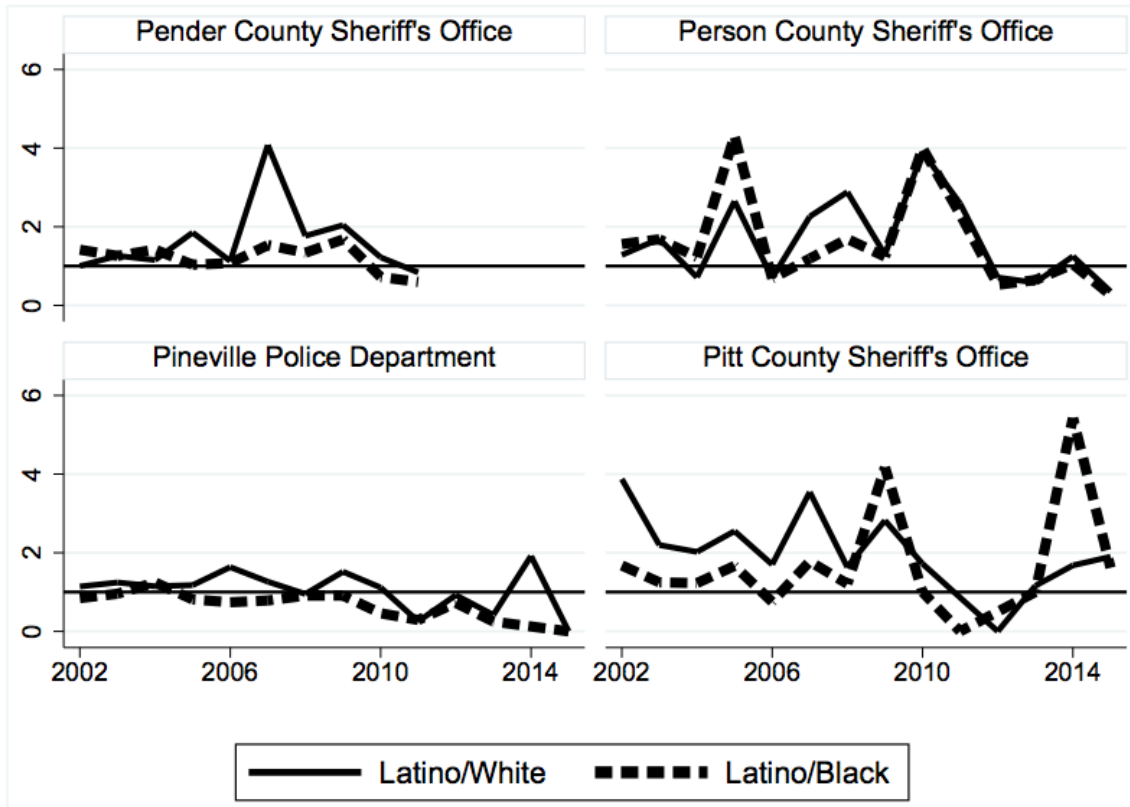




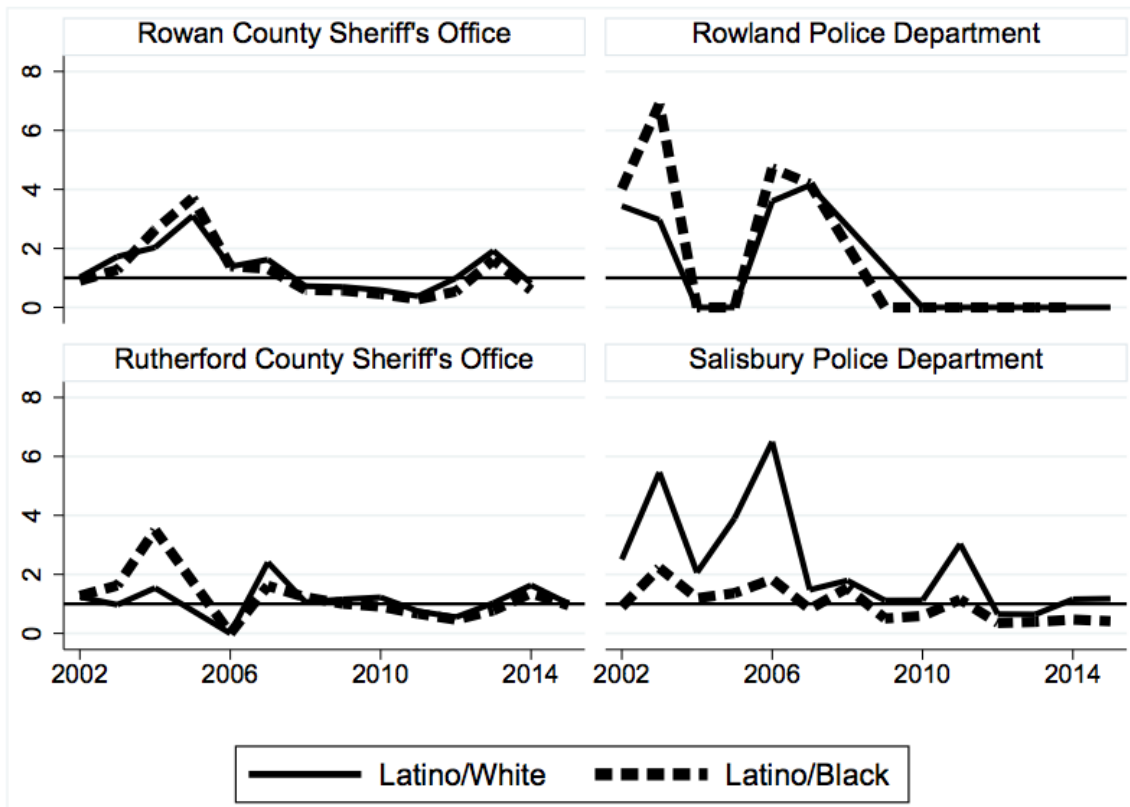
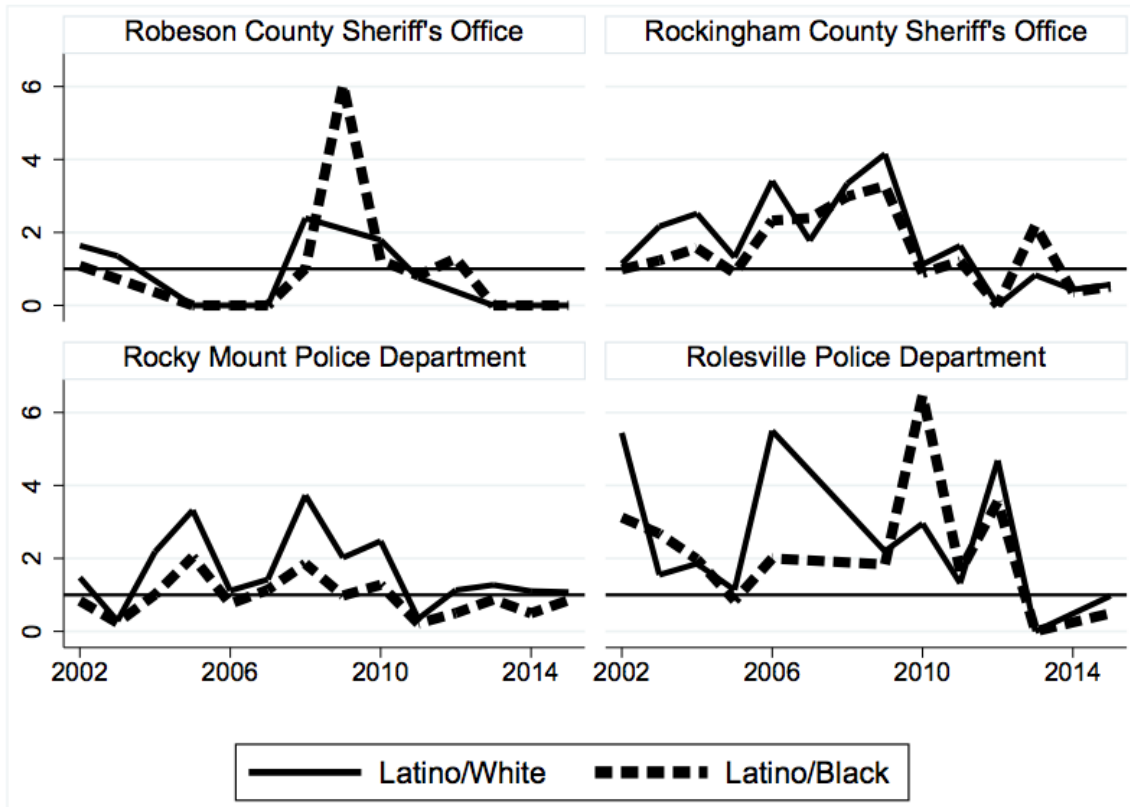


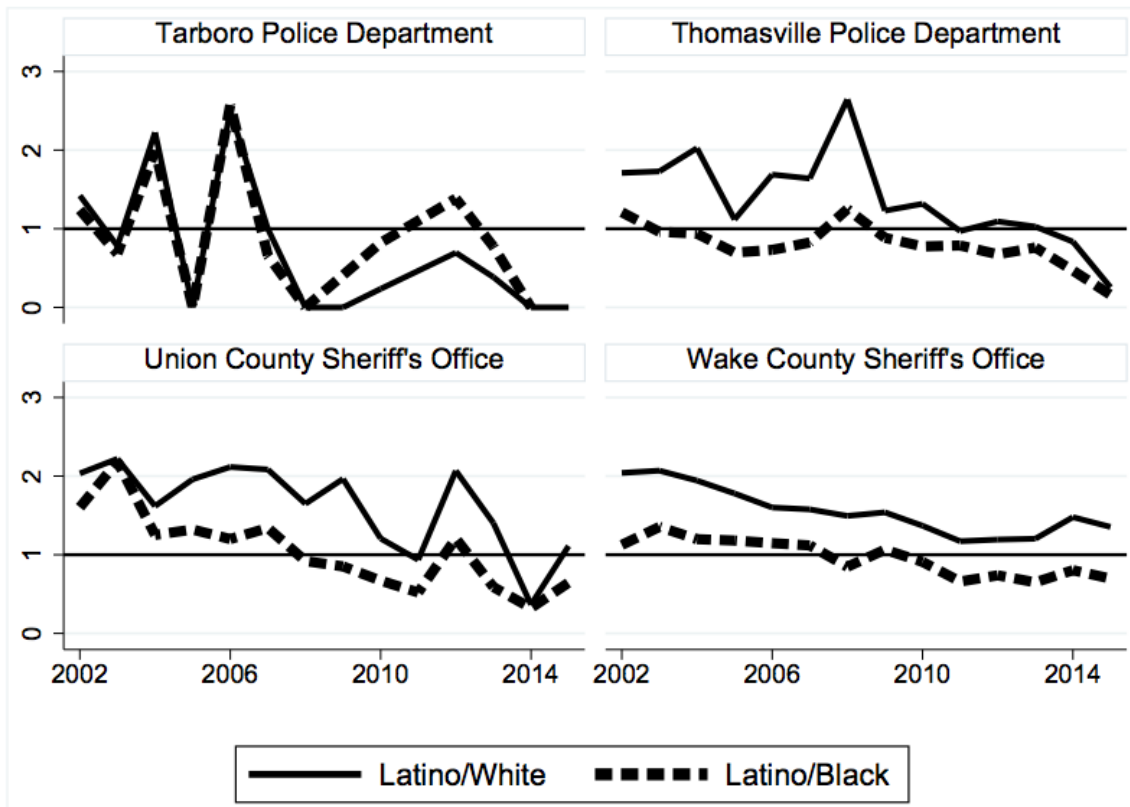
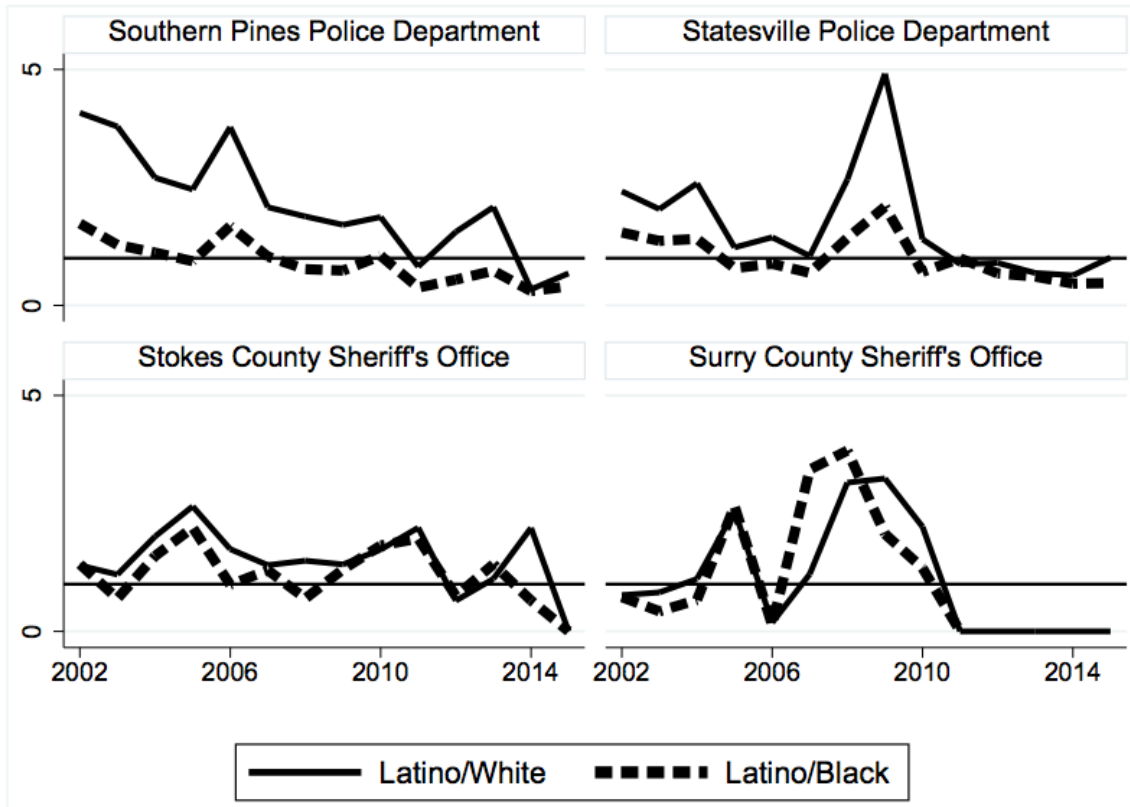


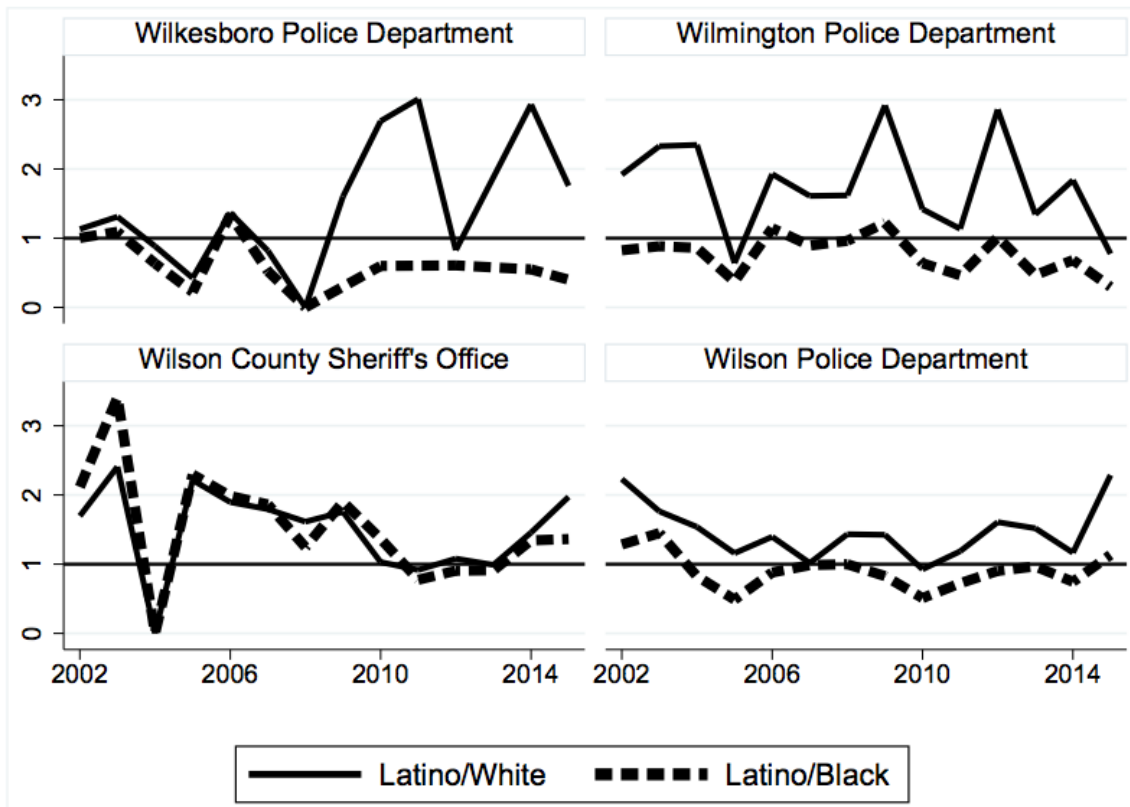
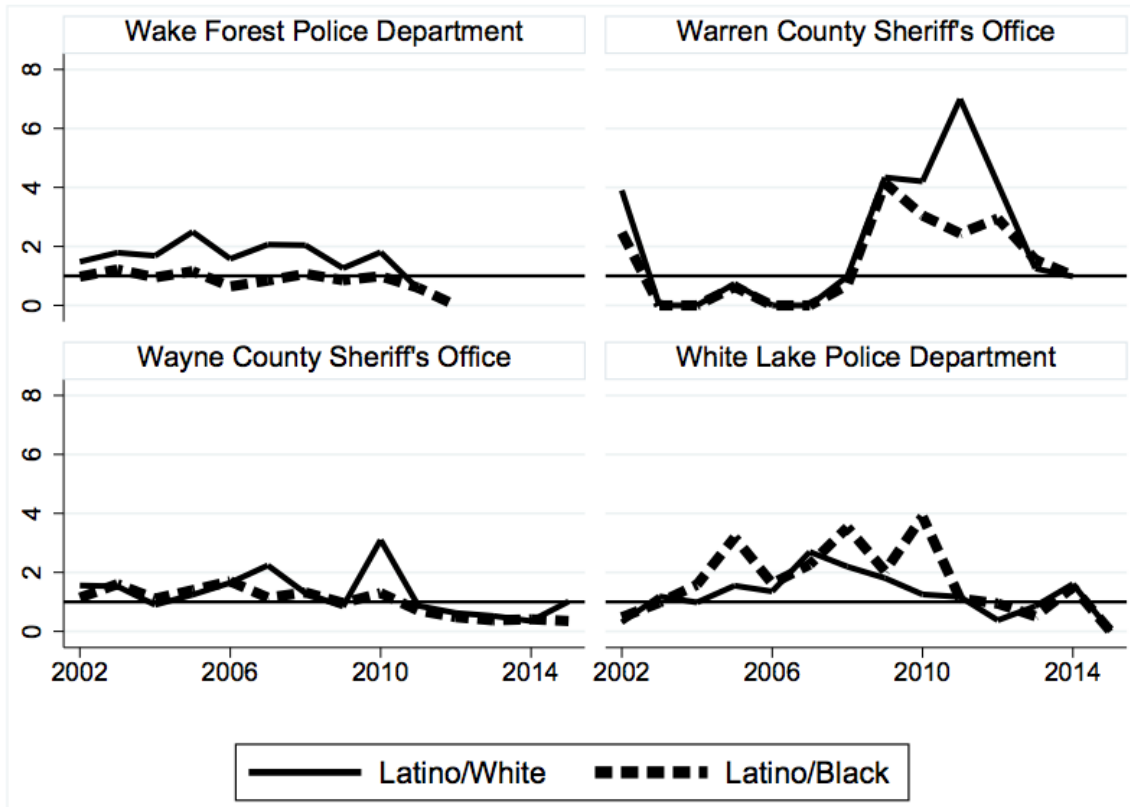


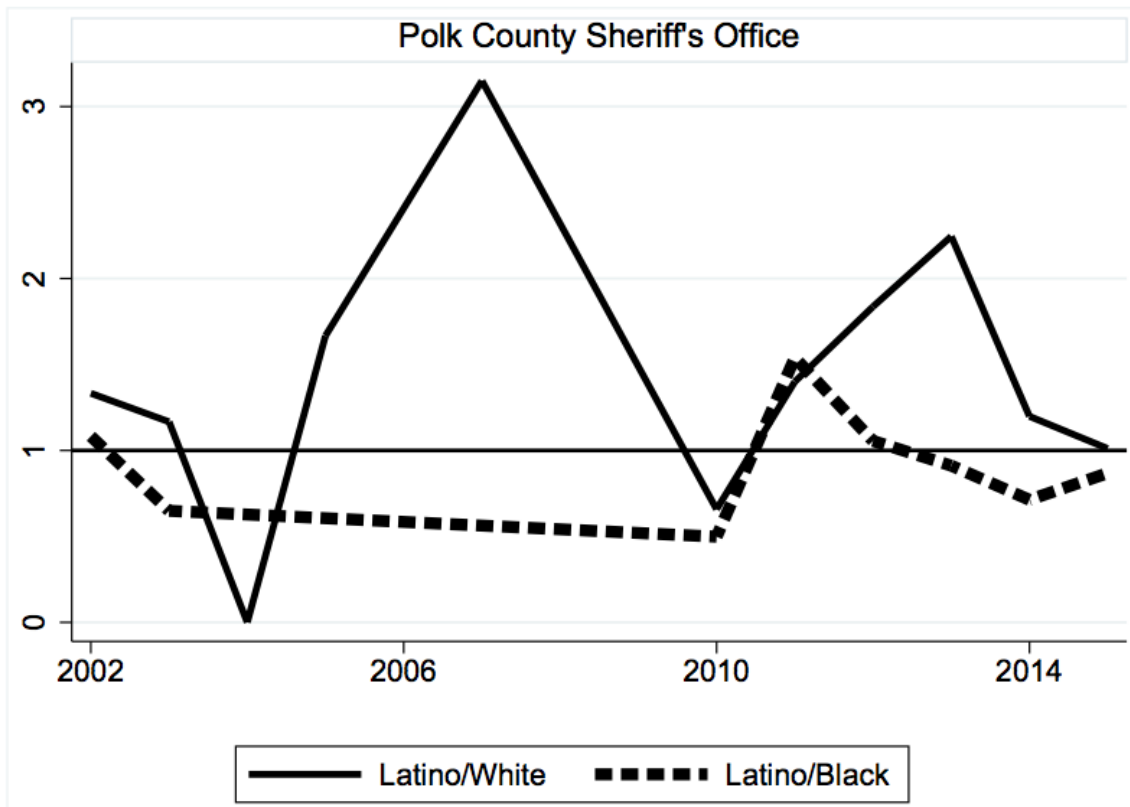
