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Elite Rhetoric, Target Group Positioning, and Policymaking:
Immigrant Women and Project 100% in San Diego County

By

Amy Nantkes

Claremont Graduate University

2021

Approval of the Dissertation Committee

This dissertation has been duly read, reviewed, and critiqued by the Committee listed below, which hereby approves the manuscript of Amy Nantkes as fulfilling the scope and quality requirements for meriting the degree of Doctor of Philosophy in Political Science.

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Abstract

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By
Amy Nantkes

Claremont Graduate University: 2021

Thousands of Mexicans are crossing the U.S. border, bearing children, and collecting welfare checks, according to a dramatic 1994 article printed in the popular magazine *Reader's Digest*. This well-known publication, which at the time sent out 15 million copies per month, included a story alleging that Mexican citizens were committing rampant fraud and abuse of the social welfare system in San Diego County, CA. In California in the 1990s, key state and federal level reforms involving immigrants and welfare usage occurred, such as Proposition 187 (1994) and the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA, 1996). Then, in 1997, the San Diego County Board of Supervisors (SD County BoS) in conjunction with the office of the District Attorney (DA) approved Project 100% (P100), an anti-fraud initiative that mandated invasive and warrantless comprehensive home inspections for all welfare program applicants in the county. In order to analyze how pejorative rhetoric can influence racialized policies, this research project applies Herbert Blumer's (1958) *Group Position Theory* to investigate the underlying racial bias existing in SD County at the intersection of anti-immigrant elite language that coevolved with restrictive welfare reforms. This derogatory language codified *metaphors*, *storylines*, and *discourses* that were publicly disseminated by governing and non-governing actors who in turn used these labels to enact public policies that burdened the target groups. This research analyzes this specific rhetoric filled with harmful metaphors targeting women, Latinos, and African Americans in what Foucault would call the dismissive language of

power and dominance. Fanning the flames of social anxieties and perceived resource threat, the dominant group engages in a process of *discourse structuration* and *institutionalization* to create negative identities for non-dominant social groups in order to maintain and reinforce its own privileged position. This research applied qualitative methods in MaxQDA software to analyze the frequency of certain elite discourse terms and metaphors in government meeting minutes and media sources to investigate if elite and public discourse used *discourse coalitions* (Hajer, 2006) that indicated concern over maintaining group position (Blumer, 1958) on the issue of welfare usage in SD County. This paper then analyzes the evidence for how these factors influenced key policy influencers and makers in the formulation, adoption, and implementation of P100. Findings include evidence of all four of Blumer's categories in elite rhetoric on the issue of immigrants and welfare along with how this rhetoric was operationalized via policy. Further, the existence of a discourse structuration is presented, with pregnant Latina women occupying the bottom rungs and becoming a target of discourse institutionalization via early home searches and Project 100%. Finally, the research contemplates the long-term and ongoing impacts of elite discourse in general, P100 in SD County in particular, and the new complications arising from COVID-19 and the future U.S. political climate regarding immigration.

Keywords: Immigrants, welfare, reform, fraud, border, San Diego County, rhetoric, prejudice

Dedication

This dissertation is dedicated to my family and friends for their endless support and love. To my husband André and our boys Cayden, Maddox, and Xavier, thank you for your years of patience and for cheering me on every step of the way. My success is your success. I love you all and I agree with Maddox that we do have a fun family, even when we are shouting over Jeopardy! To Lauren and Taylor Begert, you are friends who are more like family. Our little crew has grown from the grad school couch chats to a table full of kids and it couldn't be more perfect. Thanks for believing in me. To April, Sarah, and Emilie, my village people, thank you and your families for modeling the power of constant community and for celebrating every small win with me along the way. To my colleague and friend Dr. Noemi Hernandez Alexander, I will always appreciate how you blazed a trail ahead of me and for your willingness to stop, collaborate, and listen. To Karla and Patriece, I will be forever grateful that you check in on me, eat Thai food with me, and make time to encourage me in the midst of your own good work. Jess, Sherryl, Sarah, Wendy, Mic, Vanessa, Freddie: each of you are power women in your own right; so grateful to have your sisterhood. Byrne family, your across-the-world friendship has endured space and time and Tim Tams. To the generous faculty and clever students at Point Loma Nazarene University, you challenge me, you cause me to grow, and you bless me with your desire to build something greater than yourselves. Linda, Kelli, and Lindsey, I pinch myself daily that I get to work with you and learn from you. To the Nantkes/Bayee/Bohl/Dorn crew: I love and appreciate you. Thank you for welcoming me into your family! To my Grandparents William and Irene Ivy: I wish with all of my heart that you could see what I am doing now. I hope I've made you proud. Finally, to the immigrant women of San Diego County: thank you for your bravery and tenacity. You are worthy of dignity and belonging.

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Chapter 1: Introduction

Thousands of Mexicans are crossing the U.S. border, bearing children, and collecting welfare checks, according to a dramatic 1994 article printed in the popular magazine *Reader's Digest*. This well-known publication, which at the time sent out 15 million copies per month, included a story alleging rampant fraud and abuse by Mexican citizens of the social welfare system in San Diego County, CA. The *Reader's Digest* article—featuring David Sossaman, an investigator for the San Diego County (SD County) welfare-fraud unit—purported to give a behind-the-scenes look at the “reality” of the problem.

Fluent in Spanish, Sossaman talked with the owner of one car, who confirmed that his wife was inside applying for welfare using a fictitious San Diego address. His friends and relatives in Mexico were already drawing checks. It was easy, they'd boasted, because welfare caseworkers verified neither eligibility nor citizenship. When Sossaman confronted a coworker with what he had witnessed, the man shrugged. “It's been this way for years,” he said. “It's our dirty little secret.” (Fitzgerald, 1994)

Media accounts and personal anecdotes, like the one here highlighting the lack of a verification process for welfare eligibility or U.S. citizenship, were ubiquitous in the 1990s. In particular, these narratives perpetuated the idea that Mexican women were responsible for draining the Southern California welfare system.

But what is the deeper reality of this complex issue that involves questions on race, gender, migration, citizenship, and nationality? The incongruity of America as the land promised “for you and me” contrasted to these exclusionary media reports prompted some, like researcher Rogers Smith, to challenge Alexander de Tocqueville's (1838) thesis of the equality of American society. Instead, emphasizing the persistent and systemic inequalities in U.S. public policy, Smith stated that its “adherents fail to give due weight to inegalitarian ideologies and conditions that have shaped the participants and the substance of American politics” (1993, p. 549). Smith's

acknowledgement of the “multiple traditions” that groups of differing ethnicities and socioeconomic backgrounds experience in America, especially in borderland areas such as SD County, deserve specific attention in the efforts to balance human equity (1993). In order to pinpoint tangible abuses of human rights, researchers Anne Schneider and Helen Ingram (1997) have advocated investigating the racialized policies that target specific groups to suffer undue burdens. The shifting of these burdens onto minoritized groups can be justified through fabricated derogatory group identities externally constructed by dominant social groups seeking to maintain their elite social and financial group positions.

With these sociopolitical factors in mind, this research project seeks to unravel the intertwining threads of racialized media reports, discriminatory public policy, and questionable legal enforcement in regard to welfare access in SD County. In order to examine the political atmosphere and rhetoric surrounding immigrants and welfare program benefits in SD County from 1990 to 1999, this report centers on the welfare fraud detection and home investigation program entitled Project 100% (P100). This program—which was formulated, adopted, and implemented in SD County—has elicited strong responses from both sides of this welfare debate. From 1997-2020, proponents in local government argued that P100 saves taxpayer dollars, making welfare program applicants accountable for any fraudulent activity. Opponents of P100 assert it operates as a racialized policy that unfairly discriminates against marginalized populations, especially Latinos¹, African Americans, and women. Understanding the root of this policy is relevant to policy studies today as we see elite anti-immigrant rhetoric continuing to be propagated through media reports and political messages, accompanied by federal efforts to

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¹ Consistent with the work of prominent Latino politics scholars such as Barreto, Segura, and Pantoja, the term “Latino” will be used to identify people of Hispanic/Latin origin throughout this research, unless specifically referring to women of Hispanic/Latin origin, in which case the term “Latina” will be used.

create new public charge rules designed to deter documented immigrants from accessing public services to which they are entitled (Miller, 2019). With the 2020 advent of the COVID-19 pandemic's disruption of border crossings, scarcity of medical aid, and overall stress on national economies, this research has become even more critical in the efforts to support the human right to have fair and equal access to legally available medical, educational, and other welfare support programs.

Project 100%

In 1997, the SD County Board of Supervisors (BoS), in conjunction with the office of the District Attorney (DA), approved P100, an anti-fraud initiative that mandated warrantless “blanket home inspections” for welfare program applicants in the county, the first such broad initiative in the United States. (The only applicants that did not receive a visit were obvious denials or those who were immediately referred for investigations.) Prior to P100's expansion of investigatory parameters, investigators from the SD County DA's office only conducted home inspections for south county welfare benefit applicants to ensure area applicants were U.S. citizens and residents in that specific region. Once P100 was instituted, the investigatory parameters broadened to encompass all SD County applicants, regardless of their area of residence, national origin, citizenship status, or other factors present on their applications. Under P100, new applicants and ongoing recipients became subject to these random and unannounced home searches—generally within 10 days of application for welfare benefits—by investigators from the DA's office. Investigators were instructed to conduct interviews and walk-throughs of the premises (Morgan, 2009). Without warrants, the investigators became legally permitted to search closets, dresser drawers, refrigerators, and medicine cabinets to look for signs of inconsistencies with application information—such as the number of persons living in the home

or additional income sources. Investigators could also interrogate anyone present in the home and demand documentation; this might include pay stubs, tax returns, or any other documents requested in the California Work Opportunity and Responsibility to Kids (CalWORKs) intake. Additionally, collateral contacting of a third party, such as an employer or landlord, could be made in conjunction with the visit (San Diego HHSA, 2014). A refusal of this warrantless home visit (or if applicants were not home for one of two surprise visits within a 10-day window) resulted in a denial of CalWORKs benefits (Chan, 2014). Although the SD County BoS maintained that these “walk through” visits were and are reasonable and consensual (Morgan, 2009), P100 has been the subject of two court cases since its inception. It remained an active program in the county from 1997 to April 2021, when it was discontinued by a new Board of Supervisors.

State and Federal Reforms

In the 1990s, key political events involving immigrants and welfare usage occurred in California, including the vote on Proposition 187 (1994) and the election of incumbent candidate Governor Pete Wilson. At the state level, Prop 187 sought to prohibit undocumented immigrants in California from accessing certain public benefits and services, such as non-emergency health care and free public schooling. At the federal level, the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA, 1996) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA, 1996) ushered in new policies restricting the eligibility of immigrants for benefits nationwide.

Theory

Although this study focuses on the actors at the SD County level of operations, for the purposes of this paper, *elites* refers to influential governing individuals who legislate and/or

implement welfare and immigration reforms at the local, state, and federal levels. Numerous researchers have focused on the usage and power of elite rhetoric in the framing of immigrants and welfare program participation; many find these ingroup lexical systems factor significantly in public opinion and policy formulation in these two domains (Tichenor, 2002; Kilty & deHaymes, 2000; Agrawal, 2008). Further, with electoral success in mind, political leaders have been known to capitalize on the anxieties of the public, where stereotyping metaphors, patterned phrases, and *dog whistles*—referring to veiled political messages that communicate points to a target audience, here meaning racist ideas to immigration restrictionists—can engage and trigger certain audiences (Sanchez, 1997; Ybarra et al., 2016).

To examine the impact and influence of rhetoric, Harold Blumer (1958) built upon researcher V.O. Key's 1949 experiment on and analysis of *Group Threat Theory*, which proposed that proximity to a minority group can breed contempt in a majority group. Blumer theoretically extrapolated upon Key's concept and proposed that the source of group prejudice manifests verbally and visually in the dominant group's various self-serving exertions to maintain its elite social position. Blumer's *Group Position Theory*, which does not rely on the outcomes or correlation of mathematical variables, presents a well-suited qualitative framework to analyze these systems of power, as this theory focuses on the volatility of the process of *position maintenance* (Esposito & Murphy, 1999). When applied as a method to test social welfare policy outcomes using quantitative analysis, Group Position Theory has produced mixed results (Hero & Preuhs, 2007; Graefe, et al., 2008; Filindra, 2013). Blumer's theory has also been used in studies investigating the immigration policy and welfare policy domains; but, overall, these studies did not address the intersections between these two policy domains, especially at the state and local levels (Filindra, 2013).

In analyzing the style, content, lexicon, and intention of elite rhetoric, Blumer identified four feelings that can be discerned:

- a feeling of superiority on the part of dominant group members
- a belief that the subordinate group is intrinsically different and alien
- a sense of proprietary claim over certain rights, statuses, and resources
- a perception of threat from members of a subordinate group who harbor a desire for a greater share of the dominant group members' prerogatives (Blumer, 1958)

Assessing the worldview expressed in the elite rhetoric according to more qualitative interpretations based on feelings, beliefs, senses, and perceptions mirrors the interpretive nature of the various layers of language and communication. To detect patterns of shared rhetoric by elites that can translate how meaning is ascribed to an issue, Maarten Hajer has proposed three categories to identify within research materials: *metaphors*, *storylines*, and *discourse coalitions* (2006). Beyond this meaning, any subsequent identifiable set of practices, such as policy adoption and implementation, may be prescribed by the dominant group to address the issue at hand.

Connecting to Blumer's work, Shantanu Agrawal (2008) conducted research on this era's immigration and welfare discussion and found the concomitant rise of a distinctive elite rhetoric both questioning and denying immigrant access and rights to welfare programs. Linking the relationship between language and power from a Foucauldian *discourse analysis*, Agrawal's study centered on the U.S. federal level, also applied a qualitative approach to determine the media and political framing of the issue of immigrant access to benefits. Agrawal proposed that the elite rhetoric effectively justified PRWORA's exclusion of Lawful Permanent Residents (LPR).

Contribution

While Agrawal's research lays the groundwork for qualitative analysis of the political framing of immigrant issues, that initial study does not use a precise theoretical framework to guide the categorization and analysis of the elite rhetoric. This research project seeks to contribute to the methodological literature by combining Blumer's (1958) four feelings associated to Group Position Theory with Agrawal's (2008) application of Foucauldian discourse analysis as companion frameworks to guide an analysis of the ethnic and racial bias underlying the drivers, mechanisms, and impacts of P100 in SD County. While SD County serves as the specific regional case study, from a theoretical standpoint, this study will add to the broader literature by applying group position theory to the analysis of elite rhetoric in the immigration and welfare reform policy process at the local level.

Justification for San Diego County

SD County, with San Diego proper ranking as the second largest city in California, represents a key investigatory location in terms of its geographic location between Mexico and California. The Mexico-San Diego border experiences the most cross-border traffic in the United States, with the busiest port in San Ysidro and the sixth busiest in Otay Mesa. In 1998, the port of entry San Ysidro experienced 39 million total individual crossings northbound from Mexico into the United States. In 2019, the number slightly decreased, but the border still experiences the highest traffic of all U.S. ports—34 million a year (SANDAG, 2019). This borderlands county ranked as the eighth most populous in the United States according to the 2018 Census Bureau; it registered a population of 3,343,364 in the 2019 census. This figure also makes SD County larger in population than 21 other U.S. states. (United States Census Bureau, 2021). Thus, SD County naturally embodies a highly diverse population that hails from various racial, ethnic,

national, and linguistic heritages with people who migrate and settle in a new area for various reasons, including employment, education, safety, and family ties.

Because of the social group diversity in SD County, the community represents critical opportunities to study how local policies are formulated in areas that have significant immigrant populations. In 1980, 15% of county residents were Latino; in 1990, 20% identified as Latino. By 2000, it was 27%. The USC Program for Environmental and Regional Equality estimates that by 2040 Latinos will make up 43% of the population in the county (Pastor, et al., 2013). While San Diego County's population has diversified over the last 30 years, mostly due to the influx of Latino residents, the racial representation of the BoS members has not reflected that change—the first Latino on the county board was elected in 2020. SD County provides a viable case study to investigate the visible and invisible process of how certain U.S. policies are made by predominantly White lawmaking bodies through the incorporation of elite rhetoric in media and to analyze the impact of these policies on a burgeoning Latino population.

Research Questions and Data

Analyzing SD County's P100 as a case study, this research investigates the following questions:

- RQ1: Leading up to the inception of P100, did elite and public discourse on immigration and welfare among SD County dominant social groups indicate anxiety over maintaining group position? (Blumer, 1958)
- RQ2: What discourse coalitions (Hajer, 2006) existed during the federal, state, and local reforms on immigration and welfare in the 1990s?
- RQ3: What factors contributed to the formulation, adoption, and implementation of P100?

This project's analysis includes the following evidentiary sources from 1990-1999:

- elite interviews conducted with four experts on San Diego welfare rights, P100, and related court cases
- SD County BoS meeting minutes, legislative records, press releases, announcements, and program documents on welfare fraud program proposals and reforms (emphasis on immigration and P100)
- Congressional records related to SD County political actors and reforms on welfare and immigration
- documents from the SD County DA's Public Assistance Fraud Division (emphasis on immigration and P100) and the SD County Health and Human Services Agency (HHSA)
- a discourse analysis of news articles published in the *San Diego Union-Tribune (U-T)* on immigrants and welfare
- press releases, announcements, and court documents from the American Civil Liberties Union (ACLU) (involved with the two court cases filed against P100)

Who Should Be Eligible?

This analysis does not provide commentary or take a normative position on whether undocumented immigrants should receive federal or state benefits or services, as that is outside of the scope of the inquiry. However, it is expected that the study will show that P100 employs a discriminatory process against the Latino community and Latinas in particular by requiring verification of status and further questioning in a "home visit" after they have already answered questions on this issue and provided documentation in the initial application process.

Conclusion

Expected findings hypothesize that Blumer's four feelings associated with Group Position Theory are discernible in elite and public rhetoric. The research anticipates that this rhetoric system operates within distinct metaphors and storylines on immigrants and welfare usage. Furthermore, elite actors are identifiable as part of discourse coalitions employing these ingroup/outgroup language systems. And, these rhetorical grammars follow Foucauldian discourse systems, illustrating the connections between language and power. Ultimately, the confluence of the perception of *group threat*, which is codified and reinforced by elite rhetoric, contributed to the decision to formulate and implement P100, a policy that ultimately operates as a biased institutional practice determined by race and ethnicity.

Chapter 2: Literature Review and Theoretical Approach

To provide a foundation for this research, this section discusses several germane areas of literature. First, the term elite is defined and explored as it relates to identifying and studying the influence of a group. Taking this concept one step further, this project addresses the role of elite rhetoric and policy support from the public and how public support matters for policy outcomes, as well as how populations are socially constructed and targeted for policies. Finally, a theoretical foundation for this study is offered as a basis for establishing and justifying chosen research methods.

Defining Elites

The contemporary study of elitism considers the leveraging of power structures, authority sectors, positions of leadership, various forms of privilege, and the control of resources via networks (López, 2013; Yamokoski & Dubrow, 2008). Political science studies highlight the power of elites as “small and increasingly professionalized ruling minorities;” but, precisely who comprises the elite is often left to interpretation or is not clearly defined in many works (Higley & Pukolski, 2008, p. 1-2). An elite can be someone with social and/or political power, often with a higher educational status and/or wealth (Thurlow & Jaworski, 2017).

Pareto (1916) made the distinction between governing and non-governing elites; and, in an extension of Pareto’s work, Mosca (1923) noted there was a smaller level of more influential elites and a broader level of elites, from which the most influential persons and organizations could be drawn. This stratification of elites tends to give attention to notable leaders at the national level (Higley & Pukolski, 2008), but it may not give due weight to the accompanying power of state and local leaders in shaping policy.

Dahl (1958) defines a ruling elite as “a controlling group less than a majority in size that is not a pure artifact of democratic rules” and notes the challenges to empirically test for those comprising this group (p. 464-465). According to Dahl, the true indicator of the ruling elite’s power rests in the strength of the group’s ability to unify and control itself in its efforts to influence policy making and other decisions impacting society (1958). Dahl warns of misjudging a group at one “scope of influence” and assuming these elites exercise the same power at another level (1958, p. 465). Importantly, Dahl notes that studying the “concrete decisions” of such a group remains critical to understanding the authority that the group carries in its domain (p. 466). Therefore, Dahl proposes the following standards to identify a ruling elite:

1. The hypothetical ruling elite is a well-defined group.
2. A fair sample of cases exist that involve key political decisions where the preferences of the hypothetical ruling elite run counter to those of any other likely opposing group.
3. In such cases, the elite’s preferences regularly prevail (1958, p. 466).

Under these standards, Dahl’s principles can function as an analytical tool to isolate a policy domain and examine a specific elite group’s influence in an era and area of reform.

Elite Rhetoric and Social Welfare Policy

Metaphor serves as a powerful tool in the process of forming social policy (Schön, 1993) and an analysis of elite rhetoric can dissect how people might “access symbolic-material resources for shoring up status, privilege, and power” (Thurlow & Jaworski, 2017, p. 244). Former President Ronald Reagan (1981-1989) spoke infamously of Linda Taylor, demonizing her as the “Welfare Queen;” and, according to the *New York Times*, he frequently referred to this metaphorical woman while speaking on the campaign trail. In a speech, Reagan hyperbolically

proclaimed, “There's a woman in Chicago. She has 80 names, 30 addresses, 12 Social Security cards and is collecting veterans' benefits on four nonexistent deceased husbands” (1976, para. 2). According to Gilliam (1999), the public repetition of this metaphoric social construction powerfully impacted people's belief that undeserving people were taking advantage of responsible taxpayers and generous public programs set up to help those who might really need benefits. Gilens found evidence that negative attitudes towards African Americans impacted Whites' beliefs concerning deservedness of welfare benefits (1996). In particular, this study revealed that feelings that a benefit-eligible mother did not deserve welfare were nearly two times as strong when the mother in question was Black. According to Gilens, the racially coded language of the Welfare Queen trope targeted African American women, whose collective group was a focus for political proponents of sweeping welfare reforms in the 1990s (1996).

Also in this era, harmful rhetoric targeted Latino immigrants. Along with concerns that welfare benefits served as a “magnet” attracting immigrants to come to the United States (Fix, 2009), elite rhetoric depicted Latino “illegal aliens” as fraudulently accessing cash and welfare benefits. Specifically, Mexican women bore the brunt of this rhetoric in media and political speeches, with the common accusation that they frequently crossed the border to deliver their babies and to take advantage of U.S. benefits (Chavez, 1997; Roberts, 1997; Lindsley, 2002). In the 1990s, Los Angeles, California media outlets repeatedly included dehumanizing metaphors describing immigrants as “animals” (Santa Ana, 1999). This rhetoric would figure prominently in the reforms of the 1990s.

Elite Rhetoric and Public Attitudes on Immigration Policy

While the 1990s witnessed an intensification of negative rhetoric targeting minority groups, emphasis on Latino groups as “outsiders” has long been an issue in immigration policy since

U.S. settler colonial expansion. Keeping “consistent with past images” of negative stereotyping, Kilty and deHaymes (2000) asserted the theme of “divide and conquer,” meaning to demarcate insider versus outsider groups, intensified as a central and codified rhetorical concept surrounding Latino immigrants and welfare policy in the 1990s (p. 23).

Brader et al. performed an experiment that compared reactions to immigration issues using European and Latino immigrant identities to test the salience of elite discourse on public opinion on immigration. The experiment revealed that *group cues*, that is, information related to the immigrant group in question, factor significantly when ethnicity is used in combination with perceived skill levels of the target group (2008). News stories focusing on costs of immigration triggered anxiety in respondents regarding harmful impacts from immigration, with respondents demonstrating greater feelings of threat with Latino examples than with European ones. Further, the researchers found that “changes in anxiety, not perceived threat, mediate the impact of these cues on opinion and political behavior” (Brader et al., 2008, p. 975). Triggered by group cues, this apprehension manifested within certain populations’ increased contact to various outlets for more information on immigration, anti-immigration messages sent to Congress members, and support of English-only laws (Brader et al., 2008, p. 975).

Use of the Word “Illegal” to Describe Undocumented Immigrants

If people remain unsure about their stance on immigration, then negative priming—especially with stories of welfare misuse or crime—can sway the respondents’ attitude negatively against immigration (Burns & Gimpel, 2000). One way that the outsider status is ascribed to immigrants is through the term “illegal,” which emerged after World War II and was first closely associated with Jewish immigrants. It wasn’t until the 1960’s, after the discontinuation of the Bracero Program, that “illegal immigrant” became synonymous with

persons entering the United States from the southern border, according to professor of sociology Mike Vuolo (2012). In fact, illegal became a rallying cry of the Republican party in 2005 as strategist Frank Luntz released a well-known memo imploring party members to utilize the term to delineate the difference between immigrants that have broken the law by unauthorized entry or overstaying a visa and immigrants that have not (2005, October.) This memo provides a clear example of how various forms of rhetoric become actively encoded within discourses. “Illegal” was once accepted language by the Associated Press, as they considered “undocumented” to be inaccurate until 2013, with the reasoning that an undocumented person could have possession of a Driver’s License or a state ID card under the law (Kashyap, n.d.). However, in 2013, the AP released guidance that “illegal alien, an illegal, illegals or undocumented” should not be used “except in direct quotations” because the term was considered derogatory (Colford, 2013, April 2). This guidance is followed here.

Elite Rhetoric and Public Attitudes on Welfare Spending

In their study on the impact of elite rhetoric on mass opinion, Schneider and Jacoby confirmed an uptick in the 1990s in elite discourse around welfare policies (2005). The authors coded national coverage on welfare in the *New York Times* and major television news broadcasts from 1990-2000 as either “negative,” “positive,” or “neutral” in tone, finding the rhetoric tone and content took a pronounced negative increase beginning in 1994 and spiked in 1996. While there was bipartisan support for reforms, the parties’ differences on the reform details were primarily overlooked, as the focus of coverage remained on the sweeping changes (Schneider & Jacoby, 2005). The authors analyzed data from the National Election Studies from 1992-1996, which showed that while there was great change in attitudes on welfare spending, it was not personal economic views that changed participants’ evaluation of welfare spending during this

period, but, that elite rhetoric played a significant role (Schneider & Jacoby, 2005). While previous research showed that attitudes towards racial groups impacted the actual development of attitudes towards welfare spending (Quadagno 1994; Gilens 1995; Williams 2003), perceptions of African Americans did not change the respondents' attitude towards that spending (2005). Missing in these studies is the examination of the perceptions of immigrants or other racial groups and welfare spending.

Schneider and Jacoby isolated three factors that figured importantly to elite rhetoric influence and accounted for the increase of negative views of spending from 1994-1996: the “thermometer rating of people on welfare,” liberal or conservative ideology, and party identification (2005, p. 374). The authors concluded that the amount and content of elite rhetoric on welfare reform during this period did “affect the manifest content of citizen attitudes” whether they were informed on the issues or voted based on Party ID (p. 377).

Impact of Public Support on Immigration and Policy Outcomes

Is public support of immigration policies correlated with racial prejudice, economic anxiety, concern for the rule of law, or a combination thereof? Studies show mixed results on this issue. Tichenor (2002), using a historical-institutionalist approach in his study of U.S. immigration policy, deemphasized the argument for purely economic causation motives for restrictionism and presented a more nuanced understanding—including the formation of left-right coalitions for immigration restrictionism or expansionism throughout U.S. history.

For the general American public, Prop 187's emergence proliferated an intense attitude of immigrant exclusion (Cooper, 2004). At this time, Jaret (1999, p. 27) found a vocalization of a “newer form of nativism, rooted in anger over economic disadvantage and exploitation.” In his book *Strangers in the Land*, John Higham defined *nativism* as “an intense opposition to an

internal minority on the grounds of its foreign connections” (1955, p. 4, para. 3). Nativism, often appearing in nationalistic movements with overtly patriotic language, demands immigrant amalgamation and separates out those deemed unassimilable, which has historically been the case for Latinos in the United States (Galindo & Vigil, 2006). More focused than a general sense of prejudice, this world outlook draws a civic line in the sand; this pervasive view determines who can be “one of us” (typically only the native-born) and who, therefore, deserves access to the rights and privileges of citizenship.

Xenophobia, related to nativism, is powered by the ingroup’s fear of the outgroup. Derived from *xenos* (stranger or guest) and *phobos* (fear) (Merriam-Webster, n.d.), the United Nations defines xenophobia as the “attitudes, prejudices and behavior that reject, exclude and often vilify persons” as foreigners (Freemantle & Landau, 2015, p 17, para. 3). As a tool of social control, xenophobia can be operationalized to exclude target groups from proprietary resources to which the ingroup perceives only itself to be eligible (Masago, Freemantle, & Lindau, 2015).

In the 1990s, nativism and xenophobia materialized in a preoccupation with “illegal” Latino immigrants entering the United States without documentation; they became a point of targeted negative sentiment symbolizing a threat to American life and prerogatives (Jaret, 1999). Studies have shown that negative sentiment can be activated when an ingroup determines resource threat (Citrin et al., 1997). In keeping with this triggering of anxiety over economic and legal concerns, Lee and Ottati (2001) found that racial bias against Mexicans lay at the foundation of the “unique determinant of attitudes” held by U.S. citizens towards Prop 187 (p. 619, para. 3).

Using data from the 1992 and 1996 American National Election Survey (ANES), Burns and Gimpel (2000) asserted that economic outlook was not as important to attitudes on immigration policy once stereotypical thinking was taken into account. “Persistent racial animus,” especially amongst white respondents, materialized in the form of “stereotypical beliefs” regarding the “work ethic and intelligence” of outgroups (Burns & Gimpel, 2000, p. 222). When measuring negative attitudes towards immigration, the authors found correlations with prejudice against Latinos, particularly in 1996’s year of respondents to the ANES.

With respect to racial differentiation in welfare program administration, Soss et al. (2011) discovered that, overall, conservative counties tended to enact sanctions on welfare recipients at a greater incidence than in liberal counties. However, Latino and African American recipients still fared worse in both liberal and conservative counties than their Caucasian counterparts (2011).

Does it make a difference if groups live in close proximity to one another? Allport (1954) found that proximity could lead to the reduction of prejudice and cooperation under four conditions: group equity, common goals, intergroup cooperation, and authorities’ support. However, this theory has been tested with mixed results. In a 2009 study on SD County, Ayers et al. found that, along with proximity, “reported Latino aversion or overt racism, in general, negatively influenced immigration policy preferences” (2009, p. 607). In this case, Latino populations in a border county might have increased support of restrictionist immigration policies.

Social Construction of Target Populations

Scholars Schneider and Ingram (1997) proposed a causal model to understand the how and why of policy decision making and to determine the implications of a policy for particular

segments of society. They found that “social construction of target populations” encompassed the beliefs (generated by media, culture, history, religion, and other sources) about groups that designated them for “benefits” or “burdens” in relation to policy (Schneider & Ingram, 1997, p. 75). The researchers discovered that target populations were chosen based on the inherent value a society placed on them. These populations received “messages about their worth” from policies developed for them (p. 88). Schneider and Ingram extrapolated that the treatment of these populations held great implications for participation in democracy (p. 85), leading to estrangement or motivation, depending on the context (p. 101). In a degenerative policymaking system, elected officials supported both the policies that bestow political benefits upon themselves and others constructed as worthy, and the policies that disenfranchise the population socially constructed as deviant.

Social Construction of Immigrants and Welfare Fraud

In a 2016 experiment, Kreitzer and Smith used the Schneider and Ingram continuum to crowdsource the position of 73 target groups by using “perceived power” and “deservedness” as the measure for position placement. Two of the groups named in the experiment were “welfare cheats” and “illegal aliens.” The results revealed these groups’ average placements fell in the “deviant category” of low political power and low deservedness. Adjacent to these groups sat “ex-felons,” “criminals,” and “sex offenders.” Although the researchers did not explicitly ask respondents how they might place undocumented immigrants fraudulently accessing unentitled benefits, the application of Schneider and Ingram’s (1997) framework remains relevant to understanding how various pejoratively labeled groups might be perceived by society at large.

Social Construction of Welfare Applicants as Criminals

Which group was the most deserving of assistance raged as a hot debate topic during the 1990s—a time of “shrinking blue-collar employment, White flight from urban centers, and the nascent emergence of mass criminalization” (Cammett, 2014, p.236). In research on the power of metaphor and the evolution of poverty law policy, Cammett found evidence that the use of tropes—such as the previously mentioned Welfare Queen and the also pejorative male metaphor of the “Deadbeat Dad”—shifted policy debates away from aiding underserved persons to focus on restricting those perceived as undeserving of receiving benefits.

Scholars of welfare policy noted that laws and programs in this domain in particular were often formulated without vital input from the very people they are meant to help (Swan, et al., 2008). The poor and immigrants became targeted for policies that could not only keep them from accessing benefits but could also criminalize even applying for assistance based on program standards. These types of criminalizing policies and practices included stigmatization and regulation of the poor via drug testing and fingerprinting, with measures barring program participation based on past or present unlawful behavior.

Another criminalizing practice involved partnerships among program administration agencies and criminal justice agencies with the goal of detecting discrepancies with application information in the blanket home searches. As discussed in the previous chapter, in these unannounced home searches, warrantless officials have the ability to make invasive searches, question individuals, and call employers (Gustafson, 2009). The Fourth Amendment of the U.S. Constitution states that citizens have the right:

“to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” (U.S. Const., amend. IV)

However, legal experts maintain this Constitutional right has been violated in the case of the poor, who are subject to searches, such as the 1960s “Man in the House” raids. This practice involved eligibility workers making unannounced visits to homes of welfare program clients in the middle of the night and demanding entry and searching for evidence that an unauthorized man was on the premises (Reich, 1963). In a powerful statement on citizenship rights, it is argued that this violation of rights renders the poor receiving welfare a “subconstitutional status” below criminals (Budd, 2010, p.355 ; Gustafson, 2009).

Theoretical Approach: Group Position Theory

In 1999, researcher Lawrence Bobo reconsidered and expanded upon Blumer’s Group Position Theory (1958). Key to his analysis rested the recognition that “Blumer’s analysis places perceptions of competition and threat in a racially stratified social setting at the core of racial prejudice” (p.448). Group Position Theory reaches beyond general prejudice and extends to the dominant group’s concern to maintain its status in the hierarchy of a society. Bobo stated that “the more that members of a racial group feels it is alienated and oppressed, the more likely they are to believe that other racial groups are competitive threats to their position” (1999, p. 460). Blumer considered how the identities of groups evolve; thus, a study of group position should also consider the circumstances of interaction between groups in their initial contact as setting precedent for future interactions (Bobo, 1999). The dominant group’s commitment to preserving position can be institutionalized through formal policies, informal laissez-faire policies, or cultural practices meant to keep the dominant group in its desired place.

Group Position Theory acknowledges the complicated multidimensionality of relationships among groups over time (Blaylock, 2010). As scholars Bobo and Tuan (2006)

noted,² Blumer stood as a critic of purely quantitative work to identify group position; in his opinion, it could not measure the nuance present in the interaction of the social construct of race and human behavior. Further, Blumer (1948) asserted that public opinion polling, while useful to determine how attitudes are distributed in a population, remained less important to the question as discovering which elite actors directed the formation of public opinion and how they pursued this process (Bobo & Tuan, 2006). However, those who have employed Blumer's theory to study the confluence of prejudice and public policy have applied qualitative, quantitative, and mixed methods.

Application of Blumer's Theory in Policy Studies. In policy studies, the Group Position Theory can be used to examine the development of the construction and maintenance of the structural inequalities between groups and what role these factors play in the propagation of prejudice over time (Giles & Evans, 1986; Glaser, 1994; 2003; Carter & Lippard, 2015). In 2015, Carter and Lippard researched elite rhetoric presence and influence via Amicus briefs in an Arizona immigration law decision and found all four of Blumer's feelings present. In relation to Blumer's first feeling, each brief used words, such as "Arizona citizens" or "the good people of Arizona," to express superiority while 85% of the briefs used disparaging labels, such as "illegals" or "those people," to identify Mexican immigrants. The authors determined that political elites with access to the public ear triggered these four feelings to project the position of Arizona citizens over Mexican immigrants in the attempt to influence policy (2015).

Bobo and Tuan (2006) employed Blumer's theory as a framework to study how bias plays a role in public opinion when race relations are at the center of a political struggle, such as

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² Bobo and Tuan offered a thorough treatment of Blumer's criticism of surveys and responded with a nuanced argument as to why polling functions as a relevant measure used by political leaders to understand constituent preferences and the span of political issues (2006). Woodward (1948) and Sheatsley (1983) have answered similarly.

in the conflict over the treaty rights of Chippewa First Nation people in Wisconsin in the 1970s-1990s. Through gathering survey data and presenting a case study of the unfolding of events between White Wisconsinites and the Chippewa, the authors determined that the situation led to the former society in this conflict feeling that their group rights were infringed upon when the latter society began asserting their own group's treaty rights to hunt, fish, and gather in certain geographic areas (2006). Bobo and Tuan found that Blumer's theory helped to explain how prejudice influenced the White Wisconsinites' political behavior in mobilizing protests, issuing threats of violence, and spreading angry public sentiment in media coverage surrounding the matter—all acts which were meant to pressure political actors in the state to resolve the issue in their favor.

Foucauldian Discourse Analysis

Michel Foucault is best known as a philosopher and academic; however, his work extends to the social sciences. Foucault's line of questioning centered on the social construct of truth as "often mere expressions of ethical and political commitments of a particular society" (Gutting & Oksala, 2019, para. 8). Highlighting his concept of discourse, Foucault (1980, p.131) wrote that every society constructs a culturally relevant "general politics of truth: that is, the types of *discourse* [emphasis added] which it accepts and makes function as true [and] the mechanisms and instances which enable one to distinguish true and false statements." At the core, Foucault's "critical philosophy" challenged these fabricated constructs, "exhibiting how they are the outcome of contingent historical forces, not scientifically grounded truths" (Gutting & Oksala, 2019, para. 8).

Foucault and Politics. In politics, wrote Murray Edelman, language becomes an access point to investigate how societies develop language itself to shape or create these "truths"

(1985). This process focuses on identifying the threat to the masses and the policy solution enacted to resolve the issue. Edelman stated,

“The critical element in political maneuver for advantage is the creation of meaning: the construction of beliefs about the significance of events, of problems, of crises, of policy changes, and of leaders. The strategic need is to immobilize opposition and mobilize support. While coercion and intimidation help to check resistance in all political systems, the key tactic must always be the evocation of meanings that legitimize favored courses of action and threaten or reassure people so as to encourage them to be supportive or to remain quiescent. Allocations of benefits must themselves be infused with meanings. Whose well-being does a policy threaten and whose does it enhance?” (1985, p.10)

Thus, Edelman argued that the views induced by language serve as the intended and powerful outcomes of rhetoric, especially as political enemies are created with this language. Edelman also noted that the body politic is not free to choose any rhetorical definition of an issue they prefer. Rather, the people must choose from the available options they have been presented with, resulting in expressed viewpoints given labels, such as “liberal” or “conservative” (1985). Finally, it is important to note Edelman’s comments on the political tendency to perform “value inversion” of stances on issues, such as the ostensible portrayal of helping the poor when in reality this duplicitous help is constraining the poor (1985).

Power and Policy. Power figures at the core of Foucauldian discourse analysis, which recognizes how knowledge is paired with language to regulate behavior (Gibbs, 2015). For example, discursive constructions of immigrants as “illegal aliens” or welfare program participants as “welfare frauds” results in mobilization towards legal control. Certain discourses become dominant and accepted parts of language that are no longer challenged because they are accepted as truth. Discourse can become entrenched in institutional procedures to control various aspects of the targets’ lives, even extending to control over and invasion of personal property (Gibbs, 2015).

Application of Foucauldian Discourse Analysis in Policy Studies. Foucauldian

discourse analysis serves a strong framework to analyze policy studies, as the framing of societal problems and pressing public issues represent a critical aspect of the *problem identification stage* of public policy making (Anderson, 2015). This “problem construction” serves to “reveal where government action is needed” (Agrawal, 2008, p. 641, para. 2); thus, elite political rhetoric will often:

1. identify a problematic social condition
2. provide empirical evidence of the problem
3. identify a causal theory which also assigns blame
4. articulate solutions to remedy the problem (Houston and Richardson, 2000).

In his 2008 policy study on PRWORA, Agrawal employed Foucauldian discourse analysis to congressional discourse surrounding legal immigrant exclusion from welfare under PRWORA. Agrawal chose this method in part to show how political actors established blame towards immigrants in the “production of socially and politically acceptable truths” of PRWORA (2008, p. 636). Agrawal’s process included searching each bill and report related to PRWORA for discussion related to undocumented immigrant access to welfare. The study detailed the genesis of PRWORA by outlining outstanding overarching themes such as the principle of self-sufficiency and then showing how these principles were used to define the problem. A prime example centers on the construction of how, through accessing welfare benefits, immigrants violate the U.S. national principle of self-sufficiency. Blame was assigned to the “current eligibility rules and unenforceable agreements” connected to the welfare system at that time; therefore, a policy overhaul was deemed gravely needed (p. 646). Agrawal found a strong linguistic shift in the process of problem identification and policy formulation, leading to the

adoption of the provisions of PRWORA that denied LPR access to means-tested public benefits (2008).

In *Words Matter in Policy and Planning: Discourse Theory and Method in the Social Sciences*, Hajer wrote that the “analysis of discursive constructions... is especially powerful when done in the context of the study of the socio-historical conditions in which the statements were produced and received” (2006, p.67). As mentioned, Hajer employed three categories of discourse in analysis: Metaphors such as Welfare Queen can take on a life of their own in policy discussions and be used to perpetuate ideas about the issues at hand. Storylines are “condensed statements summarizing complex narratives” and often become “shorthand” in discussions surrounding policy shifts (p. 69). Hajer warned that mutual understanding of and agreement on the meaning of these stories from teller to hearer is not guaranteed.

Finally, a discourse coalition is “a group of actors that, in the context of an identifiable set of practices, shares the usage of a particular set of storylines over a particular period of time” (2006, p. 70). Although informal, these discourse coalitions can be identified through ascertaining if a group of actors is using similar language and accounts in order to discuss a perceived problem or policy issue. Analysis of discourse coalitions, using a Foucauldian approach focused on power and dominance, seeks to identify *discourse structuration* to show how a “social unit,” such as policymakers, would consider or conjecture an issue. If a discourse coalition effectively sets the conversation around an issue, analysts can expect to see *discourse institutionalization* whereby the discourse becomes codified and set either formally through policy or informally through social practices. It is through the structuration and institutionalization of discourse that Hajer said the dominance of a discourse can be measured (2006).

In the same vein of Hajer (2006) and Schneider and Ingram (1997), Stone (1989) wrote of *causal stories* that are told as a reflection of the social construction of a group and the injury that group has wrought on another. These causal stories serve as a device not only for empirical culpability, but also to assign a moral component to the argument. Stone holds that “on both levels, causal stories move situations intellectually from the realm of fate to the realm of human agency” and that this shift in agency is the vital component that leads to issues appearing on the “systemic agenda” (1989, p. 263, para. 1). This view of narrative is particularly relevant to elite actors and the media: if coverage of a group can show that their actions were purposeful and that the consequences of their actions were intended, then the hearer may believe that the design of the group in question was indeed to cause harm (Stone, 1989). This series of events can lead to the story becoming the “dominant belief and guiding assumption” for lawmakers serving as the correctors of the problem, as the narrative is reflected in the policies made to target the group (Stone, 1989, p. 294, para. 1). Lawmakers may see benefits in the form of political partnerships and public trust as they form these policies (Stone, 1989).

Both Hajer and Stone demonstrate that stories appealing to the human desire to know an explanation as to the cause of a problem influences who is targeted in rhetoric and, subsequently, in policy. These frameworks will be instructive as the rhetoric encompassing the issue of Project 100% is considered in this study.

Chapter 3: Methodology

Research Questions

Examining the “ongoing process of intergroup positioning” (Fussel, 2004, p.6) can aid in the quest to recognize how support for targeted policies unfolded over time within the context of the SD County dynamics between ingroup citizens and outgroup immigrants. Understanding the genesis of P100 with minimal public attention or resistance over the past twenty-four years offers a strong case study to analyze the coevolution of elite rhetoric and targeted policy making.

Through investigating the various SD County social groups’ relationships with P100, this research considers the following:

1. Leading up to the inception of P100, did elite and public discourse indicate anxiety over maintaining group position (Blumer, 1958)?
2. What discourse coalitions (Hajer, 2006) existed during the federal, state, and local reforms on immigration and welfare in the 1990s?
3. What factors contributed to the formulation, adoption, and implementation of P100?

Hypothesis

Consistent with the literature on elitist discourse and racialized policies, such as PRWORA and Prop 187, expected study findings hypothesize elite and public discourse racialized the immigration policies and welfare usage in an effort to maintain group position in the time leading up to the inception of P100 in SD County. Further, the research expects to find that language used from PRWORA, IIRIRA, Prop 187, and other reforms facilitated discourse coalitions formed among political actors and residents of SD County that constructed Latino immigrants as welfare frauds. For the final research question on factors influencing the behavior and decisions of political actors in SD County in the formulation, adoption, and implementation

of P100, this project foresees finding that concerns over immigrant access to programs and the perceived success of the earlier “zero-tolerance policy” home inspections in south county San Diego contributed to the decision-making process.

Data Collection

In total, 437 documents and 4 elite interviews were collected and analyzed for this study. Data collection started from 1990, a year that would offer insight into the atmosphere prior to the 1994 gubernatorial election. Data collection stopped at 1999, the year Prop 187 was overturned in California. Data collected from the years 1990-1999 included newspaper articles from the *U-T*, SD County BoS meeting minutes, and Congressional records, including quotes from county political actors on the topics of immigration and welfare reforms. Written policy, records, and reports from the county regarding immigrants and welfare usage were also analyzed, with a focus on P100 and its potential ties to immigration and welfare reform. The following chart provides a description of each source category, the number of documents analyzed, how the analysis was employed, and this project’s chapter(s) where the data was specifically incorporated for analysis.

Sources of Data and Information for Study	Number of Documents	How Data is Analyzed	Chapter(s) Data is Used
Elite Interviews	4 interviews	Qualitative assessment for background information and timeline construction Evidentiary assessment of P100 and related welfare fraud activities in SD County	Chapter 5

SD County BoS meeting minutes, legislative records, press releases, announcements, and program documents	46 documents	Qualitative assessment for background information and timeline construction Evidentiary assessment of P100 and related welfare fraud activities in SD County Discourse analysis in MaxQDA	Chapters 5, 6
Documents from the SD County Public Assistance Fraud Division, District Attorney, and SD County Health and Human Services Agency	100 documents	Qualitative assessment for timeline construction Evidentiary assessment of P100 and related welfare fraud activities in SD County	Chapter 5
Congressional records related to SD County political actors and reforms on welfare and immigration	21 records	Qualitative assessment for background information and timeline construction Evidentiary assessment of welfare and immigration reform activities in SD County Discourse analysis in MaxQDA	Chapters 4, 5, 6
News articles published in the San Diego <i>U-T</i> on immigrants and welfare, (1990-1999)	261 articles	Qualitative assessment for background information and timeline construction Evidentiary assessment of welfare and immigration reform activities in SD County Discourse analysis in MaxQDA	Chapters 4, 5, 6
Documents from <i>Sanchez v. County of San Diego</i> (2006) and <i>Villafana v. County of San Diego</i> (2018)	9 documents	Qualitative assessment for timeline construction Evidentiary assessment of P100 and related welfare fraud activities in SD County	Chapter 5

Figure 1. List of sources of data, number of documents, analysis employed, and chapters presented in this study.

Written Publications

To gather this data, NewsBank was searched for articles from the *U-T* during the years 1990-1999, using variations of key search terms such as P100, reforms, immigrants/immigration, illegal/legal, fraud, welfare, and investigations. This process was repeated for SD County BoS meeting minutes and legislative documents during the years 1990-1999, using variations of the same key terms. The BoS typically meets twice a month for general matters and twice a month for land-use matters. These meeting minutes, available to the public, are digitally housed on the county's website, www.sandiegocounty.gov. Congressional records were found on Congress.gov using the same search terms and the names of those SD County BoS members serving on the Board from 1990-1999. Documents from the P100 court cases are publicly available.

Elite Interviews

Seven of the Board members who served during the years 1990-1999 are still living. Two of the seven Supervisors ended their service on the Board in 2020 because of newly imposed term limits. Leon Williams (1982-1994), Brian Bilbray (1985-1995), Pam Slater-Price (1994-2012), Ron Roberts (1995-2018), Bill Horn (1995-2018), Dianne Jacob (1992-2020), and Greg Cox (1995-2020) were each invited to participate in this research project by being interviewed in person or on the phone, at a time and location of their choosing. While Cox and Jacob declined, the others did not respond to the request or were not able to be reached.

Four experts key to these cases and the issue of welfare rights in SD County agreed to interviews on the topic of P100, politics, and poverty in SD County: Joni Halpern, a San Diego welfare rights attorney and community organizer; Hilda Chan, author of the initial P100 report and attorney; Dr. Bill Oswald, professor, researcher, and community organizer; and Dr. Jonathan Markovitz, staff attorney with the ACLU of San Diego and Imperial Counties.

Additional Data Sources and Interviews

To better understand the background of P100 and the issue of fraud in the county, economic reports and studies were consulted. Also, the data collection included congressional records on immigration and welfare reforms involving members of the BoS.

Further, this study gathered documentation and pertinent information through contact with ACLU on the two court cases associated with P100: *Sanchez v. County of San Diego (2006)* and *Villafana v. County of San Diego (2018)*. Lastly, records publicly available on P100 from the San Diego DA's office as well as the County HHSA were obtained.

Data Analysis

Software Employed

The software MaxQDA allows for a mixed-methods analysis of documents, publications, interview transcripts, and multimedia data. MaxQDA enables the researcher to conduct coded annotation on documents and to visualize the data with a number of available tools. Researchers can develop dictionaries within the software and can then use those dictionaries to run analyses on documents according to variables with crosstabs. Two rounds of MaxQDA analysis were run on BoS meeting minutes, Congressional records, *U-T* articles, and other documentation related to P100. Each of these rounds are described in the sections below detailing the process employed for the analysis presented in Chapters 4-6.

Process for Chapters 4 and 5

For Chapters 4 and 5, initial qualitative exploration using MaxQDA sought to identify collectively used terms and statements, or discourse coalitions (Hajer, 2006), made by political elites referring to immigrants and welfare program usage. Keyword searches were formed to discover which rhetoric used in these policy reforms was mirrored in the language of P100 documents and BoS meeting minutes. Using these documents, a timeline was composed in order

to understand the trajectory of policy proposals, legitimation, and implementation. BoS documents were then coded with key words, phrases, and concepts whenever located in said data. This unique lexicon centered on this volatile issue was collated by the MaxQDA software into a specific SD County-P100 dictionary to be used further in Chapter 6 (see Appendices for codebook). Chapter 4 details the findings on federal and state reforms, while Chapter 5 discusses the reforms at the SD County level.

Process for Chapter 6

In the second round of inquiry, the content of *U-T* articles and BoS documents was analyzed in MaxQDA using mixed methods to measure for indicators of Blumer's (1958) four feelings: superiority, different/alien, proprietary claim, and fear/suspicion. In this process, the matrix developed by Carter and Lippard (2015) was expanded to include common terms, phrases, and subjects covered in the documents. To determine each theme, a qualitative analysis method called *thematic coding* was employed (Gibbs, 2018). In thematic coding, the software reads comprehensively through the text of each document to assess repeated terms and phrases and then to analyze for linguistic patterns in their usage in order to extrapolate prominent themes in the data. Then, the coded passages that hold similar themes were compared with one another to determine if themes should be grouped together in a single category or kept as a distinctive category. All of these thematic coding steps were applied in this research project.

The next step involved using the Creative Coding feature in MaxQDA to select appropriate Blumer categories for each term. This feature is beneficial for determining the most accurate categorization of the most common themes in documents. To categorize the themes, the overall Blumer (1958) category descriptions provided by Carter and Lippard's 2015 study were

used, but the themes were uniquely developed by the researcher for this specific and original project. See Figure 2 below for an example of the MaxQDA Creative Coding process.

Figure 2. Example of Creative Coding in Max QDA.

After completing the unique creative coding process for this project, themes were organized into a chart divided by the Carter and Lippard (2015) descriptions of the Blumer (1958) categories (see Figure 3). For this project, this step offered a visual tool to assist with further analysis of the text when coded by themes according to the Blumer categories. This laid the foundation for the Chapter 6 presentation of the project's conclusions on the correlations among elite rhetoric and policy reforms in the situation of SD County and P100.

Blumer's Group Position Theory Categories (1958) Descriptions Developed by Carter and Lippard (2015)			
SUPERIORITY (1) - Disparagement of qualities of subordinate race - Condemnatory or debasing traits: laziness, dishonesty, greediness, unreliability, stupidity, immorality - Dominant group has "positive" attributes and subordinate one has "negative"	DIFFERENT/ALIEN (2) "They are not our kind" - Citizenship/Documentation - Promotion of social exclusion of subordinate race - Suggestions of aversion/antipathy towards "strangers" and "aliens"	PROPRIETARY CLAIM (3) - Dominant group entitled to rights and resources - Resources may include jobs, industries, decision making, schools, churches, welfare programs, medical services, recreational institutions, religious practices	FEAR/SUSPICION (4) - Subordinate group threatens livelihood and safety of dominant group - Any mention of "attack" or invasion on resources, space, rights by subordinate group - Encroachment on resources exclusive to the dominant group
Themes Identified/Coded in San Diego Union-Tribune Articles and SD County Board of Supervisors Documents			
Illegal/Legal distinction	Animal	Coming for Work	Anxiety/Escalating/Fear
Accountability/Responsibility/Bootstrapping	Alien	Economy	Fraud
Birthright Citizenship	Border	Ineligible	Incentive/Magnet
Hard Working vs. Lazy	Citizenship	Deeming	Inundated/Flooding/Exploding Population/Invasion
Proper Channels	Documents (Physical & Permission)	Truly Needy	Investigations
Take Advantage	Language	Restrict Immigration	People Reporting
Undeserving	Residency Related	Resource Drain/Take More Than Give/Blame	Prejudice/Nativism/Xenophobia
Pregnant Mothers/Mexican Mothers	Rights	Taxpayer Burden	Tough on Fraud
Self-Sufficient/Productive/LPC	Undocumented	Who Pays/Reimburse/Costs Associated	War/Violence
Abuse		Cut Off/Withhold	Criminal Penalties
Anecdotes/Imagery		Political Gain/Pressure	Punish/Reward Behavior
		Public Opinion	

Figure 3. Analytical cues for Blumer's (1958) Four Types of Feelings Associated with Prejudice with category description provided by Carter and Lippard (2015).

For *U-T* articles, multiple linguistic elements also were coded and then reported in Chapter 6, including partisan sources of quotes (when determinable), the overall tone of article with respect to presentation of immigrants and welfare, frequency of coverage of the issue, and origin of story (national, state, or local).

Data points were analyzed using several features of MaxQDA, including the Qual Themes by Qual Groups, which compares quotes by code sections, document, and document

group. This process was effective for understanding the context of a coded section within each document and then comparing the coded sections for similarity of language by elite actors. See Figure 4 for an example screenshot of this comparison by document group.

Document group SD County Board (46 Documents, 3 Coded Segments)	Document group SD Tribune Articles (262 Documents, 14 Coded Segments)
Heard oral report from the Chief Administrative Officer and took action as recommended by Supervisors Bilbray and Slater; and directed the Chief Administrative Officer to work with Revenue and Recovery to go after the foreign nationals' resources that are on this side of the border for outstanding bills, and work with the private hospitals on the possibility of cost reimbursement. Adopted "Zero Tolerance" policy for County administration of these programs and determined to aggressively prosecute employees and contractors who coach undocumented immigrants on how to get Medi-Cal assistance; pointed out the issue of legal sharing of information with contract agencies is very important to the identification of problems; directed Chief Administrative Officer to investigate the possibility of establishing a 14-day waiting period for non-emergency provision of County programs where applicants are suspected of being unqualified for care; and directed the Chief Administrative Officer to include in the report back to the Board the requirement for birth certificate and school enrollment for enforcement SD County Board\04.20.93 KEY SD COUNTY BOARD report re welfare medi-cal: 1: 1360 - 1: 2496 (0) The Board of Supervisors in partnership with the Hospital Council of San Diego will sponsor a summit of communities in Border states to develop recommendations for action by the Federal and State governments to reduce fraudulent access to publicly funded health care services by undocumented aliens and foreign nationals. Direct the Chief Administrative Officer to work with the Board of Supervisors and the Hospital Council to organize the Summit. SD County Board\5.11.93 SD BoS border states summit: 1: 135 - 1: 594 (0) SUPERVISOR SLATER: 1. Direct the Chief Administrative Officer to ensure that the Department of Social Services begins the immediate development and implementation of a program that will mandate community service for all employable undocumented aliens applying for Aid to Families with Dependent Children at the Centre City Family Resource Center. Applicants must perform the required hours of community services or be denied Aid to Families with Dependent Children. 2. Direct the Chief Administrative Officer to ensure that the Department of Social Services monitors the implementation of this community service work program and, upon its successful implementation, operates this new program concurrent with other welfare reform initiatives department-wide. 3. Adopt a policy that as a County we do not recognize the right of undocumented aliens to reside in the United States in violation of the law. However, the Federal government mandates citizenship for their children. Therefore, the County must mandate community service as a condition of receiving Aid to Families with Dependent Children because welfare is not a right, but a privilege. 4. Consistent with the Department of Social Services' pilot project of notifying the Immigration and Naturalization Service of undocumented	The final motion, by Supervisor Pam Slater, incorporated all of the supervisors' suggestions, including her questions about furniture and computer costs in the district attorney's proposal, Supervisor John MacDonald's request that several county departments bid on operating the f fraud unit, and Jacob's request that a specific list of goals be drawn up so that supervisors can see how the money is being spent to cut back on welfare f fraud SD Tribune Articles\93.02.17: 1: 1988 - 1: 2431 (0) Supervisor Pam Slater noted that while she voted to approve the transfer of the f fraud investigators, she still has serious questions about the cost of the unit. "I certainly think it would be more productive if he was a little less defensive and if he would let us know why it is that he says he has almost no control over the fixed assets," said Slater. "The new direction of the board is to carefully scrutinize every dollar that's spent and not to have an ivory tower attitude -- and if he considers it nickel and diming, then he and I are used to a very different budget." Slater said Miller probably should have written the letter and then ripped it up before he sent it. SD Tribune Articles\93.02.23: 1: 2061 - 2: 99 (0) Hilton, an aide to San Diego County Supervisor Pamela Slater, said the Coalition for Immigration Law Enforcement was formed in January 1991 and has about 200 core members statewide. After working on the draft of an initiative for about a year and a half, Hilton said, he was connected with Schabarum by a Sacramento lawyer. SD Tribune Articles\93.11.21 NewsBank-document-173: 1: 3054 - 1: 3381 (0) Pam Slater, whose 3rd District includes northern San Diego and several coastal cities, also grew up in a middle-class family, the daughter of an engineer and a homemaker. "I had no firsthand knowledge (of welfare)," she said. "I did not see anyone I could identify as being on public assistance." Slater, also a former teacher, said she once considered welfare recipients to be victims of circumstances beyond their control. But she is convinced programs must require recipients to take responsibility for themselves and their children. Slater said she would spend more on welfare in the beginning if it resulted in permanently moving people into jobs. And she would extend benefits beyond two years if a recipient is well on her way off of welfare. She supports requiring that welfare children earn "C" grades or better and that parents stay drug-free. Children whose parents use drugs would be placed in foster homes until their parents reformed. The vast majority of welfare parents love their children as much as any parent, Slater said, so she doubts they would risk losing them. Women who have more children while on welfare should not receive additional benefits, Slater said. The government should provide them free birth control, she said. Slater said the government should force absentee fathers to pay child support. SD Tribune Articles\95.02.27: 2: 2164 - 3: 1044 (0) When she was elected in 1992, Slater said, the county faced a variety of problems, including welfare f fraud, a new jail that was closed for lack of funds and a trash-recycling plant idled for the

Figure 4. Example of Qual Themes by Qual Groups in Max QDA.

Additionally, co-occurring codes in documents were analyzed using the Intersection tool in the Complex Coding Query in Max QDA. This process aided in determining the most prominent themes that occurred in shared rhetoric in each Blumer (1958) category.

Figure 5. Example of Complex Coding Query in Max QDA.

Simple coding configurations were explored as well as co-occurring codes to determine the top five co-occurring Blumer codes according to number of occurrences that were shared by the *U-T* and BoS document sets. This step guided the decision on which key codes to highlight in the findings.

Limitations of the Study

The principal limitation of this study was acquiring access to P100 documents and records as well as gaining consent for interviews from proponents of P100, including BoS members that served during this time period. To mitigate these factors, the researcher proactively made contact with Supervisor Cox's office, observed a BoS meeting in Spring 2019, and met

with the Supervisor's Chief of Staff. Supervisor Cox was the first invitee to this study, but he declined. An additional limitation was the time (23+ years) that has transpired since the occurrence of many of the events covered in the research.

Chapter 4: Reforms and Rhetoric in the Federal Government and California

Understanding how P100 gained traction and was instituted in SD County relates to examining its relationship to the discussion over immigrants and their access to public programs and benefits at the federal and state levels. In this chapter, RQ 3 will be explored at the federal and state levels to determine what factors may have contributed to the formulation, adoption, and implementation of P100 in SD County.

Scope of the Problem

In fact, the budgetary impact of benefits use by households headed by undocumented immigrants with citizen children was small in the scope of total federal participation of households. Yet, it still proved problematic enough for lawmakers and their constituents to raise concerns about the issue. According to the U.S. General Accounting Office, in 1995 the households of undocumented immigrants with a citizen child that qualified for benefits comprised only 3% of Aid to Families with Dependent Children (AFDC) benefits, or an estimated total \$700 million in benefits paid out (1997). For reference, total AFDC benefits paid out in 1995 came in at just over \$22 billion (U.S. Government Printing Office, 1997). The cases were concentrated in several states, with California taking the lion's share at 93,700 of 153,000 cases. In studies from Orange, Los Angeles, and Fresno counties, rates of misrepresentation of income or household composition were similar in undocumented adult-headed households and documented or citizen households (U.S. General Accounting Office, 1997).

Another aspect of how this policy issue was framed arises from the argument that the increase in the immigrant population in the state was untenable. However, according to population data compiled by the Public Policy Institute of California (PPIC), the state has historically had a greater proportion of foreign-born residents than the United States as a whole

(Johnson & Sanchez, 2019). For example, in 1860, California's immigrant population comprised 39% of the state and only 13% of the United States population. This figure dipped for California to 9% in the 1960s-1970s and began to grow in the 1980s, reaching 22% in 1990 and 27% in 2017 (Johnson & Sanchez, 2019). Although a diverse population has always been a reality for California, the state's political leaders have also adopted harsh policies towards the foreign-born population since the founding of the state. Examples of such xenophobic policies include the Anti-Vagrancy Act of 1855, which criminalized the presence of Mexican nationals and those of Mexican descent, and the Foreign Miners' Tax of 1850, which was applied not only to foreign minors but also those of Mexican descent born in California.

Of course, the social safety net grew dramatically in the period since the 1920s, when the state last recorded 22% of its population as foreign-born. Since the time of the New Deal, various states faced challenges in the implementation of the continually increasing "menu" of federal programs and benefits offered to mitigate poverty. During the 1990s, the state absolutely was experiencing a shift in who was giving birth and how the medical expenses were being funded. In 1993, births by foreign-born mothers (257,310) comprised 45.05% of all births in California. Of those infants born to these mothers, Medicaid was used in 61.6% of the cases for the hospitalization costs, which was an increase from 41.09% in 1990. To contrast the birth rates and Medicaid-use rates by social groups, in 1993, births by U.S.-born mothers, at the lower 313,758 figure, are recorded at using Medicaid in only 34.6% of the hospitalizations (Korenbroet et al., 2000). This distinction is important because a mother might have several reasons for using Medicaid, such as financial needs, unexpected pregnancy, birth-related complications, etc. But, of course, Korenbroet's statistical gatherings did not include the specific background information and motivations for every mother recorded in this expansive data set. Further, the data available

from the California records of live births during these years did not distinguish the immigration status of the mother, it only noted if the mother was U.S.-born or foreign born. Foreign-born does not equal undocumented—a foreign-born person could be a naturalized citizen of the United States or an immigrant that is in the country with permission from the government. Researchers from RAND Corporation noted that California’s Medicaid system was already stressed in the late 1980s and early 1990s, as the state’s “contributions almost tripled” from \$19 billion in 1988 to nearly \$56 billion in 1993. In the view of the experts, an overhaul was in order to keep the system afloat, particularly to address federal reforms and shifts in how states were allocated federal funds (Liebowitz & DuPlessis, 1996).

Who is Eligible?

To be clear, the social safety net of the United States offers benefits almost exclusively to citizens, with some exceptions for certain immigrants. Although the qualifications are complicated and have shifted over time with subsequent reforms, it is important to know that the 1990s represents a time where the line was drawn in the sand on the issue of who deserved usage of U.S. benefits. As will be detailed in this chapter, PRWORA (1996) created two main groups of qualified or unqualified immigrant categories, with even some immigrants excluded from either category. Those assigned the status of “qualified immigrant” included: survivors of human trafficking; refugees (some of whom had been granted asylum); LPRs; those granted Temporary Protected Status, and immigrants from Cuba and Haiti (Broder et al., 2015).

Public Opinion and Legislation

General Social Survey polling in the 1990s found that native-born Americans’ perception that immigrants pose a threat to their interests correlated with disapproval of policies that would benefit undocumented immigrants (Wilson, 2001). Further, many “experts” were eager to chime

in on this topic. Anyone from academics to agency bureaucrats and media “constructed ‘illegal’ immigrants—typically imagined as Mexican—as anti-citizens incapable of exercising responsible self-government and thus as threats to the overall well-being of the social body” (Inda, 2006, p. 21, para. 2). This public attention kept immigration as a talking point as this inflammatory topic continuously appeared on the front pages of newspapers and featured prominently in discussions on politics and the trajectory of American society.

Prior to the 1994 elections, polls indicated voters were most concerned with crime (33%), welfare reform (28%), and illegal immigration (20%) (NBC News/Wall Street Journal, 1994). This social concern resulted in Latino immigrants being constructed in ways that combined those three issues together in harmful, Latino-targeted policies. Kinder and Mendelberg applied Blumer’s concepts and characterized this type of public reaction via policy as an “engine that drives social conflict” in race relations (1995, p. 403), which precipitated heavily restrictionist immigration policies in the United States (Wilson, 2001).

A Long History of Discrimination

While the Social Security Act of 1935 permitted some immigrants access to public assistance until the reforms of the 1990s, immigrants have generally been targets of policy discrimination in American history at the intersection of welfare and immigration policy. For example, the Great Depression-era “repatriation” of an estimated 1.8 million people of Mexican descent, many of them U.S. citizens, speaks to this discrimination (Little, n.d.). To justify this unlawful removal, the Hoover Administration touted the slogan of “American jobs for real Americans” to blame Mexican immigrants for taking scarce jobs and dwindling resources from White “real Americans” (Block, 2006). In the 1970s, Immigration and Naturalization Service (INS) Commissioner Leonard Chapman publicly implicated undocumented immigrants as

responsible for labor market problems. Claiming in a *Readers Digest* article, he wrote that if undocumented immigrants were deported, as many as 50% of unemployed Americans would find jobs (Chapman, 1976). Additionally, *public charge laws* for immigrants have existed since the 1882 Immigration Act, which banned the entry of “any convict, lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge,” meaning someone dependent on state or federal resources (Immigration Act, 1882). Illustrating the intense anti-immigrant sentiment of 1882, Congress then passed the Chinese Exclusion Act, a law that expressly denied entry to Chinese immigrants solely based on race. In *The Huddled Masses Myth*, public interest law professor Kevin R. Johnson noted that public perceptions “often rooted in class conflict as well as racist sympathies, discrimination and violence directed at Chinese immigrants already in the United States, particularly in California, fueled passage of the laws” (p. 17, para. 3). States, like Texas and California, with higher Mexican immigrant populations led the way in restricting program access. Then-Governor Ronald Reagan spearheaded the passage of the California Welfare Act of 1971, which denied public assistance to undocumented immigrants and temporary foreign visitors.

In the 1980s, resource scarcity in the face of budget cuts figured prominently on the legislative agenda, as balanced-budget conservatism emerged with a strong emphasis on the federal deficit as a measure of economic health. As a result, Congress was pressured to consider the deficit in budgetary decisions, leaving “groups (to) see themselves as being pitted against each other in competition for shrinking resources” (Espenshade et al., para. 6, p. 4, 1996).

Both liberal and conservative parties broadly agreed that immigration reform was in order during the 1980s and 1990s. Coalitions focused on immigration as a pressing issue and joined to pass the bipartisan 1986 Immigration Reform Control Act (IRCA). This legislation not only

sanctioned penalties to businesses for hiring undocumented immigrants; but, it also resulted in other anti-immigrant policies. Border Patrol staffing appropriations for enforcement saw a 50% increase, with a policy emphasis on arrests of those suspected of illegal border crossing. This policy became a double-edged sword, as it also provided an opportunity for undocumented immigrants who had lived continuously in the United States from before January 1982 to receive amnesty and the golden ticket of LPR status. This legislation resulted in 2.7 million people earning that status. Once this group of LPRs passed the five-year eligibility hold time for public programs, the struggle for pieces of the benefits pie became even more contentious in welfare policy.

Meanwhile, negative sentiment towards unauthorized border crossings instigated demonstrations and town hall meetings in San Diego during the late 1980s and early 1990s. The controversial Federation for American Immigration Reform (FAIR) increased in prominence during this era. It was founded in 1979 by John Tanton, a Michigan ophthalmologist, who was a known nativist, advocate for population control, and staunch supporter of eugenics. FAIR's mission statement proposes "to educate the American people on the impacts of sustained high-volume immigration, and to discern, put forward, and advocate immigration policies that will best serve American environmental, societal, and economic interests today and into the future (Federation for American Immigration Reform, 2020). While FAIR has distanced itself from Tanton, in 2020 it was named by the Southern Poverty Law Center (SPLC) as a hate group, citing evidence that ranges from Tanton's personal writings and speeches to advertisements and proposed legislation backed by the group throughout its history (SPLC, 2020). Scholars note that groups like FAIR and its sister organization NumbersUSA have influenced public opinion by sharing biased and "skewed statistics and misinformation" while petitioning for more

restrictionist policies (Young, 2017, p. 228, para. 4). The “racialized vision of a ‘European’ America” was a pillar of Tanton’s ideology, inspiring FAIR and other groups to push for this vision to become a reality (Young, 2017, p. 228, para. 4).

In a vigilante move that put them in the national news, members of the “Light Up the Border” group lined up their cars to shine their headlights on the county’s United States-Mexico border to deter would-be crossers from entering the state and to show support for the area’s Border Patrol agents (Harrison, 2018). A chief complaint that instigated members to join Light up the Border centered on the idea that states were left to handle budgetary shortfalls in providing aid and services to undocumented immigrants—this restrictionist group felt the federal government did not contribute its fair share. Muriel Watson, founder of Light up the Border, testified in a House hearing about this movement in 2002:

By the late 1980's the chaos at the border was astounding with people running through the port of entry and walking up the freeway to any point north...It appeared to be an open invitation to run the border...As time went on I wracked my brain on what to do. I called on a few friends and neighbors to go with me to... the first American street on this side of the border. I asked them to park their cars and when night fell to put on their headlights and let the Border Patrol agents know that they were supported by some of the public. (Improving Security and Facilitating Commerce at the Southern Border, 2002, p.52)

The protests gained the attention of local politicians and media; the group was met with support by Rep. Duncan Hunter (R-CA), SD County Supervisor (and future House representative) Brian Bilbray (R-CA), and future House representative Randy “Duke” Cunningham (R-CA), as Watson attests:

Our local Congressman, Duncan Hunter, heard about what we were doing and his aides attended a light-up. In the meantime, a local radio talk show host heard about the demonstration and said he would spread the word. It was to support the border patrolmen...In March 1990 was a turnout of hundreds of cars and TV cameras. Not everyone liked what we were doing and we had protesters. The people who came to light up were great and stayed in their cars and ignored the anti-light up people. Our local Congressman, along with Brian Bilbray and Duke Cunningham, went to work. They

contacted the National Guard to start building a fence, contracts for lights were made and the whole idea got the attention of the public. Today, there are lights along the border, and in heavier corridors of smuggling fences. (Improving Security and Facilitating Commerce at the Southern Border, 2002, p.55)

Ingroup rhetoric, such as a “light-up,” and the labeling of an outgroup, such as “the anti-light up people,” figure as examples of group identification and cohesion forged through group-specific rhetoric. Watson’s testimony also demonstrates how local political actors received credit for the changes evolving at the border; and, the expectation of additional restrictions increased statewide as California headed into the 1994 elections.

1994 California Gubernatorial Campaign and Proposition 187

In his 1994 California gubernatorial campaign, Governor Pete Wilson (R-CA) both voiced and demonstrated his commitment to end the flow of undocumented immigrants into the state if re-elected. Just months before the election, Wilson filed a lawsuit against the federal government to recover \$370 million, the purported amount that approximately 1.3 million undocumented immigrants cost the state in medical services each year (Reuters, 1994; Margolis, 1994). In California, many shared the view that the federal government had failed its border cities and states by allowing welfare programs to serve as magnets for undocumented immigrants, a restrictionist sentiment that was tangibly indicated in the three propositions on this topic that became included on the ballot (Newton, 2008).

Emerging as the victor was Prop 187, also known as the “Save Our State” initiative, which was co-authored by Alan Nelson and Harold Ezell. Nelson, former head of INS under Reagan, exponentially grew the department’s influence, as he added agents to the Border Patrol and brought attention to “taxpayers’ rights” in relation to border management (HoSang, 2014). Ezell, the western regional commissioner of INS, was known for his border tours where he enjoined the press to see the Border Patrol’s work in rounding up undocumented immigrants

crossing into the United States (HoSang, 2014). Both Nelson and Ezell had previously worked closely in Washington, D.C., with FAIR and John Tanton on immigration issues. In fact, Tanton was Nelson's invited guest at his swearing-in to INS. While Nelson became a lobbyist for FAIR after leaving the agency, he later dissociated himself from the group with the advent of Prop 187. In contrast, Ezell went on to found an anti-immigration group, funded by Tanton, called Americans for Border Control (Arellano, 2019).

Prop 187's text stated the proposed changes in law were due to the "economic hardship" the people of California "suffered" resulting from the "presence of illegal aliens" in the state. Further, the text alleged that the immigrants' "criminal conduct (caused) personal injury and damage to the residents" (Cooper, 2004, p.348). Prop 187 prohibited undocumented immigrants from receiving any and all publicly funded services, including nonemergency health care and education in grades elementary through college (Proposition 187, 1994). Additionally, the proposition made it a felony crime punishable by five years in prison or a fine up to \$25,000 if a person was found in possession of falsified citizenship documents. Prop 187 required state employees who had any suspicions of a person's legal status to file a report with INS (Proposition 187, 1994). Not surprisingly, Governor Wilson endorsed Prop 187 one month before the election.

However, Prop 187 was not the fiscally transparent panacea as presented. Although the initiative was projected to save the state a possible \$1.4 billion in education and services, it was also inevitably going to cost hundreds of millions of dollars to train and equip agencies and public schools to validate the suspected people's immigration status. Additionally, billions of dollars of federal funding was at stake, with some reports estimating upwards of \$15 billion being cut from California's budget, since the federal government viewed the initiative as a

violation of several federal policies (Johnson, 2004). Further, emergency services would be impacted with immigrant women unable to access vital prenatal care that could save overall medical costs through funding regular prenatal check-ups, early detection of complications, and other preventative health measures. Undocumented parents, fearing deportation, most likely would be reticent to send their citizen children to school. Naturally, this also would eventuate in long-term social strains. In a move contrary to the rallying cry for American self-sufficiency, under these policies these citizen children would mature within U.S. society, but they ultimately would become adults that lacked the education and other skills necessary for financial independence (Johnson, 2004).

However, these various cost-benefit components did not deter the draconian initiative from passing. In 1994, Prop 187 received an overall 58.93% yes vote. Among White voters, Prop 187 garnered a 59% yes vote. In contrast, it received a 78% no vote from Latino voters, and a 58% no vote from Black voters (Weintraub, 1994). Prop 187 was soon blocked by a preliminary injunction in the U.S. District Court, where Judge Mariana R. Pfaelzer maintained that it violated both the constitution and PRWORA in that it legislated immigration and overstepped federal regulations on immigrant access to benefits. In 1998, