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**Florida Voters’ Attitudes toward Immigration Reform**

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Background

Even though most Americans arrived on the nation’s shores from someplace else in the world, immigrants were rarely embraced in the 19th and 20th centuries. Americans only reached out to these new arrivals when they looked like themselves, shared similar religious and cultural values, or when the economy was booming and the nation clearly needed additional labor. But when immigrants have different religious and cultural traditions, are different in color or appearance, or when the economy is in the doldrums, Americans have traditionally put on their nativist hats and proclaimed that “enough is enough.” The intensity of today’s debate over immigration reform should not, therefore, come as a surprise. At the center of the public’s angst today is the status of an estimated 11.4 million undocumented immigrants nationwide and an estimated 632,000 in Florida.¹

Although immigration reform did not appear on the ballot in Florida on November 4th, 2014, some candidates highlighted the issue to draw distinctions between themselves and their opponents. An example was the congressional race in South Florida between U.S. Representative Joe Garcia, Democrat, who lost in a close race to challenger Republican Carlos Curbelo. Curbelo advocated stronger border security, while Garcia claimed that federal spending on border security was excessive.² At the national level, immigration reform led to a show down between President Obama and Republican Congressional leaders. President Obama hinted that he favored a path toward citizenship but ultimately decided to postpone action on immigration reform until after the election, much to the dismay of his Hispanic supporters.

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The methodology used to derive these estimates imputes unauthorized status using U.S. Census Bureau 2008-12 American Community Survey and 2008 Survey of Income and Program Participation data, provides estimates of unauthorized populations for the U.S., 47 states, and the District of Columbia. The Pew Research Center also provides estimates for the nation and individual states for 2012 and compares those estimates to 2009. For the nation, the estimate is 1.2 illegal immigrants in 2012. The estimate of Florida’s illegal immigrants increased by almost 6% from 2009 (825,000) to 925,000 in 2012 and represents 24% of the state’s total immigrant population.

Jeffrey S. Passel, D’Vera Cohn, and Molly Rohal, “Unauthorized Immigrant Totals Rise in 7 States, Fall in 14,” Pew Research Center, November 18, 2014, http://www.pewhispanic.org/files/2014/11/2014-11-18_unauthorized-immigration.pdf. Last accessed on December 18, 2014. The methodology used to derive those estimates compares a demographic estimate of the number of immigrants residing legally in the U.S, with the total number of immigrants as measured by either the American Community Survey or the March Supplement to the Current Population Survey. The difference is assumed to be the total number of illegal immigrants.

In the aftermath of the 2014 election and in anticipation of the President taking executive action, incoming Senate President Mitch McConnell (R-Kentucky) warned that such action would be “like waving a red flag in front of a bull.” Speaker John Boehner (R-Ohio) added that such a unilateral action would “deliberately sabotage any chance of enacting bipartisan reforms” and would damage the office of the presidency.

On November 20th and 21st 2014, the President announced a series of executive actions on immigration reform which included a directive from the Secretary of Homeland Security on illegal immigration and two memoranda on the integration of immigrants and visa reform. The directive, which was the most controversial measure, promised to benefit as many as 3.7 million undocumented immigrants, including approximately 163,000 in Florida, who have been in the U.S. for more than five years and have children who are citizens or lawful permanent residents. After meeting certain requirements, those immigrants would be able to seek relief from deportation and apply for work permits. The directive also proposed to expand the Deferred Action for Childhood Arrivals (DACA) program, which has been in effect since 2012. That expansion would increase the eligible DACA population by an estimated 290,000 to total approximately 1.5 million, including 90,000 Floridians. On December 3rd, a law suit seeking to block the Secretary of Homeland Security’s directive on illegal immigration was filed by 17 states. By December 10th, an additional seven states, including Florida, had joined the law suit, bringing the total to 24.

