

Latino Voting in the 2004 Election: The Case of New York¹

ABSTRACT

This paper examines the participation of Latinos in the electoral process in New York State. It describes key features of the demographic and political context in which Latino participation takes place and provides an analysis of the Latino presence and role during the 2004 campaign. The paper also includes an analysis of Latino registration and turnout patterns in the presidential race. Most of the literature on Latinos in New York quite sensibly focuses on activities in New York City. This paper for the first time analyses Latino registration, turnout, and voting patterns in the state as a whole. The patterns of participation we found statewide suggest that when thinking about Latino politics in New York it is inappropriate to see New York state as simply New York City writ large. We conclude that naturalization, enfranchisement of Latino felons, and a more aggressive practice of quid pro quo politics are three elements that Latino leaders, activists, and elected officials in New York ought to consider to invigorate the Latino electorate, to increase Latino political representation, and to promote the socioeconomic well-being of the community throughout the state.



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This paper examines the participation of Latinos in the electoral process in New York State. It describes key features of the demographic and political context in which Latino participation takes place and provides an analysis of the Latino presence and role during the 2004 campaign. The paper also includes an analysis of Latino registration and turnout patterns in the presidential race. Our findings highlight progress in terms of increasing involvement of Latino voters in the political process. Yet, there still is a long way to go; despite significant increases in the Latino population across New York State, Latino electoral involvement is still notably lower than that of African Americans or whites. Latino participation is also context dependent. Despite much courting by candidates nationally, the low key nature of the campaign in a state that leans heavily Democratic in Presidential elections contributed to an overall disinterest in Latino concerns. Most of the literature on Latinos in New York quite sensibly focuses on activities in New York City. This paper for the first time analyzes Latino registration, turnout, and voting patterns in the state as a whole. The patterns of participation we found statewide suggest that when thinking about Latino politics in New York it is inappropriate to see

New York state as simply New York City writ large.

Demography and Representation

At the national level, during the early 1990s, as whites were experiencing net increases in population of no more than 0.9 percent and blacks were growing in numbers at a rate no higher than 2 percent, Latinos were increasing their numbers within the population at a yearly rate of close to 4 percent.² During that period this was also true of New York State. From 1990 to 1995, the state's population increased by 0.86 percent whereas between 1990 and 1996 the Latino population grew in numbers by 15 percent.³ In 2000, Latinos numbered 2,867,583 residents or 15 percent of the state's population; they were 18 percent of the New York Metro Area, and 27 percent of the population of New York City. Between 2000 and 2005 New York State lost about 2 percent of its population while Latino numbers increased by 6 percent.

The largest Latino group in the state in 2000 was Puerto Ricans, numbering a little over one million residents. The second largest group was Dominicans with 455,061 residents; Mexicans followed numbering 260,889. By comparison, at 62,590, Cuban numbers were

¹ We gratefully acknowledge the assistance of Wesley Nishiyama (Department of Political Science, University of Albany) and David Kimball (Department of Political Science, University of Missouri-St. Louis) who went above and beyond the call of duty to assist with the data analysis for the section on Latino participation and voting. We also thank Theodore Arrington for his useful comments and suggestions.

² U.S. Bureau of the Census, *Statistical Abstract of the United States*, 1995, (Washington D.C., 1995), Table 20, p. 20.

³ U.S. Bureau of the Census, *State and Metropolitan Area Data Book*, 1997-98, 5th Ed (Washington, D.C., 1998), Table A-1, p. 2 and Table A-6, p. 7.

TABLE 1 RESIDENT POPULATION NEW YORK STATE: 2000

	TOTAL	%
TOTAL	18,976,457	100
NON-HISPANICS	15,667,259	82.5
White	11,760,981	61.9
Black	2,812,623	14.8
American Indian, Alaska Native	52,499	0.2
Asian	1,035,926	5.4
Native Hawaiian & Other Pacific Islander	5,230	--
LATINOS	2,867,583	15.1
Mexican	260,889	1.3
Puerto Rican	1,050,293	5.5
Dominican	455,061	2.3
Cuban	62,590	0.3
Other Hispanic	1,038,750	5.4

Source: U.S. Census Bureau, American Fact Finder.

TABLE 2 LATINO POPULATION OF NEW YORK STATE METRO AREAS WITH 600,000 OR MORE RESIDENTS IN 2000

(in thousands; 875.6 represents 875,600)

	TOTAL	LATINO	% LATINO OF TOTAL
Albany-Schenectady-Troy MSA	875.6	23.8	2.7
Buffalo-Niagara Falls MSA	1,170.1	34.0	2.9
Rochester MSA	1,098.2	47.6	4.3
Syracuse MSA	732.1	15.1	2.0

 Source: U.S. Census Bureau, *Statistical Abstract of the United States: 2003*, Tables 27-28.

quite small. The Metro area with the largest Latino concentration was the Rochester MSA where Latinos were 48 percent of the total. Of the cities with 100,000 inhabitants or more in the state, New York City holds the largest number of Latinos, with 2.1 million. New York City is followed by Yonkers with a little over 50,000 and Rochester with 28,000. Even though the minority population in all these cities is substantial, only in New York and Rochester they constitute over fifty percent of the total.

In New York State, 66 percent of Latinos or 1,891,612, were foreign-born in 2000. This number does not include Puerto Ricans born in Puerto Rico, who hold the curious status of being both foreign-born and citizens by birth. Of the foreign-born Latino cohort—which includes people from the Caribbean, Central, and South America—1,111,942 or 59 percent were not citizens. Mexicans were only 13 percent of Latino non-citizens in 2000. In 2000, a

substantial 42 percent of non-citizen, foreign-born Latinos had been residents for over ten years (See Tables 1-4).

Latinos in New York were politically underrepresented at all levels of office in 2004. This was also true in 2006. In Congress they were 7 percent of the state's delegation. In Albany they were 8 percent of all legislators. At the State Assembly, which had the largest Latino contingent of representatives in the state, they were also 8 percent of the total. In New York City Latinos were 20 percent of the city council. In 2006 all 16 Latino elected officials in Albany represented parts of Manhattan, Brooklyn, Queens, and the Bronx. Thus, the 707,029 Latinos that resided outside of New York City in 2000 relied on virtual representation at the state level.

Latino Politics in City and State

One idea about Latinos in New York during the late 1980s was that as New York City became majority-minority, their politics would gain prominence and importance not just at the city level but at other levels as well. Given that in 1982 black and Latino voters gave Mario Cuomo the margin of victory in his gubernatorial bid,⁴ this assessment seemed to hold some promise. The projection, however, was considered contingent on the ability of Latinos and blacks to forge electoral alliances. In this regard, the 1984 election seemed to offer an example of the possibilities, given the role that the presidential campaign of Jesse Jackson played in stimulating Latino political mobilization through the organization Latinos for Jackson. In the state approximately 33 percent of Latinos voted for Jackson and close to 46 percent did so in the city. These were significant percentages and it was especially notable that Jackson carried all the districts represented by Puerto Rican elected officials despite their endorsement of Walter Mondale.⁵

Two other factors were considered important to increase the significance of the Latino vote. First, dominant elites had to have an interest in Latino political incorporation. Second, Latinos needed to use electoral politics to promote the socio-economic transformations required to benefit their communities. In this regard, in and by itself the election of minorities to office was not considered sufficient to serve minority interests.⁶

⁴ National Congress for Puerto Rican Rights, *Equality for Puerto Ricans, A Determined Movement*, 1985, p. 9. Lourdes Torres Papers, Series IV National Congress for Puerto Rican Rights, Box 3 Folder 4, Center For Puerto Rican Studies Archives, Hunter College, CUNY.

⁵ Ibid.

⁶ Angelo Falcón, "Black and Latino Politics in New York City: Race and Ethnicity in a Changing Urban Context," in F. Chris Garcia, ed. *Latinos and the Political System* (Notre Dame, IN: University of Notre Dame Press, 1988), pp. 172, 187-188.

