

# “Don’t Let the Illegals Vote!”: The Myths of Illegal Latino Voters and Voter Fraud in Contested Local Immigrant Integration



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*This paper analyzes how the belief and fear by mostly older, white voters, politicians, and poll workers that “illegal” Latino immigrants were seeking to vote in local elections led to stigmatization of and discrimination against some Latino citizen voters in Port Chester, New York. Stoked by and closely echoing national voter ID law rhetoric, this fear fueled an “illegal Latino voter threat” narrative. This article documents how Port Chester’s leaders and citizens repeated this narrative in public life, sometimes enacting it in politics, including in voting. The resultant stigma denies Latino voters the presumed legitimacy other citizens enjoy, discrediting them in one word: illegal. Such processes harm democracy in Port Chester and America, and were on display in the 2016 presidential election.*

**Keywords:** myth of voter fraud, myth of illegal Latino voters, voting rights act, democracy, immigrants, citizens

“Don’t let the illegals vote!” Port Chester poll workers discussing why they wanted to ask some Latino voters for ID before allowing them to vote in 2010.

This article analyzes how the belief and fear by mostly older, white voters, politicians and poll workers that “illegal” Latino immigrants are seeking to vote in local elections has led to stigmatization of and discrimination against some Latino citizen voters in the Village of Port Chester, New York. This fear—stoked by and closely echoing national voter ID law rhetoric (Minnite

2010)—has fueled an “illegal” Latino voter threat myth whereby mostly white residents fear that illegal Latino voters threaten their group position in Port Chester and what they see as their American way of life (Blumer 1958). Port Chester’s leaders and citizens repeated these narratives in public life, sometimes enacting them in the political process, including in voting. The resultant stigma denies Latino voters the presumed legitimacy (Goffman 1963) other citizens enjoy, creates an unwelcoming climate, and discredits them in one word, *illegal*. Such processes harm democracy in Port

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Chester and America, but could be counteracted. They raise questions about how we will address the current version of our American dilemma in our integration of immigrants and their children (Myrdal 1964; DiTomaso 2013). The 2016 presidential campaign remarkably juxtaposed a Democratic candidate openly discussing implicit bias in American life, and a Republic candidate who claimed massive voter fraud by illegally voting immigrants both when it looked as if he would lose the election and after he won.

**PORT CHESTER’S VOTING RIGHTS ACT CASE**

Port Chester is a strategic case study of immigrant political integration and exclusion in small-town America. It is like so many other small towns that have become immigrant destinations in recent decades, which simultaneously integrate and exclude newcomers.<sup>1</sup> But Port Chester is exceptional because it was sued in 2006 by the Department of Justice (DOJ) for harming the ability of Latino voters to “elect candidates of their choice,” in violation of the Voting Rights Act (VRA). The VRA trial, resulting change of voting system, and DOJ supervision through 2016 made otherwise usually hidden processes visible for study for years. My role as an expert witness and DOJ ethnographer in 2006 and 2007, coupled with my later research as a City University of New York (CUNY) professor, enables me to observe these processes over time. I offer a brief overview of the case to properly contextualize this analysis of the myths of voter fraud and illegal Latino voters.

Port Chester’s case juxtaposes a long history of immigrant integration with a DOJ lawsuit for violating the 1965 Voting Rights Act, the main legal tool to address unconstitutional mi-

nority exclusion in politics. Port Chester is both an old and a new immigrant destination. Many Port Chester natives and older European immigrants or their children feel that the mostly Latino immigration since the 1980s has changed their town dramatically, and not always positively.<sup>2</sup> In the 2007 trial, the DOJ alleged that Latino voters had been discriminated against in Port Chester by racial appeals in voting, not recruiting Latinos as candidates, an apparent outright theft of an earlier election, and in other ways. Judge Michael Robertson, as I call him, agreed, and permanently enjoined Port Chester’s at-large voting system—in which candidates for Port Chester’s six-member Board of Trustees (which, with its mayor, is its governing body) could live anywhere (no geographic, representative districts were defined)—because racial bloc voting meant that the white majority always defeated the Latino minority. In 2007, no Latino or black had ever been elected in Port Chester even though Latinos were 49 percent of its population and blacks were 12 percent. Moreover, DOJ was able to show at trial that virtually all Latinos had voted for the candidate I call Aldo Rodriguez, the only Latino candidate in the 2001 trustee election, who still lost.

Judge Robertson’s remedy was to order early voting and cumulative voting from 2010 to 2016. In Port Chester’s cumulative voting, each voter has six votes and may cast them for one or more candidates, enabling voters to show strength of preference by allotting more than one vote to a candidate.<sup>3</sup> If minority voters give all six votes to one candidate, they need be less than 15 percent of the voting population to elect one of six trustees. Cumulative voting seeks to systematically address racially polarized voting by enabling minorities to elect can-

1. Andrew A. Beveridge, using census data, reports more than eight hundred places in the United States that have at least 10 percent Latino citizen voting age population and at-large voting districts like the kind found to violate the VRA in Port Chester. Stories like the one in Port Chester will become increasingly common (personal communication, 2015).

2. The literature on new destinations, and the reception of immigrants in them, is growing (Marrow 2011; Flores 2014, 2015; Longazel 2016; Zuniga and Hernandez 2005; Massey and Sanchez 2008).

3. Each voter gets the same number of votes as there are open seats. Port Chester has six open seats, so voters get six votes (for contemporary public discussion from an interested party, see Slatky 2010). Cumulative voting is little known in the United States, but has been used here (Blair 1958; Goldberg 1994; Sawyer and McRae 1962; Guinier 1994).

didates of their choice within a system with no geographical electoral districts, in which candidates can live anywhere (Engstrom, Taebel, and Cole 1988; Cole, Taebel, and Engstrom 1990). Early voting is thought to raise turnout, especially among minority voters.<sup>4</sup>

To properly understand how the myths of voter fraud and illegal Latino voters combined to foster stigma and sometimes discrimination against Latino voters, I first frame the theoretical and policy questions engaged by these myths, and briefly discuss methods, before turning to Port Chester itself, including reviewing its history to the eve of the VRA lawsuit.

### IMMIGRANT POLITICAL INTEGRATION, NARRATIVES, AND DISCRIMINATION IN VOTING

#### Political Incorporation of Immigrants, Writ Large

Social scientists have studied immigrant incorporation extensively in recent decades, but focused less explicitly on how political incorporation works on the ground. Sociology has mainly theorized group assimilation, centered on how ethnicity and related processes affect outcomes like social mobility.<sup>5</sup> Although sociological studies analyze how discrimination can inhibit integration, most do not explicitly focus on how such processes work in politics (Ramakrishnan and Bloemraad 2008; Alba and Foner 2009). Historians and political scientists have analyzed how political parties, unions, and churches have all served as institutions to integrate immigrants into political life in the late nineteenth to the mid-twentieth century, but do so less fully as their influence has declined; social movements, social media, and

other institutions have come to matter more (Erie 1998; Junn and Haynie 2008; Anderson 2008; Wolbrecht and Hero 2005). Work on the political incorporation of minorities first focused squarely on the civil rights movement and African Americans securing the right to vote, and then analyzed African American, Latino, and Asian American political participation and representation (Browning, Marshall, and Tabb 1984; de la Garza, Falcon, and Garcia 1996; Epstein et al. 2006; Wong et al. 2011; Canon 1999; Junn and Haynie 2008). Research focused on immigrants analyzes which ones become U.S. citizens and vote; how national, state, and local institutions facilitate or inhibit immigrant political integration (Bloemraad 2006, 2013; Varsanyi 2010); how immigrant voters form coalitions (Mollenkopf 2013); how we should define and measure political integration (Minnite 2009; Jones-Correa 2009, 2013; Bloemraad 2013); how immigrant community organizations relate to civic and political integration (Ramakrishnan and Bloemraad 2008); and how Latino immigrants become American voters (DeSipio and de la Garza 2015; DeSipio 2013).<sup>6</sup> These studies less often specify how—the mechanisms by which—political integration occurs or does not for immigrants (Hochschild et al. 2013; Hochschild and Mollenkopf 2009). Research is needed especially on how immigrant incorporation can be passively or actively blocked (Minnite 2009; Jones-Correa 1998), how immigrants are framed in politics or media (Haynes, Merolla, and Ramakrishnan 2016), and how the VRA might help integrate naturalized U.S. citizens and their children (de la Garza and DeSipio 2006).

VRA trials are special cases of immigrant incorporation because they occur only when

4. This position is not universally held, but that debate is beyond the scope of this paper (see Gronke and Toffey 2008; Gronke, Galanes-Rosenbaum, and Miller 2007; Slatky 2010; Stein 1988).

5. In classical assimilation theory, most groups adapt by adopting American culture (Gordon 1964); in segmented assimilation, better-off immigrant groups use cultural coherence to more successfully integrate whereas others face the dangers of downward integration into a “rainbow underclass” (Portes and Rumbaut 2001); in “remade” assimilation, home and host culture both change by immigration, enabling surprising upward mobility (Alba and Nee 2003; Alba 2014); in “second-generation advantage,” U.S.-raised children of immigrants pick elements of parental and U.S. culture to maximize their chances for success, thus gaining some advantages that later-generation native-born children do not have (Kasinitz et al. 2008).

6. A key issue this paper cannot address is the effects of the systematic exclusion of millions of immigrants from citizenship on the larger political system.

violations of the act are alleged to occur and are actually pursued. Passed in 1965, the VRA was renewed in 1982, 1992, and 2006. Initially designed to protect voting rights of African Americans, the VRA was extended in 1975 to language minorities, mostly Latinos and Asians. It promotes immigrant integration by targeting exclusionary mechanisms affecting members of protected racial or language minority groups.