Prior to President Obama’s executive actions, the most recent piece of federal legislation, “the Border Security Economic Opportunity and Immigration Modernization Act” (S. 744), was passed by the U.S. Senate in June 2013, but it stalled in the House of Representatives. While waiting for federal action on immigration, several states took a series of pro-active measures. The National Conference of State

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8 In the United States District Court for the Southern District of Texas Brownsville Division, [Complaint for Declaratory and Injunctive Relief](https://www.texasattorneygeneral.gov/files/epress/files/20141203ImmigrationExecutiveOrderLawsuit.pdf), December 3, 2014, Last accessed on December 18, 2014.
Legislatures reported that as of June 30, 2014, a total of 132 immigration-related laws and 84 resolutions had been passed by 41 states and the District of Columbia. At least 25% of the laws and resolutions dealt with appropriations and budgets for immigration-related activities, 17% related to law enforcement, and 7% related to education issues.9

Florida’s most publicized immigration-related measure was the passage of H.B. 851 in 2014, which authorized public universities and colleges to offer in-state tuition to the children of undocumented parents provided the children meet certain requirements. Florida lawmakers also passed H.B. 755 in 2014, which authorized the state Supreme Court to allow certain unauthorized immigrants who were brought to the U.S. as children to practice law in the state. These immigrants, however, are required to meet specified conditions related to the length of residency in the United States, and they must receive documented employment authorization, a social security number, and also complete all requirements for practicing law in the state.10

The Complexity of Immigration Reform

Immigration legislation is incredibly complex for those who are in the United States without documentation, as well as those with documentation. The federal government’s approach to undocumented immigrants has three main aims: (1) safeguarding the border; (2) stemming the influx of undocumented immigrants; and (3) deporting undocumented law breakers. Immigrants who are in the country without documentation include skilled or unskilled workers as well as children who lack documentation authorizing them to be in the United States.

Legal residents include those who reside in the United States and have green cards that confer permanent resident status. They may apply for U.S. citizenship, provided they meet other requirements.11 A second type of legal residency includes those individuals who obtain visas which allow them to remain the United States temporarily. Falling into that category are skilled individuals who are on H1-B visas but cannot get green cards or students who are on student visas.

Immigrants with and without proper documentation are clearly not the same, but they are often lumped together under the messy rubric of “path to citizenship.” The term “path to citizenship” means that if immigrants meet certain requirements, they would be eligible to obtain legal status and ultimately citizenship.

Skilled workers with H1-B visas differ significantly from undocumented immigrants in that they are in the country legally for a limited amount of time, but they often encounter difficulty in obtaining permanent resident status after the expiration of the visa. These obstacles have impeded well-educated and skilled individuals, who have been educated or trained in the United States, from remaining in the country and eventually becoming citizens. This “brain drain” adversely affects economic growth and development, especially among start-up businesses. One indication of this situation and its consequence

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is that the percentage of companies started by foreigners in the nation has declined from 52.4% in 1995-2005 to 43.9% in 2006-2012.\textsuperscript{12} The President’s executive actions do not, however, increase the cap on H1-B visas.

Because there are so many aspects to immigration reform, politicians find it difficult to reach consensus to pass legislation, and this is no less true in Florida. In the Sunshine state the immigrant experience is very much part of its identity, particularly in the southern part of the state. Florida ranks fourth in the nation after California, New York and Hawaii in the percentage of the population that is foreign born: almost 3.8 million or 19.5% of Florida’s population was foreign born in 2012, up from 12.9% in 1990 and 17.5% in 2000.\textsuperscript{13} By far the majority of immigrants in Florida came from the Caribbean, almost 1.6 million or almost 42% of the foreign-born population as of 2012, but there are significant immigrant populations from South America and Central America, and a wide array of other regions.\textsuperscript{14} In addition, there is also a growing Asian population in Florida, which has increased from 333,013 in 2000 to 573,083 in 2010, or 3% of the state’s population.\textsuperscript{15} The vast majority of immigrants residing in Florida are in the state legally. However, there is also a sizeable minority of unauthorized persons—approximately 632,000 as noted above.