TABLE 3 MINORITY COMPOSITION OF NEW YORK CITIES WITH 100,000 OR MORE RESIDENTS IN 2000

	TOTAL	NH WHITE	%	NH BLACK	%	NH AIAN	%	NH ASIAN	%	NH NHPI	%	LATINO	%
BUFFALO	292,648	151,450	51.7	107,066	36.5	2,010	0.6	4,045	1.3	--	--	22,076	7.5
NEW YORK	8,008,278	2,801,267	34.9	1,962,154	24.5	17,321	0.2	780,229	9.7	2,829	--	2,160,554	27.0
ROCHESTER	219,773	97,395	44.3	82,267	37.4	809	0.3	4,867	2.2	--	--	28,032	12.8
SYRACUSE	147,306	91,928	62.4	36,246	24.6	1,538	1.0	4,929	3.3	--	--	7,768	5.3
YONKERS	196,086	99,346	50.6	30,164	15.3	--	--	9,290	4.7	--	--	50,852	25.9

Source: U.S. Census Bureau, American Fact Finder. NH = NonHispanic. AIAN = American Indian, Alaska Native. NHPI = Native Hawaiian Pacific Islander.

An analysis of the 1990 election in East Harlem seemed to confirm the validity of this last claim. In that year, Puerto Ricans seemed unwilling to participate in electoral contests in which there was no effective challenge of unresponsive elected officials. To Puerto Rican voters there was no perceptible relationship between electoral politics and socioeconomic well-being and therefore not much of an incentive to participate.⁷

In the early 1990s a different perspective was offered concerning Latinos and electoral politics in New York. According to Angelo Falcón, as the city became majority-minority and increasingly diverse, the role of Puerto Ricans in the political process would need reassessment given the contrast between their demographic decline and their dominance of elected posts. Falcón also noted that in time the challenges associated with minority coalition building would grow more difficult and complex as a result of increased ethno-racial competition.⁸ These issues acquired a degree of practical significance in the 1992 election as the black electorate and black leaders became the focus of attention of the Democratic Party and the Latino electorate divided its support for Democrats and Republicans in unexpected ways.

In 1992, the attention paid to African Americans did not center in New York. But in the city African Americans made themselves heard even if it was to complain bitterly about how they were being ignored. In contrast, the attention paid to Latinos was uniformly minimal. While for blacks New York was an exception, for Latinos it was the norm. As for the vote, it demonstrated that Latinos did not behave as coherently as often assumed. In New York City districts with high concentrations of Puerto Ricans and Dominicans Clinton captured

TABLE 4 LATINO FOREIGN-BORN POPULATION IN NEW YORK STATE BY PLACE OF BIRTH AND CITIZENSHIP STATUS 2000

FOREIGN-BORN		% OF TOTAL
LATINOS		FOREIGN-BORN
Caribbean	1,004,344	53
Central America	369,017	20
Mexican	161,189	9
South America	518,251	27
TOTAL	1,891,612	100
NON-CITIZENS		% OF TOTAL
FOREIGN-BORN		
Caribbean	533,312	28
Central America	279,888	15
Mexican	144,185	8
South America	298,742	16
TOTAL	1,111,942	59
NON-CITIZENS WITH OVER 10 YEARS RESIDENCE		% OF
		NON-CITIZENS
Caribbean	254,050	23
Central America	104,030	9
Mexican	42,498	4
South America	114,346	10
TOTAL	472,426	42

Source: U.S. Census Bureau, American Fact Finder, SF-3. The totals for Mexicans are included in the totals for Central America.

77 percent of the vote whereas in those where Colombians and Ecuadorians predominated 59 percent of the voters supported the incumbent president. Similarly, support for Bush was higher in South American areas of the city than in Puerto Rican and Dominican districts by 34 to 19 percent. In Puerto Rican and Dominican districts Ross Perot accrued 3 percent of the vote whereas in South American districts he received 7 percent of the ballots.⁹

⁷ Anneris Goris and Pedro Pedraza, "Puerto Rican Politics in East Harlem's 'El Barrio,'" in Rodolfo O. de la Garza, Martha Menchaca, and Louis DeSipio, eds., *Barrio Ballots, Latino Politics in the 1990 Elections* (Boulder, CO: Westview Press, 1994), pp. 78-79.

⁸ Angelo Falcón, "Puerto Ricans and the 1988 Election in New York City," in Rodolfo O. de la Garza and Louis DeSipio, eds., *From Rhetoric to Reality, Latino Politics in the 1988 Election* (Boulder, CO: Westview Press, 1992), p. 163.

⁹ Angelo Falcón, "Puerto Ricans in Postliberal New York: The 1992 Presidential Election," in Rodolfo O. de la Garza and Louis DeSipio, eds., *Ethnic Ironies, Latino Politics in the 1992 Elections* (Boulder, CO: Westview Press, 1996), pp. 201-203.

All in all the Latino vote was insignificant to Clinton's 1992 victory in New York given the Latino proportion of the city's electorate vis-à-vis Clinton's margin of victory. In light of this, it was easy for the Clinton administration to ignore the enthusiastic recommendation of New Mexico Representative Bill Richardson of Puerto Rican Congressman José Serrano for the post of Secretary of Labor. And contrary to the finding concerning the 1990 election in East Harlem, the response of Latinos to Democratic indifference was not electoral abstention but overwhelming support for the party's candidate. This prompted a call for a reassessment of electoral politics as a strategy of Latino empowerment in view of its perceived "irrelevance to the politics of the poor and the working-class racial-ethnic communities" of the city.¹⁰

No analysis was offered at this point on the issue of Puerto Rican dominance of the structure of representation nor on the question of electoral coalitions among minorities. Similarly, in 1996 the focus of analysis continued to be the loyalty of Latinos to the Democratic Party. In that year, the Latino Democratic vote in the city was the highest offered by Latinos throughout the nation. In contrast, the party was indifferent, even callous, to Latino issues and concerns. In the city there was no Democratic campaign to speak of and nationally Clinton endorsed Draconian welfare reform measures that had a negative impact on Latinos. In this context, it made sense to argue that the main challenge for Latino politics in New York was how to become more politically independent in order to make the Democratic Party responsive to its needs.¹¹

Participation, Partisanship, and Latino Voters

A basic, although not exclusive, paradox of the political context of the state is the fact that political participation is the lowest at the time in which state government is more accountable than ever to its citizens. In 1998, the proportion of voters who were registered to vote was higher while the turnout rate was much lower than in 1960.¹² From 1996 to 2004 the number of registered voters in the state grew by 16 percent from 10,162,156 to 11,837,068. Turnout at the presidential level, however, remained pretty much constant during that period. In 1996 it

was 63 percent of registered voters; in 2000 the rate was 62 percent. In 2004, 63 percent of registered voters cast ballots for President and Vice-President.¹³ Information concerning all aspects of governmental affairs is accessible with relative ease. The mechanisms of political parties, elections, and interest groups make governmental decisions and policies subject to scrutiny and assessment on a routine basis. One interesting feature of the politics of the state concerns the fact that the largest lobbying groups, ranked by total lobbying expenses, are health care organizations and public sector unions.

During the twentieth century the state's governorship was almost evenly divided between Republicans and Democrats. Of the state's 21 governors from 1901 to 2004, 11 were Democrats and 10 Republican. Republicans controlled the governorship for 55 years. From 1975 to 1994 the governor was a Democrat. From 1994 to 2006, the governorship was in the hands of the Republican Party. Control of the legislature has also been split between the parties but the balance has not always been the same. In 1915 and 1953, for example, Republicans controlled both houses by significant margins. They controlled the Assembly until 1965. In that year, the Democrats took over both houses. In 1966 Republicans regained control of the Senate. Since then, except for the period from 1969 to 1974, the Assembly has been in Democratic hands. The partisan balance in the legislature is critical because for more than 40 years the party system in the legislature has been exceptionally strong. In 1960 the legislative process was described as "a process of negotiation among the legislative leaders...and the Governor."¹⁴ This description continues to be accurate.