### **Incorporation, Writ Small**

This article analyzes the narratives about race and ethnicity in public life in Port Chester, and their sometimes discriminatory enactment by individuals, groups, and institutions in speech, inaction, or action. Narratives are stories that explain social reality, thus framing which policy responses are appropriate (Abbott 2001; Ewick and Silbey 1995; Somers 1994). Politicians and others use them to compete for power, create community, and legitimize policies (Gamson and Modigliani 1989; Snow and Benford 1992; Pease Chock 1995; Boyce 1995; Hajer 1995; Hajer and Laws 2006; Stone 1989). Racially divisive narratives can be enacted in discrimination, conduct that is legally proscribed (such as asking Latinos for ID to vote), or legally required but not enacted (such as Port Chester not having enough bilingual poll workers). Narratives can change with political circumstance and circulate within society. A “moral panic” occurs when a narrative about an issue legitimizes policies or actions that would be otherwise unacceptable (Cohen 1972; Costelloe 2006).

America is in a moral panic about immigration, driven by overlapping narratives about immigration, racism, local dispossession, and voting. The Latino threat narrative describes how whites feel that Latinos threaten America by having too many children, costing more in public services than they contribute in taxes, bringing crime and disease, and being unassimilable (Chavez 2008; Hochschild 2016; Skocpol and Williamson 2013; Parker and Barreto 2013). This Latino threat narrative works with another, the myth of voter fraud (Minnite 2010; Levitt 2007). Republican-sponsored voter ID laws posit widespread voter fraud, including voting by so-called illegal aliens. But a compre-

hensive review of voter fraud studies, covering roughly one billion votes cast, documented only thirty-one cases of voter impersonation, which such laws address. (This number increased to thirty-two when a Donald Trump supporter in Iowa voted twice in fear that the election was rigged.) Levitt estimates the incidence of voter fraud as between 0.00004 and 0.00009 percent, making it less likely than “being struck by lightning.” Most voter fraud is by absentee ballot (Rutenberg 2015; Presidential Commission 2014). In contrast, many studies document thousands of voters disenfranchised by lack of required photo ID, and by inaccurate scrubbing of voter rolls undertaken via these laws (Rutenberg 2015; *New York Times* 2016; Weiser and Agraharkar 2012; Cobb, Greiner, and Quinn 2012).

Lorraine Minnite argues that this unsupported voter fraud narrative is used to justify restrictive ID laws to do “the political work” of preventing Democrat-inclined voters—poor, minority, immigrant—from voting (2010). The illegal Latino voter threat narrative analyzed in this paper combines the Latino threat narrative and the myth of voter fraud to analyze how white residents’ fears of “illegal” Latino voting were acted upon in Port Chester’s political life via the actions of politicians, poll workers, and others, sometimes resulting in discrimination. Such threat narratives can also emerge where immigrants are nearly all well-educated, naturalized citizens or U.S. permanent legal residents, who are “highly skilled but unwelcome,” especially in electoral politics (Aptekar 2008).

Underlying both these narratives is a feeling of white dispossession—a refrain on alt-Right social media—whereby mainly older, white Americans feel they are being displaced from their homes by immigration, and, in Donald Trump’s words, that they “Don’t have a country anymore.” This sense of white dispossession was heightened in Port Chester’s VRA trial because such trials are unusual federal interventions into local elections. Under the U.S. Constitution, elections are under state, not federal, government authority (McCrary, Seaman, and Valelly 2006; Thernstrom 1987). The trial reinforced a larger belief, among some white voters especially, that the federal government is the

problem and sides unfairly with minorities and immigrants, including “illegals,” against the hard-working white working people who they feel “made America great.” They believe that undeservings have cut in front of them in the line for the American Dream (Hochschild 2016). Eddie Lavoro of Port Chester feels that children of immigrants are being given the benefits of his and prior generations’ hard work: “they are taking . . . [from] the ones that made this country . . . WWII, Korean War, Vietnam. . . . All illegal children should get free education—Why? A kid born in this country—an American citizen. [Yes.] But a kid who . . . comes at age fourteen is entitled to everything you and I sacrificed for? . . . bullshit, he’s not an American citizen.” Moreover, many in Port Chester felt the town was unjustly being accused of being racist by DOJ’s lawsuit.

I focus on *enactments* of narratives because discriminatory action or inaction is legally regulated, and actionable. While discriminatory thought can motivate discriminatory action, it is not necessary to show discrimination. Non-bigoted people can also discriminate. Moreover, *showing* racist or bigoted beliefs is difficult, because it usually requires disclosure by the person. Finally, legal injury in a VRA case occurs if enacted discrimination abridges the ability of a protected class of voters to “elect candidates of their choice,” regardless of a candidate’s race.<sup>7</sup> Disparate outcome, and not racist intent, can demonstrate that injury, and has been the legal standard in VRA cases since the 1982 Senate amendments rejecting the Supreme Court’s ruling in *Mobile v. Bolden* (446 U.S. 55 (1980)), requiring demonstrated discriminatory intent. The disparate outcome standard recognizes that discrimination can be *individual* or *structural* and must be consid-

ered in context (Allport 1958; Bobo, Kluegel, and Smith 1997; Feagin 2006; Feagin and Ekberg 1980; Butler 1978). The standard is not negated by nonracial rationales that whites may offer for actions or structures that have racial impacts (Bonilla-Silva 2006; DiTomaso 2013). The Port Chester VRA trial heard testimony on racially divisive actions by individuals—such as the anonymous flyer of Republican Barry Deutche, as I call him—and actions or inaction by institutions—such as Port Chester’s not hiring enough Spanish-language poll workers—that supported a finding of discrimination.

Hostile narratives stigmatize by linking a group identity to discrediting traits—here, Latinos are “illegals”—thus denying the presumption of moral legitimacy enjoyed by other citizens (Goffman 1963). It can mobilize bias (implicit or explicit, discussed later). Its impact is stronger when done by, or within, institutions that should not tolerate it (Croom 2008; Matsuda et al. 1993), such as polling places. Stigmas are an exercise in power via a two-sided dynamic: the stigmatized person feels his or her group identity linked with discrediting traits in the gaze of a dominant group or institution, and the latter “sees” the stigmatized traits and not the actual person in front of them (Holmes 2012; Calogero 2004; Skelton 2010; Patterson and Elliott 2002; Foucault 1977; Pritchard and Morgan 2000). In a polling place, this white citizen gaze would be enacted by poll workers asking for extra ID to make sure that “illegals” do not vote, and would be felt by a U.S. citizen Latino being treated like an “illegal” when trying to vote. Because poll workers are state agents, when they treat some Latinos as potential “illegals,” it is functionally the state seeing them with bias or stigma, creating

7. Finding a violation of the VRA is done by a two-part test. The first part asks whether the *Gingles* preconditions (*Thornburg v. Gingles*, 478 U.S. 30 (1986)) are met: Is there polarized white and minority racial bloc voting in which white candidates mostly defeat minority candidates, and is it possible to remedy this situation by creating majority-minority electoral districts? (If minority candidates lose because minorities split their votes substantively between minority and white candidates, the *Gingles* test is not met.) With preconditions established, step two assesses if discrimination occurred on seven Senate factors (such as racial appeals) and two other factors constituting a “totality of the circumstances” (see *U.S. v. Village of Port Chester*, <https://www.justice.gov/crt/cases-raising-claims-under-section-2-voting-rights-act-0#portchester>, accessed January 19, 2017). This broad review, like a sociological case study, analyzes all available evidence.



a hostile climate (Minnite 2009, 2010; Winders 2013; Delano 2014).

### **THE LONGITUDINAL, SATURATED, EMBEDDED ETHNOGRAPHIC CASE STUDY**

This paper uses a longitudinal, saturated, embedded ethnographic case study approach, which is epistemically pragmatic, developing analytical opportunities emerging from long-term ethnographic immersion (George and Bennett 2005; Duneier 1999; Katz 1997, 2001, 2002; Black 2009; Smith 2006b; Gonzales 2016). The project began when my colleague Andrew Beveridge (Queens College, City University of New York) and I were expert witnesses for the DOJ's 2007 case against Port Chester, becoming very familiar with the legal evidence for a VRA violation. We continued this research as CUNY professors using varied sources, including a weighted, representative survey of Port Chester voters. Since 2007, I have regularly read local newspapers, websites, and other documents (such as court filings) and conducted one-off and repeat interviews. I have also regularly attended public events and meetings, especially when events presented opportunities to see otherwise hidden dynamics. For example, Barry Deutche's 2011 nomination as a Port Chester mayoral candidate sparked unusual, open accusations of racism by opponents, who were in turn accused of un-Americanism for protesting. The project is ethnographically embedded by starting with work in the VRA trial, is longitudinal by its decade of fieldwork, and is saturated by combining many sources. It follows Herbert Blumer's exhortation to contextualize analysis of the evolving meanings of intergroup relations, but also links these to later action (on meanings, Blumer 1958; Blalock 1967; Esposito and Murphy 1999; Bobo and Hutchings 1996; Quillian 1995, 2006, 2008; on action, Flores 2015, 2014; Longazel 2016). The study seeks not to generalize to all VRA cases, but to fully describe dynamics of this case—the sociological equivalent to the totality of circumstances test in VRA trials. Finally, this research differs from most on VRA trials and remedies like cumulative voting, which is usually short term, using one-off interviews and

document review (Engstrom 1992; Engstrom and Brischetto 1997; Engstrom, Taebel, and Cole 1988; Cole, Taebel, and Engstrom 1990). This long-term research documents the downstream effects of a VRA trial and specific remedy, which should help in determining appropriate remedies in future cases.

Following ethnographic convention, I use pseudonyms for everyone in the paper, prefacing the first use of each name with a phrase indicating this (for example, "whom I call"). While there is no legal or ethical need to anonymize the names of public officials speaking on public issues, or of people who testified in open court, spoke in public meetings, or wrote a letter to the editor, I also draw on interviews where I agreed not to use their names. To avoid confusion on which names are real or pseudonyms, I have used fake names for everyone. Ethnography seeks to document and analyze the processes at work—related to but distinct from journalism's goal of reporting the news, where real names would be indicated.

This paper next analyzes how the illegal Latino voter narrative circulated in public life and leached into Port Chester's political process, including into voting.

