Conflict and local immigration policy making

How conflict over immigrant day laborers in the United States shapes local policy responses

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Publication date
2023

CHAPTER 1

Local Conflict Over Immigrant Day Laborers in California
A Marginalized Group in Public Space

Several communities throughout the United States have experienced conflict over day laborers within their jurisdictions since the late 1980s. These conflicts oftentimes focus on the presumed unauthorized immigration status of day laborers and the threat to the quality of life that day laborer activities in public spaces would pose. This paper explores factors that impact local conflict over day laborers. Previous studies that examined local responses to immigration have found that demographic and political characteristics and saliency of immigration matter. This paper adds to these factors the role of visibility of marginalized groups. Factors impacting conflict over day laborers are examined by employing a large dataset on day laborers in California in the period 1985-2020. The paper contributes to the immigration literature by examining local conflict over day laborers quantitatively which enables to identify what factors matter in conflict over day laborers. The paper argues that, although demographic and political factors may shape local conflicts over day laborers to some extent, it is the (hyper)visibility of a marginalized group that is a driving source behind conflict over day laborers.

Introduction

Day laborers have been part of the economy of the United States for centuries, but since the late 1980s their presence has increasingly sparked conflict. Day laborers used to work in agriculture in rural areas, but more and more moved to urban areas where the demand for flexible and low-paid labor in the construction industry was growing (Crotty 2017; Parrado and Kandel 2008). The visible presence of a growing immigrant population has resulted in mounting tensions in municipalities throughout the United States (Crotty 2015; Esbenshade 2000; Valenzuela 1999). An important source of local conflict is the use of public space by day laborers. Day laborers use public spaces for activities such as finding jobs and socializing with other day laborers. These informal activities are often an eyesore to other community members, who consider solicitation and loitering as unwanted and inappropriate use of public space (Mitchell 1997; Nemeth and Smith 2011; Rogers 2010; Rogers and Coaffee 2005; Stuart, Armenta and Osborne 2015). In addition, the day laborer population consists for a large part of immigrants from Latin America and a significant share of the day laborers is presumed to have an unauthorized immigration status (Crotty 2017; Esbenshade 2000; Valenzuela 1999; Varsanyi 2008b). This fuels local debates about if day laborers possess the same rights as other community members and if local authorities should engage in immigration enforcement. Thus, the use of public space for informal activities by a

group whose immigration status is a matter of dispute is an important factor in local conflict over day laborers.

It is important to study local conflict, because conflict is a key characteristic of the settlement of immigrants (Ramsbotham, Woodhouse, and Miall 2011). When immigrants settle in a community established configurations are altered. Newcomers may appeal to the same pool of resources that longtime residents have access to or may have different needs and interests, which can result in competition over the available resources (Amin 2002; Valentine 2008). For instance, access to resources such as healthcare, housing, education and the labor market can be impacted by the arrival of newcomers. Thus, local conflict is an important factor that has to be considered when exploring impacts of immigration at the local level.

This paper argues that to understand local conflicts over day laborers it is important to add the concept of visibility to the set of factors already identified by immigrations scholars – such as demographics, politics, and issue saliency. Visibility refers both to aesthetics as well as to power relations (Brighenti 2007). It can be argued that day laborers are 'hypervisible' in communities because they exceed the limit of proper visibility (Brighenti 2007). In other words, day laborers challenge the taken for granted norms, values and standards that the dominant population has set, by engaging in informal activities in public space as a marginalized population. This can be a source of contention when other community members try to preserve their way of life and call into question who is seen as having the rights to use public space and decide how public space should be 'properly' used (Nemeth and Smith 2011; Rogers 2010; Rogers and Coaffee 2005; Valentine 2008; Sandercock 2003). Thus, this paper aims to show that factors that have been identified by immigration scholars as impacting conflict over immigration – such as demographics, politics, history of place and saliency of immigration (Hopkins 2010; Ramakrishnan and Wong 2010; Visser and Simpson 2019; Walker 2014, 2015; Walker and Leitner 2011; Wong 2012) – do matter, but that the visibility of a marginalized population is a shared frustration across communities that is driving local conflict over day laborers.

This paper aims to contribute to the immigration literature by exploring local conflict quantitatively to be able to identify factors that impact local conflict and by adding the role of visibility of a marginalized population as an important factor affecting local conflict over immigration. Previous studies that have examined local conflict over immigration and local conflict over marginal groups (Carpio, Irazabal and Pulido 2011; McCabe 2016; Steil and Ridgley 2012; Stuart, Armenta and Osborne 2015), have selected their cases based on the existence of conflict. This sampling on the dependent variable of conflict, makes it impossible to identify factors responsible for conflict in certain places but not others (McAdam and Boudet 2012). The methodological approach of this paper is unique as the employed dataset is not sampled on the dependent variable of conflict over day laborers, but instead takes all municipalities in California as the unit of analysis. This approach generates a sample that is not based on the existence of conflict and that is large enough to perform statistical analyses.

A dataset on conflict over day laborers in California (1985-2020) is constructed and employed to examine conflict over day laborers. Municipalities in California form the unit of analysis. The dataset contains information on conflict over day laborers, day laborer hiring sites, and demographic and political characteristics. The role of visibility of a marginalized population is measured through variables measuring the (enduring) existence of day laborer hiring sites and

nearby conflict over day laborers. The analyses allow for a comprehensive study of factors that affect conflict over immigration – in this case local conflict over day laborers.