In New York, third parties exercise significant influence in the electoral process, most notably the Liberal and Conservative parties, founded in 1944 and 1962 respectively. Most recently the Working Families Party has been influential. In 2004, it was instrumental in the primary victory of Democrat David Soares against incumbent Albany County District Attorney Paul Kline. Soares primary victory pretty much guaranteed his election.

In terms of registration and voting at the presidential level New York is fundamentally a Democratic state. In 2004, at election time, the registration rolls included 5,534,574

¹⁰ Ibid., pp. 204-205.

¹¹ Angelo Falcón, "Beyond La Macarena? New York City Puerto Rican, Dominican, and South American Voters in the 1996 Election," in Rodolfo O. de La Garza and Louis DeSipio, eds., *Awash in the Mainstream, Latino Politics in the 1996 Election* (Boulder, CO: Westview Press, 1999), pp. 242-246.

¹² Robert B. Ward, *New York State Government, What it Does, How it Works* (Albany, NY: Rockefeller Institute Press, 2002), p. 409.

¹³ State Board of Elections. Accessed at <http://www.elections.state.ny.us/portal/page?_pageid=153,42096,153_53293&_dad=portal&_schema=PORTAL>

¹⁴ Joseph F. Zimmerman, *The Government and Politics of New York State* (New York: New York University Press, 1981), p. 135.

Democrats compared to 3,209,082 Republicans. Those figures included increases in enrollment of more than 290,000 for the Democrats and less than 40,000 for the Republicans over the previous four years, with almost half of the increase in Democratic affiliation concentrated in New York City.¹⁵

In the case of Latinos, the paradox of stalled voting in the context of greater opportunities to participate is more pronounced than for other groups. With the exception of local 1199, which is led by Puerto Rican Dennis Rivera, their presence in the most important lobbying groups in the state is not significant. Because they are predominantly a Democratic constituency, Latinos have not fully benefited from the influence that third parties exercise. This also means that their voice is resonant only within the Democratic-controlled lower chamber. The strength of Democratic partisanship in New York and their small numbers within the active electorate renders them a marginal constituency. This is also true in terms of the politics and operation of state government. In this regard, a telling detail of Robert B. Ward's authoritative *New York State Government, What it Does, How it Works*, is its lack of references to Latinos. African-Americans are referenced in the book's index only three times, twice in regards to 19th century events. Puerto Ricans are mentioned once, as "immigrants" that arrived in mass numbers after WWII with "relatively little education." Not a word is said about the Black and Puerto Rican Caucus and its role in legislative politics in Albany. Similarly, the Puerto Rican/Hispanic Task Force is not mentioned. Not a single Latino elected official is listed and the only reference to a Latino in the political process of the state concerns the 1999 appointment of Antonia Novello as Commissioner of the Health Department.¹⁶ The absence of references to Joseph Bruno or Sheldon Silver in a book about the politics and operation of New York State government would constitute a serious error of omission. The omission of Latinos is more a reflection of their relative political marginality. Yet, even though they may not count for much as a group in terms of policymaking, year in and year out non-Latino elected officials as well as political candidates court Latino elected officials by making appearances at the *Somos el Futuro* legislative con-

ferences held by the Puerto Rican/Hispanic Task Force in Albany and Puerto Rico.

The 2004 Campaign

The National Landscape: Latino Voters Heavily Courted

On the heels of one of the most controversial presidential races in modern-day history, both Democrat John Kerry and Republican President George Bush looked toward decisively winning the White House in 2004. However, a lagging economy, the war in Iraq, terrorism at home, and a host of civil rights issues such as immigration, the aftermath of the Patriot Act, education reform, abortion and gay marriage resulted in a sharply divided electorate. By election day, the Presidency was anybody's ballgame. In the end, however, incumbent George Bush kept his job as Chief Executive by a slim margin. Part of Bush's victory may be chalked up to the Latino vote. Accounting for half of the population growth between 2000 and 2004, Latinos were a highly coveted voting bloc that both parties actively sought.¹⁷

Despite the swelling Latino population in the United States, Latinos lack the political clout that should accompany their numbers. One explanation is that approximately 63 percent of all Latinos residing in the United States are either too young to vote or are not citizens.¹⁸ Next, despite the rise in the number of Latinos who voted nationally in 2004—6 percent, up from 5.5 in 2000¹⁹—not all eligible voters were registered and/or went to the polls. Only 47 percent of eligible Latinos voted, compared to 67 percent of whites and 60 percent of African-Americans.²⁰ Since the number of voters did not keep pace with actual growth, Latino political power lagged compared to other ethnic and racial groups.

Historically, Latinos have leaned Democratic when it comes to the voting booth, although it would be a mistake to classify all Latinos as such. As the 2000 and 2004 elections showed, Latino allegiance is divided between both parties. Nevertheless, when examining presidential contests between 1988 and 2004, more than half of all Latino voters chose the Democratic candidate.²¹ While support for Democratic candidates has waxed and waned over this same period—anywhere from a high of

¹⁵ Devlin Barrett, "State's blue hue deepens as GOP loses ground," *Times Union*, January 18, 2005, p. B3.

¹⁶ Ward, *New York State Government...*, pp. 16, 17, 216, 312.

¹⁷ Roberto Suro, Richard Fry, and Jeffrey Passel, "Hispanics and the 2004 Election: Population, Electorate and Voters," June 27, 2005, Washington, DC: Pew Hispanic Center, p. ii.

¹⁸ *Ibid.*, p. 1.

¹⁹ *Ibid.*, p. ii.

²⁰ *Ibid.*

²¹ National Council of La Raza, Table 2. Hispanic Presidential Preference, 1988-2004. "How Did Latinos Really Vote in 2004?" November 16, 2004 memorandum, p. 5.

72 for Clinton in 1992, to a low of 53 for Kerry in 2004,²² (depending upon which exit poll was examined) support for the more liberal party has remained strong. However, as this 12-year period also shows, the Republicans have incrementally picked up more Latino voters with each election, and it appears that the trend will continue. As was the case in the 2004 election—and undoubtedly as will be the case in 2008—eligible Latino voters were, and will be, courted by the GOP and Democrats alike.

“Necesito su voto”

To capture the vote in what were perceived as critical swing states, both the Bush and Kerry campaigns spent record amounts on advertisements written and spoken in Spanish. “Latinos in Florida, New Mexico, Arizona, Nevada and Colorado are being saturated by political ads on radio and television and in print, ads that are being bought like never before in Spanish.”²³ By mid-July, 2004, it was estimated that Bush and Kerry each spent over \$1 million on Spanish-language ads.²⁴ In the end, a total of over \$4 million was spent in an effort to win the Latino vote.²⁵

Bush and Kerry also made appearances on “Sábado Gigante,” a popular Spanish-language television show that is seen by 100 million viewers worldwide.²⁶ The candidates discussed election issues, but also shared personal anecdotes, particularly those which they felt would strike familiar chords with Latinos nationwide. For example, Bush appealed to the audience’s spiritual side, saying that prayer helped him find solace and peace during challenging times, while Kerry hoped to relate to viewers’ ethnic pride by remarking that he enjoyed flamenco music.²⁷

Finally, the presidential hopefuls made personal appearances in Arizona, California (Kerry made more than 33 visits to California since 2003 and the election²⁸), Colorado, Florida, Illinois, Nevada, New Mexico, Pennsylvania, as well as in each of their home states. The message was clear: the Latino vote was going to be critical for attaining victory.