### **A BRIEF HISTORY OF PORT CHESTER TO THE EVE OF THE VRA TRIAL**

The Village of Port Chester is a microcosm of an America that we need to understand better, as became clear in the surprising 2016 presidential election. In recent decades, Port Chester has experienced deindustrialization and related economic vulnerability, especially for those without college educations; an aging taxpayer base; dramatic demographic change; and a loosening of the monopoly on political life previously held by Port Chester-born white ethnics. Port Chester sits on 2.3 square miles about an hour north of New York City in wealthy Westchester County, New York. It has always been a commercial center surrounded by wealthier communities. In the colonial era, it was known as Saw Pit Landing for its saw mill, boat building, and shipping industries. In 1837, it became Port Chester. By 1950, Port Chester was a "leading factory town in the Lower Hudson Valley . . . and had [several]

headquarters or production centers,” supporting a strong working class through 1970s, when the factories began moving to cheaper areas.<sup>8</sup> Port Chester’s last factory, Life Savers, closed in 1984. This is the period—the 1950s to the 1970s—whose passing Port Chester residents lament when decrying too much change in the Village (Coontz 2000). The 1970s to the 1980s saw economic struggle and demographic decline. Since the 1990s, Port Chester has rebounded as the self-proclaimed restaurant capital of Westchester County—driven by Latin American cuisine—and site of big box stores and professional offices. Its population grew by influxes of Latin American immigrants, mainly, and non-Port Chester-born young, mostly white, professionals who cannot afford other suburbs or value the town’s diversity. Port Chester’s population decreased from its postwar high in 1970 of 25,803 to 23,565 in 1980—a drop of 8.7 percent—rebounding to 24,728 in 1990, 27,867 in 2000, and 28,967 in 2010.<sup>9</sup>

Port Chester has a long, contradictory history of incorporating new immigrant groups, which shows a time-lagged entry into politics. The children of earlier Italian immigrants to Port Chester took the political lead during the 1940s and 1950s from the earlier Protestant and then Irish political elites. Locals say that the

“Italians” (people of Italian ancestry and other white ethnics) have run Port Chester politics since the 1970s. In the 1960s, Port Chester incorporated Cuban refugees, most as anti-Communist Republicans; they are now 4 percent of Port Chester’s population. Colombians, Peruvians, Ecuadorans, and Bolivians came in large numbers in the 1980s and 1990s, and Mexicans, Salvadorans, and Guatemalans have come since the 1990s. In 2010, Joe Nadal, as I call him, a Peruvian immigrant, was the first Latino elected as a trustee; he was reelected in 2013 and 2016. Will Jenkins, as I call him, was the first African American elected, also in 2010; he was reelected in 2013.

The imbalance in potential political influence in Port Chester for the 2001 trustee election that led to the VRA lawsuit can be seen in the dramatic differences in the proportion of each major group in the overall population versus in the citizen voting age population (table 1).<sup>10</sup> In 2000, Port Chester’s total population was 49 percent Latino, 39 percent white, and 12 percent black; its voting age population (VAP) was 42 percent Latino, 46 percent white, and 11 percent black. However, the citizen voting age population (CVAP) was 27 percent Latino, 59 percent white, and 14 percent black. Moreover, only 34 percent of VAP Latinos were citizens (CVAP), versus 83 percent for whites and 76 percent for

8. “Village of Port Chester,” [http://www.portchesterny.com/pages/PortChesterNY\\_WebDocs/about](http://www.portchesterny.com/pages/PortChesterNY_WebDocs/about) (accessed December 8, 2016).

9. Port Chester’s housing stock has more diversity than its neighboring communities, reflecting its more diverse population. Rather than solely single-family homes on large plots, Port Chester combines large pockets of highly concentrated multifamily housing, detached houses on small plots, and relatively smaller numbers of detached houses on large plots. Some 61 percent of Port Chester’s population rents; 39 percent live in their own home (Port Chester Comprehensive Plan 2012, 55). On Google Earth, Port Chester’s gray, built-up downtown contrasts markedly with the intense green of its wealthier, northern neighborhoods, or of the surrounding communities, or golf courses. Port Chester has the fourth lowest median house price of the twenty-three localities in Westchester County. In 2010, the median house price in Westchester County was \$559,000 and for villages (Port Chester is a village) \$701,000. Port Chester’s median house value, however, was only \$471,000 (Port Chester Comprehensive Plan 2012).

10. Contrary to the comments expressed by some at the Port Chester Hearing on redistricting on October 5, 2006, the census data suggest that Latinos in Port Chester who are able to legalize their status and become citizens do so. Most of the foreign born in Port Chester are Latino. According to the census, of the 2,392 foreign-born persons who entered the United States before 1980, 1,651 (69 percent) were naturalized U.S. citizens in 1999; whereas of the 3,140 who entered between 1980 and 1989, 1,047 (33 percent) had; of those who entered from 1990 to 2000, only 6 percent had done so. Those who arrived prior to 1985 had more opportunity to legalize and become citizens given the 1986 Immigration Reform and Control Act, and had generally easier access to legal status in prior decades (Smith 2006a).

**Table 1.** Port Chester Population and Voter Demography

	Total	Non-Hispanic White	Hispanic	Non-Hispanic All Other
Total	27,773	10,833	13,633	3,307
Percent of all		39.0%	49.1%	11.9%
Voting age population (VAP)	22,127	9,373	10,244	2,510
Percent of all		42.4%	46.3%	11.3%
Citizen voting age population (CVAP)	13,215	7,781	3,522	1,912
Percent of all		58.9%	26.7%	14.5%
Percent of CVAP by VAP by group	59.7%	83.0%	34.4%	76.2%

Source: Author’s compilation based on 2000 U.S. Census; table prepared by Andrew A. Beveridge of Queens College.

blacks. Hence, in racially polarized elections, whites’ electoral power ensured that no blacks or Latinos were ever elected to office. Such had been the case prior to the 2007 trial. The Department of Justice contended that, absent discrimination, Latinos’ 27 percent of total CVAP should have been enough for them to elect some candidates of their choice, given Port Chester’s six trustee seats.

The focus on discrimination in voting here should not obscure the fact that Port Chester has done a great deal to foster substantive immigrant integration, including by establishing a day labor site, and especially by its community schools model with afterschool and in-school medical programs that help children of immigrants in particular.<sup>11</sup> Port Chester’s innovative work integrating children of immigrants in school was recognized by a 2005 U.S. Department of Education National Blue Ribbon School Award, and a 2006 EdTrust Dispelling the Myth Award; was profiled in the book *Turning High Poverty Schools into High Performing Schools* (Parrett and Budge 2012); and has been an anchor in developing a community schools training program at a local college (Ferrara, Nath, and Guadarrama 2014).<sup>12</sup> More-

over, interethnic relations in daily life are mostly harmonious and unremarkable. How then, is there discrimination in politics? This apparent contradiction reflects America’s larger stance on immigration. We pride ourselves as a nation of immigrants yet are deeply split on how or whether to fix our current immigration issues. This contradiction is analyzed more elsewhere, but we can start by recognizing that different logics of action govern the role of race and ethnicity in different spheres of public life. Absent political pressures, most teachers want to teach all children (Marrow 2011; Maxwell 2014; Jones-Correa 2009; Varsanyi 2010); business deals can have win-win outcomes. But winner-take-all elections yield zero-sum games where campaigns often mobilize voters by divisive appeals to group, including racial and ethnic identity. This helps explain how white Port Chester residents can get along with and even like their Latino neighbors, but ask some Latinos for ID when they try to vote.

Discrimination against Latino voters matters theoretically because it occurs at the end of the process wherein immigrants have done their part to incorporate by becoming law-

11. This assessment is complicated by the fact that these expenditures are contested by Port Chester natives even though they are largely funded by private donors or grants rather than directly by Port Chester school taxes. However, the rhetoric of many homeowners does not recognize that distinction. The overall point, though, is that Port Chester has done impressive work in its schools to help all children, especially children of immigrants.

12. The community schools model in Port Chester was developed by Dr. Eileen Santiago and Dr. JoAnne Ferrara and their partners in the Port Chester Public Schools. See “Thomas A. Edison Full-Service Community School,” <http://annex.mville.edu/graduate/academics/school-of-education/about/partnerships/professional-development-schools/thomas-a-edison.html> (accessed December 8, 2016).



abiding, civically engaged citizens who seek to vote (Jones-Correa 2009, 76). Discrimination is active exclusion or nonincorporation attacking the heart of America's political project (Hochschild and Mollenkopf 2009). Given that stories of Latino apathy, illegality, or refusal to assimilate were used to explain why Latinos had never been elected in Port Chester, it is painfully ironic that Latino voters could be excluded for being Latino as they sought to exercise this central right of American citizens.

For clarity, before analyzing the myths of voter fraud and illegal Latino voters in Port Chester, I offer a simplified timeline of the events discussed in this paper.

*Mid-2006*—The Department of Justice sends Port Chester a letter telling of intent to sue and possibility of consent decree.

*October 2006*—Port Chester holds public hearings to discuss how Port Chester should respond to DOJ. In hearings, some voters express fear Latino voters may be “illegals.”

*February 2007*—Preliminary injunction hearing; DOJ seeks to stop March 2007 election. Judge hears evidence of prior stolen election and of racial discrimination or hostile climate for Latinos in voting.<sup>13</sup>

*Early March 2007*—Republican trustee candidate Barry Deutche authors and mails anonymous, racially divisive pamphlet, giving DOJ evidence of racial appeals in voting.

*Mid-March 2007*—Judge stops Port Chester's March 2007 trustee election, finding VRA violation.

*Late Spring 2007*—VRA trial. Judge Robertson affirms VRA violation ruling.

*December 2009*—Judge Robertson accedes to Port Chester's request to do cumulative voting, and orders early voting. First cumulative voting and early voting in New York State are in Port Chester in June 2010.

*Spring 2010*—During training for cumulative voting, Port Chester voters regularly ask how they can know whether Latino voters are legal. Poll workers discuss asking Latinos for ID to ensure that no “illegals” vote.

*March 2011*—Barry Deutche is nominated for mayor by Republican and Conservative parties.

*March 2014, 2015*—A Latina voter I call Magda Votante is asked for ID; she does not vote in 2014. In 2015, she is asked for ID, shows it, and votes after repeated, failed attempts by poll workers to find her in voting book. Other Latinos are also asked for ID when voting.

I now delve into analyzing the expression, dissemination, and enactment of the myth of the illegal Latino voter.