Factors impacting local conflict over day laborers

Conflict over day laborers

Day laborers have been a part of the American economy for a long time, but conflict surrounding day laborer issues has increased since the late 1980s. Conflict can be defined as a condition in which actors try to achieve incompatible goals and/or express hostility by means of conflict behavior (Bartos and Wehr 2002). For example, day laborers want to solicit for work on the streets, while other community members strive for a ban on solicitation in public spaces. In this case day laborers and other community members have incompatible goals, as either outcome will be a disadvantage to one of the parties. Any behavior that day laborers and other community members display to achieve their incompatible goals or to express hostility to each other can be regarded as conflict behavior. Contested resources are an important cause of incompatible goals (Bartos and Wehr 2002; Wallensteen 2019). Actors can strive for the same unappropriated resources or one party can target resources that the other party possesses. In the case of day laborers, an important contested resource seems to be the use of public space.

Competition over resources is an important driver of conflict, and these resources can take a wide variety of forms – including among others housing, funding, and political power (Bartos and Wehr 2002; Wallensteen 2019). For day laborers public space is an important resource as laborers congregate in public spaces – such as parking lots and busy thoroughfares – to search for work (Valenzuela and Melendez 2003). This hiring activity makes day laborers visible to potential employers, but also to other community members. The hiring activities of day laborers in public space make the presence of immigrants at the local level highly visible to the community, which can spark conflict about who has the right to use public space and how this public space should be 'appropriately' used (Valentine 2008; Sandercock 2003). Differences between day laborers and other community members can fuel local conflict. These differences can be based on race, as a large share of day laborers is assumed to be (unauthorized) Latino immigrants (Crotty 2017; Esbenshade 2000; Valenzuela 1999; Varsanyi 2008b). But the differences can also be based on gender, class and/or age. For instance, day laborers are often presumed to be largely male and poor (Valenzuela 1999; Rodriguez 2008). With their presence day laborers challenge the taken-for-granted cultural, economic, social and demographic structures that have been in place in a community, which can result in frustration and resentment (Valentine 2008; Sandercock 2003).

Local responses to immigration

Local responses to immigration matter, because although the federal government has the authority to decide who is allowed to reside in the United States, localities are the ones who are faced with the tangible consequences of immigration – such as social changes and the costs of integrating newcomers (Kim, Levin and Botchwey 2018). The responses of localities to these consequences directly affect the lives of immigrants and other community members (Ellis 2006; de Graauw and Vermeulen 2016). Researchers have explored local responses to immigrants and marginalized groups, and they have identified factors that shape local policy responses. For the case of immigrant day laborers, local responses vary from exclusion – such as no-solicitation ordinances and police

enforcement – to inclusion – such as the creation of formalized hiring sites (Crotty 2017; Rodriguez 2008; Nicholls 2019). The factors driving responses can be broadly categorized as demographics, politics, history of place, and issue saliency.

First, scholars have found that demographic characteristics affect local policy responses to immigrants. Rapid demographic changes, such as a growth of the Latino population, can spur restrictive responses as a rapid growth of the immigrant population can stir up the framing of immigrants as a threat (Visser and Simpson 2019; Walker and Leitner 2011; Wong 2012). The rate of homeownership can also affect local responses to immigrants. A higher proportion of homeowners increases the likelihood of restrictive responses (Walker and Leitner 2011). In addition, scholars studying marginalized groups have found that the presence of homeowners can result in a 'politics of exclusion' (McCabe 2016; Mitchel 1997; Stuart et al. 2015). Property owners fear that the presence of marginalized groups decreases the value of their assets, which, for instance, forces them to ask lower rents or lowers the sales prices of their property. To maximize the value of their property, property owners try to exclude marginalized groups. Researchers have found that educational attainment can impact local responses to immigration as well, where a higher level of education results in more inclusive responses. Higher-educated persons are less likely to face economic competition from immigrants, while lower-educated people feel more threatened by the economic competition that immigrants pose (Huang and Liu 2018; Walker and Leitner 2011).

Second, political preferences of community members have been found to affect responses to immigrants. When local voters predominantly vote for a Republican candidate, restrictive responses to immigrants are more likely to occur (Huang and Liu 2018; Ramakrishnan and Wong 2010; Walker and Leitner 2011). Taking a stance against immigration is believed to be benefiting Republican candidates, because it can generate a sympathetic base of constituents for other conservative campaigns (Pastor and Mollenkopf 2012).

Third, researchers have found that the history of a place matters. Communities that have little experience with immigrants, are not equipped with sufficient community organizations and institutional resources to integrate the newcomers into a community (De Graauw and Vermeulen 2016; Pastor and Mollenkopf 2012; Vitiello 2014). In addition, a lack of experience with immigrants can heighten fears among community members about how immigration will affect the local and national identity (Gilbert 2009; Walker 2014).

Finally, saliency of immigration at the national level increases the likelihood of a restrictive response to immigrants. Hopkins (2010) has argued that when discourse related to immigrants is salient at the national level, this provides local actors in communities that experience rapid change with frames to construe immigrants as a threat.

This paper examines the role of the discussed factors in local conflict over immigrants in general and day laborers in particular. It can be expected that factors that have found to be increasing the perception that immigrants are a threat – such as rapid population change, a high share of homeowners, little experience with newcomers, and saliency of immigration at the national level – increase the likelihood of conflict over day laborers to occur. When day laborers are seen as a threat, it becomes a matter of contested resources. These resources can take a variety of forms, among others home values, local tax spending, norms and values. Established community members strive to protect their resources from day laborers or battle with day laborers over access to resources. On the other hand, factors that decrease the perception that immigrants are a threat

– such as a high level of education and having resources to integrate immigrants at one's disposal – can be expected to reduce the likelihood of conflict over immigrants to occur.

Although the literature on local immigration policies provides a useful starting point to explore conflict over day laborers, it pays little attention to the role of visibility. As was mentioned previously, day laborers are oftentimes 'hypervisible' in communities which can raise conflict. There are two key elements that contribute to the hypervisibility of day laborers: 1) the perceived undocumented immigration status of day laborers – competition over who has the right to reside in the United States – and 2) the threat that day laborers would pose to the quality of life – competition over resources such as property values, norms and social and cultural recognition (Crotty 2017; Esbenshade 2000; Rodriguez 2008; Varsanyi 2008b).

Visibility in public space

As was mentioned previously, visibility is not just about aesthetics but also about power relations (Brighenti 2007). Day laborers are to an important extent hypervisible because they are presumed to be a representation of the national immigration debate at the local level. Oftentimes the term day laborer is regarded to be synonymous to 'illegal immigrant' (Crotty 2017; Esbenshade 2000; Varsanyi 2008b; Wells 2004). This turns the presence of day laborers in public space in local communities into a power struggle about who has the right to reside in the United States. In this sense recognition as a form of social visibility plays an important role and revolves around the question who is recognized as a legitimate member of a local community (Brighenti 2007, 2010). Proponents of restrictive immigration policies can argue in favor of a denial of recognition of day laborers as legitimate users of public space, as the presumed unauthorized immigration status of day laborers violates federal immigration law. On the other hand, day laborers and their advocates can try to gain recognition for day laborers by referring to the principal of equal personhood that requires all persons present in the United States to be treated equally regardless of immigration status (Ellis 2006; Gilbert 2009; Rodriguez 2008; Varsanyi 2011; Walker 2014; Wells 2004). Thus, who is a legitimate community member and a legitimate user of public space is at stake in power battles over the presumed unauthorized immigration status of day laborers.

Day laborers are hypervisible due to their presumed immigration status, but also because of their activities in public space. An often-heard argument in conflicts over day laborers is that their activities – such as soliciting and loitering – may endanger the quality of life of the local community. Quality of life plays an important role in urban policies (Rogers and Coaffee 2005). It is difficult to define quality of life as quality of life is subjective and often reflects the norms and values of the majority in a community (Nemeth and Schmidt 2011; Philips and Budruk 2011; Sandercock 2003). The emphasis on majority interests is reflected in how local governments manage public spaces. Scholars have argued that the management of public spaces is increasingly dominated by commercial interests. Local governments and commercial stakeholders strive to maximize the commercial potential of public spaces, by focusing on clean and secure public spaces. Persons that are deemed a threat to the orderliness of a public space are moved, dispersed and displaced (Nemeth and Smith 2011; Rogers 2010; Rogers and Coaffee 2005).

What is considered to be 'disorderly' or 'inappropriate' use of public space, is defined in local legislation that is primarily based on the values and norms of the majority population (Sandercock 2003). Oftentimes an emphasis on cleanliness and security to maintain the quality of life comes at the expense of marginal groups, such as homeless, panhandlers, and street vendors

(Rogers and Coaffee 2005). The presence and conduct of marginal groups – such as day laborers – is categorized as 'unaesthetically' and 'inappropriate'. For instance, the eagerness of day laborers to obtain a job is seen as a threat to traffic safety and is considered to be a nuisance. Day laborers may run into and distract traffic to get the attention of possible employers and jump at the cars of potential employers in parking lots. In addition, while waiting for job opportunities day laborers may cause nuisance by loitering, urinating in public and public intoxication among others. These activities are seen as harming the cleanliness and security standards set by the majority population, and are therefore considered to be a threat to the quality of life. The interests, norms and values of the majority population are taken for granted and considered to be the standard (Nemeth and Schmidt 2011; Philips and Budruk 2011; Rogers and Coaffee 2005). Day laborers – as presumed unauthorized immigrants that inappropriately use public space – lack the social visibility to have their needs and interests be taken into consideration.

Although day laborers occupy a marginalized position they can still try to influence their degree of visibility. Being hypervisible in a community as a marginalized group is disadvantageous, because all conduct of day laborers is then picked to pieces (Brighenti 2007, 2010). This increases the chances that authorities implement restrictive measures which makes it more difficult for day laborers to find jobs. To lower their degree of visibility to the community day laborers can employ 'strategic visibility' (Crotty 2018), which entails a strategy where day laborers strive to be as visible as possible to employers, while curtailing their visibility to other community members. For instance, when businessowners complain about the activities of day laborers, day laborers can choose to move their location across the street or to a different part of a parking lot to alleviate the concerns of businessowners (Crotty 2018). This 'strategic visibility' may allow a hiring site to continue to exist, despite initial complaints. In addition, when a hiring site succeeds to exist for a longer period of time, community members may get accustomed to its existence and the hiring site becomes embedded into the urban landscape (Crotty 2018). The sustained existence of a hiring site can make the site less noticeable, and thus less visible, to local community members, thereby lowering the chances of conflict. Thus, day laborers themselves can try to influence their degree of visibility in order to be able to continue using public spaces for their activities.

Methods

The main data source of this paper consists of a dataset on day laborers in California in the period 1985-2020. The dataset covers the rise of local conflict over day laborers in the United Sates as conflict started to increase since the late 1980s. The unit of analysis consists of all municipalities in California. Municipalities in California have been derived from a list of all places in California that were included in the decennial Census of 2010. For each of the 1,523 places included in the list, thorough online searches have been carried out to gather data on the existence of day laborer hiring sites and on the existence of day laborer conflicts.

Data on local conflicts over day laborers has been obtained from four sources; 1) newspaper articles, 2) city council archives, 3) studies, and 4) Google searches. For each place that is included in the list (consisting of 1,523 places in California) extensive online searches have been carried out to identify conflict over day laborers in the period 1985 to 2020. The name of each place has been entered as a search key into the archives of Newsbank, combined with the search keys "day laborer(s)" and "day worker(s)". The city council archives of each place included in the

list that provide online access have been accessed, to search for documents in which day laborers were discussed. Google and Google Scholar searches have been performed for each place combined with the keywords "day laborer(s)" and "day worker(s)". These Google searches yielded scholarly articles on day laborers, reports by advocacy organizations, and newspaper articles not included in the archives of Newsbank. All relevant results have been added to a database and have been coded for the existence of conflict over day laborers (no conflict = 0, conflict = 1). Conflict over day laborers is defined here as instances where day laborers and other community members compete for incompatible goals and/or engage in conflict behavior to express animosity to the other party (Bartos and Wehr 2002). The dataset contains information on the year, location, and actors involved in the conflict.

Data on day laborer hiring sites has been gathered by using multiple sources (see Table 1.1). The first source consists of newspaper articles that have been obtained from the archives of Newsbank and Google searches. As was mentioned above, searches have been performed for each of the 1,523 Californian places combined with the search keys "day laborer(s)" and day worker(s)". All relevant newspaper articles have been examined to identify day laborer hiring sites. The second source that has been put to use to find day laborer hiring sites is Google Streetview. The use of Google Streetview as a research method has become more common among scholars in the field of urban studies (for instance, see Hwang and Sampson 2014; Wang and Vermeulen 2020). It can be expected that hiring sites identified in newspaper articles are more likely to have experienced conflict, because in the absence of conflict it is less likely a site will receive media attention. Google Streetview has been deployed to identify hiring sites that did not received media attention, to reduce the bias of only selecting sites that have experienced conflict. For each of the 1,523 Californian places searches have been carried out by means of Google Streetview to examine sites that have the potential to be used as hiring site by day laborers. These sites include Home Depot, Lowe's, paint stores, lumber yards and rental facilities (such as U-Haul), as hiring sites are often located near businesses that are related to industries in which day laborers are employed – such as construction and landscaping (Crotty 2017; Valenzuela 1999; Valenzuela and Melendez 2003). For each potential site the presence of day laborers within the vicinity of a site was determined by inspecting all available Google Street View images. Day laborers are defined as men who stand around in small or larger groups, while wearing working clothes and/or backpacks. The fact that people gather for other purposes – such as to wait for public transport – has been taken into consideration, and those instances have not been included into the dataset. The third source that has been employed to identify day laborer hiring sites are studies published by researchers on day laborers in California. The fourth source consists of reports on day laborers in California that were published by non-profit and advocacy organizations. Finally, the fifth source consists of documents published by local governments, such as city council meeting minutes, and staff reports. These documents have been obtained from online city council archives available on the websites of municipalities.

Table 1.1: Day laborer hiring sites in California between 1985-2020 by the source used to identify the site and by the existence of conflict

	No conflict	Conflict	Total
Newspaper articles	55	192	247
Google Streetview	99	22	121
Scholarly articles	24	13	37
Reports by advocacy organizations	2	14	16
Local government documents	2	9	11
Total	182	250	432

The hiring sites that have been identified by means of the sources described above, have been added to a dataset. A total of 432 hiring sites have been identified of which 182 sites did not experienced conflict, while at 250 sites conflict over day laborers did occur. The hiring sites are located in 350 census tracts, that are distributed across 179 cities, which are based in 26 different counties in California. For each hiring site, the location, type of site (unmanaged or managed), the years a site has determined to be active, and a short description of the location have been added to the dataset. To determine in which years a hiring site was active – meaning actively used by day laborers to find jobs – all afore mentioned sources were combined. A site has been coded as active for each year in which a newspaper article, published study, or local government document described activity at a site or in which day laborers are visible at a site on Google Streetview.
By conducting exhaustive online searches, the researcher is confident that a large share of the day laborer hiring sites in California is captured. Previous research has mostly used fieldwork to identify and analyze hiring sites. This study cannot capture the ethnographic depth of a fieldwork approach, but the study can capture the variety and breadth of hiring sites within California.

Multilevel generalized linear model

Multilevel generalized linear models have been fitted to the data, to account for the repeated measures and clusters in the dataset (Finch et al. 2019). The repeated measures consist of measurements over time, and the clusters of hiring sites that are located in census tracts, cities, and counties. Models have been constructed at three different levels. The first model includes variables at the county level, the second model at the city level, and the third model at the census tract level (see Table 1.2). It is important to examine factors at all three levels. First, conflict over day laborers often concentrates on specific areas in neighborhoods and as responses do not have to be uniform across a city (McDaniel et al. 2019), it is useful to study conflict at the census tract level. Second, policies that address day laborer issues are created and implemented at the city or county level, which makes it important to examine factors at these levels as well.

The first set of independent variables consists of demographic characteristics. The proportion of the population that is Latino has been included to assess if conflict is less likely to occur when a higher percentage of the population is Latino. The growth of the Latino population

has been included as a factor as well, because rapid demographic changes have found to be increasing the likelihood of hostile responses (Visser and Simpson 2019; Walker and Leitner 2011; Wong 2012). The proportion of owner-occupied housing is included as an independent variable, because scholars have argued that a higher share of homeowners increases the likelihood of a hostile response to immigrants and marginal groups (McCabe 2016; Mitchel 1997; Stuart et al. 2015; Walker and Leitner 2011). The median household income assesses if the chances of conflict increase in more affluent areas. The percent with a bachelor degree or higher is included as an independent variable to examine if a higher level of education reduces the likelihood of conflict. The proportions working in construction and agriculture are used to assess if conflict is less likely to occur when a relatively large share of the population is working in similar industries as day laborers. Finally, the diversity index has been included to measure the degree of 'difference'. Scholars studying conflict have indicated that differences can spur conflict (Valentine 2008; Sandercock 2003). The diversity index measures the racial diversity of an area. It expresses the likelihood that any two persons chosen at random will have different racial backgrounds.[1]

Table 1.2: Descriptive statistics of demographics, politics, and saliency of immigration

	Mean	Standard deviation	Minimum	Maximum
County*				
Latino population	0.27	0.16	0.03	0.84
Growth of Latino population	0.31	0.23	-0.31	1.40
Owner-occupied housing	0.61	0.07	0.35	0.84
Bachelor degree or higher	0.23	0.09	0.09	0.59
Median household income	4.71	1.75	2.05	12.41
Working in construction	0.07	0.02	0.03	0.20
Working in agriculture	0.05	0.05	0.00	0.32
Diversity index	0.50	0.16	0.12	0.75
Change of diversity index	0.16	0.15	-0.31	0.98
Average years sites are active	0.36	2.15	0.00	31.00
Voting Republican	0.50	0.12	0.12	0.77
Saliency of immigration: federal	5.89	2.77	2.69	13.38
Saliency of immigration: state	5.00	3.17	1.73	16.62

City**				
Latino population	0.32	0.25	0.02	0.99
Growth of Latino population	0.30	0.40	-0.59	8.32
Owner-occupied housing	0.60	0.14	0.09	0.98
Bachelor degree or higher	0.27	0.19	0.00	0.86
Median household income	5.67	3.30	1.50	25.00
Working in construction	0.07	0.03	0.00	0.24
Working in agriculture	0.05	0.09	0.00	0.70
Diversity index	0.46	0.17	0.02	0.77
Change of diversity index	0.16	0.30	-0.66	3.71
Average years sites are active	1.00	3.47	0.00	31.00
Voting Republican	0.46	0.16	0.03	1.00
Saliency of immigration: federal	5.94	2.78	2.69	13.38
Saliency of immigration: state	5.01	3.16	1.73	16.62
Tract***				
Latino population	0.33	0.26	0.00	1.00
Growth of Latino population	0.32	0.50	-1.00	21.55
Owner-occupied housing	0.56	0.24	0.00	1.00
Bachelor degree or higher	0.28	0.19	0.00	1.00
Median household income	5.15	2.84	0.00	25.00
Working in construction	0.07	0.03	0.00	0.45
Working in agriculture	0.02	0.06	0.00	0.74
Diversity index	0.51	0.20	0.00	1.00
Change of diversity index	0.15	0.36	-1.00	13.68
Average years sites are active	0.10	1.22	0.00	34.00
Voting Republican	0.46	0.12	0.18	0.77
Saliency of immigration: federal	5.91	2.77	2.69	13.38
Saliency of immigration: state	5.01	3.16	1.73	16.62

** N = 54,828, 58 counties*
*** N = 16,397, 475 cities*
**** N = 288,105, 8015 Census tracts*

The political preference of community members is included to assess if conflict over day laborers increases when more people vote Republican. Political preference is measured by calculating the percentage of voters at the county or city level that has voted for a Republican governor. Voting data is not available at the tract level, and as tracts can only be linked to counties – not cities – county level voting data is used for the tract level model. Saliency of immigration can provide actors with frames to depict day laborers as a threat, so this variable examines to what extent saliency of immigration increases the likelihood of conflict over day laborers to occur. Saliency of immigration is measured according to the method developed by Hopkins (2010).[2]

To assess the (hyper)visibility of day laborers, the variables hiring sites, years of existence, and conflict in adjacent municipalities are included. The existence of hiring sites can make day laborers hypervisible in a community, as the activities in public space of a group whose immigration status is disputed can be a source of contention. In the county and city model the variable indicates for each year if a county or city had no (0) active hiring sites, one active hiring site (1) or multiple active hiring sites (2). In the tract model the variable indicates if a tract had no active hiring sites (0) or had one or more active hiring sites (1). The distinction between one or multiple hiring sites is absent at the tract level, because the presence of more than one hiring site in a tract is rare. The variable years of existence is included to examine if the years of existence of a hiring site affects the likelihood of conflict. When a hiring site exists for a longer period of time it may blend into the urban landscape (Crotty 2018), and decrease the degree of visibility of day laborers. The variable years of existence represents the average number of years that hiring sites are actively used by day laborers for a given geographic area. For instance, if a city has three hiring sites of which two exist 1 year and one exists 6 years, the value for the variable years of existence is (1 + 1 + 6) / 3 = 2.7 years. The variable conflict in adjacent municipalities indicates if neighboring areas have experienced conflict over day laborers (0 = no conflict, 1 = conflict). Conflict in adjacent municipalities could heighten the visibility of day laborers in two ways. First, conflict in a neighboring area may push day laborers into another jurisdiction to be able to continue their hiring activities, leading to a new hiring site that catches the eye of community members. Second, conflict in an adjacent municipality may heighten the attention of community members to day laborer issues, making day laborers hypervisible.

The 'lme4' package and 'glmer' function have been deployed as part of the statistical software 'R' to fit the models. A maximum likelihood approach (Adaptive Gauss-Hermite Quadrature) was used to fit the models.

Factors spurring and mitigating conflict over day laborers

This section presents the results of the binary multilevel regression models that examine what factors reduce or increase the likelihood of conflict over day laborers to occur (see Table 1.3). All models include factors at the county, city and census tract level in California and focus on the period 1985-2020.

Table 1.3: Binary regression models at the county, city, and tract level that examine the impact of visibility in public space, demographics, politics, and saliency of immigration on the likelihood of conflict over day laborers

	County		**City**		**Tract**	
Predictors	*Coefficient*	*SE*	*Coefficient*	*SE*	*Coefficient*	*SE*
Intercept	-9.21 ***	2.15	-7.81 ***	0.97	-11.07 ***	0.76
1991-1995	-0.73 **	0.25	-0.64 *	0.28	-1.27 ***	0.25
1996-2000	-1.20 ***	0.34	-1.13 ***	0.30	-1.41 ***	0.29
2001-2005	-0.42	0.32	-0.40	0.27	-1.08 ***	0.27
2006-2010	-1.96 ***	0.43	-0.79 *	0.33	-1.21 ***	0.30
2011-2015	-2.88 ***	0.47	-1.86 ***	0.40	-2.22 ***	0.39
2016-2020	-4.22 ***	0.76	-2.75 ***	0.53	-3.19 ***	0.60
Latino population	4.70 ***	1.41	1.31	0.82	0.34	0.58
Growth of the Latino population	1.66 *	0.84	0.49 *	0.25	0.10	0.15
Percent owner-occupied housing	-0.88	2.55	-0.05	0.89	1.28 *	0.54
Percent bachelor degree or higher	1.39	3.24	1.12	1.24	-0.31	0.88
Median household income (x$10,000)	0.36	0.20	0.06	0.06	0.05	0.07
Percent working in construction	-1.27	10.90	0.38	4.20	2.01	2.63
Percent working in agriculture	-14.75 ***	3.85	-12.57 **	4.08	-2.88	2.99
Diversity index	-0.69	1.33	1.20	0.67	0.53	0.55
Change of the diversity index	-1.05	1.33	-0.17	0.56	0.07	0.26
Hiring sites: one	5.04 ***	0.18	4.38 ***	0.20		
Hiring sites: multiple	5.97 ***	0.22	5.17 ***	0.24		
Hiring site(s): yes					8.09 ***	0.23
Conflict in adjacent municipalities: yes	0.81 ***	0.14	0.75 ***	0.14	1.39 ***	0.14
Average years sites are active	-0.10 ***	0.01	-0.08 ***	0.02	-0.08 ***	0.01
Voting Republican	1.89 **	0.73	2.15 ***	0.59	1.95 *	0.81

Saliency of immigration: federal	0.06	0.05	0.04	0.05	0.05	0.05
Saliency of immigration: state	0.02	0.03	0.03	0.03	-0.02	0.03
Random Effects						
σ^2	3.29		3.29		3.29	
τ_{00}	0.67_{Place}		0.56_{Place}		0.92_{Tract}	
	0.00_{County}		0.00_{County}		0.17_{County}	
ICC			0.15		0.25	
N	$1{,}523_{\text{Place}}$		475_{Place}		$8{,}015_{\text{Tract}}$	
	58_{County}		54_{County}		58_{County}	
Observations	54,828		16,397		288,105	
Marginal R^2 / Conditional R^2	0.485 / NA		0.544 / 0.611		0.317/ 0.487	

$^{*}p<0.05$ $^{**}p<0.01$ $^{***}p<0.001$

Latino population

The share of the population that is Latino at the county level is a significant predictor of conflict instead of no conflict. When the Latino county population is 11 percent, the likelihood of conflict is 1 percent, this value increases to 6 percent when the Latino county population is 43 percent. Based on these findings it can be argued that counties with a larger Latino population, are more likely to experience conflict over day laborers. Racial similarity to day laborers – of which a significant share is comprised of Latino immigrants – does not seem to moderate the chances of conflict over day laborers. So, the idea that similarity reduces conflict, as differences spur conflict (Valentine 2008; Sandercock 2003), cannot be confirmed with regard to the role of racial similarity in local conflicts over day laborers. This finding highlights that day laborers lack social visibility. Day laborers are considered to be a marginal group, regardless if the community consists of a more racial similar population or not.

At the county and city level the growth of the Latino population significantly increases the likelihood of conflict over day laborers to occur. When the growth of the Latino population at the county level goes from 8 percent to 54 percent, the chances of conflict increase from 2 percent to 4 percent. A growth of the Latino city population of 10 percent, results in the likelihood of conflict instead of no conflict being 5 percent. This value increases to 6 percent when the growth of the Latino city population is 70 percent. So rapid population change in form of a growth of the Latino population increases the likelihood of conflict over day laborers. This finding is in line with the local immigration responses literature, where it is argued that a rapid demographic change increases the likelihood of hostile responses (Visser and Simpson 2019; Walker and Leitner 2011;

Wong 2012). However, the effects are rather small. Thus, a rapid growth of the Latino population may spur local conflict over day laborers to some degree, but the effect is minimal.

Homeowners

The proportions of homeowners at the county and city level do not significantly affect the likelihood of conflict over day laborers. This finding is inconsistent with the assumption based on the immigration and marginal groups literature that homeowners contribute to conflict over day laborers (McCabe 2016; Mitchel 1997; Stuart et al. 2015; Walker and Leitner 2011). Although the argument that day laborers pose a threat to property values is often heard in local public debates on day laborers, there currently is no evidence that the presence of day laborers actually affects property values. This could be an explanation for the absence of a significant impact of the share of homeowners at the county and city level on the likelihood of conflict over day laborers. At the tract level the share of homeowners does significantly increase the chances of conflict over day laborers, but the effect is marginal. For example, when the share of homeowners in a given tract is 32 percent, the likelihood of conflict is zero percent. This value increases to 1 percent when the proportion of homeowners in a given tract is 80 percent.

Educational attainment and income

The share of the population that has a bachelor degree or higher and median household income do not significantly affect conflict over day laborers. Previous studies have found that a higher level of educational attainment results in more inclusive responses to immigrants at the local level (Huang and Liu 2018; Walker and Leitner 2011). However, this argument does not hold with regard to local conflicts over day laborers. An explanation for this could be that fear of economic competition is not very prominent in local conflicts over day laborers.

Higher educated people face less economic competition from immigrants than lower educated people, and that would result in higher educated people being more welcoming towards immigrants (Huang and Liu 2018; Walker and Leitner 2011). Local conflicts over day laborers oftentimes focus on the perceived unauthorized immigration status of day laborers and the threat day laborers would pose to the quality of life (Crotty 2017; Esbenshade 2000; Rodriguez 2008; Varsanyi 2008b). The attention for these issues may outshine the threat of economic competition, thereby making the impact of educational attainment negligible.

Working in similar industries

Working in agriculture significantly reduces the likelihood of conflict at the county and city level, while working in construction does not significantly affect conflict. When 1 percent of the county population works in agriculture the chances of conflict over day laborers are 5 percent. The likelihood of conflict decreases to 1 percent when 10 percent of the county population works in agriculture. At the city level, the chances of conflict decrease from 8 percent to 2 percent, when the share of the population that is working in agriculture increases from 1 percent to 14 percent. As day laborers are predominantly employed in the construction and agricultural industries (Crotty 2015; Valenzuela 1999; Valenzuela and Melendez 2003), the findings partially confirm the argument that working in similar industries reduces the likelihood of conflict. When a larger share

of the population is working in the agricultural industry, the chances of conflict decrease to some extent. More familiarity with day laborers, either as employer or co-worker, may reduce the likelihood that day laborers are perceived as a threat. However, this effect is not found for the construction industry which suggests that the impact of working in similar industries on the chances of conflict over day laborers is rather small.

Diversity

The racial diversity of a population does not significantly affect the chances of conflict over day laborers in any of the models. This finding is not in line with the work of scholars who have argued that differences can spur local conflict (Valentine 2008; Sandercock 2003). This is not to say that differences do not impact conflict over day laborers, but the finding does suggest that racial differences do not incite conflict over day laborers. Instead, other differences – such as immigration status and poverty – may play more prominent roles in conflict over day laborers.

Voter preferences

Voting for a Republican candidate significantly impacts conflict over day laborers. When the share of the population that votes for a Republican candidate increases from 34 percent to 62 percent, the likelihood of conflict over day laborers increases from 2 to 3 percent at the county level, from 4 to 7 percent at the city level, and from 0 to 1 percent at the tract level. These findings suggest that the likelihood of conflict over day laborers increases in areas where people vote more conservative. This argument is in line with the local immigration responses literature, where scholars have found that responses to immigration are more restrictive when voters predominantly vote Republican (Huang and Liu 2018; Ramakrishnan and Wong 2010; Walker and Leitner 2011). However, the impact of these effects is not very large. Thus, voter preferences can impact the chances of conflict over day laborers to some extent.

