Expanding Carceral Markets: Detention Facilities, ICE Contracts, and the Financial Interests of Punitive Immigration Policy

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Abstract
On the night of November 8, 2016, once election results showed an almost certain presidential victory for Donald Trump, private prison stock values increased. Trump’s harsh anti-immigrant campaign rhetoric, followed by his attempted crackdown on sanctuary cities (and immigrants more generally), had the potential to expand the carceral market to greater shares of undocumented immigrants. We develop a theory of carceral market expansion, arguing that private actors seek to expand carceral markets—for profit—just as in any other market. This paper examines whether private companies, like Core Civic and GEO, that contract with Immigration Customs and Enforcement (ICE) to operate detention facilities exert influence over federal immigration legislation in the 113th and 114th Congresses. Specifically, we examine (1) whether campaign donations made by private prison companies and other contractors to legislators (carceral lobbying hypothesis), and (2) having a privately owned or managed ICE detention facility in a legislator’s district (carceral representation hypothesis) increases the probability that legislators will co-sponsor more harsh immigration legislation in the U.S. states. We find strong support for the carceral representation hypothesis but limited to no support for the carceral lobbying hypothesis. Implications are discussed.

Keywords Private prisons · Immigration policy · Representation · Lobbying

Introduction
The criminalization of immigration in the United States—particularly immigration from Latin America—is well documented (Chacón 2009, 2012; Gonzalez et al. 2017; Gonzalez 2014; Miller 2005; Stumpf 2006). Less well documented and understood, however, is the political economy of criminalizing immigration (although see Juárez et al. 2018). Beyond appeasing racial conservatives’ nativist and law-and-order tendencies (Chandler and Tsai 2001; Espenshade and Hempstead 1996; Hainmueller and Hopkins 2014, 2015; Hopkins 2015; Pantoja 2006), some industries, private companies, and individuals stand to gain from further criminalizing immigration. Harsh enforcement policies, while cheered on by right-wing nativists, also enable and expand a marketplace whereby private prison companies stand to increase their bottom line. They do so by lobbying to expand the carceral state into immigration policy.

Evidence for this carceral marketplace can be found in many places, including the New York Stock Exchange. On November 9, 2016, as shown in Fig. 1, private prison stocks jumped dramatically as a result of Donald Trump’s election. Given Trump’s harsh immigration rhetoric throughout the campaign, it is little surprise that investors gambled that a Trump administration would almost certainly increase the immigration detainee supply.1 With more people potentially detained, private prison companies that manage these facilities almost surely would make more money.

By combining various sources of data aggregated to the Congressional district level, we show—at least for the 113th

1 While elections affect outcomes, stocks in green energy declined, and Walmart stocks remained stable.
and 114th Congresses—that private prison companies influence legislator co-sponsorship of punitive immigration bills. On the one hand, legislators representing districts where privately contracted companies manage or own detention facilities are more likely to introduce anti-immigrant bills by a factor of three. On the other hand, campaign donations to legislators, while statistically significant at the bivariate level, fail to meet statistical significance in a multivariate analytical framework. Thus, we find support for a carceral representation hypothesis but not a carceral lobbying hypothesis.

In the pages that follow, we provide some brief background on private prisons and present the relevant literature on prison economies, representation, and lobbying. Drawing from a broad array of literatures in Sociology, Criminology, and Political Science, we next advance a theory we coin carceral market expansion to explain the influence that private prisons have on legislative behavior. Afterwards, we discuss our data and methods and present an explanation of our key findings. Finally, we conclude our discussion by identifying areas for future research.

**Prisons, Privatization, and Representation**

Over the past four decades, there has been significant growth in the U.S. prison population. Between 1980 and 2015, the combined state and federal prison population grew from 319,598 to 2.2 million—an increase of nearly 700% (nd 2017b). During this time, scholars have observed a proliferation of financial partnerships between government and for-profit entities—all of which have an economic stake in mass incarceration (Gottschalk 2006, 2016; Thompson 2010, 2012). For instance, the federal government corporation, UNICOR, purchases raw materials from businesses while offering cheap prison labor to provide goods and services for the military, federal agencies, and large corporations, such as McDonalds, Wal-Mart, and Victoria’s Secret. Private companies profit from bonds and also compete for lucrative contracts with federal, state, and local governments to provide services, such as telecommunications, security, and transportation for prisons. Meanwhile, law enforcement and public-sector unions, such as the California Correctional Peace Officers Union, protect its members from reforms that reduce payroll and prison closures. These public–private partnerships, moreover, have generated billions in revenue, which further incentivizes sustained partnerships and prison economies.

Of these entities, private prison companies have become an important player in the political economy of prisons. In the U.S., the private prison market is controlled by an oligarchy of corporations, including Core Civic (CCA), The GEO Group, Management and Training Corporation (MTC), Emerald Correctional Management, and LaSalle Corrections. They generate billions in revenue each year. In 2016, for example, the two largest companies, CCA and The GEO Group, earned just over 3 billion (white 2015). Their revenue stream is heavily dependent on government contracts to hold more people in captivity or what the prison industry refers to as “bed space” (Gottschalk 2016; Jing 2010; Selman and Leighton 2010). Most of their revenue stream comes from their 250 privately owned facilities (Gottschalk 2016). However, they also manage and operate publicly funded facilities and provide other services, such as security and transportation. More recently, private prison companies have expanded their operations to other areas, such as community-based services involving probation, parole, and reentry in response to growing support for rehabilitation and recidivism.

Privatization has been heavily supported by proponents of neoliberalism—“an ideology and package of polices that deify low taxes, macroeconomic stabilization (through low inflation and low public debt), financial and trade deregulation, privatization of public assets and services, and the retrenchment of the welfare state” (Gottschalk 2016, p. 11; see also Gilmore 2007; Jing 2010; Selman and Leighton 2010). Republican elites have historically supported neoliberal policies. In the wake of prison overcrowding in the 1980s and 1990s, though, lawmakers from both ends of the political spectrum supported privatization to reduce prison overcrowding in public prisons, reduce appropriations earmarked for state and local prisons and create room for other policy programs, and save taxpayer dollars by outsourcing responsibilities to “more efficient” private companies (Gottschalk 2006; Price and Riccucci 2005). However, mounting evidence indicates that privatization perhaps does more to appease constituents than accomplish any of these goals (Gottschalk 2016, p. 70).
Privatization, however, creates an ethical dilemma since private prisons pursue profit at the expense of poor communities, including poor African American and Latino communities (Davis 1998). Moreover, it preserves a long history of social control. Throughout U.S. history, whites have established institutions, such as slavery, Jim Crow, and mass incarceration, to sustain existing racial hierarchies (Alexander 2012; Garland 2001; Gottschalk 2016; Murakawa 2014; Wacquant 2001). Today, the prison system disproportionately incarcerates poor Latino and African American communities (Alexander 2012; Garland 2001; Gottschalk 2016; Murakawa 2014; Wacquant 2001). African Americans and Latinos make up approximately 30% of the U.S. population, yet they comprise 60% of the incarcerated population (nd 2017b). More recent evidence also indicates that private facilities are more likely to imprison people of color, including African Americans and Latinos, than public facilities (Petrella 2013). To explain this outcome, Petrella (2013) reasons that private companies seek inmates with fewer health or mental issues because they pose a smaller financial risk. In this case, African Americans and Latinos are perceived to be less financially risky because they tend to be younger and, therefore, healthier than their white counterparts.