Because Florida’s immigrants reflect such a broad array of backgrounds and circumstances and the immigration process is so complex, it is perhaps not surprising that Florida’s congressional delegation is divided in its approach to reform.

**What Does Polling Data Tell Us?**

One important way of assessing political support for various immigration reform efforts is through public opinion polls. As is often the case with such surveys, the way the questions are framed matters. On balance, however, the American public, including registered and non-registered voters, is divided on the issue of immigration reform. In general, if questions about a path to citizenship included conditions for becoming a legal resident or citizen, respondents tend to be more supportive, with greater support dependent on the number of conditions or requirements. An analysis by the *Washington Post* of 15 public polls conducted in 2013-2014 found the greatest support for a path to citizenship for undocumented immigrants came from responses to three polls conducted by CNN/ORC, Fox News, and CBS. In those polls the questions specified between three and five requirements that were necessary to pursue this path. They included: criminal background checks, paying back taxes, a waiting period, and fines. Polls that revealed the lowest level of public support did not include any requirements for


immigrants seeking legal status.\textsuperscript{16} Nonetheless, in 13 of the 15 polls, regardless of how the questions were phrased, respondents’ support for a path to citizenship exceeded opposition. In the two other polls, with no specified requirements in the questions, the support and opposition levels were much closer.\textsuperscript{17}

Far fewer national or state polls have been conducted assessing registered voters’ attitudes, as opposed to those of the general public. The Bob Graham Center for Public Service and the Bureau of Economic and Business Research at the University of Florida asked Florida registered voters in August\textsuperscript{18} and again during the second week of October\textsuperscript{19} if they supported federal immigration reform, including a pathway to citizenship. No conditions or requirements were included in that question. In August, there was less overall support for immigration reform than in October: 54% in August compared to 58% in October. Opposition to reform was somewhat greater in August (36%) than in October (31%).

As was the case in other polls, Republicans were less likely to support immigration reform than either Democrats or Independents, but their opposition to reform was 10% lower in the October poll than in the August poll. They were more supportive (44%) than opposed (40%) to immigration reform in October. There was also an uptick in the percentage of Republicans who did not know or refused to respond in the later poll. Support from Independents likewise increased and opposition decreased from August to October. Democrat support changed less than that of Independents or Republicans from August to October.

<table>
<thead>
<tr>
<th>Question: Do you support federal immigration reform including a pathway to citizenship?</th>
<th>August 2014 Poll</th>
<th>October 2014 Poll</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Republican</td>
<td>Democrat</td>
</tr>
<tr>
<td>Yes, support</td>
<td>40%</td>
<td>72%</td>
</tr>
<tr>
<td>No, don’t support</td>
<td>50%</td>
<td>19%</td>
</tr>
<tr>
<td>Don’t know/refused</td>
<td>10%</td>
<td>9%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
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Two other demographic findings of note reveal the following: those 18 to 60 years old tended to be more supportive of reform than those older than 60 years-old, and voters in the southern part of the state were more supportive than their counterparts in north Florida. The geographical finding is not surprising since the highest concentration of immigrants is in south Florida.


\textsuperscript{17} See Washington Post spreadsheet, \url{https://docs.google.com/spreadsheets/d/12bUMef8PLsVJILAFXXoMMDeLNvEjO5-6lATwHLbcaR8/edit?pli=1#gid=0}. Last accessed on December 18, 2014.

\textsuperscript{18} The poll was conducted between August 27 and August 31, 2014; 920 interviews were completed with a 3.2% margin of error.

\textsuperscript{19} The poll was conducted between October 7 and 12, 2014; 925 interviews were completed with a margin of error of 3.2%.
The Hispanic Vote and Immigration Reform

Conventional wisdom holds that the Hispanic vote will be important in the 2016 presidential election, particularly in swing states like Florida. A national survey conducted by the Pew Research Center found that 66% of Hispanic voters considered prompt passage of immigration legislation to be very important or quite important. As noted, Florida is home to more immigrants than all but three other states. It is also the largest swing state in the nation. The Hispanic vote represents the largest minority voting bloc in the state, with over 1.7 million registered voters or 14% of all Florida registered voters.