#### EXPLANATIONS AND EMERGENCE OF THE ILLEGAL LATINO VOTER THREAT NARRATIVE

Port Chester's political leaders, and most white residents, were incredulous when they received DOJ's 2006 letter threatening to sue for VRA violations. They believed that Port Chester had integrated previous waves of immigrants, and many more than their richer neighbors in Rye, New York, or Greenwich, Connecticut. Why would DOJ target them? The lawsuit began when Aldo Rodriguez, a naturalized U.S. citizen and active Democratic party member, ran for office in 2001 and lost, but felt that Democratic party leaders and white Port Chester residents had not supported him because he was Latino. He contacted DOJ, who investigated, and in 2006 sent Port Chester a letter offering a corrective agreement called a consent decree, whereby Port Chester could, without admitting fault, remedy conditions violating the VRA by creating electoral districts, and avoid trial. Port Chester held public hearings in October 2006 to discern public sentiment on settling with or fighting DOJ. Soon after, Port Chester decided to fight.

13. A preliminary injunction hearing is a sort of pretrial that plaintiffs can ask for if there is imminent harm to justice in delay while waiting for a trial. Here the imminent harm was, in DOJ's view, an unfair election that would elect representatives using a system that discriminated against Latinos. One can get and win a preliminary injunction, as DOJ did, if the evidence presented shows it is very likely one will win in the actual trial.

The lawsuit and hearings catalyzed an unusual public conversation revealing Port Chester’s contradictions on immigration. Mayor John Langdon, as I call him, who led the fight against DOJ, was recognized in the hearing for his work on the Workers Center (which serves Latino day laborers) by a Latina leader who supported DOJ’s suit. Mayor Langdon’s courtesy to all contrasted sharply with the heckling of Latinos by white Port Chester residents, which was so bad that two future trustee candidates criticized it. One, Barry Deutche, chastised hecklers, saying, “I’m ashamed by comments coming from the back of this room. . . . I’d hate to think” people would have treated his “Italian mother’s side” of the family this way. But, emblematic of Port Chester’s divisions, Deutche would go on five months later as a trustee candidate to author the racially divisive, anonymous pamphlet that underpinned Judge Robertson’s subsequent finding of racial appeals in voting. Deutche would also get the most votes of the fourteen candidates in the first cumulative voting election in 2010, and be nominated for mayor on the Republican and Conservative party lines in 2011 (he lost) while protestors denouncing him as a racist walked outside the restaurant where he was being nominated.

Port Chester’s divisions are reflected in the racial split on how to respond to the DOJ proposal: “81% (13 of 16) of those (comments) made by Latinos supported the DOJ’s proposal of electoral districts, while 93.5% (17 of 18) of those by whites rejected it.”<sup>14</sup> Speakers in the hearings enacted elements of the illegal Latino voter threat narrative. Several Latino leaders—directly answering white Port Chester residents’ assertions that DOJ district plans would “divide” Port Chester—declared “we are already divided” and that Latinos lack “a seat at the table.” Bianca Ibanez, as I call the Democrat who would be targeted in Barry Deutche’s 2007 flyer, argued that DOJ’s proposed remedy of electoral districts could help unite the Vil-

lage by making geographic district representatives accountable to their constituents, including Latinos. Overall, Latinos felt excluded from public life and whites expressed confusion, as one put it, over “why we are even here. It’s much ado about nothing.” These statistics reflect the incommensurability of the white view—“Port Chester is united; DOJ don’t divide it”—and the Latino view—“Port Chester is already divided because we are left out.”

The Reverend Federico Perez, as I call him, of Port Chester asked perhaps the most insightful question in a later letter to the editor in the *Westmore News*, which points to the illegal Latino voter threat narrative. How did hearings meant to determine public sentiment on how to respond to DOJ’s proposed plan to create electoral districts to remedy discrimination against Latino voters turn instead into a conversation about the threat Latinos, and “illegal” Latino voters, posed to Port Chester’s quality of life and democracy?

We can understand how the meaning of the hearing changed by the three questions white Port Chester residents asked in it and the answers they gave then and in later conversations. The first asked, why had no Latinos ever been elected in the Village? Second, why is the federal government blaming us for the problem they created by letting these “illegal” immigrants in, and by dividing us by ethnicity? And, third, how do we know that the Latinos trying to vote are U.S. citizens and not “illegals”?

These questions, and white Port Chester residents’ answers to them, show the white citizen gaze and linked illegal Latino voter threat narrative, creating a policy narrative leading Port Chester to fight DOJ. Both Latinos who spoke in the hearings and DOJ’s allegations argued that Latinos did not get elected due to discrimination in how Port Chester conducted politics. In contrast, white Port Chester residents argued that no Latinos had been elected in Port Chester because of Latino apathy (La-

14. This is from my second report to DOJ (Smith 2007). A total of forty-three public comments at the microphone were made in the two hearings, and thirty-six expressed clear stands on redistricting. Seven people, four whites and three Latinos, did not express clear opinions. I discuss the number of public comments made, and not number of persons speaking, because some people spoke at both hearings. Only three Latinos rejected the plan, and only one white person—the former head of the Port Chester branch of the NAACP—supported the redistricting plan. These stark divisions indicate significant social and racial polarization.

**Table 2.** Fear of Undocumented Voters Among Port Chester’s Registered Voters

Fear of noncitizen voters	White	Black	Latino	Asian	Total
Yes	33 (33.74%)	2 (22.2%)	2 (4.4%)	0	37 (24.7%)
No	62 (65.3)	7 (77.8)	42 (93.3)	1 (100%)	112 (74.7)
Declined to answer	0	0	1 (2.2)	0	1 (0.67)
Total	95 (100)	9 (100)	45 (100)	1 (100)	150 (100)

Source: Author’s data; calculated by Guillermo Yrizar.

Latinos don’t care enough to vote), overload (Latinos are working too many jobs to vote), or ineligibility (Latinos are not citizens and cannot vote). I discuss the second and third questions shortly, but raise one point here. In the first hearing, four of eleven white speakers asked, “How do we know if Latino voters are actually citizens?” This question stigmatizes by making all Latino voters into potential “illegals” and threats to Port Chester’s democracy, and to the group position of older, white, citizen voters.

In the following section, I analyze the myths of voter fraud and the illegal Latino voter. I first present data on aggregate beliefs about “illegals” in Port Chester, then on discussions of them in public hearings and electoral campaigns, and then in the polling place.

### THE ILLEGAL VOTER THREAT NARRATIVE IN PORT CHESTER’S REGISTERED VOTERS

During the summer of 2012, Andrew A. Beveridge and I did a 153-person, weighted, random sample of doorstep interviews of registered voters in Port Chester, including appropriate numbers of voters in each of the categories of interest for our research.<sup>15</sup> Table 2 presents data on a key question, formulated from comments in Port Chester’s October 2006 public hearings on the DOJ’s Voting Rights law-

suit. I used *illegal immigrant* in the question because people in the public hearing used this language.

Q 20. Some people fear that, because no ID is required to vote, illegal immigrants will vote in Port Chester and change the outcome of elections. Do you share this fear? Y/N

Table 2 shows that 25 percent of Port Chester’s registered voters fear that “illegal” immigrants will vote and change electoral outcomes: 35 percent of white registered voters and 22 percent of blacks, but only 4 percent of Latinos fear this. Fear of “illegals” trying to vote varies by birthplace. It is greater among those born in Port Chester than outside it. Only two of thirty-eight voters born in Latin America feared this; four of the ten voters born in Europe did. The only group whose majority feared it—three of four—was voters born in Italy. Given the rarity of voter fraud, these statistics are striking.

Why do one in three white Port Chester residents fear that undocumented immigrants will vote and change electoral outcomes in Port Chester? This fear was higher in two kinds of voting districts. (Voting districts here are simply catchment areas for organizing polling sites in at-large systems, not electoral districts electing a representative for that geographical area.) First, this fear was higher in whiter, wealthier districts with more voters, in the north end of

15. The sampling for this survey was done by Andrew A. Beveridge, and was designed to capture representative proportions of white, Latino, and black prime and nonprime voters. Prime voters are those who have voted in the last three elections, and are most likely to be courted by politicians. Nonprime voters have not voted in the last three elections and are less likely to be courted by candidates. The survey itself I developed, consulting with Beveridge, and fielded along with my team. The sample was weighted to ensure enough Latino voters. Professor Beveridge and I gratefully acknowledge the support of a 2011–2012 CUNY Collaborative Incentive Research Grant, “Contested Immigrant Incorporation and American Institutions: Race, ethnicity and immigration, and the violation and enforcement of Voting Rights.”

These doorstep interviews were anonymous, in-person interviews conducted with the voters at their homes, and usually took about twenty-five minutes.

the Village. Some four of fifteen voters in District 18, seven of fifteen in District 19, and five of fifteen voters in District 25 feared “illegals” would vote. Districts with more Latinos but fewer overall voters feared illegal voters less: one of seven voters in Districts 6 and 10, none of the ten in District 13. Some districts were anomalous districts—more Latino voters and more reported fear of “illegals.” But unraveling these anomalies supports my argument. In District 9, four of six whites interviewed, and one of three Latinos, feared illegal voters. In District 11, the three white voters interviewed all feared illegal voters, but the two Latino and one black voter did not. Drawing on my conversations with these white voters, these numbers reflect the feeling of whites who live in neighborhoods whose demographics have changed around them, and in their view, for the worse compared to the old days (Coontz 2000; Skocpol and Williamson 2013; Parker and Barreto 2013; Longazel 2016). Taken together, these anomalies and whiter districts’ greater fears support the illegal Latino voter narrative threat argument. Having established this fear of illegal voters as a larger phenomenon in Port Chester, I trace the enactment of this narrative in various public arenas, in public hearings held by Port Chester, and then in the polling place.

**THE ILLEGAL LATINO VOTER THREAT NARRATIVE IN OCTOBER 2006 PUBLIC HEARINGS**

Perhaps the most impassioned, analytical, and applauded speaker was a local lawyer whom I call Dante Lauria. While saying that he spoke as a private citizen, he also reported having worked for local governments and being an expert in election law. He later advised the Voting Rights Commission, which was supposed to determine Port Chester’s responses to DOJ’s proposal, and was on the legal team that fought DOJ. This influential insider’s words carried weight with the crowd.