Perhaps John Kerry expressed it best when he addressed members of the Congressional Hispanic Caucus Institute in September: “My friends, I need your vote. *Necesito su voto.*”²⁹

On a national scale, it is evident that the Bush and Kerry campaigns invested a considerable amount of money, time, and effort into courting the Latino voter—efforts that were particularly aggressive in the south and southwestern swing states (Florida, Arizona, Nevada, New Mexico). However, with regard to personally canvassing New York State, the candidates were not as active. Their behavior, specifically, their lack of personal appearances and aggressive campaigning in the state, suggested that they believed New York would once again fall to the Democrats. While the Democrat, Kerry, did indeed win New York State, and Republican George Bush won the Presidency, the assumption that homogeneity reigns supreme within the Latino voting bloc was incorrect. One interesting example concerns the Latino religious vote. Latino Protestants moved from the Democratic to the Republican column giving Bush 63 percent of their votes. Latino Catholics (31 percent) also supported Bush more than in 2000 but overall stayed Democratic.³⁰ The confluence of varying religious beliefs, geographic location, current events, income, social status, age, gender, education, and birthplace situate Latino voters squarely on both sides of the political aisle—a fact that appeared to be overlooked when it came to New York State.

New York State: Surrogate Candidates

Historically, the Empire State has generally voted Democratic in presidential elections; 2004 was no exception. CNN.com data showed that Kerry carried New York with 59 percent of the vote; incumbent George Bush received 40 percent, while Independent Ralph Nader garnered one percent.³¹ This placed New York safely in the “Blue State” category, just as had been the case in numerous presidential elections even before the designation became popular.

²² Ibid. Of course, 53 percent is low only in contrast to the support received by Clinton.

²³ “Buenos Dias, Swing Voter,” *New York Times*, September 15, 2004, p. A26.

²⁴ Julia Malone, “Election 2004: Kerry, Bush ads aimed at Latinos,” July 13, 2004, *The Atlanta-Journal Constitution*, p. 9A.

²⁵ “Buenos Dias, Swing Voter...”

²⁶ “Bush, Kerry Pop Up On ‘Sabado’ Night Live,” *New York Post*, November 1, 2004, p. 91.

²⁷ This was the musical equivalent of Gerald Ford’s biting into a tamale without removing the wrapping. Flamenco is from Spain. The music of Latinos in the United States is mostly Mexican, Cuban, and Puerto Rican in origin. Since the 1960s Brazilian, Colombian, and Dominican influences have grown as well.

²⁸ Carla Marinucci, “Kerry makes pitch to Latinos in L.A.; Candidate says Bush’s promises to community still unrealized,” May 6, 2004, *San Francisco Chronicle*, p. A3.

²⁹ Roxanne Roberts, “A Full Plate of Promises At Hispanic Gala; John Kerry Emphasizes Importance of Latino Vote,” September 16, 2004, *The Washington Post*, p. C1.

³⁰ “2004 Election Marked by Religious Polarization,” The Pew Forum on Religion and Public Life, February 3, 2005. Accessed at <http://pewforum.org/docs/index.php?DocID=64>

³¹ CNN.com, Election Results: U.S. President/New York. Accessed at <http://www.cnn.com/ELECTION/2004/pages/results/states/NY/P/00/index.html>.

With the greatest number of the state's Latino population residing in the New York City metropolitan region, the five boroughs also exhibited the strongest support for the Democratic candidate, compared to the remaining 57 counties. When taking all voters into account, John Kerry handily won the Bronx with 83 percent, Brooklyn with 75 percent, Manhattan with 82 percent, and Queens with 72 percent. George Bush won Staten Island, however, with 56 percent to Kerry's 43.³² Yet, neither candidate made a concerted effort to reach out to the state's Latino population, sending the message, "If you're not a swing state, you're not important."

What occurred—or, more specifically, what did *not* occur—suggests that both the Bush and Kerry camps took New York State's voters for granted, despite campaign-trail rhetoric touting the importance of the Latino voter. With the exception of convening the Republican National Convention in New York City, New York State, let alone Latino, voters, were largely ignored. As Clarissa Martínez, Director of the Voter Mobilization Project for the National Council of La Raza said, "The only attention provided by the candidate is when they need a certain amount of votes from the community."³³

New York's story begins in 2003, with the advent of the Republican National Convention (RNC), slated for late-summer in Manhattan, and concludes approximately a year later with the President's acceptance speech at Madison Square Garden. Thereafter, the charge to lead New York's Latinos to the polls fell to a cadre of politically-motivated surrogates.

In July, 2003, Marc Racicot, Chairman of the Republican National Committee, traveled to Washington Heights, in northern Manhattan, in an effort to get the state's Latinos to vote for George Bush. Racicot, along with RNC adviser, Ed Gillespie, and Governor George Pataki, were on hand to cut the ribbon for a new office called The Hispanic Outreach Center, a branch office of the New York Republican State Committee. The Center's mission was to serve as a recruitment venue to register Latinos to vote, as well as to woo

existing registered voters to support the GOP in local, state, and the national elections.³⁴ While the effort was important insofar as its intent was to reach out to Latinos, the fact that the ribbon-cutting was scheduled as part of a highly-publicized, four-day New York City blitz by Republicans involved in planning the 2004 National Convention, indicates that the ceremony was largely symbolic.

The choice to hold the 2004 RNC in the heart of Manhattan was a coup for New York City, as it represented the National party's first visit to the Big Apple.³⁵ It also was a visible show of strength after 9/11. Additionally, by having the RNC in a state that usually votes Democratic was another show of strength—this time, for the GOP. The Republicans also wanted to present a new self-portrait to the voters; an image that demonstrated diversity and a sense of independence—and, what better place to do so, than in New York City, the nation's most important multicultural center? "A significant reason the Republicans decided to hold their convention in New York is that they wanted to project an inclusive image to the nation," said Rick Davis, a nationally known Republican consultant. "It contrasts strongly with the way the party presented itself at the 1996 convention [in San Diego], when Pat Robertson spoke and the party was seen as catering to the Christian Right."³⁶

According to Davis, the challenge in 2004 was not just showing that the party was interested in the minority vote but also finding an "artful" Hispanic to play the role of spokesman for the GOP.³⁷ In New York, Fernando Mateo became the "artful Hispanic spokesman" of choice. Taking the podium at the RNC, Mateo voiced his support of the President's policies, particularly those that affect immigrants—immigrants who want to stay in this country, work and support their families at home and abroad. According to Mateo, "Most other administrations would have preferred to deport people."³⁸

Fernando Mateo, founder of Hispanics Across America and a successful entrepreneur, was an important surrogate for the Bush camp. Born in the Dominican Republic, Mateo had

³² CNN.com, Election Results: U.S. President/New York/County Results. Accessed at <http://www.cnn.com/ELECTION/2004/pages/results/states/NY/P/00/county.001.html>.

³³ Breea Willingham, "Efforts Amplify Voice at Polls; Schenectady Push Underway to Register More Hispanic Voters in Time for Fall Election," July 24, 2004, *Times Union*, p. A1.

³⁴ Greg Sargent, "G.O.P.'s Chair Remaking N.Y. in Bush Image," July 28, 2003, *New York Observer*, p. 1.

³⁵ "New York City Wins Bid for 2004 Republican National Convention: RNC Site Selection Committee Recommends New York City to Host Presidential Convention," January 6, 2003, The Office of Michael R. Bloomberg. Accessed at <http://www.nycvisit.com/content/index.cfm?pagePkey=872>.

³⁶ Greg Sargent, "G.O.P.'s Chair Remaking N.Y. in Bush Image," July 28, 2003, *New York Observer*, p. 1.