Not surprisingly, pressure for federal immigration reform has come disproportionately from Florida’s Hispanic communities, where interactions with undocumented immigrants are more likely to occur than in the population at large. In both the August and October Graham Center/BEBR polls, Florida’s Hispanic respondents were more supportive of federal immigration reform than respondents who were not Hispanic. In the two Graham Center/BEBR polls, Hispanic voters appear to mirror Hispanic attitudes nationwide toward reform.

Yet there are at least five reasons why Florida’s Republican congressional delegation and their congressional colleagues may not push for a legislative remedy for immigration reform, including a pathway to citizenship, anytime soon:

1. Hispanic voter turnout tends to lag behind that of other ethnic and racial groups.
2. The presidential election is still almost two years away and voter memories can be short.
3. Hispanic voters, like other voters, may not consider immigration reform to be as pressing as some economic issues.
4. Many Hispanic voters who come from Puerto Rico already hold U.S. citizenship and are thus eligible to vote, or they are Cubans who immigrated with special privileges. Together, Cubans and Puerto Ricans comprise approximately 60% of Florida’s Hispanic voters and, given their status, immigration reform is not as pressing an issue for them as for other Hispanic populations.

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24 Puerto Ricans account for 28% of Florida’s Hispanic voters and Cubans account for 32%. See Luisita Lopez Torregrosa, “States of Play: How a surge in Puerto Rican Voters is Changing Florida Politics,” October 20, 2014,
(5) Voter support for a pathway to citizenship may be weakening. For the first time in two years, less than half of respondents to a nationwide Quinnipiac University poll (48%) supported illegal immigrants being allowed to stay in the United States and apply for citizenship and the largest percentage of respondents in two years (35%) favored requiring them to leave.\textsuperscript{25}

However, it may be premature to draw any definitive conclusions from one poll and that particular poll was unlikely to capture the sentiments of Florida voters in late November.

The third reason cited above has some support from recent polling data. On the eve of November midterm election, \textit{Latino Decisions} conducted a poll of 4,200 Hispanics in ten states, including Florida.\textsuperscript{26} The question asked was: “Thinking about the 2014 election, what are the most important issues facing the (Hispanic/Latino) community that our politicians should address?” Eleven general policy issues were cited and respondents could select more than one. Florida Hispanic voters found the economy to be of greater importance (46%) than immigration reform (39%). This response was in contrast to Hispanic voters in the other states who selected immigration reform as the most important issue.\textsuperscript{27} Moreover, a smaller percentage of Florida Hispanic respondents than that of respondents in the nine other states claimed to know somebody who is an undocumented immigrant: 43% in Florida compared to, in the Southeast, 65% in Georgia and 66% in North Carolina.\textsuperscript{28} Part of the explanation for that finding might be the previously referenced large percentage of Puerto Rican and Cuban voters who comprise Florida’s Hispanic voter population.\textsuperscript{29} Another might be that second-generation Hispanics are on the whole more affluent than their parents and are more likely to identify with other Americans.\textsuperscript{30}


\textsuperscript{25} The question posed by Quinnipiac University is: “Which comes closest to your view about illegal immigrants who are currently living in the United States? A) They should be allowed to stay in the United States and to eventually apply for U.S. citizenship. B) They should be allowed to remain in the United States, but not be allowed to apply for U.S. citizenship. C) They should be required to leave the U.S.? “ See Quinnipiac University Poll, “American Voters Split on Obama’s Immigration Move, Quinnipiac University Poll Finds; President’s Approval Near All-Time Low,” November 25, 2014, Question 50, \texttt{http://www.quinnipiac.edu/images/polling/us/us11252014_uh2ddgk.pdf}. Last accessed on December 18, 2014. The poll was conducted from November 18 – 23; 1,623 registered voters were surveyed nationwide with a margin of error of +/- 2.4 percentage points.