Mr. Lauria offered a positive history of immigrant integration in Port Chester, and then an indignant two-sided indictment of the federal government for allowing the illegal immigration that profoundly changed Port Chester and caused it problems, and, in his view, un-

constitutionally seeking to impose district voting on a place that already welcomed immigrants:

How can a federal government that allows . . . illegal immigration . . . now have the *audacity* to seek to impose a district voting regimen on our community, which has tolerated and well accommodated the demographic changes? *Our community works*. The last thing we need is the federal government . . . formula . . . Our neighborhoods do not have fences . . . Only good people that know how to [live together . . . Districts will] create an unnecessary divisive parochialism . . . to the detriment of the community at large. Is this not redlining? . . . Port Chester has always been a community of hard-working immigrants . . . We have taken an influx of immigrants . . . created day labor center sites. We educate them in our schools.

He invites DOJ to “see the Columbus Day Parade” with all races marching, and see the “good, solid businesses” of Hispanics in Port Chester.

The view that DOJ was dividing a united Port Chester was reiterated in a Board of Trustees resolution creating the Voting Rights Commission days later, on October 23, 2006:

Whereas, many of the speakers expressed concern that the threat of the federal lawsuit is divisive to a community that has accommodated, accepted and integrated waves of immigrants, while acknowledging that more can be done to engage all citizens including Hispanics in the political process . . . Whereas it is the intention of the Board of Trustees of the Village of Port Chester not to divide or polarize the community over . . . voting rights for any of our citizens.

These *whereas* clauses echo Mr. Lauria’s words, and bolster a sense of white dispossession by errant DOJ action causing division. But they also completely ignore the racially disparate reactions to DOJ’s lawsuit in the hearings—the authors did not or would not “see” that racial difference was important.

Mr. Lauria then describes the threat to de-

mocracy posed by *illegal* Latino voters who can vote due to weak election laws: “Right now, anyone can fill out a registration card, enter the last four digits of a social security number, and/or a driver’s license number, and there’s no verification process—they’re added to the voting list! This does not sound like the barn door has been locked to prevent Hispanics from voting, legally or illegally.” He enacts the illegal Latino voter narrative by posing the problem not as one of Latino candidates of choice always losing due to racially polarized voting, but as “illegal” Latinos voting illegally. With the moral panic induced by a belief that Latino immigrants are voting illegally, vigilance with Latino voters makes sense. This policy story normalizes such a stance.

Mr. Lauria’s analysis emotionally anchors the town’s policy response to fight DOJ.<sup>16</sup> Port Chester residents indignantly refused to settle DOJ’s lawsuit because they felt it portrayed them as racists; settlement would implicitly admit racism. This position was clear among white speakers in the hearings, and in conversation with political leaders’ over the next decade. Trustee Luigi Trastuilli regularly offered a friendly goading when I noted positive actions on immigration in Port Chester—Imagine that, in a racist little town like this? Trustee Will Jenkins’s 2012 *Westmore News* op-ed explained that he supported fighting DOJ until the last appeal, despite long odds, because not fighting would forever “stain” Port Chester’s reputation. The threat to white Port Chester residents’ group position is not just from demographic change or “illegal” Latino voters, but from the DOJ’s ill-informed intervention that paints white residents as racists. We can summarize this position as: federal incompetence has let “illegals” into Port Chester who vote and threaten to dispossess us of our Village, and DOJ calls us racists. Framed this way, these “illegal” Latino voters and this unjust accusation must be resisted, including by vigilance against illegal Latino voters.

The idea that noncitizen Hispanics were trying to vote even crept into the VRA trial in a report by Port Chester’s redistricting expert,

who wrote, “Indeed, Plaintiff’s own expert, Professor Robert Smith, testified that he encountered instances in which noncitizen Hispanics in Port Chester had voted” (*U.S. v. Village of Port Chester*, Preliminary Injunction Hearings (S.D. N.Y. 2007), 1493). Under questioning by DOJ, he admitted he had heard this from a Port Chester attorney, but had not seen my deposition transcript. When shown the transcript—noting possible voting by two long-term, legal resident Italians—he withdrew his comment.

Mr. Lauria offered a policy fix that drew comment from the judge. Lauria asked, “I’d like to ask our federal representatives to sponsor amendments to the Voting Rights Act to protect us from having to raise taxpayers’ taxes in defending this lawsuit. . . . These amendments are common in Congress. Have our representatives do their job.” Finding no DOJ representatives present, he scornfully says that no one “has the courage” to admit they are from DOJ: “Shame on the U.S. Attorney’s Office . . . [which] does not know Port Chester.” This remarkable framing views the problem as DOJ’s lack of understanding of Port Chester—right-thinking persons would not see discrimination in Port Chester—and fixable by exemption. The opinion of Judge Robertson found it “surprising” that a lawyer would propose exemption from the nation’s main voting rights law. Mr. Lauria has since run for local office, and is still active in politics.

Mr. Lauria’s framing supports the illegal Latino voter threat narrative. Because DOJ sued to protect the rights of U.S. citizen Latino voters to elect candidates of their choice, why even discuss “illegals”? They fit only if you believe that “illegals” are impersonating voters to vote, an unsupported belief in Port Chester, as nationally (Minnite 2010). Naturalized citizens vote, which could threaten the dominant group position of old-timer Port Chester residents. But a common belief in and fear of “illegal” Latino voting sets up the poll workers’ question: How do we know if a Hispanic is a U.S. citizen voting legally or an “illegal” immigrant voting illegally? Such doubts show the pernicious

16. Psychologists analyze how specific emotions, such as disgust or fear, are used to legitimize bias against outgroups, especially in situations that include no immediate threat (Hodson et al. 2014; Kteily et al. 2015).



cious, divisive impact of voter ID laws and rhetoric.

These positions contain various theories of how race works in public life. The self-check by white Port Chester residents—I am not a racist—dictates Port Chester’s policy response—thus we must fight DOJ’s offensive lawsuit. This position views racism as the agglomeration of individual racist acts or beliefs, and not inherent in larger structures or practices. In contrast, DOJ’s allegations, and Judge Robertson’s ruling, accommodate individual and systemic theories of racial dynamics. While a person can be racist, systems can discriminate by blocking minorities’ chances to elect candidates without overt racism (Bonilla-Silva 2006). Systemic discrimination can occur by what people or procedures do—such as not recognizing Latino voters as registered or inciting white fears to win elections—and by what they do not do—such as not providing enough poll workers or Spanish-language translators or not training poll workers to see and prevent bias.

**BARRY DEUTCHE’S ANONYMOUS, RACIALLY DIVISIVE CAMPAIGN FLYER**

“Bianca say’s [*sic*] jump, fetch, beg or bark and Pino does it. The Hispanics are running the show already.”

—Anonymous campaign flyer, later acknowledged by Barry Deutche, Republican trustee candidate, early March 2007, just before Judge Robertson stopped the March 2007 election.

In the preliminary injunction hearing in February 2007, the Department of Justice won on all allegations except racial appeals in voting. Barry Deutche fixed that problem with his racially divisive, anonymous flyer, sent as the March 2007 trustee campaign began, before Judge Robertson stopped it.<sup>17</sup> The flyer tells a story about Port Chester contrary to what its residents believe about themselves. Many thought it exceeded the limits of Port Chester’s often funny, often nasty, history of electoral flyering. Its blatant racial appeal was described

to me by one white political leader as “trying to scare Whitey in the north end of the Village.” It personally and divisively attacked an emerging Latina political leader, Bianca Ibanez, as such (as well as Aldo Rodriguez, the initial DOJ complainant). Its poor grammar (“what does Pino and Kingston want”) irked the judge. Deutche also sent it secretly, unsigned, from a Connecticut post office, in the middle of a federal case. Absent DOJ’s subpoena power, it is unlikely the flyer’s author would have become publicly known. Deutche told the judge he sent the flyer out of “civic responsibility to the community” (*U.S. and Cesar Ruiz v. Village of Port Chester*, 06. Civ. 15173 SCR (S.D. N.Y. 2008), 40).

The flyer embodies elements of the illegal Latino voter threat narrative. While Deutche attacks mayoral candidate Charlie Pino, as I call him, for recommending settlement with DOJ after losing the preliminary injunction hearing, his attacks on Pino’s campaign manager, Bianca Ibanez, are what went too far. The Republican nominee for mayor that year, whom I call Ricardo Vacarro, called the flyer “disturbing” in court, and thinks it cost him the election. In the flyer, Deutche attacks Ibanez as both a “double agent” and a “super secret triple agent!,” saying she is a

wolf in sheep’s clothing . . . [who] want[s] for Port Chester—more affordable housing, more subsidized housing, more Section 8 housing. And she is going to get if [*sic*] because Ibanez and Pino are in bed together on the Village Affordable Housing Subcommittee [*sic*]. The wolf is in the House, thanks to Pino! . . . What Bianca cares about is only Hispanic!

Deutche laments that “Hispanics are running the show already” and exhorts Port Chester voters not to “elect carpetbaggers, elect people who care about hour history, heritage and what our kids will told about us in the future, are we to be known as Racists or Law Abiding Free Americans.”

This flyer mattered so much because Ibanez and Deutche represent central images in Port Chester’s community life, brought here into

17. Deutche claimed that the flyer was created with a sitting Republican trustee and the Board of Education president (whose students were majority Latino); they acknowledge only knowing of it.

open conflict. Bianca Ibanez is a model of the successful American integration of which Port Chester is rightly proud, as per Mr. Lauria's comments. Coming to the United States from Peru as a little girl, Ibanez attended Port Chester schools, went to college, got a master's degree in urban planning, and returned home to Port Chester to serve the town that had nurtured her, working to address the region's housing shortage. Deutche represents an older Port Chester—born and raised in Port Chester, he did not graduate from college, but developed his alarm business (valued at \$25 to 50 million on ZoomInfo). In public speeches, he regularly remarks on his being born and raised in Port Chester.