³⁷ *Ibid.*

³⁸ Fernando Mateo, video interview, *Newsday*. Accessed at <http://www.nynewsday.com/news/politics/mc/nyc-mateo-gop-video,0,1265130.realvideo?coll=nyc-delegates-headlines>⁴⁰ Andrea Bernstein, "Bush's new Buddy Fernando Mateo Raises a Fortune," August 25, 2003, *New York Observer*, p. 1.

immigrated to New York's Lower East Side and made a name for himself by starting a carpet business with his father. Since then, he started numerous other businesses and non-profit advocacy groups and became a recognized name among Latinos, as well as among politicians from both parties. Mateo's support for Republican Mayor Michael Bloomberg and Governor Pataki—who made frequent trips to Washington Heights to show himself as a friend of the Dominican community—appeared to have been the impetus for support, both financially and ideologically, for the President. For example, by late-2003, Mateo had raised \$108,000 for the President's re-election campaign—a figure he increased to over \$250,000 by the next year.³⁹ As a prominent Latino Republican, with strong ties to Governor Pataki and Candidate Bush, Mateo became an unofficial representative for the GOP.

In an effort to convince Latinos to vote for Bush, Mateo debated Miguel Martínez, a Democratic council member from the City's 10th District in Manhattan. Martínez, also Dominican born, was an ardent Kerry supporter, who, when not campaigning in New York City, campaigned for the Senator in Florida.

The purpose of the debate was to address campaign issues such as Iraq, terrorism, the economy, and education, from a Latino and immigrant viewpoint. In addition, Mateo and Martínez debated trade policy toward Latin America and programs to help illegal immigrants—two issues that were not ranked that high on the national debate level but that resonated with New York's Latino community.⁴⁰

Interestingly, the debate did not receive an endorsement from either the Bush or Kerry campaign, demonstrating that the most fundamental rudiment of the election process—debate—was left solely to community members.

Like Martínez, Congresswoman Nydia Velázquez, whose 12th District encompasses sections of Brooklyn, Queens, and Lower Manhattan, and whose constituency is largely Latino, left New

York days before the election to stump for John Kerry in Florida.⁴¹ She was one of many non-Floridians who were asked by the Kerry campaign to travel south to help him attain victory in the Sunshine State (Kerry, however, lost Florida by five percentage points⁴²).

The Mateo-Martínez debate, Velázquez' trip to Florida, and the Hispanic Outreach Center all demonstrate clear support and loyalty from Latino community leaders. But, they also beg the obvious questions: Where were the actual candidates during this time? Why were there no appearances in New York? Based on their reading of the polls, historical voting patterns, and their understanding of the electoral college Bush and Kerry wrote-off New York and by extension Latinos in the state.

Latinos and the 2004 Election in New York State ***The Issue of felon disfranchisement***

In 2000, the prison population of New York was 71,466,⁴³ while Latinos were 15.1 percent of the state's population, they were 26.6 percent of the incarcerated population. As of mid-year 2004, approximately 65,000 New Yorkers were serving time in state or federal prison for a felony offense. Of these, almost 80 percent were African-American or Latino. Just as in 47 other states, New York's prison population is stripped of the right to cast a ballot.⁴⁴

New York state election law prohibits any person convicted of a felony, in either state or federal court, from voting while serving time. If the convict receives a pardon, after the maximum sentence has been fulfilled or parole has been completed voting rights are restored, a provision that was enacted in 1976.⁴⁵

Given the disproportionate number of minorities behind bars, it is clear that disfranchising felons is a state-sponsored mechanism that diminishes the electoral power of the groups that need it the most. Felon disfranchisement stems from the practice of banishing an offender from the community, thus inflicting upon the criminal a form of "civil death."⁴⁶ The

³⁹ Andrea Bernstein, "Bush's new Buddy Fernando Mateo Raises a Fortune," August 25, 2003, *New York Observer*, p. 1.

⁴⁰ Seth Kugel, "For Bush and Kerry, Eager Surrogates," October 10, 2004, *New York Times*, Section 14, p. 5.

⁴¹ Luiza Savage, "GOP, Democrats Target Hispanic Voters," November 2, 2004, *New York Sun*, p. 7.

⁴² CNN.com, Election Results: U.S. President/Florida. Accessed at <http://www.cnn.com/ELECTION/2004/pages/results/states/FL/P/00/index.html>

⁴³ Peter Wagner, "Importing Constituents: Prisoners and Political Clout in New York," A Prison Policy Initiative Report, April 22, 2002. Accessed at <http://www.prisonpolicy.org/importing/importing/shtml>

⁴⁴ Paige M. Harrison and Allen J. Beck, "Prison and Jail Inmates at Midyear 2004," *Bureau of Justice Statistics Bulletin*, April 2005, p. 1; David R. Jones, "The Last Disfranchised Group of Citizens," June 30, 2005, Community Service Society. Accessed at http://www.cssny.org/pubs/urbanagenda/2005_06_30.html; "State-by-State Look at the Voting Restoration Process for Felons," *The Associated Press State & Local Wire*, June 23, 2005.

⁴⁵ Christopher Uggen and Jeff Manza, "Summary of Changes to State Felon Disenfranchisement Law 1865-2003," April 2003. Accessed at <http://sentencingproject.org/pdfs/UggenManzaSummary.pdf>.

⁴⁶ Jamie Fellner and Marc Mauer, "Losing the Vote: The Impact of Felony Disenfranchisement Laws in the United States," Human Rights Watch and the Sentencing Project, 1988, p.2.

practice was brought over to America during the nation's founding but because voter eligibility was limited to property holders and/or free men, its impact was minimal. It was not until the end of the Civil War that voting exclusion laws became more prominent, particularly as African-Americans were able to participate. In some cases felons were permanently stripped of their voting rights and the crimes that disqualified a man from voting tended to be those that were most frequently committed by blacks. Crimes that were committed by whites as often as by blacks were excluded.

In New York, by the mid-1840s one could be disfranchised for what the state considered an "infamous crime." And according to Constitutional Convention delegates, because African-Americans were "thirteen times more likely to be convicted of 'infamous crimes' than whites" they were not considered fit to vote. Even after the adoption of the 15th Amendment and more recent provisions such as the Voting Rights Act of 1965, felons remained one of two groups legally barred from voting; the other population being those who according to state law have been found incompetent by a judicial authority.⁴⁷

For those who support the prohibition to vote, casting a ballot is a privilege rather than a right. In their view, when a citizen violates the law and is convicted, he/she willingly relinquishes this privilege. Supporters also argue that stripping a felon of the ability to vote sends a distinct message about the consequences of breaking the law.⁴⁸ Finally, the exclusion of felons from the electoral process hinges on the assumption that people who have committed serious crimes are generally "less likely to be trustworthy, good citizens."⁴⁹ As such, their level of citizenship—and, by extension, their privilege to cast a ballot—may also be questioned.

On the other side of the debate are those who view the act of voting as the most critical and fundamental right each American citizen has, regardless of circumstance. According to the Sentencing Project, felon disfranchisement hinders rehabilitation by reaffirming the alienation and isolation that results from incarceration. Another contention is that while the

prohibition to vote creates societal and political outcasts, the right to vote gives felons an opportunity to fulfill a duty that they will carry over outside of prison, giving the inmate dignity as well as preparation to function as a responsible citizen. A third position is that as the restrictions on voting qualifications have been lifted over the past two centuries, there is no good reason to continue to exclude any American citizen from the process. Because disfranchisement laws are rooted in a time when overt discrimination was tolerated, they are a woefully invidious and outdated modern-day mechanism.⁵⁰

As the world model for democracy, the United States' policy on felon voting rights is abysmal. Only two states—Maine and Vermont—allow prisoners to vote. In contrast, 18 European democracies allow their prisoners to exercise this right. In addition, so do Canada, Israel, Japan, Kenya, Perú, Puerto Rico, South Africa, and Zimbabwe.⁵¹ What societal harm has this provision inflicted on Maine, Vermont, and all these other countries that 48 American states are avoiding? The answer to this question is simple: none whatsoever. In fact, it is these 48 states that are inflicting a serious harm on an already disadvantaged group of citizens.