The socio-economic and political consequences of mass imprisonment are also severe and long lasting. Imprisonment removes poor and marginalized communities from society, as African Americans and Latinos are more likely than whites to serve longer sentences (Demuth and Steffensmeier 2004). Moreover, reports indicate that private prisons are more likely to experience higher rates of assaults and lockdowns, violate rules of solitary confinement, and discipline inmates (nd 2016). Upon release, individuals face several socio-economic and political barriers. Having a felony, for example, can cause stigma, long-term health problems, and difficulty finding employment (Schnittker and John 2007; Western and Pettit 2010). Incarceration also leads individuals to exhibit less trust in government, as well as reduce one’s likelihood to engage in civic activities (Weaver and Lerman 2010). In some states, such as Florida, having a felony can even permanently disenfranchise citizens. Thus, imprisonment adds to a myriad of social, economic, and political challenges well after confinement.

Prison Economies and Dependence

Given privatization’s role in prison economies and its subsequent effects on marginalized social groups, burgeoning scholarship has sought to identify ways in which prison companies wield political and economic influence both locally and nationally. At the local level, the literature suggests that prison economies can foster political and economic dependence among local residents, especially in rural and economically depressed towns (Beale 1993, 1996; Eason 2010; Huling 2002; Lynch 2009; Thorpe 2015). Prison developers choose these particular areas because developers face little opposition to prison development. In fact, CCA Vice-President of Operations once stated, “We don’t have to sell prison development to a community. The community is knocking on our door. It used to be ‘not in my back yard’. Now, they want it in their front yard” (Hooks et al. 2004). Enthusiasm for prison development is largely due to the unique economic conditions that rural towns face. Due to declines in manufacturing and agriculture, rural areas are more likely to experience higher rates of poverty, unemployment, and lower wages than non-rural areas. Additionally, spatial isolation has made it difficult to rebound from economic downturn, as it poses a significant barrier to social services, employment, education, and public transportation (King et al. 2004).

Alternatively, elected officials and residents of rural communities welcome prison developers with open arms because they are perceived to give an economic boost to the community. Proponents of prison development, including private prison companies, claim that prisons can provide new opportunities, such as jobs, middle-class incomes, health benefits, and tax revenue for public services (Glasmieier and Farrigan 2007). Moreover, artificial increases in population can also qualify rural towns for more government funding (Walker et al. 2017). The perceived benefits of prison development are understandably high for rural residents and it has caused some rural towns to aggressively compete with one another for prison contracts (Gilmore 2007; Huling 2002; Schlosser 1998; Thompson 2012). In her study of Arizona, for instance, Lynch (2009) observes that rural communities offer economic incentives, such as land and tax breaks, to lure prison developers into their districts.

Despite the perceived benefits of prison development, mounting evidence shows that public and private prison development does not lead to long-term economic growth and, in some cases, even impedes it (Blankenship and Yanarella 2004; Genter et al. 2013; Gilmore 2007; Glasmieier and Farrigan 2007; Hooks et al. 2004; King et al. 2004). For example, Genter et al. (2013) and Hooks et al. (2004) find that public prisons undergoing rapid privatization and prisons belonging to slow-growing, rural counties impeded total employment growth in U.S. counties. Scholars have offered a number of explanations for these findings. For example, public prisons can divert tax revenue and job opportunities from rural economies by drawing union and more-senior workers from out of town (Gilmore 2007; King et al. 2004). Prison development can also divert scarce resources from other public projects to support in-coming prisons (Hooks et al. 2004). Meanwhile, private prisons limit opportunities for economic mobility since they do not hire union labor and because they tend to pay less than their federal and state governments (Donahue and Donahue 1989).
The inability to contribute to economic growth, however, may do little to change the beliefs of political elites and their constituents. Mounting evidence suggests that political elites and community members tend to have positive attitudes towards prison development (Lidman et al. 1988; Myers and Martin 2004; Turner and Thayer 2003). For example, Turner and Thayer (2003) find that respondents from prison counties are more likely than non-prison counties to say that prisons provide a stable source of local employment, provide quality jobs, increase the tax base of the county, and enhance the retail sector. One possibility is that respondents are simply following elite cues from elected officials and prison representatives. For example, prison companies create “buy in” with local residents by holding charity events and engaging in community outreach. In 2016, the GEO Foundation, which is the charity arm of The GEO Group, made approximately 1.9 million in donations that went to schools, university scholarships, health and disability organizations, hospitals, and other charitable organizations (nd 2017a). While this philanthropic behavior on its own is normatively good, the philanthropy can also be viewed as controversial if the ultimate goal is to build buy-in from local community members for policies they might otherwise oppose. In this regard, the perceived benefits of prison economies may outweigh the real economic impact of prisons.

Prison Development and Representation

Additionally, the above literature implies that elected officials are responsive to their constituents, including prison companies. It has been well-established that members of Congress (MCs) are motivated by the goal of re-election (Mayhew 1974)—though it is important to note that other goals exist, such as making good public policy and moving up the Congressional ladder (Fenno 1978). To achieve this end, MCs often demonstrate their responsiveness by taking positions on policy, which manifest themselves in the form of roll-call votes and other forms of non-roll-call voting behavior, such as bill co-sponsorship. Earlier work by Miller and Stokes (1963) and others find a correlation between constituent preferences and roll-call voting when issues are especially salient. Moreover, Highton and Rocca (2005) find a systematic connection between constituency characteristics and whether or not MCs take positions on abortion policy. Overall, the literature suggests representatives are responsive to a wide range of constituency interests.

Still, little is known about private prison economies and their ability to influence the political behavior of elected officials. In addition to fostering political ties and economic and dependence in rural communities, recent work shows that prison companies expand carceral markets by pursuing punitive policies that increase the supply of prisoners (Selman and Leighton 2010; Thorpe 2014). For example, Thorpe (2015) examines the extent to which state legislators represent the interests of prison communities in California, Washington, and New York. She finds that lawmakers from rural districts with large prison capacities are more likely to oppose drug reform laws that have a greater likelihood of reducing prison populations. Although it is unclear if state lawmakers are simply being responsive to their districts or if supporters of punitive laws tend to reside in prison-friendly districts, the author suggests that mutually reinforcing economic, political, and ideological factors shape elite behavior (pp. 629–630). In all, these findings have implications for legislative behavior and support for other punitive policies that benefit private prisons and prison economies.

Private Prisons, Lobbying, and Campaign Donations

Finally, Selman and Leighton (2010) observe that prison companies engage in other political activities, such as lobbying and donating to political campaigns, to influence legislation. However, the literature does not discuss how lobbying can influence political outcomes. Nor does it systematically test whether prison companies influence the legislative behavior of representatives. It has been well-established that re-election minded representatives seek donations to finance political campaigns and engage in other political activities to secure election (Gerber et al. 2011; Gerber and Green 2008). However, there is considerable debate over whether money actually buys or if it buys anything at all. One perspective is that interest groups and elected officials engage in reciprocal agreements. In exchange for campaign donations, legislators promise votes (Austen-Smith 1996; Morton and Cameron 1992) and engage in legislative activities, such as participating in committee markups (Hall and Wayman 1990).

An alternative point of view is that campaign contributions buy access to legislators, which in turn provides interest groups with more opportunity to lobby. For example, interest groups are more likely to lobby allies (e.g., Mahoney and Baumgartner 2008), including those who are undecided on policy (Austen-Smith and Wright 1994). Moreover, interest groups tend to make donations to legislators that have greater influence over policy-making, such as incumbents (Fourirnaies and Hall 2014), legislators belonging to policy-relevant committee assignments (Grimmer and Powell 2013), and those with leadership positions and access to more resources (Powell 2012). For example, Fourirnaies and Hall (2014) find that access-oriented groups—defined as

2 Interestingly, prison companies, such as CCA, have policies that prohibit them from “engaging in lobbying or advocacy efforts that would influence enforcement efforts” with respect to crime and illegal immigration. Yet, they have also admitted that they stand to benefit from legislation affecting their bottom line see http://ir.corecivic.com/static-files/01d82fd4-9aa6-41e5-b1ed-a5b76a3450ee.
those under heavy regulation—account for approximately two-thirds of the overall causal financial incumbency advantage. Meanwhile, legislators grant access to interest groups, in part, because legislators have incomplete information about their constituents and policy (Hansen 1991). However, due to time constraints, legislators are highly selective with the access they grant to lobbyists (Hall and Deardorff 2006). For example, Kalla and Broockman (2016) conduct a field experiment where political organizations attempted to contact congressional offices. They find that congressional offices were more likely to make themselves available between three and four times more often after being informed of their donation history.

Whether donations facilitate quid pro quo relationships or serve as an incentive to gain access to busy legislators, scholarship generally argues that campaign donations influence legislative activity in some way. Research has produced mixed results when it comes to voting (Wawro 2001a, b). In their study of forest policy, however, Tanger and Laband (2009) find that PAC and individual donations are positively associated with bill co-sponsorship of forest-related legislation. Finally, more recent work finds that interest groups reward MCs for their political support. In their study of gun control legislation, Rocca and Gordon (2010) find that bill sponsorship is significantly correlated with gun control contributions. They conclude that the value of non-roll-call position taking has less to do with communicating directly to constituents than with sending signals to a more attentive public (see also Tanger et al. 2011).

In sum, much of the literature on the political economy of prisons has been devoted to understanding prison privatization, its effects on marginalized groups in society, and the socio-economic and political ties that prisons foster in poor and rural communities. However, relatively few studies systematically investigate what prison companies do to influence the individual political behavior of elected and appointed officials and government bureaucrats (although see Thorpe 2015). Moreover, it is unclear how political economies affect other historically marginalized groups, including immigrants. As previously mentioned, the criminalization of immigrants has been well documented (Chacón 2009, 2012; Gonzalez et al. 2017; Gonzalez 2014; Miller 2005; Stumpf 2006). Yet, there is little scholarly research that examines prison economies and their impact on immigrants and immigrant communities (Gottschalk 2016). More recently, Juárez et al. (2018) show that federal immigration policies passed between the 1990s and 2000s are responsible for increasing the ratio of immigrant detainees. However, they find no statistical correlation between CCA and GEO Group lobbying expenditures and the ratio of immigrant detainees. Although insightful, the relative lack of literature on the subject warrants further empirical investigation. Drawing from the broad array of literatures described above, we add to this existing body of work by introducing a theory of carceral markets and examining the extent to which private prison companies influence the immigration policymaking in the U.S. Congress.

**Hypotheses**

In recent years, private prison companies have moved strongly into the immigrant detention realm. As shown in Fig. 2, CCA alone has garnered contracts approaching 3/4 of a billion dollars from one federal agency (Immigration and Customs Enforcement). Part of this move into detention likely has its roots in crime-rate drops and changes to criminal justice policy. The overall crime-rate has dropped (Gramlich 2018a), blacks have experienced a downward trend in imprisonment (Gramlich 2018b), and large states like California have reversed criminal justice policies like three strikes and you are out, which mandated mandatory minimum sentencing (nd 2018). With a population of 11–12 million undocumented immigrants residing in the United States (Krogstad et al. 2017), immigrant detention is a natural growth area for companies interested in profiting off of human capture and containment.

We advance a theory of carceral market expansion to explain at least some types of immigration policy-making at the federal level in the United States. As in most marketplaces, private companies invested in specific markets seek to expand their company’s net worth and shareholding by (1) increasing the size of the market, and (2) increasing the company’s share of the market. Over the course of U.S. history, the American black—and to a lesser degree Latino—population has served as the primary good underlying the economic basis of these carceral markets (Alexander 2012; Garland 2001; Gottschalk 2016; Murakawa 2014;...
Wacquant 2001). However, since the passage of the North American Free Trade Agreement (NAFTA), the American undocumented population—disproportionately from Latin America—has grown significantly. To grow their market size, private prison companies have sought to expand into immigrant detention to increase the supply of goods (i.e., prisoners and detainees) so that these companies can grow their profits. At the same time, prison companies will lobby against public policies designed to undercut their market size.

Furthermore, companies seek to profit from initial infrastructure investments. Spending millions of dollars on facilities and developing supply chains are all long-term investments that may turn unprofitable if prison or detainee population dwindles. Initial spending creates path dependency towards increasingly harsh public policy because these companies require as high an inmate population as possible to ensure profit. Therefore, companies will continue to lobby for a public policy that increases the supply of goods—especially when those companies have invested significantly in infrastructure.

Finally, the critical link in our theory is that, like any industry, companies will lobby MCs and other elected officials to craft policy in the company’s interests—in this case policies that expand the number of undocumented immigrants detained. However, building on the work of Thorpe (2014, 2015) and others, the lobbying pressure, coupled with constituent demands to preserve prison economies, is especially intense and effective on legislators who represent the areas where these privately run or owned detention (or otherwise private prison) facilities are located. Like most companies important to the economic interests of their constituency, legislators representing detention districts should be particularly proactive in pursuing the policy goals of these prison companies—all else equal.

We propose to test two hypotheses. The first hypothesis, which we call the carceral representation hypothesis evaluates whether the physical presence of a privately owned or managed Immigration Customs and Enforcement (ICE)-contracting detention facility in a legislator’s district influences legislator bill co-sponsorship behavior vis-à-vis punitive immigration policy. The second, which we call the carceral lobbying hypothesis investigates whether ICE-contracting campaign donations influence legislator bill co-sponsorship behavior on the same type of legislation.

**Carceral representation hypothesis (H₁)** Legislators with ICE-contracting private prison facilities in their districts will disproportionately co-sponsor punitive immigration legislation designed to increase the detainee population.

**Carceral lobbying hypothesis (H₂)** Legislators who receive campaign donations from ICE-contracting private corporations will disproportionately co-sponsor punitive immigration legislation designed to increase the detainee population.

### Method

To assess our hypotheses, we combined data from several sources. First, we rely on legislator-level data collected from Voteview (Lewis et al. 2017). We downloaded the 113th and 114th member datasets, which include all Congressional House members (MCs) for the two cycles. Importantly, the data include unique MC identifiers and names, party identification, DW-Nominate legislator ideology scores, district, and state. We focus on these two Congresses because they occur after 2010 redistricting and are complete. Here, we focus on federal legislators rather than on state representatives because ICE contracts are delivered at the federal level so it makes sense that companies seeking these contracts will lobby federal representatives.

Next, we downloaded Congressional bills data from The Congressional Bills Project (Adler and Wilkerson 2017), then subset the data to just bills introduced in the 113th and 114th Congresses. The Congressional Bills data include all bills introduced into the two Congresses, and topic codes for each bill (e.g., immigration; environment). We subset these data to immigration bills only, review these bills’ summaries, then select bills that seemed likely to increase the need for detainee or undocumented immigrant housing. More specifically, we included bills that (1) enhance the power of local, state, and federal law enforcement agencies to enforce immigration laws; (2) increase cooperation among local, state, and federal law enforcement agencies to enforce immigration laws as well as impose penalties on sanctuary localities; (3) impose penalties on undocumented immigrants and non-permanent residents; and (4) create new procedures to facilitate detainment and deportation of undocumented immigrants. In this case, HR-2848—“amend[s] the Immigration and Nationality Act to penalize aliens who overstay their visas, and for other purposes,” and HR-1901 “amend[s] the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes”—fits into categories 3 and 4. Importantly, we exclude bills that are less likely to increase the supply of

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3 Future work will incorporate earlier Congresses, which will allow for a greater degree of causal inference by (1) assessing the change in probability of bill co-sponsorship among legislators who get shifted in and out of districts (due to 2010 redistricting) containing privately owned or managed detention facilities and (2) examining whether legislator co-sponsorship behavior changes as a result of new or closed detention facilities.

4 See Appendix for the bill summaries
immigrant detainees, such as “English Only” laws, bills that end birthright citizenship, and bills that restrict the number of immigrants entering into the United States.

This process generated 10 bills in the 113th Congress and 15 bills in the 114th Congress matching our criteria. These bills serve as the basis for our initial dependent variable. Our dependent variable is therefore a legislator co-sponsorship count across the two Congresses; the distribution is presented in Table 1. We combine the two Congresses for a total observation size of $n = 885$.

We rely on two data sources to craft our primary independent variables: (1) ICE-contracting facilities in district, and (2) private prison/ICE-contractor campaign donations. First, we downloaded the 114th Congress polygon shape file from the U.S. Census. Second, from a publicly available FOIA request, we downloaded a list and location of all ICE-contracting facilities in the United States. This includes 209 facilities, however, three facilities had contracts signed after the beginning of the 113th Congress so, we exclude our analysis to the 206 facilities contracting prior to the beginning of the 113th Congress. Each facility was geo-coded to extract latitude and longitude coordinates (Kahle and Wickham 2013). We overlaid these polygon (district) and points (detention facility) shape files to determine which districts have ICE-contracting facilities.

ICE contracts include both private company contracts, such as those with GEO and CCA, and also with local county governments. Our primary independent variable is a count of privately owned or managed detention facilities in a Congressional district. We choose this measure specifically because we are interested in the direct effects of private prisons on legislator behavior.

Next, we downloaded all signed ICE contracts from the publicly available FOIA request. This included 534 contracts spread across 116 companies. For each company under contract with ICE, we then did a search on followthemoney.org, a website/organization that tracts campaign donation information. This resulted in a list of 42 companies that had donated to at least one candidate in followthemoney’s database—but not necessarily a Congressional candidate in our data. For each MC in the 113th and 114th Congresses, we calculated the total donations received from companies who had signed contracts with ICE prior to the 113th and 114th Congresses, respectively. Finally, we merged both ICE facility location and campaign donation data with the Vote View and Congressional Bills datasets.

To rule out concerns about district endogeneity, we merged on several control variables from the American Community Survey (ACS). We downloaded the following variables from Social Explorer—a housing website for U.S. Census data: percent Hispanic, percent black, percent Asian, percent 4-year college education, median income, percent unemployment, Gini coefficient, and population density. We could not get crime-rate per Congressional district; however, we do control for variables that many policymakers might perceive to correlate with crime, despite somewhat inconsistent evidence (Sharkey et al. 2016). These variables are included because we want to assess, all else equal, whether representatives in districts with privately contracted ICE facilities are more likely to co-sponsor punitive legislation. Without such controls, any findings we obtain may be a result of omitted variable bias.

We also include legislator committee assignments with dummies for Department of Homeland Security Subcommittee (1 = yes, 0 = no), Border Subcommittee (1 = yes, 0 = no), and the Oversight Subcommittee (1 = yes, 0 = no). All variable distributions are presented in the Appendix.

Finally, we include a covariate for Congress = 114 (1), Congress = 113 (0). Due to the high number of zeros in our dependent variable, we estimate a zero-inflated negative binomial regression—a count model designed to specifically handle an inflation of zeros in the data. We also account

### Table 1: Punitive immigration bill co-sponsorship count distribution, 113th and 114th Congress

<table>
<thead>
<tr>
<th>Count</th>
<th>Percent</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0.80</td>
<td>704</td>
</tr>
<tr>
<td>1</td>
<td>0.12</td>
<td>104</td>
</tr>
<tr>
<td>2</td>
<td>0.04</td>
<td>34</td>
</tr>
<tr>
<td>3</td>
<td>0.02</td>
<td>17</td>
</tr>
<tr>
<td>4</td>
<td>0.01</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>0.01</td>
<td>11</td>
</tr>
<tr>
<td>6</td>
<td>0.01</td>
<td>4</td>
</tr>
<tr>
<td>7</td>
<td>0.00</td>
<td>2</td>
</tr>
<tr>
<td>8</td>
<td>0.00</td>
<td>2</td>
</tr>
<tr>
<td>9</td>
<td>0.00</td>
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<tr>
<td>12</td>
<td>0.00</td>
<td>1</td>
</tr>
<tr>
<td>13</td>
<td>0.00</td>
<td>1</td>
</tr>
</tbody>
</table>

80% of MCs do not sponsor or co-sponsor legislation; leaving 20% of members to sponsor at least one punitive immigration bill tied to increased enforcement

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5 We argue that bill co-sponsorship provides an excellent test of prison group influence. Unlike roll-call votes, bill co-sponsorship is more of a voluntary act in which legislators choose among a diverse set of policy issues. In this light, co-sponsorship serves as a stronger signal of legislative support (Rocca and Gordon 2010).

6 Note, the length is a bit longer than 435 members by 2 years due to retirements, etc.

7 Across the two Congresses, most districts-Congress observations do not have privately contracted ICE facilities ($n = 814, 92\%$). 58 district-Congress observations have one facility, nine have two facilities, and three have four facilities.
for robust clustered standard errors, with clustering on the legislator, in Table 7 in Appendix 2.

## Results

Before testing our two primary hypotheses, we begin with a brief discussion of other model covariates, in order to establish consistency with the extant literature. Table 2 presents coefficients for our zero-inflated negative binomial regression model. In general, the relationship between model covariates and immigration legislative co-sponsorship is consistent with existing literature, lending further credibility to the credulity of our analysis. As expected, Table 2 shows that Republican legislators are more likely to co-sponsor punitive immigration legislation, as are legislators who exhibit high levels of conservatism measured via DW-Nominate dimension 1. Likewise, legislators on the “Border” Subcommittee are more likely to co-sponsor punitive legislation, which may not be surprising since legislators in that region may be more sensitive to their constituents’ immigration concerns. Interestingly, the 114th Congress witnessed an increase in immigration co-sponsorship as reflected in that variable’s positive statistically significant coefficient. Finally, Latino representatives are less likely to co-sponsor bills punishing undocumented immigrants (as we might expect), whereas legislators representing disproportionately black districts are actually more likely to co-sponsor punitive immigration legislation.