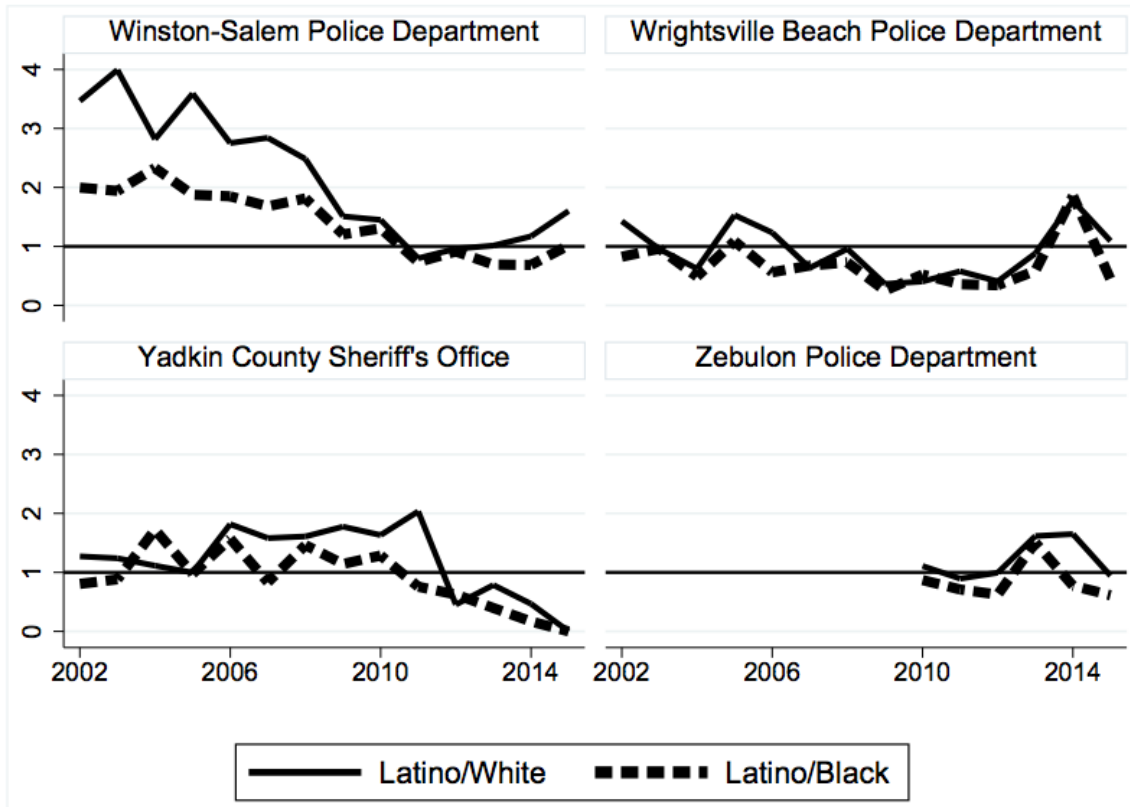












**ROBUSTNESS CHECK OF LATINO/WHITE DISPARITY IN RELEVANT NORTH CAROLINA POLICE AGENCIES, 2002-2014 (CHAPTER 4)**

Variable	Interaction	Democratic	Republican	Difference
Lat Pop/White Pop	-20.5** (8.3)	-20.5** (8.3)	-13.1** (6.7)	-
Agency Size	-.17* (.09)	-.17* (.09)	-.03 (.06)	-