Based on 2000 incarceration figures, the reduction of Latino electoral power in 2004 due to felon disfranchisement amounted to a little over 19,000 votes. In terms of overall electoral power, this does not represent much. Latinos 18 years and over number 1,974,551 in New York State. The incarcerated Latino population in 2000 was therefore less than one percent of the voting age population. Discretely, however, 19,000 people can make a difference. If Latino felons were allowed to vote their impact could be significant depending on how participation was arranged. More importantly, the curtailment of a critical political right to such a large number of citizens is simply unacceptable. More than an electoral problem, it is a human rights issue.

Electoral Results

In the 2004 election, 64 percent of voting-age citizens in the United States participated; an increase of four percentage points over the previous election.⁵² In New York, as a result of their

⁴⁷ New York State Election Law, Title I, §5-106, 6.

⁴⁸ Roger Clegg, Testimony before the House Judiciary Committee, Subcommittee on the Constitution, Regarding H.R. 906, a Bill "To Secure the Federal Voting Rights of Persons Who Have Been Released From Incarceration," October 21, 1999.

⁴⁹ Ibid.

⁵⁰ Fellner and Mauer, "Losing the Vote..."; Pam Belluck, "When the Voting Bloc Lives Inside a Cellblock," *New York Times*, November 1, 2004, p. A12.

⁵¹ "Voting Rights for Prisoners and Ex-Prisoners in New York: Talking Points for CSS," January 15, 2003, Community Service Society of New York. Accessed at <http://www.cssny.org/pdfs/factsheet.pdf>; Fellner and Mauer, "Losing the Vote..."; "State-by-state look at the voting restoration process..."

⁵² U.S. Census Bureau, "U.S. Voter Turnout Up in 2004, Census Bureau Reports," May 26, 2005.

feeble campaigning, both parties failed to actively recruit eligible voters among Latinos. Republicans in particular did better in 2004 than in 2000 in a number of New York counties and towns but in none of these Latinos were a significant population.⁵³

In Cayuga County, for example, the increase in the Republican vote between 2000 and 2004 was 2,755 compared to a decrease in support for the Democrats of 503 votes. In Montgomery County Bush increased his support by 1,573 votes; in Rockland County his ticket picked up 16,689 more votes than in 2000 and the increase in Seneca was 1,247; in Sullivan it was 2,616, and in Richmond 26,422.⁵⁴ In Cayuga Latinos were 2 percent of the total in 2000; they were 6.9 percent in Montgomery county, 10.2 percent in Rockland, 2 percent in Seneca, 9.2 percent in Sullivan, and 12.1 percent in Richmond county.⁵⁵

In the counties where Latinos concentrate, the Kerry-Edwards victory was decisive. In Bronx County the margin of victory of the Democratic ticket was 227,293 votes; Kings County gave the Democrats a margin of 347,824 votes. Similarly, in New York and Queens Counties the Democrats won handily by 419,360 and 267,881 votes respectively.⁵⁶ Charles Schumer won re-election comfortably and by the widest margin in recent history. Also, Republican control of the state Senate decreased by three seats, leaving Republicans with an edge over the Democrats of only eight positions. At the Assembly, Democrats picked two more seats as well, with the election of Robert Reilly, from Colonie, and Donna Lupardo, from Binghamton. This left the partisan balance at 104 Democrats and 46 Republicans.⁵⁷

A significant proportion of new voters—close to 20 percent—chose not to be identified with either major party in 2004. From an estimated 575,000 new voters in 2004, more than 100,000 registered as independents.⁵⁸ Also, in 2004, the majority of the fastest growing counties in the nation were exurban communities. According to Ronald Brownstein and Richard Rainey, “these growing areas...are providing the GOP a foot-

hold in blue Democratic-leaning states and solidifying the party’s control over red Republican-leaning states.”⁵⁹ To win the presidency, the Democratic Party does not need to win in these areas. Yet, the party may as well consider it necessary to target this growing constituency if only to reduce Republican margins in competitive states. The growing independent vote may also be a target of Democratic appeals in the future. For Latinos in New York as well as nationally this may translate into diminished attention to their issues and needs as the party reasons that it is better to target 100,000 swing voters from a group that is likely to turnout at a 70 percent rate than to spend resources courting a group that is less likely to vote and whose support can be taken for granted. Only in the more competitive context of a close election would this calculus be likely to change in favor of more attention to Latinos.

Latino Participation and Voting

Thus far, we have described the historical background prior to the 2004 election and some of its significant events. As we have seen, the heavily Democratic character of New York State meant that presidential candidates of both parties paid little attention to the state, taking election results as a foregone conclusion. Thus, the overall campaign statewide was certainly low key, and, given this context, it is not surprising that in what there was of a campaign, candidates paid scant attention to Latinos. How did voters respond? In this section, we use procedures of ecological inference to estimate Latino participation (registration and turnout) along with voting rates, and we compare those levels to those for African-Americans and whites.

To place the findings below into a broader perspective, it is worth noting that although there is scholarly disagreement over the measurement of actual Latino participation rates,⁶⁰ it is taken as a given in the literature on Latino politics that political participation among Latinos has historically been relatively low. That said, there is debate on the reasons for this relatively low participation.⁶¹ While many see it as a result of

⁵³ Erin Duggan, “Bush Chisels Holes in State’s Blue Wall,” *Times Union*, December 12, 2004, p. A1.

⁵⁴ “How the Counties Voted,” *Times Union*, December 12, 2004, p. A4.

⁵⁵ U.S. Census Bureau, American Fact Finder. To compare these proportions with 1996 percentages see Deirdre A. Gaquin and Mark S. Littman, eds. 1998 *County and City Extra, Annual Metro, City, and County Data Book* (Lanham, MD: Bernan Press, 1998), pp. 418, 432.

⁵⁶ “How the Counties Voted...”

⁵⁷ New York State Democratic Committee, “State Democrats Celebrate Historic Electoral Victories,” November 3, 2004. Accessed at http://www.nydemocrats.org/news/archive/2004_11_000517.html

⁵⁸ Duggan, “Bush chisels holes...”

⁵⁹ Ronald Brownstein and Richard Rainey, “Growing Republican stronghold influenced election,” *Times Union*, December 12, 2004, p. A4.

⁶⁰ See David L. Leal, Matt A. Barreto, Jongho Lee, and Rodolfo O. de la Garza, “The Latino Vote in the 2004 Election,” *PS: Political Science & Politics*, (2005) 38: 41-49; Lorraine C. Minnite, Robert Y. Shapiro, and Ester Fuchs, *Political Participation and Political Representation in New York City, With a Special Focus on Latino New Yorkers*, (Barnard-Columbia Center for Urban Policy, Columbia University/Hispanic Education and Legal Fund, Opinion Research Project, December 1997).

⁶¹ This debate is summarized in Matt A. Barreto, Mario Villarreal, and Nathan D. Woods, “Metropolitan Latino Political Behavior: Voter Turnout and Candidate Preference in Los Angeles,” *Journal of Urban Affairs*, 27 (2005): 71-91.

factors including demographics (lower income or education), others highlight the importance of the electoral context, arguing that under circumstances of particular interest to Latinos (Latino issues are on the agenda, Latino candidates are running for office, etc.), voters can be mobilized, and participation can be notably enhanced. Thus, in the 2001 Los Angeles mayoral campaign featuring a city with a plurality of Latino voters, ethnic issues on the political agenda and competing Latino candidates, voter turnout was notably increased.⁶² It is worth keeping this debate in mind as we describe our findings.

To examine Latino participation and voting in New York State, we compiled a data set consisting of aggregate level demographic information (population data broken down by race and ethnicity) and participation and voting data for the 150 districts composing the New York State Assembly. From this aggregate data, we employed the latest and most powerful statistical techniques of ecological inference (i.e. the EZI program developed by Gary King⁶³). Ecological inference involves estimating the behavior of individuals from aggregate level information. Thus, for example, for each assembly district, we know the total district population, the total number of both Latinos and non-Latinos in the district and the total voter registration rate. Therefore, it is easy at the aggregate level to correlate proportions of Latinos (or non-Latinos) in the district with the aggregate registration rate in the district. But how do we get more precise information to generate estimates of the proportions of Latinos and non-Latinos who actually registered in each district? This is the task of ecological inference. To produce the estimates to follow, we used EZI in three logical stages of the voting process. We estimated the proportion of Latinos in the total population over age 18 who registered to vote. Of those registered, we then estimated the proportion who turned out, and finally, of those who turned out, we estimated the proportion of the vote going to the Democratic or Republican parties.