Next, we evaluate our two main hypotheses. To begin, hypothesis one states that legislators who represent districts where a private prison detention facility is located will be disproportionately likely to co-sponsor punitive immigration legislation that could lead to increased immigration enforcement in the interior. In support of our first hypothesis, the coefficient for “ICE Detention Facility District Count” is both positive and statistically significant (z value = 2.521, p value < 0.05).

However, given the nature of the model specification the coefficient is somewhat uninterpretable, we therefore conducted a Monte Carlo simulation where we plot the independent variable’s minimum to maximum simulated effects on the predicted number of co-sponsor bills, holding all covariates at their means. The results for our key independent variable are presented in Fig. 3. The expected number of co-sponsored bills for legislators with no ICE facilities in their district is 0.145, whereas legislators whose district contains three facilities are expected to co-sponsor 0.45 bills—a three-fold effect. These results hold despite including powerful predictors like legislator party identification, ideology, racial/ethnic district demographics, and legislator characteristics.

Hypothesis two maintains that, all else equal, legislators who receive more campaign donations from companies who have signed contracts with ICE, should be more likely to co-sponsor punitive immigration legislation. The argument is that these companies with interests in increasing immigrant detention lobby these legislators, who in turn co-sponsor legislation.

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### Table 2 Predictors of punitive immigration bill co-sponsorship by members of Congress in the 113th–114th Congresses

<table>
<thead>
<tr>
<th>Predictor</th>
<th>Coefficient (SE)</th>
</tr>
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<tbody>
<tr>
<td>ICE Detention Facility District Count</td>
<td>0.391** (0.155)</td>
</tr>
<tr>
<td>Campaign Donations from ICE Contractors</td>
<td>−0.00001 (0.0001)</td>
</tr>
<tr>
<td>Republican</td>
<td>1.621* (0.828)</td>
</tr>
<tr>
<td>Congress: 114th</td>
<td>1.675*** (0.201)</td>
</tr>
<tr>
<td>DHS Subcommittee</td>
<td>0.129 (0.589)</td>
</tr>
<tr>
<td>Border Subcommittee</td>
<td>0.997** (0.426)</td>
</tr>
<tr>
<td>Oversight Subcommittee</td>
<td>0.422 (0.444)</td>
</tr>
<tr>
<td>DW Nominate: D1</td>
<td>2.685*** (0.568)</td>
</tr>
<tr>
<td>DW Nominate: D2</td>
<td>0.052 (0.377)</td>
</tr>
<tr>
<td>Latino representative</td>
<td>−1.477** (0.696)</td>
</tr>
<tr>
<td>Percent Hispanic</td>
<td>0.009 (0.008)</td>
</tr>
<tr>
<td>Percent black</td>
<td>0.024** (0.010)</td>
</tr>
<tr>
<td>Percent Asian</td>
<td>−0.022 (0.038)</td>
</tr>
<tr>
<td>Percent unemployed</td>
<td>−0.113 (0.100)</td>
</tr>
<tr>
<td>Percent college-educated</td>
<td>0.046 (0.034)</td>
</tr>
<tr>
<td>Median HH income</td>
<td>0.00000 (0.00001)</td>
</tr>
<tr>
<td>Gini coefficient</td>
<td>1.552 (3.586)</td>
</tr>
<tr>
<td>Population density</td>
<td>−0.00004 (0.00002)</td>
</tr>
<tr>
<td>Constant</td>
<td>−5.488*** (1.573)</td>
</tr>
<tr>
<td>Observations</td>
<td>885</td>
</tr>
<tr>
<td>Log likelihood</td>
<td>−525.030</td>
</tr>
</tbody>
</table>

Data are modeled based on a zero-inflated negative binomial regression

*p < 0.1; **p < 0.05; ***p < 0.01

*Table 8 in Appendix 2 presents coefficient estimates from a negative binomial count model. The substantive results remain unchanged.
beneficial to such companies. As can be seen in Table 2, this hypothesis is not supported with our data, as the coefficient estimate is $-0.00001$ ($p$ value = 0.9). Figure 4 presents similar minimum to maximum simulation plots as Fig. 3. The plot clearly shows a flat line, visually indicating donations do not influence MC behavior regarding bill co-sponsorship.

Finally, our findings may be a product of selection effects, whereby our explanatory variable may be related to the error term (endogeneity). Specifically, private prison companies might locate their detention facilities in Congressional districts where they think residents and policymakers will support their interests. Therefore, the observed relationship between our explanatory and outcome variables may come about simply because the districts are highly anti-immigrant to begin with—even before the facilities were placed there. To begin to alleviate endogeneity concerns, we estimate privately contracted ICE facility effects via full matching methods (Ho et al. 2011). The argument for using this technique is the potential validity violation with observational data: one could argue that private prison companies disproportionately build detention centers in places where locals are predisposed to tough immigration policy. And so, the legislators emerging from those locations are not responding to the financial interests of the companies running detention facilities but rather are responding to their constituents whose preferences are consonant with the interests of detention facilities. A matched comparison will help ward off this endogeneity concern.

Preprocessing our data through MatchIt allows us to compare Congressional districts with private ICE detention centers to those without, while holding all else constant (Ho et al. 2011). Here, our objective is to make both sets (i.e., “treatment”—having at least one privately owned or managed detention facility—vs. “control”) of Congressional districts as comparable as possible, such that the presence or absence of a private ICE detention facility serves as a random treatment condition. In our match, we include most of our previously utilized geopolitical, socio-economic, and demographic Congressional control variables as matching conditions, such as Congressional year, percent black, percent Asian, percent 4-year college education, median income, percent unemployment, Gini coefficient, and population density. We additionally match upon the population size of the Congressional district, the state of the Congressional district, percent Romney from the 2012 presidential election, and a host of categorical district

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9 We also estimated models using just the money count from CCA/Core Civic and GEO Group as separate variables. These models also produced null results.
population age variables. More importantly, we exclude those variables from the match which might influence legislator co-sponsorship of punitive immigration policy such as candidate partisanship, percent Latino population, number of Latino legislators, or government subcommittee participation (however, we keep these variables in our post-match regression to rule out their confounding influence on bill co-sponsorship). Table 3 presents coefficients for our negative binomial model post-match, where we include the same covariates as our baseline non-matched models. As demonstrated in Table 3, the outcome of our proposed first hypothesis is actually stronger in our post-match regression than our results pre-match demonstrated in Table 3. The coefficient is now 0.633 ($z$ value = 4.187, $p$ value < 0.001). This is to say, when we specifically address matters of endogeneity, the relationship between having a privately owned or managed detention facility in one’s district and proposing punitive immigration legislation actually strengthens. As with our initial models, our coefficient representing contractor donations remains statistically insignificant (0.0000008, $z$ value = 1.092, $p$ value = 0.275). Therefore, we reject the carceral lobbying hypothesis.

**Discussion**

This paper is the first to systematically examine whether private companies that contract with ICE influence the policymaking process in some way. Given theories of representation (Bishin 2009; Denzau and Munger 1986; Mansbridge 2003), we might expect that legislators will indeed respond to certain interests in their districts—even if those interests might appear morally problematic on their face (Thorpe 2014, 2015; Walker et al. 2017). Indeed, the rise of private prison detention facilities over the last 20 years, in conjunction with a growing—if fabricated—immigration crisis, represents a growth industry in some geographic localities (Cooper et al. 2016). Some of these facilities now underpin local economies; thus, above and beyond typical predictors of bill co-sponsorship, this paper’s findings are unsurprising.

We looked at punitive immigration bill co-sponsorship in both the 113th and 114th Congresses. However, we focused specifically on bills that, if implemented as law, had a high probability of increasing immigration enforcement and detention of the undocumented population (as opposed to English Only laws for example). We found clear support for the carceral representation hypothesis. Legislators representing districts where private prison companies contract with ICE to manage or own detention facilities disproportionately co-sponsor punitive immigration legislation designed to increase immigrant detention via tough enforcement laws. The finding falls in line with prior work that examines the relationship between prison economies and state legislative behavior (Thorpe 2015). Our results add to this initial study in at least three key ways. First, private
prison companies wield political influence at the national level of government—namely members of the U.S. House of Representatives. Second, by facilitating a perception of economic dependence within legislative districts, private prison companies systematically influence other types of legislation (i.e., immigration legislation) to increase the supply of detainees beyond anti-drug reform policies. Finally, and despite some company policies that say otherwise, our results confirm that private prison companies systematically expand their markets by targeting undocumented immigrants.

We did not, however, find evidence supporting the carceral lobbying hypothesis. At least with these data, legislators who disproportionately receive campaign donations from ICE-contracting companies are no more or less likely to support punitive immigration legislation, all else equal. There is, however, a statistically significant bivariate relationship between legislator bill co-sponsorship and donations from ICE contractors. Specifically, legislators who received any money at all from an ICE contractor had a bill co-sponsor mean of 0.48, whereas legislators who did not receive money scored a value of 0.357 ($t = 1.65, p = 0.10$). While this effect disappears in the multivariate analysis—particularly upon the inclusion of legislator party—it is suggestive that a lobbying effect may exist at some level of analysis (i.e., at the state level). It may also be that money is more likely to influence the co-sponsorship of "quality" legislation. While our count measure captures some level of legislative or preference intensity, it does not account for bills’ relative significance or importance.

Finally, the negligible finding does not necessarily suggest that money does not influence legislative behavior. Although beyond the scope of this study, it is possible that campaign donations from private prison companies lead to other beneficial outcomes, such as access to legislators and other political networks (Austen-Smith and Wright 1994; Fourinaies and Hall 2014; Grimmer and Powell 2013; Hall and Deardorff 2006; Hansen 1991; Mahoney and Baumgartner 2008). Campaign donations may also indirectly increase the likelihood of securing favorable government contracts to build new prisons and provide managerial, transportation, and other services to government agencies, such as the Bureau of Prisons and the U.S. Marshals Service. Thus, the influence of money in politics may not be limited to just bill co-sponsorship.

Overall, these findings provide significant evidence for an immigration carceral market. Beyond playing to their base’s possible anti-immigrant sentiments (Brader et al. 2008; Collingwood and Gonzalez O’Brien 2018; Newman et al. 2012, 2018), legislators also appear to respond to the interests of ICE-contracting private prison companies in their districts. GEO, CCA, Wackenhut—these companies stand to gain immensely from increased immigrant detention.10 CCA, for instance, signed contracts with ICE worth about $730 million between 2003 and 2012. Like any successful

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**Table 3** Post-match predictors of punitive immigration bill co-sponsorship 113th–114th Congress (negative binomial count model)

| Dependent variable Co-sponsorship |  
|-----------------------------------|--
| ICE Detention Facility District Count | 0.633*** (0.151) |
| Campaign Donations from ICE Contractors | 0.00001 (0.00001) |
| Republican | – 0.341 (1.090) |
| Congress: 114th | 1.243*** (0.169) |
| DHS Subcommittee | 0.309 (0.396) |
| Border Subcommittee | 0.770 (0.561) |
| Oversight Subcommittee | 0.191 (0.682) |
| DW Nominate: D1 | 5.746*** (0.656) |
| DW Nominate: D2 | 0.621* (0.368) |
| Latino representative | – 0.679 (0.736) |
| Percent Hispanic | – 0.014* (0.008) |
| Percent black | 0.024*** (0.011) |
| Percent Asian | 0.009 (0.047) |
| Percent unemployed | – 0.153 (0.117) |
| Percent college-educated | 0.008 (0.050) |
| Median HH income | 0.00001 (0.00002) |
| Gini coefficient | – 0.129 (4.743) |
| Population density | 0.0001 (0.0001) |
| Constant | – 4.529* (2.669) |
| Observations | 885 |
| Log likelihood | – 463.015 |
| $\theta$ | 2.137*** (0.667) |
| Akaike inf. crit. | 964.030 |

*p < 0.1; **p < 0.05; ***p < 0.01

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10 We analyzed the data including MRP ideological estimates (Tausanovitch and Warshaw 2013). Our findings remained unchanged.
and powerful business in a legislator’s district, representatives seek to curry favor of powerful interests—even those who seek profit based on the imprisonment of people.

However, future research should continue to investigate the many aspects of the immigration carceral market. We hope researchers will replicate our analysis in the U.S. states—where much of the immigration policymaking has occurred in the past decade. Because immigration politics since IRCA has shifted to the states, fitting a pattern of what scholars call immigration federalism (Boushey and Luedtke 2011; Gulasekara and Ramakrishnan 2013; Marquez and Schraunfagel 2013; Ramakrishnan and Gulasekaram 2012; Spiro 1996; Varsanyi et al. 2012), and given the recently documented role of groups like ALEC in state immigration policy diffusion (Collingwood et al. 2017), there is strong reason to suspect that private prison companies have expanded their reach into state immigration policymaking. Thus, future research should conduct similar analyses as presented here, but on a state-by-state level. While the data collection process might be extensive, the wider variance of state policymaking might perhaps provide greater insights into the carceral market than what we have presented here.

Limitations

Finally, there are some notable limitations to the present findings. Our analysis is limited to just two Congresses. It is possible that earlier Congresses introduced and co-sponsored significantly more immigration bills. As such, carceral representation patterns discovered here may be more or less pronounced.

For instance, due to the relative lack of sponsored bills fitting our criteria, we could only look at co-sponsorship. This analysis therefore limits our understanding of how private detention facilities influence MC behavior. Analysis with more Congresses might produce enough sponsored data points for useful analysis.

Future work should incorporate earlier Congresses, which will allow for a greater degree of causal inference, by (1) assessing the change in probability of bill co-sponsorship among legislators who get shifted in and out of districts (due to 2010 redistricting) containing privately owned or managed detention facilities, and (2) examining whether legislator bill sponsorship behavior changes as a result of new or closed detention facilities. This work would greatly help “prove” that private prison companies affect the immigration policymaking process to perverse ends.

Acknowledgements

We thank Breanna Javier for excellent research assistance, Becca Thorpe for her comments during the early phases of data collection, and Hannah Walker for organizing an APSA panel, and for her comments on an early draft of the manuscript. We also thank participants of the Immigration Research Group and Center for Social Innovation at UC Riverside, especially Karthick Ramakrishnan.

Appendix 1

See Table 4.
Table 4  Bills from 113th and 114th Congress used to create our bill co-sponsorship-dependent variable

<table>
<thead>
<tr>
<th>Congress</th>
<th>Bill number</th>
<th>Bill title</th>
</tr>
</thead>
<tbody>
<tr>
<td>113</td>
<td>HR-1901</td>
<td>To amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes</td>
</tr>
<tr>
<td>113</td>
<td>HR-2124</td>
<td>To amend the Immigration and Nationality Act to improve worksite enforcement, prevent crime, and gain operational control of the borders, and for other purposes</td>
</tr>
<tr>
<td>113</td>
<td>HR-2264</td>
<td>To provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes</td>
</tr>
<tr>
<td>113</td>
<td>HR-2631</td>
<td>To amend the Immigration and Nationality Act to criminalize unlawful presence</td>
</tr>
<tr>
<td>113</td>
<td>HR-457</td>
<td>To amend section 276 of the Immigration and Nationality Act to impose mandatory sentencing ranges with respect to aliens who reenter the United States after having been removed, and for other purposes</td>
</tr>
<tr>
<td>113</td>
<td>HR-5114</td>
<td>To facilitate the expedited processing of minors entering the United States across the southern border and for other purposes</td>
</tr>
<tr>
<td>113</td>
<td>HR-5137</td>
<td>To modify the treatment of unaccompanied alien children who are in Federal custody by reason of their immigration status, and for other purposes</td>
</tr>
<tr>
<td>113</td>
<td>HR-5163</td>
<td>To provide for the expedited processing of unaccompanied alien children illegally entering the United States, and for other purposes</td>
</tr>
<tr>
<td>113</td>
<td>HR-5261</td>
<td>To establish a North and Central American and Caribbean border security cooperation initiative, enhance the security of Mexico’s southern border, improve United States short term detention standards, and for other purposes</td>
</tr>
<tr>
<td>113</td>
<td>HR-639</td>
<td>To reform immigration detention procedures, and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-1148</td>
<td>To amend the Immigration and Nationality Act to improve immigration law enforcement within the interior of the United States, and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-2848</td>
<td>To amend the Immigration and Nationality Act to penalize aliens who overstay their visas, and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-29</td>
<td>To prohibit the use of funds for granting deferred action or other immigration relief to aliens not lawfully present in the United States</td>
</tr>
<tr>
<td>114</td>
<td>HR-2942</td>
<td>To require the Secretary of Homeland Security to detain any alien who is unlawfully present in the United States and is arrested for certain criminal offenses</td>
</tr>
<tr>
<td>114</td>
<td>HR-2964</td>
<td>To provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-3002</td>
<td>To prohibit the receipt of Federal financial assistance by sanctuary cities, and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-3011</td>
<td>To amend the Immigration and Nationality Act to increase the penalties applicable to aliens who unlawfully reenter the United States after being removed</td>
</tr>
<tr>
<td>114</td>
<td>HR-3073</td>
<td>To prohibit the receipt of Federal financial assistance by sanctuary cities, and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-3165</td>
<td>To provide for the apprehension, detention, and removal of certain aliens arrested by the District of Columbia, and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-3391</td>
<td>To provide Governors of States with the authority to withhold Federal financial assistance from units of local government that do not comply with the immigration laws, and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-3437</td>
<td>To ensure State and local compliance with all Federal immigration detainers on aliens in custody and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-3928</td>
<td>To authorize the Capitol Police to enforce the immigration laws, and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-4007</td>
<td>To amend the Immigration and Nationality Act to require U.S. Immigration and Customs Enforcement, upon the request of a law enforcement official, to make a prompt determination of whether to issue a detainer in the case of an alien arrested for a violation of Federal, State, or local law</td>
</tr>
<tr>
<td>114</td>
<td>HR-4597</td>
<td>To provide resources and incentives for the enforcement of immigration laws in the interior of the United States and for other purposes</td>
</tr>
<tr>
<td>114</td>
<td>HR-4720</td>
<td>To amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to provide for the expedited removal of unaccompanied alien children who are not victims of a severe form of trafficking in persons and who do not have a fear of returning to their country of nationality or last habitual residence, and for other purposes</td>
</tr>
</tbody>
</table>
Appendix 2

See Tables 5, 6, 7, and 8.

### Table 5: Model variable coding scheme

<table>
<thead>
<tr>
<th>Variable</th>
<th>Code</th>
<th>Data type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punitive Immigration Co-sponsorship Count</td>
<td>0–13</td>
<td>Numeric</td>
</tr>
<tr>
<td>ICE Detention Facility District Count</td>
<td>0–3</td>
<td>Numeric</td>
</tr>
<tr>
<td>Campaign Donations from ICE Contractors</td>
<td>0–47,250</td>
<td>Numeric</td>
</tr>
<tr>
<td>Republican</td>
<td>100–200</td>
<td>Factor</td>
</tr>
<tr>
<td>Congress: 114th</td>
<td>0–1</td>
<td>Dummy</td>
</tr>
<tr>
<td>DHS Subcommittee</td>
<td>0–1</td>
<td>Dummy</td>
</tr>
<tr>
<td>Border Subcommittee</td>
<td>0–1</td>
<td>Dummy</td>
</tr>
<tr>
<td>Oversight Subcommittee</td>
<td>0–1</td>
<td>Dummy</td>
</tr>
<tr>
<td>DW Nominate: D1</td>
<td>−0.69 to 0.91</td>
<td>Scale</td>
</tr>
<tr>
<td>DW Nominate: D2</td>
<td>−0.75 to 0.72</td>
<td>Scale</td>
</tr>
<tr>
<td>Latino representative</td>
<td>0–1</td>
<td>Dummy</td>
</tr>
<tr>
<td>Percent Hispanic</td>
<td>0–100</td>
<td>Percent</td>
</tr>
<tr>
<td>Percent black</td>
<td>0–100</td>
<td>Percent</td>
</tr>
<tr>
<td>Percent Asian</td>
<td>0–100</td>
<td>Percent</td>
</tr>
<tr>
<td>Percent unemployed</td>
<td>0–100</td>
<td>Percent</td>
</tr>
<tr>
<td>Percent college-educated</td>
<td>0–100</td>
<td>Percent</td>
</tr>
<tr>
<td>Median HH income</td>
<td>25,248–115,154</td>
<td>Numeric</td>
</tr>
<tr>
<td>Gini coefficient</td>
<td>0.38–0.59</td>
<td>Numeric</td>
</tr>
<tr>
<td>Population density</td>
<td>1.25–73,574.80</td>
<td>Numeric</td>
</tr>
</tbody>
</table>

### Table 6: Model data summary

<table>
<thead>
<tr>
<th>Variable</th>
<th>Minimum</th>
<th>Maximum</th>
<th>Mean</th>
<th>Std. dev.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punitive Immigration Co-sponsorship Count</td>
<td>0.00</td>
<td>13.00</td>
<td>0.43</td>
<td>1.23</td>
</tr>
<tr>
<td>ICE Detention Facility District Count</td>
<td>0.00</td>
<td>3.00</td>
<td>0.10</td>
<td>0.37</td>
</tr>
<tr>
<td>Campaign Donations from ICE Contractors</td>
<td>0.00</td>
<td>47,250.00</td>
<td>6069.77</td>
<td>8383.19</td>
</tr>
<tr>
<td>Republican</td>
<td>100.00</td>
<td>200.00</td>
<td>155.48</td>
<td>49.73</td>
</tr>
<tr>
<td>Congress: 114th</td>
<td>0.00</td>
<td>1.00</td>
<td>0.50</td>
<td>0.50</td>
</tr>
<tr>
<td>DHS Subcommittee</td>
<td>0.00</td>
<td>1.00</td>
<td>0.02</td>
<td>0.16</td>
</tr>
<tr>
<td>Border Subcommittee</td>
<td>0.00</td>
<td>1.00</td>
<td>0.03</td>
<td>0.17</td>
</tr>
<tr>
<td>Oversight Subcommittee</td>
<td>0.00</td>
<td>1.00</td>
<td>0.02</td>
<td>0.15</td>
</tr>
<tr>
<td>DW Nominate: D1</td>
<td>−0.69</td>
<td>0.91</td>
<td>0.09</td>
<td>0.45</td>
</tr>
<tr>
<td>DW Nominate: D2</td>
<td>−0.75</td>
<td>0.72</td>
<td>−0.01</td>
<td>0.27</td>
</tr>
<tr>
<td>Latino representative</td>
<td>0.00</td>
<td>1.00</td>
<td>0.06</td>
<td>0.25</td>
</tr>
<tr>
<td>Percent Hispanic</td>
<td>0.76</td>
<td>87.26</td>
<td>16.49</td>
<td>17.78</td>
</tr>
<tr>
<td>Percent black</td>
<td>0.36</td>
<td>64.75</td>
<td>12.22</td>
<td>14.18</td>
</tr>
<tr>
<td>Percent Asian</td>
<td>0.30</td>
<td>50.58</td>
<td>4.87</td>
<td>6.47</td>
</tr>
<tr>
<td>Percent unemployed</td>
<td>1.73</td>
<td>9.51</td>
<td>4.66</td>
<td>1.14</td>
</tr>
<tr>
<td>Percent college-educated</td>
<td>3.21</td>
<td>30.20</td>
<td>11.95</td>
<td>4.05</td>
</tr>
<tr>
<td>Median HH income</td>
<td>25,248.00</td>
<td>115,154.00</td>
<td>55,240.97</td>
<td>14,659.34</td>
</tr>
<tr>
<td>Gini coefficient</td>
<td>0.38</td>
<td>0.59</td>
<td>0.45</td>
<td>0.03</td>
</tr>
<tr>
<td>Population density</td>
<td>1.25</td>
<td>73,574.80</td>
<td>2332.53</td>
<td>6797.24</td>
</tr>
</tbody>
</table>
### Table 7 Predictors of punitive immigration bill co-sponsorship 113th–114th Congress

<table>
<thead>
<tr>
<th>Dependent variable</th>
<th>Coefficient</th>
<th>Standard Error</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constant</td>
<td>−5.488</td>
<td>(3.899)</td>
</tr>
<tr>
<td>ICE Detention Facility District Count</td>
<td>0.391*</td>
<td>(0.231)</td>
</tr>
<tr>
<td>Campaign Donations from ICE Contractors</td>
<td>−0.00001</td>
<td>(0.0004)</td>
</tr>
<tr>
<td>Republican</td>
<td>1.621</td>
<td>(3.574)</td>
</tr>
<tr>
<td>Congress: 114th</td>
<td>1.675**</td>
<td>(0.777)</td>
</tr>
<tr>
<td>DHS Subcommittee</td>
<td>0.129</td>
<td>(2.790)</td>
</tr>
<tr>
<td>Border Subcommittee</td>
<td>0.997</td>
<td>(1.699)</td>
</tr>
<tr>
<td>Oversight Subcommittee</td>
<td>0.422</td>
<td>(1.242)</td>
</tr>
<tr>
<td>DW Nominate: D1</td>
<td>2.685***</td>
<td>(0.786)</td>
</tr>
<tr>
<td>DW Nominate: D2</td>
<td>0.052</td>
<td>(1.769)</td>
</tr>
<tr>
<td>Latino representative</td>
<td>−1.477</td>
<td>(1.405)</td>
</tr>
<tr>
<td>Percent Hispanic</td>
<td>0.009</td>
<td>(0.009)</td>
</tr>
<tr>
<td>Percent black</td>
<td>0.024</td>
<td>(0.020)</td>
</tr>
<tr>
<td>Percent Asian</td>
<td>−0.022</td>
<td>(0.194)</td>
</tr>
<tr>
<td>Percent unemployed</td>
<td>−0.113</td>
<td>(0.127)</td>
</tr>
<tr>
<td>Percent college-educated</td>
<td>0.046</td>
<td>(0.134)</td>
</tr>
<tr>
<td>Median HH income</td>
<td>0.00000</td>
<td>(0.00004)</td>
</tr>
<tr>
<td>Gini coefficient</td>
<td>1.552</td>
<td>(12.687)</td>
</tr>
<tr>
<td>Population density</td>
<td>−0.00004</td>
<td>(0.002)</td>
</tr>
<tr>
<td>Zero Intercept</td>
<td>−2.138</td>
<td>(4.322)</td>
</tr>
</tbody>
</table>

Zero-inflated negative binomial regression (robust standard errors)

* $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$

### Table 8 Predictors of punitive immigration bill co-sponsorship 113th–114th Congress

<table>
<thead>
<tr>
<th>Dependent variable</th>
<th>Coefficient</th>
<th>Standard Error</th>
</tr>
</thead>
<tbody>
<tr>
<td>ICE Detention Facility District Count</td>
<td>0.334*</td>
<td>(0.182)</td>
</tr>
<tr>
<td>Campaign Donations from ICE Contractors</td>
<td>−0.00001</td>
<td>(0.00001)</td>
</tr>
<tr>
<td>Republican</td>
<td>1.667***</td>
<td>(0.173)</td>
</tr>
<tr>
<td>Congress: 114th</td>
<td>0.168</td>
<td>(0.447)</td>
</tr>
<tr>
<td>DHS Subcommittee</td>
<td>0.885**</td>
<td>(0.383)</td>
</tr>
<tr>
<td>Border Subcommittee</td>
<td>0.415</td>
<td>(0.423)</td>
</tr>
<tr>
<td>Oversight Subcommittee</td>
<td>1.551**</td>
<td>(0.745)</td>
</tr>
<tr>
<td>DW Nominate: D1</td>
<td>2.772***</td>
<td>(0.602)</td>
</tr>
<tr>
<td>DW Nominate: D2</td>
<td>0.078</td>
<td>(0.323)</td>
</tr>
<tr>
<td>Latino representative</td>
<td>−1.438*</td>
<td>(0.738)</td>
</tr>
<tr>
<td>Percent Hispanic</td>
<td>0.007</td>
<td>(0.008)</td>
</tr>
<tr>
<td>Percent black</td>
<td>0.026**</td>
<td>(0.010)</td>
</tr>
<tr>
<td>Percent Asian</td>
<td>−0.026</td>
<td>(0.033)</td>
</tr>
<tr>
<td>Percent unemployed</td>
<td>−0.102</td>
<td>(0.105)</td>
</tr>
<tr>
<td>Percent college-educated</td>
<td>0.050</td>
<td>(0.043)</td>
</tr>
<tr>
<td>Median HH income</td>
<td>0.00000</td>
<td>(0.00001)</td>
</tr>
<tr>
<td>Gini coefficient</td>
<td>1.202</td>
<td>(4.271)</td>
</tr>
<tr>
<td>Population density</td>
<td>−0.00003</td>
<td>(0.0001)</td>
</tr>
<tr>
<td>Constant</td>
<td>−5.454**</td>
<td>(2.131)</td>
</tr>
</tbody>
</table>

Zero-inflated negative binomial regression (negative binomial model)

* $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$
References