Sheriff	-.56** (.23)	-.56** (.23)	.22* (.12)	***
Violent Crime Rate	-1.35*** (.52)	-1.35*** (.52)	.10 (.15)	***
Search Rate	-0.32 (2.9)	-0.32 (2.9)	-4.76*** (1.1)	-
Rep. Governor	-.622** (.37)	-.622* (.37)	-.297 (.39)	-
Rep Jurisdiction	-10.43** (4.1)			
Rep Jur.*Lat Pop/White Pop	7.41 (10.7)			
Rep. Jur* Agency Size	.141 (.11)			
Rep. Jur*Sheriff	.782*** (.26)			
Rep Jur*Violent Crime Rate	1.45*** (.54)			
Rep Jur*Search Rate	-4.44 (3.2)			
Rep Jur*Rep. Governor	.325 (.54)			

Constant	13.86*** (3.8)	13.86*** (3.8)	3.43** (1.37)
N	931	286	645
R-sq	.3	.3	.3

**ROBUSTNESS CHECK OF LATINO/BLACK DISPARITY IN RELEVANT NORTH CAROLINA POLICE AGENCIES, 2002-2014 (CHAPTER 5)**

Variable	Interaction	Democratic	Republican	Difference
African American Pop.	-2.71* (1.37)	-2.71* (1.37)	-.49 (.49)	-
Violent Crime Rate	-.891*** (.28)	-.891*** (.28)	.025 (.1)	***
Agency Size	-.173*** (.05)	-.173*** (.05)	-.027 (.03)	**
Latino Pop/White Pop	-7.1 (5.4)	-7.1 (5.4)	3 (8.98)	-
Sheriff	.592 (.5)	.592 (.5)	1.26*** (.29)	-
Sheriff*Agency Size	-.173 (.15)	-.173 (.15)	-.33*** (.09)	-
Search Rate	1.31 (2)	1.31 (2)	-2.34*** (.76)	*
Rep. Governor	-.29 (.33)	-.29 (.33)	-.53* (.27)	-
Rep. Jurisdiction	-30.12 (14.82)			
Rep. Juris. * A.A. Pop.	2.22 (1.45)			
Rep. Juris.*Viol. Crime Rate	.916*** (.3)			
Rep. Juris*Agency Size	.146** (.06)			
Rep. Juris*Lat Pop/White Pop	10.1 (10.5)			

Rep. Juris*Sheriff	.664 (.58)		
Rep. Juris*Sheriff*Agency Size	-.153 (.17)		
Rep. Juris*Search Rate	-3.655* (2.17)		
Rep. Juris*Rep. Governor	-.245 (.423)		
Constant	36.24*** (14)	36.24** (14)	6.12 (4.8)
N	916	285	631
R-sq	.32	.31	.35



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