Deutche's attack shows Port Chester at war with itself. How could this successful young professional child of immigrants and of Port Chester be targeted as a dangerous, divisive operative for Latinos—a secret agent—because she was active in politics? The attack implies that Bianca Ibanez—and those she represents—had gotten out of their place and should be put back into it. In symbolic, image-driven terms, the flyer implies that the Barry Deutches of Port Chester felt that the Bianca Ibanezs threatened their dominant group position and way of life. In Deutche's attack on Ibanez, as Pino's campaign manager and a secret agent, he suggests that Ibanez may act as if she is fully integrated into Port Chester's political life, but is in fact a kind of sleeper cell for Latinos who wish to change Port Chester forever. She “only cares about . . . Hispanic (s)” and will bring in cheap housing for them, ruining Port Chester's middle-class lifestyle (Parker and Barreto 2013; Skocpol and Williamson 2013). Hence, to vote for Pino was to vote to ruin Port Chester by fostering more immigration and a Latino takeover. Finally, Deutche's framing of old-time Port Chester residents' place in history—to be remembered as racists or true Americans—

takes an indirect shot at DOJ's intervention, which was understood to depict Port Chester as racist. Next, we follow these open forum enactments of threat narratives into the intimacy of the polling place.

### BIAS AND DISCRIMINATION IN VOTING

To properly understand these enactments in voting requires a brief theoretical discussion of an issue that, improbably, was part of the 2016 presidential campaign—bias, both implicit and explicit. Legal scholars document explicit and implicit bias and discrimination in polling places, especially in asking for ID. Rachel Cobb, James Greiner, and Kevin Quinn show that even where the law required all voters to be asked for ID, black and Latino voters were asked more than whites were (2012). Anthony Page and Michael Pitts see polling places as perfect sites to mobilize implicit bias because poll workers have time pressures, little information on each voter, and little review of their work (Page and Pitts 2009; Staats 2014). Minnite notes that agencies charged with administering elections are, in a Weberian sense, “prebureaucratic,” because they do not create the rules they enforce, which are often politically motivated (2010). Moreover, the bureaucrats enforcing them—poll workers—work so infrequently and are trained so little they do not develop daily, routinized, bureaucratic expertise.<sup>18</sup> Conditions in Port Chester, and in many places in the United States, further raise chances for implicit bias because mostly white, older poll workers often personally know long-time white voters, but not newly naturalized, Latino voters, whose numbers have greatly increased in Port Chester. Implicit bias can be primed because racial signifiers (phenotype, accented English, need of translation, Hispanic last name) coincide with poll workers' personal information about different kinds of voters.

18. For example, New York State Election Law (§ 3-412 (2016)) requires them to be trained each year they work, and lists the things that should be covered, but does not specify how many hours the training should be or how it should be taught. Trainings in Port Chester have usually been part of a Saturday from nine o'clock in the morning to three o'clock in the afternoon. This is well above the national average of 2.5 hours (Presidential Commission 2014, 48). My point is that poll workers do not do their jobs all the time, and hence do not deepen their capacity on the job. I am not saying they do not work hard (they do), or do a good job. My point is the weakness of electoral bureaucracy, not of poll workers.

Most studies of implicit bias use either computer programs to document response time and associations with images to infer implicit bias, or experiments or audits to identify the effects of implicit bias (Staats 2014; Quillian 2008, 2006, 1995; Blanton and Jaccard 2008). This saturated case study's contribution is to trace, in situ and over an extended period, expression of public narratives that could promote bias by local leaders and citizens, and their enactment in voting, and the perception of this experience by some Latinos.

Election administration in Port Chester inadvertently accommodates mobilization of bias. First, under New York Election Law, poll workers may request proof of identity only if they legitimately think the person is an imposter or if the voter did not show proof of identity when first registering. In the latter case, the registry would have “ID” printed next to the name in the registry, telling poll workers they should request identification (New York State Election Law § 8.302.2 (2016)). The law also requires that challenges to a voter's identity be recorded. In federal, state, or county elections, New York State law requires poll workers to offer provisional ballots to persons not on the voter list but claiming to be registered. In Village of Port Chester elections, the law does not provide for a provisional ballot; the voter must get an order from a judge in White Plains (twenty minutes away) allowing him or her to vote, which is a decided burden. Space for indirect accommodation of bias opens because many voters do not know that they should get provisional ballots, or that they need not show ID, and hence do not challenge such actions. This reduces costs of discrimination because violations go unreported; individuals would not know that the law was unevenly enforced. Finally, aversion to believing one is being discriminated against can further inhibit perception of and response to it, as discussed in the next section.

#### DAVID CRUZ'S STOLEN 1991 ELECTION

Threatened group position dynamics were clearly enacted in the apparently stolen 1991 election for the Port Chester School Board. The candidate I call David Cruz, son of a Cuban immigrant, raised in Port Chester, ran for the

Board of Education as a Republican against an incumbent Republican. Despite his family's long Republican party history and his service as a Parent Teacher Association copresident, Cruz's run “angered the hierarchy” of his party, which had tried to dissuade him. Turnout was unusually large because Cruz had registered many new voters, scores of whom were turned away by poll workers saying they were not registered. Cruz lost by thirty-eight votes, but submitted thirty-nine valid affidavits to the New York State Education Commissioner by registered Latino voters who were told they were not and could not vote (N.Y.S. D.O.E. Commissioner's Decision No. 12,704 (May 26, 1992)). The commissioner ordered a rare new election, which Cruz lost, he said, because his Latino supporters were “disgusted” at having been turned away at the polls and would not turn out again for what they felt was a rigged process.

A Cruz supporter told him that “the parents in the King Street School district, which is the white area, were not going to support me,” and that a flyer had gone out there against him. Cruz saw his supporters being turned away when trying to vote; many then walked over to tell him. Cruz knew they were registered, because he or his family had personally registered them, and he had his supporters list with him. When he complained, election officials said that poll workers had “checked the rolls, [and] those people were not registered.” Cruz testified that only Latinos were turned away from voting, and that, later, other Latinos (but no whites) called saying they had been told they were not registered.

The discussion of poll worker intent and conditions in the 2007 trial offers insight into the dynamics of racial bias. Port Chester's lawyer, whom I call Albert Pescatore, defined the problem as overwhelmed poll workers. There were close to two hundred new voters, mainly Cruz supporters, who, as first-time voters, had at that time to go through two lines to vote. The Westchester County voting roll—used then in hard copy—was not user friendly, and “elderly” white women poll workers struggled with Latino names. Pescatore twice asked Cruz about discriminatory intent, getting different answers:

PESCATORE: You didn't believe that any of your supporters got turned away because of their ethnicity, did you?

CRUZ: I believe that they were turned away not *strictly* for their ethnicity, but the fact that they were elderly people working that particular table, and they didn't know how to spell Hispanic names. (*U.S. v. Village of Port Chester*, Preliminary Injunction Hearings (S.D. N.Y. 2007), 311 [emphasis added]).

And:

CRUZ: I don't believe . . . these elderly ladies specifically turned away Hispanics . . . the way the system was set up, where these elderly ladies had to look up Hispanic names in the entire Westchester County roll . . . they had no other choice but to turn people away. (318)

Cruz's testimony and Pescatore's questions show that Port Chester had not taken enough measures to ensure that all voters could vote, creating conditions fostering discrimination against Hispanics (backlog at the new voter table and not enough poll workers who understood Latino names). Moreover, the slippage between Cruz's first answer—that Hispanics were turned away not strictly for their ethnicity—and the second—that elderly white ladies were set up to fail by the system—suggests that Cruz does not want to “see” discrimination, which psychologists note is a common response (Crosby 1984; Johnson, Ashburn-Nardo, and Leccil 2013). He recognizes that only Latinos were excluded, making it discriminatory, but does not want to believe his elderly, small-town neighbors would racially target his supporters. For Judge Robertson, that only Latinos were turned away was “telling” and discriminatory (*U.S. v. Village of Port Chester*, Preliminary Injunction Hearings (S.D. N.Y. 2007), 311).

Confirmation that the election had purposefully been stolen from Latinos came inadvertently in a 2010 conversation with Republican leaders whom I call Luigi Trastuli and Gary Pildulski. Trastuli told me that poll workers did not say they could not find the Latino voters' names because they were “racist,” but because

they wanted “their guy” to win. Cruz was being punished for disobeying Republican party leaders, who told “All the Republicans . . . [to] Stay away” from David. They see political rather than a racist exclusion:

PILDULSKI: . . . take the social engineering part out of it . . . the initial move there was not to exclude him because he was Spanish. . . .

TRASTULI: Yeah . . . it was a political move . . . It could've been me running. . . . It had nothing to do with that. And the only reason he got a second . . . bite at the apple was the idiots that were running the show there . . . put twenty of the Hispanics to the side. Cause they knew that's Cruz's votes.

In this telling, registered Latino voters were not excluded because of racial bigotry or racism (because they disliked Latinos as such), but rather because being Latino identified them to white poll workers as Cruz supporters. Trastuli further denies any racism by saying that “Cubans are like Italians in this Village”—Republican, Catholic, and integrated, with clean houses with “pictures of the Virgin” Mary. Fascinatingly, Trastuli and Pildulski helped Cruz gather affidavits used in the appeal to the education commissioner, but knew it would lead to a bigger defeat: “We had another election . . . which was bad . . . I told David, now you're gonna really get crushed . . . Cause now all the white people are coming after you.” Trastuli and Pildulski's arguments make internal sense, but also document discrimination. They say that excluding Cruz's voters, identified by ethnicity, was a political, not racial, strategy. But party leaders punished Cruz for running when told not to—getting out of his proper place, threatening their dominant group position. Even if we accept Trastuli's analysis of no bigotry, poll workers still discriminated in violation of the VRA by using ethnicity as a marker to prevent registered minority voters from voting and electing a candidate of their choice.

#### POLL WORKER-VOTER INTERACTION

The climate for poll worker-voter interaction is partly set before election day, by law, and by action and inaction by electoral officials. With

enough language-minority voters, the VRA requires signs, electoral materials, sample ballots in that language as well as translators and other accommodations (Jones-Correa 2005). Moreover, all voters must be well treated. Witnesses in the 2007 trial reported that Latinos were not welcomed like their white peers, but rather treated in “hostile” or “unfriendly” ways. Witnesses reported Latinos not in the voting registry were not offered provisional ballots, but similarly situated whites were. A 2005 consent decree with Westchester County, which covers Port Chester, agreed to provide enough Spanish translators, to ensure all voters were treated courteously, and to promptly notify DOJ of issues. I testified that Port Chester had not provided enough translators to comply with the consent decree, discriminating by what it failed to do.

The illegal Latino voter threat narrative was a staple during many trainings of voters and poll workers leading up to the first cumulative voting election in 2010, many of which I attended. Poll workers asked how one would know if those trying to vote, especially Hispanics, were registered voters or “illegals”? The question was so frequent that Village staff preempted it by explaining, up front, that noncitizens could not vote. After the 2010 elections, I suggested ways to address this apparent bias in poll worker training to a receptive Mayor Pino, but it was not done. The next Village clerk, a Republican party leader hired over Democratic protest, spent thirty to forty seconds on discrimination in poll worker training, simply saying that it was prohibited. In that training, a poll worker asked how one knows whether a Hispanic voter is legal or “illegal.” Poll workers continued to discuss the threat of “illegal” Latinos voting while manning the polls, as seen in three confirming repetitions of the same story in the 2010, 2014, and 2015 elections, driven by the same fear of weak voting protections. If these conversations take place in a voting context, they constitute an enactment of bias that can lead to discrimination.

In the 2007 trial, a Latina poll worker, whom I call Elena Valdes, testified that some of her white counterparts openly declared the need to “make sure that the illegals don’t vote.” Noting inadequate protections from voting

fraud—you don’t even need to show an ID to vote!—they “asked certain kinds of Latinos for identification before letting them vote.” Valdes’s contemporaneous reporting of these events to the county was confirmed by an electoral official I spoke to. She showed great civic spirit, returning from Florida despite financial strain and testifying on crutches due to a recent injury. Ms. Valdes said she showed her voter registration card to vote, but was repeatedly asked for her driver’s license. Only later, when she showed her poll inspector ID, was she not asked for her license.

VALDES: I brought my card register [voter registration card], and they ask me for my driver license. I had to show it all the time.

INTERVIEWER: And this happened more than once?

VALDES: Oh, yes.

INTERVIEWER: Does it happen every time you vote?

VALDES: In the last couple of years, no, because I bring my—the paper that say inspector, and they don’t ask me for that [driver’s license]. But before I have it [polling inspector ID] yes, I have to [show my license each time].

Ms. Valdes testified that other poll workers asked certain Latinos to show a driver’s license to vote. Ms. Valdes speaks strongly accented English, with errors, so she likely would have been asked for extra ID.

VALDES: When the person speaks English, no, they don’t asking. But when the person doesn’t speak English, they ask. So Spanish people speak good English, they don’t ask. But when they speak English, they have an accent, they asking. Sometime because they look Spanish . . . (*U.S. v. Village of Port Chester*, Preliminary Injunction Hearings (S.D. N.Y. 2007), 888)

INTERVIEWER: Was every single Hispanic . . . asked for their driver’s license identification before they were permitted to vote?

VALDES: Okay. If they come ten Spanish, they ask for eight. If ten persons come in, they ask to eight people . . . and two not . . . When they [Spanish-speaking, -accented, -looking voters] going to speak, they [poll



workers] gave them more hard time. They don't speak English, they give them more hard time. (890).

A related scene occurred in 2010. A woman I call Maria Moreno, a light-skinned Latina who speaks English well, is a naturalized U.S. citizen, was a long-time poll worker, and worked Port Chester's first cumulative voting and early voting election, three years after the trial. Aldo Rodriguez, who was widely disliked for starting the case, was shuttling voters to the polls for a candidate I call Joe Mano, a Latino running as a write-in candidate after being kicked off the ballot on technicalities. Port Chester has many such mobilizations.

Maria Moreno reported a conversation with three other poll workers, all white, older women, enacting the illegal Latino voter threat narrative. One poll worker observing Rodriguez bringing in groups of Latino voters said, "There he is again! Why is he bringing them in? Is he gonna win? Is he paying them to vote? How do we know they are not illegals?" When Maria Moreno answered that you cannot vote unless you are a U.S. citizen, the other ladies looked dissatisfied: "Yes, but how do we know?" The third poll worker suggested asking these Latino voters for ID to screen out "illegals." The fourth one said, "You cannot ask them for ID." Maria Moreno, assuaging, said, "Let's compare the signatures in registration book."

### **Magda Votante: U.S. Born, Treated as Illegal**

Magda Votante, as I call her, is a young U.S.-born, Port Chester-raised Latina who tried to vote in 2014 and 2015. In 2014, she helped a naturalized citizen friend, translating for him as he showed an ID to vote. When she tried to vote, poll workers said they could not find her in the registry, asking whether it was her polling voting place. She withdrew without voting. When she tried to vote in 2015, she wanted to support Charlie Pino, who had personally asked for her vote. The first poll worker asked Magda her for ID. Magda replied, "I don't think I need to show you my ID." The poll worker insisted: "I just need to see it quickly." At this, Magda presented her ID. The poll worker then referred her to another poll worker to find

Magda's name in the registry. The second poll worker said, "I don't think you're in here . . . Are you sure this is the right district?" She then, according to Magda, "flipped through the book" to find Magda's last name, but "she started like in the middle of the book" even though Magda's last name began with a letter at the end of the alphabet. When the poll worker got to the section beginning with that letter, Magda assumed she would look toward the beginning of the listings—the second letter in Magda's name is "a." The poll worker flipped all the way through the pages, not once, but three times, never making eye contact with Magda or asking how to spell the name. After the third time, Magda said, "Let me see the book." She had seen her signature as the poll worker had flipped through the pages. With the book turned around, Magda pointed to her signature. She was then allowed to vote.

Magda was upset that she was required to show ID. She also saw the two poll workers exchange "a look" when she said that she did not need to show her ID, and another look when she found her own signature. Magda said, "I feel like she thought I couldn't vote . . . they looked at each other while I was going through the book . . . I didn't know if they were trying to say something . . . if she thought I couldn't vote" because she was not a citizen. She felt stigmatized as an "illegal" trying to vote.

Magda both resisted and recognized that they were discriminating against her as a Latina. The encounter raised questions for her about discrimination, even as it prompted her to rationalize the poll workers' behavior as something other than discrimination. She did not want to think her neighbors would discriminate; she wanted to extend the presumption of moral competence and goodness she wanted them to extend to her. She wondered what the rules were—is it ok to ask for identification in Port Chester? She wondered whether the ladies had been told to ask Latinos for ID, whether it was a practice among poll workers. If so, she should not individually fault the two she had dealt with. "If you know that white people think that Latinos can't vote or that illegals are trying to vote—it's this already made-up idea—if your supervisor had told you . . . if other poll

workers thought . . . that Latinos who couldn’t vote were trying to vote . . . or other poll workers ask for ID—so she did it. [Then] She’s not a racist.”

Asking Latinos for IDs this way imposes a stigma: “But when Latinos come in to vote, they can’t vote because you’re [poll workers are] supposed to ask them for ID. . . . It was obvious that my name was there the entire time. It really *was* to give me a hard time—because my name was there the entire time!” When Magda pointed to her name in the book, she thought, “Really—you couldn’t see this?!” In her account, she alternatively tried to explain the poll workers behavior as nondiscrimination, or at least as not motivated by their personal racism, and being angry she felt targeted by the “made-up idea” that “illegal” Latinos were voting. When I asked about this slippage, she said, “When I came in, I didn’t think she’s gonna give me a hard time. . . . I don’t like to say people are racist—even Donald Trump. I don’t want to believe this.” This treatment conflicted with what she expected as an American who works hard and plays by the rules, and earned a merit scholarship in college. Her question was, why *would* someone discriminate against her?

These cases tell the same story. First, Maria Moreno’s interaction takes place three years after, and Magda Votante’s eight years after, the VRA trial, suggesting that discrimination continues. Second, white poll workers in each case enact the illegal Latino voter threat narrative. In Maria’s story, the threat of Joe Mano’s winning is linked to the threat of “illegals” voting, illegal vote buying, or Latino electoral power. By asking these questions in series, these poll workers linked Latinos with potential illegality, just as Ms. Valdes described. Third, Magda was treated as if she were “illegal.” The apparent attempt to keep her from voting was only defeated by her seeing her signature and demanding they turn the book around. Finally, the white poll workers deny Magda the presumption of legitimacy they extend to other voters. She feels that they gave her a hard time because they thought she was “illegal”—stigma in action. Other Latinos, some voting for more than a decade, report being asked to present an ID to vote. I have confirmed with voting of-

ficials that none has *ID* next to their name in the registry, and therefore should not be asked for it.

These cases resonate with Eddie Lavoro’s seeing a voter who needs translation as an “illegal.” (I have observed Eddie with friends of other races, and recall he and his wife giving a friend from the senior center, an African American, a ride to a summer picnic. Their relaxed conversation showed mutual fondness and friendship. I report this to avoid caricaturing those who have trusted me by giving interviews.) In the polling place, Eddie silently objected when poll workers translated:

In the last election . . . a guy in front of me was talking in Spanish to a girl, who showed him how to fill out the election sheet [ballot] . . . he has to know that *without* an assistant. . . . to be a citizen, you have to speak English . . . to read a paragraph. . . . My impression—he is not a citizen. They shoulda kicked his ass outta there. He shouldn’t be allowed to vote.

Eddie did not report speaking to the man needing translation, nor does objection to this translation make him a bigot. But objecting to legally required language assistance for an apparently naturalized U.S. citizen voter *does* enact the illegal Latino voter threat narrative and white citizen gaze. Such quiet objections, in combination with poll workers openly discussing the threat of “illegals” voting, would create a hostile, discriminatory climate for Latino voters.