Saliency of immigration

Saliency of immigration does not significantly impact the chances of conflict over day laborers to occur at the county, city, or tract level. This finding contradicts the expectations based on the argument of Hopkins (2010), who has argued that saliency of immigration enables actors to frame immigrants as a threat. Although the presumed unauthorized immigration status of day laborers can be a prominent factor in local conflicts over day laborers, it does not seem to be the case that these conflicts are spurred by public debates on immigration issues. This may be due to the fact that conflicts over day laborers are very local issues and the framing of immigration issues at the federal and state level may not resonate very well to these local conflicts.

Visibility

The presence of day laborer hiring sites significantly increases conflict. At the county level, having one site instead of no site increases the likelihood of conflict from zero to 10 percent, while having multiple sites instead of no site increases conflict from zero to 22 percent. At the city level, the chances of conflict increase from zero to 15 percent, when there is one site instead of no site, and when there are multiple sites instead of no site the likelihood of conflict increases from zero to 29

percent. At the tract level, having a hiring site instead of having no hiring site increases the likelihood of conflict from zero to 21 percent. These findings suggest that the presence of day laborer hiring sites in public spaces can be an important source of conflict. This is in line with the literature on marginal groups that suggests that the presence and conduct of marginal groups in public space is often considered to be unwanted and inappropriate (Nemeth and Smith 2011; Rogers 2010; Rogers and Coaffee 2005). It is interesting to note, that the likelihood of conflict is higher when counties and cities have more than one hiring site. This finding suggests that having multiple sites does not normalize the existence of hiring sites, but instead that the hypervisibility of day laborers increases the likelihood of conflict.

Conflict in municipalities that border a municipality in which day laborers search for jobs significantly increases the chances of conflict, but the effects are rather small. Having conflict in adjacent municipalities instead of having no conflict, increases the likelihood of conflict over day laborers from 2 to 4 percent at the county level, from 4 to 7 percent at the city level, and from 0 to 1 percent at the tract level. So conflict in neighboring municipalities can trigger conflict over day laborers, as conflict over day laborers in close proximity may enhance the degree of visibility of the day laborer population within its own jurisdiction. However, the impact of conflict in adjacent municipalities on conflict over day laborers is modest.

The average number of years that hiring sites have been active does significantly reduces the likelihood of conflict over day laborers. When the existence of hiring sites at the county level goes from 1.4 to 15.7 years, the chances of conflict decrease from 2 to 1 percent, At the city level from 5 to 2 percent, and at the tract level from .005 to zero percent. Thus, it can be argued that when hiring sites exist longer, the chances of conflict over day laborers decrease to some extent. This finding is in line with the argument of Crotty (2018), who has argued that the continued existence of a hiring site may normalize the hiring site and reduce the degree of visibility of day laborers, leading to less conflict. However, the impact of the years of existence of a hiring site is limited, as the effect sizes are rather small.

The binary multilevel regression models indicate that visibility of day laborers is an important factor that needs to be taken into consideration when exploring local conflict over day laborers. This is not to say that demographics, politics, and saliency of immigration do not impact conflict over day laborers, but that the role of these factors is rather small. A prominent conflict trigger seems to be the hypervisibility of a marginal group in public space. When day laborers gather in public spaces to solicit for jobs and socialize, they are noticed by a large part of the community as 'out of place' users of public space. It is this hypervisibility of day laborers that is a shared frustration across communities fueling local conflict, notwithstanding demographic, political and other local characteristics.

Conclusion

Since the late 1980s conflict over the presence of day laborers in municipalities across the United States has increased. This paper contributes to the immigration literature by examining local conflict over day laborers quantitatively, which makes it possible to identify factors that impact local conflict. This methodological approach has allowed to explore the role of factors identified by scholars studying local responses to immigration and add to those factors the role of visibility.

Based on the findings of this paper it can be argued that (hyper)visibility of day laborers is an important factor driving local conflict over day laborers. Statistical analyses performed on data of municipalities in California revealed that demographic and political characteristics shape local responses, but that these characteristics are not the decisive factors when it comes to conflict. Factors such as rapid growth of the Latino population, the proportion of homeowners, and political preferences have a rather limited impact when it comes to the likelihood of conflict over day laborers. Instead, this paper argues that local communities are driven by the same frustration, that is the visibility of day laborers in public space. The composition of demographic and political factors in an area may steer officials into a more welcoming response – such as setting up a regulated hiring site – or a more hostile response – such as implementing a no-solicitation ordinance. However, irrespective of their cool or warm response to day laborers, local communities aim for the same goal; banning unregulated day laborer activities from public space.

This paper highlights the importance of the visibility of a marginalized population when it comes to local conflict. Further research should explore how visibility of marginalized groups affects conflict in more detail. For instance, the research design of this study does not allow to take the size of day laborer hiring sites into consideration, while it can be expected that the size of a marginalized population affects the hypervisibility of this population. A marginalized population of 100 individuals may attract way more attention from a community than a population of 10 people. Further research is necessary to explore how the size of a marginalized population impacts local conflicts.

By the construction of a large-scale dataset on a marginalized population, this paper provides the opportunity to study marginalized populations beyond case studies. This is important, because quantitative studies of marginalized groups can be used compare cases and inform policies. However, it is important to explore how a quantitative research design affects the study of marginalized groups. For instance, this study deployed Google Streetview images to identify day laborer hiring sites, but the ability to identify these hiring sites may be impacted by the time and date that these images were taken. Quantification of marginalized populations may present challenges, and it is important for future research to take these challenges into account and explore them in more detail.