In what follows, we first provide these estimates statewide (Table 5). We then break the estimates down for important

geographic subunits, hypothesizing that participation rates might differ between New York City and regions beyond the City as well as between areas with higher (40 percent or more) and lower concentrations of Latinos in the population (Tables 6 and 7). More precisely, following the work of Barreto et al.,⁶⁴ a first speculation would be that participation and voting Democratic would be higher in New York City than outside the City and elevated in areas with a higher concentration of Latinos where perhaps mobilization is more likely. Finally, we provide separate estimates for each of the five boroughs of New York City (Table 8). While techniques of ecological inference are becoming increasingly common in statistical analysis, they of course only produce estimates. We have corroborated the accuracy of these estimates in two ways, by comparing them to exit polls for New York State and to other studies of Latino voting in 2004.

Let's begin by considering data on Latino participation. The tables make it very clear that despite gains in Latino electoral participation which may have occurred nationwide,⁶⁵ at least throughout New York State in the context of the 2004 elections, Latinos participated at considerably lower levels not only than whites but African-Americans as well. This pattern of lower participation holds for both registration and turnout. Thus, according to our estimates, 51 percent of Latinos registered compared to 74 percent for African-Americans and 91 percent for whites. Of those registered, 30 percent of Latinos turned out to vote compared with 43 percent and 70 percent of African-Americans and whites respectively (Table 5). Though the magnitude varies somewhat, these differences persist in the various geographic units we have examined—in areas both within and outside of New York City, in all five boroughs and in areas of relatively high or lower concentrations of Latinos.⁶⁶

While it is one thing to know from an intellectual perspective and in the abstract that Latinos participate at lower levels than other groups, the differences displayed in these tables truly bring home the point: while it is just about the probability of a coin toss (50/50) that an individual Latino will register to

⁶² Ibid.

⁶³ Gary King, *A Solution to the Ecological Inference Problem: Reconstructing Individual Behavior from Aggregate Data* (Princeton: Princeton: University Press, 1997). See also Barry C. Burden and David C. Kimball, "A New Approach to the Study of Ticket Splitting," *American Political Science Review* 92 (1998): 533-544; John Halpin and Patricia Jaramillo, "Latino Turnout in State Legislative Elections: An Examination of Context and Institutions," Prepared for delivery at the Annual Meeting of the American Political Science Association, September 3-6, 1998. While King's methods are innovative and currently popular (See James L. Huston, "On Gary King, *A Solution to the Ecological Inference Problem: Reconstructing Individual Behavior from Aggregate Data*," H-Net Book Reviews, March 1998. Accessed at <http://www.h-net.org/reviews/showrev.cgi?path=6811890328816>, for an unusually clear explanation of the ecological inference problem), they are not without their critics. For example, see D.A. Freedman, S.P. Klein, M. Ostland, and M. Roberts, "On 'Solutions' to the Ecological Inference Problem," Technical Report Number 515, UC Berkeley, June 10, 1998. Accessed at www.stat.berkeley.edu/~census/515.pdf

⁶⁴ Matt A. Barreto, Mario Villarreal, and Nathan D. Woods, "Metropolitan Latino Political Behavior..."

⁶⁵ Bruce Miroff, Raymond Seidelman, and Todd Swanstrom, *The Democratic Debate*, (Boston: The Houghton Mifflin Company, 2006), p. 143.

⁶⁶ Our estimates of approximately a 30 percent Latino turnout rate differ markedly and are notably lower than those produced by Efrain Escobedo in his study of Latino registration and turnout rates from lists of Latino surnames in New York City. See *The Latino Vote in New York City*, NALEO Educational Fund, n.d.

TABLE 5 ESTIMATES OF LATINO PARTICIPATION AND VOTING, BY NEW YORK STATE ASSEMBLY DISTRICTS, 2004

	% REGISTERED	% TOTAL TURNOUT	% VOTE DEM*
Latinos	51	30	68
	0.22**	0.076578	0.029701333
Whites	91	70	43
	0.031719333	0.019474667	0.02104
Blacks	74	43	98
	0.136101333	0.066219333	0.0185773333

*To produce more precise estimates, we ran EZI models using a covariate of whether or not each Assembly District had a Democratic incumbent.

**In this and subsequent tables, values in second row of each entry are standard errors.

TABLE 6 LATINO PARTICIPATION AND VOTING BY REGION

NY CITY	% REGISTERED	% TOTAL TURNOUT	% VOTE DEM
Latinos	48	30	94
	0.183864615	0.071261538	0.030947692
Whites	89	68	45
	0.048064615	0.03392	0.039690769
Blacks	74	40	98
	0.123450769	0.061412308	0.017206154
NON-NYC			
Latinos	53	30	49
	0.242642353	0.080628235	0.028748235
Whites	93	72	41
	0.01922	0.008428235	0.006777647
Blacks	73	45	98
	0.145775294	0.069895294	0.019625882

TABLE 7 LATINO PARTICIPATION AND VOTING BY LATINO CONCENTRATION

LATINO CONCENTRATION 40% AND LESS			
	% REGISTERED	% TOTAL TURNOUT	% VOTE DEM
Latinos	50	30	65
	0.234392593	0.080522963	0.029775556
Whites	91	70	43
	0.029376296	0.016345926	0.016326667
Blacks	74	44	98
	0.14654285	0.07130285	0.019682857
LATINO CONCENTRATION MORE THAN 40%			
Latinos	63	32	96
	0.062186667	0.041073333	0.029033333
Whites	92	69	42
	0.052806667	0.047633333	0.06346
Blacks	74	42	98
	0.132923478	0.064672174	0.01824087

vote, probabilities for African-Americans and whites are far from a random model, ranging in the 70 percent and 90 percent range respectively. Gains may have been made, but there is certainly room for additional progress.

As Barreto et al. have noted, certain conditions do appear to be more conducive to Latino participation.⁶⁷ While Latino turnout (as a percent of those registered) hovers around 30 percent irrespective of any of the conditions we examined, registration rates vary notably. They are higher (63 percent to 50 percent) in assembly districts where the concentration of Latinos is 40 percent or more compared to other assembly districts (Table 7), and as Table 8 shows, there is also considerable variation by borough. Registration rates are higher in the boroughs of Manhattan (66 percent) and the Bronx (56 percent) than in the other three boroughs (Brooklyn, 49 percent, Staten Island, 44 percent and Queens 31 percent). As a point of interest about minority participation more generally, it is worth emphasizing that our analysis shows that African-American and Latino participation patterns in New York differ. As is true for Latinos, there is little variation in African-American turnout rates as a percent of those registered. There is also not much variation in African-American registration rates, which consistently range between 70 and 75 percent, but in this regard they are different. Plus, these are higher proportions than for Latinos although, as we have seen, notably lower than for whites.

Despite lower level participation, how did Latinos actually vote? In the nation as a whole, initially it was claimed that the Latino vote split 56 percent Democrat compared to 43 percent Republican.⁶⁸ A closer analysis revealed that on average support for Kerry was 60 percent compared to 32 percent for Bush.⁶⁹ EZI estimates the New York statewide voting rate for the Democratic Party to be 68 percent compared to a 76 percent Democratic proportion estimated from exit polls. So while our estimates may not be perfect, taking into account sampling error, they are not too far from the mark of overlapping confidence intervals.⁷⁰

Even more notably, what stands out as particularly striking is the differences between New York City where the proportion

⁶⁷ Matt A. Barreto, Mario Villarreal, and Nathan D. Woods, "Metropolitan Latino Political Behavior..."

⁶⁸ Bruce Miroff, Raymond Seidelman, and Todd Swanstrom, *The Democratic Debate*, p. 208.

⁶⁹ David L. Leal, Matt A. Barreto, Jongho Lee, and Rodolfo O. de la Garza, "The Latino Vote in the 2004 Election..." p. 47.

⁷⁰ Exit poll from <http://www.cnn.com/ELECTION/2004/pages/results/states/NY/P/00/epolls.0.html>. A 95 percent confidence interval around our 68 percent estimate places about a 2 percent range around the 68 percent, estimating the Democratic vote at between 66 to 70 percent. Sampling errors for the exit polls were unavailable, but assuming a 4 to 5 percent margin of error, the range for the Democratic vote would be approximately 71 to 81 percent, placing our estimates very much in the ballpark.

of Latinos voting Democratic falls in the 90 percent range compared to proportions in the 60 percent range in areas outside of New York City and/or in areas where there are lower concentrations of Latinos. In this respect, New York State is certainly not New York City writ large.

Conclusion and Recommendations

First, low levels of electoral participation and the absence of party competition are two factors that explain the marginality of Latino politics in New York State at the presidential level. In fact, these two variables operate in mutually reinforcing fashion. Further, the concentration of voters and elected officials in New York City seem to make it difficult for Latinos to participate more prominently throughout the state. In consonance with research findings that show correlations between significant Latino concentrations and greater turnout, participation and voting is greater in areas of higher Latino concentration.⁷¹ However, citizenship is a factor that diminishes the rate and effectiveness of Latino political participation in the state. We estimate that over 700,000 Latinos in New York State are unable to vote due to citizenship status. This number includes Latinos who entered the country before 1980 and up to March of 2000. We estimate that in 2004 over 300,000 had been long enough in the United States to qualify for citizenship. This represents an estimated reduction of Latino voting power in 2004 of 15 percent. Clearly, one way to increase Latino political participation in New York is by aggressively promoting naturalization.⁷²

Second, New York State should join Puerto Rico, Maine, and Vermont in allowing incarcerated individuals to vote. The disfranchisement of felons is an antiquated practice that ought to be placed in its rightful place: in the dustbin of history. In the United States the practice is rooted in the explicit intent to discriminate against minority citizens. The Empire State ought to reject this legacy and join the rest of the civilized world in extending the right to vote to all citizens. The arguments in support of felon disfranchisement are purely abstract and inconsequential. Convicted felons are not rehabilitated nor do they become better citizens by being deprived of the ability to vote. To the contrary, voting could be an instrument of rehabilitation. As part of a broad program of civic education, voting could pre-

TABLE 8 LATINO PARTICIPATION AND VOTING BY NEW YORK CITY BOROUGHES

QUEENS	% REGISTERED	% TOTAL TURNOUT	% VOTE DEM
Latinos	31	30	96
	0.206938889	0.072094444	0.031938889
Whites	87	70	41
	0.0561	0.03635	0.040766667
Blacks	74	40	98
	0.130872222	0.062272222	0.017361111

BROOKLYN

Latinos	49	28	92
	0.206942857	0.078614286	0.031404762
Whites	88	66	42
	0.046271429	0.033457143	0.038780952
Blacks	75	40	98
	0.109042857	0.0562	0.0176

STATEN ISLAND

Latinos	44	29	65
	0.244466667	0.081233333	0.0305
Whites	89	67	28
	0.038666667	0.014366667	0.0118
Blacks	71	41	98
	0.150066667	0.073466667	0.021333333

MANHATTAN

Latinos	66	31	96
	0.150066667	0.071858333	0.031416667
Whites	94	69	61
	0.0367	0.027616667	0.029625
Blacks	76	40	98
	0.126925	0.069266667	0.016508333

BRONX

Latinos	56	30	97
	0.118772727	0.052609091	0.028063636
Whites	92	70	46
	0.0533	0.043036364	0.058254545
Blacks	72	36	98
	0.127763636	0.0581	0.015836364

⁷¹ Matt A. Barreto, Gary M. Segura, and Nathan D. Woods, "The Mobilizing Effect of Majority-Minority Districts on Latino Turnout," *American Political Science Review* 98:1 (February 2004): 65-75. It is important to note that Barreto, et al.'s findings are for Mexican-Americans in Southern California in majority Latino districts as opposed to districts with just significant concentrations. In this study the authors assume that in a majority-Latino context turnout is driven by the belief among Latino voters that their chance of electing a preferred candidate is high. They do not fully account for the impact of competitiveness but they do show that income, education, age, and gender—women are more likely to turnout than men—are all positively associated with turnout.

⁷² These estimates are based on the assumption that the proportion of voting age Latinos in the foreign-born, non-citizen population is the same as in the total Latino population in the state. The proportion of the Latino population in the state that is 18 years old and over is 69 percent.

pare convicted felons for the exercise of full citizenship in or out of prison. Felon disfranchisement contributes nothing to the well-being or security of New York citizens. On the other hand, the benefits of voting are self-evident and the experience of the states and countries that allow felons to vote offers both reassurance as well as models for action. In the aggregate, the votes of the more or less 19,000 Latinos incarcerated in 2000 may not be decisive but depending on how they are tallied discretely they could be significant. Beyond that, and more importantly, their inability to vote represents the denial of a basic human right without reasonable justification.

Finally, in the context of a heavily Democratic state and a low key presidential campaign, it may not be surprising that Latino participation in the 2004 election was relatively low. On the other hand, as we contemplate possibilities for future elections, there also appear to be conditions which would foster increased Latino political activity. Generally, the presence of a Latino candidate, salient Latino issues, and voter registration and education campaigns contribute to increased participation. Direct contact also makes Latino turnout more likely.⁷³ High concentrations of Latinos are also conducive to higher levels of participation.

We have already mentioned naturalization as a factor of participation. Another possible way of increasing participation in the future is to more effectively use the attention provided by candidates to Latino elected officials to wrest specific policy commitments from them. With such commitments in hand, Latino elected officials can campaign locally to promote turnout in their districts. In Albany, for example, Latino elected officials are assiduously courted by political candidates during the Somos el Futuro legislative conference held every April. In November of each campaign year, candidates also travel to Puerto Rico to hob nob with Latino legislators during Somos' winter legislative conference. At these events, candidates campaign directly by making appeals to participants through campaign literature, campaign signs, and prepared speeches; they do so indirectly by making presentations in conference workshops.

The November 2005 conference included declared as well as undeclared candidates. Present were Eliot Spitzer, Andrew Cuomo, Mark Green, and Adolfo Carrión, the Bronx Borough President who all but announced his intention to run for the

New York City mayoralty in 2009. In April of 2006, the lobby of the Albany Crowne Plaza hotel, where the Somos conference was held, looked like campaign central with signs from the Spitzer and Thomas Suozzi campaigns for governor virtually covering every available inch of space. At a VIP reception held the second day of the conference the guest of honor was Hilary Clinton and even the Republican aspirant for Governor William Weld was present.

Did Latino elected officials use these opportunities to offer support to candidates in exchange for policy support? This was not done then and has never been done in the past. Of course, politicians have long memories and once elected former candidates never forget who supported them and who did not. When support for candidates is explicit but the expected returns from them are tacit, it is easy for candidates to forget political debts after their election. As a result Latino elected officials in New York are more likely to offer their support gratis. Consequently, Latino voters are mobilized, if at all, on the basis of general and symbolic appeals as opposed to concrete and substantive expectations.

In sum, naturalization, enfranchisement of Latino felons, and a more aggressive practice of quid pro quo politics are three elements that Latino leaders, activists, and elected officials in New York ought to consider to invigorate the Latino electorate, to increase Latino political representation, and to promote the socioeconomic well-being of the community throughout the state.

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