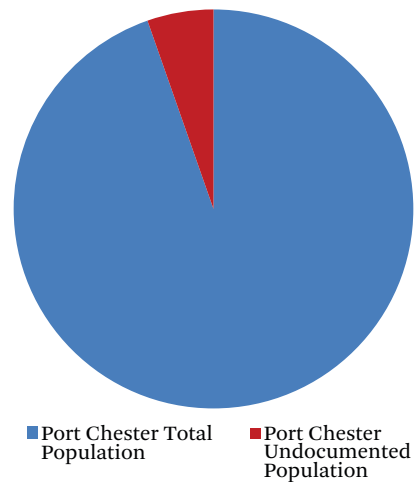
## CONCLUSION AND ANALYSIS

This paper documents dangers to American democracy. Divisive voter ID laws are a cure worse than the declared illness: data point to virtually no voter imposter fraud, which voter ID laws fight, but show many older, poorer, minority and naturalized immigrant voters being prevented from voting. These facts, and others—gun permits, but not college IDs, can be used to vote in some states—suggest that such laws seek to limit voting to favor Republicans. In Port Chester, stronger voter ID laws were publicly urged to defend against the threat of “illegal” Latino voters. This narrative was en-

acted in conversation in polling places and in questionable requests for ID from Latino voters. Such stories set off my crazy meter: why *would* undocumented people hiding their lives from the government try to vote and risk arrest and deportation?

The illegal Latino voter narrative harms American democracy. This paper documents an election stolen by racial discrimination; a lawyer and local leader demanding protection from the effects of America's key voting rights law; another leader attacking a Latina leader as such for her political engagement; citizens and poll workers who look at and treat Latino citizen voters as potentially illegal voters; and a young U.S. citizen Latina who felt treated like an "illegal" by poll workers. The illegal Latino voter narrative is expressed through the white citizen gaze and tells a story wherein many white Americans see Latinos as dangerous if politically active, as unworthy of full membership in American society, and as causes of decline in American life. This narrative makes all Latino voters potential "illegals," depriving them of the presumed legitimacy extended to other voters (Goffman 1963; Gonzales 2016). The narrative also emerges in many white Port Chester residents' belief that an unknown but huge percentage of Latinos in Port Chester are

**Figure 1.** Port Chester Undocumented Population



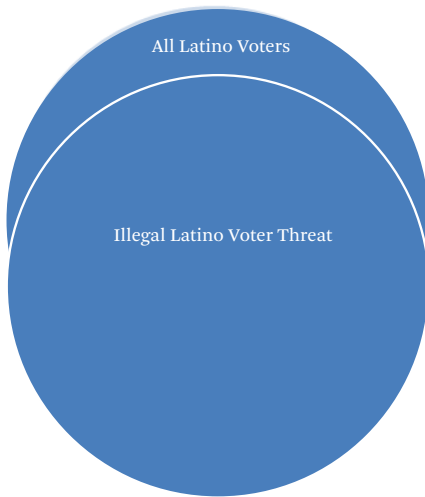
Source: Author's compilation.

Note: I estimate that about 5.6 percent of Port Chester's population is undocumented Latino immigrants. I have no evidence of any noncitizen voting.

undocumented. Figure 1 shows that the undocumented Latino population in Port Chester is about 5.6 percent of the total population, a slim slice of the pie chart.<sup>19</sup> Figure 2 shows how the emotional perception of the percentage of "illegal" Latino voters changes when looking

19. I offer an estimate, drawing on my prior work for the Census Bureau (Smith 1996), ten years in the field in Port Chester, and review of other such estimations (Passel 2016), using the 2014 American Community Survey (ACS) data, the best, most recent data available. The 2014 ACS estimates Port Chester has 29,275 persons, including 11,534 born in Latin America. I will focus my estimation on those from Mexico and Central America, because I believe they account for a very large majority of the undocumented population in Port Chester, and that Colombians, Ecuadorians, and Peruvians have very low rates of undocumented status. The ACS shows 9,340 foreign born noncitizens, including 8,777 noncitizens born in Latin America. It reports 3,444 persons born in Mexico and 2,562 born in Central America, for a total of 6,006 persons born in those two regions. ACS data also show 2,945 and 2,029 noncitizens from Mexico and Central America, respectively, for a total noncitizen population from these two regions of 4,974. (The difference between persons and noncitizens is an estimate of naturalized citizens from those countries.) Estimating conservatively, we assume a 10 percent undercount of the foreign-born Mexican and Central American population in Port Chester, for a total estimated population of 5,527. Port Chester is likely to have a lower undercount than other places (for example, with migrant workers or mainly new immigrants) because it is an urban location with a mainly settled immigrant population, and it worked with the Census Bureau in 2010 to increase awareness of and trust in the census to get an accurate count. Also, I use the 10 percent rate usually used to estimate undocumented persons; but legally resident persons are usually missed at a lower rate, 2.5 percent, so my estimate should be high. Assuming a 30 percent rate of undocumented status among Mexican and Central American noncitizen immigrants (some undocumented people gain legal status over time) yields 1,658 undocumented Mexicans and Central Americans in Port Chester. Dividing 1,658 by the 29,275 total population suggests that 5.6 percent of the total population of Port Chester is undocumented. Interestingly, Port Chester had 3,050 naturalized citizens in 2000 (U.S. Census) and 3,906 in 2014 (ACS), an 856 citizen increase. The undocumented population is much less than the naturalized citizen population.

**Figure 2.** Illegal Latino Voter Threat Narrative



Source: Author’s compilation.

Note: The circles represent how the illegal Latino voter threat narrative can alter the perception of some in Port Chester to see all Latino voters as potentially illegal Latino voters, especially if they have an accent, need translation, or “look Spanish.”

through the white citizen gaze. The illegal and Latino sets can be nearly coterminous, because all Latinos are seen as *potential illegals*.

The stigma of illegality and the white citizen gaze can undermine intergroup relationships by introducing scorn and envy into social life (Fiske 2011). We envy those we see as our social betters, wanting what they have, but dehumanize those we scorn, even comparing them to animals. Using brain imaging, Fiske finds that when seeing pictures of the most scorned, stigmatized types of people—drug addicts, the homeless—the medial prefrontal cortex does not activate as it does when seeing images of all other groups, stigmatized or not. We can speculate that narratives aggressively stigmatizing Latinos as “illegals”—or comparing them to animals, as I have heard done in Port Chester—puts them in a social category where stigmatizers do not respond to them, biologically, as fellow humans (Hodson, Kteily, and Hoffarth 2014; Kteily, Watz, and Cotterhill 2015).

The longitudinal saturated case study is well suited to document how narratives circulate and foster discrimination. The survey

shows widespread belief that “illegal” Latinos are voting in Port Chester. Ethnography and interviews document how people have experienced this narrative in voting. Using various data sources to study the same processes over time and in situ strengthens the analysis, contributing to research on implicit bias, voting rights, and how to better integrate immigrants and their children into American politics.

This analysis points to several policy recommendations (see Presidential Commission 2014). First, New York State voting law and practice should be changed to require poll workers to document every time someone is redirected to another polling place, asked for identification, or told they are not in the voting registry, and these records should be reviewed right after the election with the poll workers involved. Although state law currently requires a challenge report of anyone trying to vote but not in the registry, these measures do not address all the ways voters get turned away. Latino voters report being told they are not in the registry or are in the wrong polling place and sent to another one, where they may again not be listed, and give up. Currently, such redirections and dismissals are largely without cost. No one knows how many people are redirected, turned away or asked for ID, or why. Explicitly requiring poll workers to record, justify, and review every request could decrease discrimination by making them think it through in the moment and be accountable afterward. Such steps would also prevent or catch imposter voting, the goal of voter ID laws. Contact information for the voter should be kept for easy follow-up.

A hidden cost to being treated badly at the polls, or making voting difficult, is to discourage future voting. David Cruz supporters would not turn out for the rerun election because they did not believe their vote would be counted. Magda Votante fears she will be treated as an “illegal” again. There is an incentive in political systems to have opponent’s supporters treated worse than your own, so they do not show up to vote next time. We must recognize this incentive and fight it.

Second, poll worker training in bias, including on implicit bias, should be mandatory. If we follow Magda Votante’s and David Cruz’s generous view, the issue could be that the poll

workers asking Latinos for ID or saying “Don’t let the illegals vote” do not realize that their actions can constitute discrimination. If there is intent to discriminate, training combined with the reporting requirements listed earlier could help limit it. In poll worker trainings I attended, bias and what would concretely constitute it have not been fully discussed. They told poll workers to not discriminate—a fair point, but not enough.

Third, Port Chester and America must reframe how they talk about immigrants and integration, especially in politics. Immigrants are revered in American history, but have been repeatedly vilified, especially during ethnic succession, when one ethnic group emerges in its own right in a place where another has continued to hold power despite declining numbers. I would adapt Laurence Fuchs’s (1990) insight that America is first a civic community united by a commitment to a set of political beliefs and institutions, driven by the belief that hard work should create opportunity for one’s children. When these conditions are met, it should be possible to accommodate racial, ethnic, and religious difference.

In its 2.3 square miles, Port Chester confronts key issues confronting America: immigrant integration in towns with older, white voters and younger, nonwhite immigrants and their children; the challenges of having good schools, affordable housing, and reasonable taxes; and more. A key question underpinning many issues is this: Whose town (or country) is it? Who truly belongs here, and is truly a member of the community, and who is not? And how do you know? Like America, Port Chester is schizophrenic on these questions and immigration. Many smart, dedicated people work to develop all of Port Chester, but others believe that immigration has ruined the town and America. They see the past as better, and blame the federal government for letting in too many Latino immigrants and giving away the country. In this view, Latinos—unlike Italian or Polish immigrants—do not know how to assimilate.

Such threat narratives undermine integration in Port Chester, as in Barry Deutche’s racially divisive attacks on Bianca Ibanez. First vilified as a double *and* triple agent—whatever

that means—for Latinos against Port Chester, Ibanez represents something great about Port Chester and America. That a young girl could come to Port Chester, attend its schools, get a graduate degree, and come back to serve her home town in her professional and political life embodies the American Dream. That she was treated—in a divisive electoral strategy—as a Latina who had gotten out of her place, constituting a threat to Port Chester—is shameful. Yet all is not lost in Port Chester, nor in America. Many people of goodwill seek to integrate immigrants and their children and to create a stronger community.

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