\textsuperscript{26} The survey was conducted from October 30-November 3. The ten states included: Arizona, California, Colorado, Florida, Georgia, Illinois, Kansas, Nevada, North Carolina, and Texas. A minimum of 400 interviews was conducted per state. The margin of error is 1.5% for the entire poll and 4.9% for each state. See Latino Decisions, “Methodology Statement, Latino Decisions 2014 Latino Election Eve,” \texttt{http://www.latinodecisions.com/files/3814/1528/4476/Methodology_Statement.pdf}. Last accessed on December 18, 2014.


\textsuperscript{28} Ibid., Question 18.

\textsuperscript{29} See fn. 24.

National exit poll data from a Pew Research survey following the mid-term election also revealed that Hispanic voters, like other voters, considered the economy the most important issue facing the country. Almost half the respondents identified the economy as the most pressing issue with health care (24%), and illegal immigration (16%) following in that order.\(^{31}\) Admittedly, illegal immigration is different from immigration reform, which may have garnered a stronger level of support, but it was clearly not deemed the top priority issue.

The *Latino Decisions* and Pew Research Center’s survey findings were supported by another survey conducted by Bendixen & Amandi International/ the Tarrance Group of Hispanic voters in five potential battleground states for the 2016 presidential election, including Florida. In the Bendixen & Amandi poll immigration placed a distant second overall to jobs and the economy, but Florida voters placed it third after healthcare. The question posed was somewhat different: “Which one of the following issues will be the MOST important in deciding your vote for President in November 2016?”\(^{32}\)

Despite these survey findings, the evidence suggests that a majority of Hispanic voters nationwide are much more likely to vote for presidential aspirants who support a path to citizenship or legal status for undocumented immigrants. The Bendixen & Amandi poll found that 62% of Hispanic voters were more likely and only 12% were less likely to favor presidential candidates taking that position.\(^{33}\)

In summary, there continues to be considerable support in Florida for immigration reform and a pathway to citizenship despite the variability among polls. Hispanics in Florida and other states, in particular, consider immigration reform to be among the priority issues that will inform their decisions in the 2016 presidential election. These attitudes are sufficiently prevalent and persistent that many leading figures in Florida politics, including former Florida Governor Jeb Bush and U.S. Senator Marco Rubio (R-Florida), who are also two of the leading candidates for the Republican presidential nomination in 2016, have embraced immigration reform.\(^{34}\) Perhaps as important, two polls (Pew Research Center and Gallup) released in December 2014 reveal that because of his leadership on immigration reform, President Obama’s approval ratings increased since early November by approximately 15 percent.

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31 “Hispanic Voters in the 2014 Election,” 7.


States included Arizona, Colorado, Florida, North Carolina, and Nevada. The poll was conducted from November 16-18; 1,684 Hispanic voters were surveyed (1,052 interviews completed) with a margin of error of ± 2.45 percent.


34 In a recent interview in the *Wall Street Journal*, Jeb Bush recommended five measures for the GOP including immigration reform. He said: “The fourth thing I would say is immigration reform. If we would create an economically driven immigration system where we controlled our borders, and we moved away from family unification being close to the sole driver of how people come to this country, we could, in essence, create a country that would have the first 200,000 or 300,000 first-round draft picks.” See Gerald Seib, “CEO Council (A Special Report) --- Five Areas Washington Needs to Focus On: Jeb Bush on What the Republican Majority in Congress Should -- and Shouldn’t -- Have on its Agenda,” *The Wall Street Journal*, December 9, 2014, R. 4. Marco Rubio co-sponsored 2013 S. 744 referenced above but has subsequently called for a more incremental approach to immigration reform.
among Hispanics.\textsuperscript{35} While public and political attitudes continue to waver, a majority of Floridians seem solidly in the camp of those who believe immigration reform is vital to the state and nation.

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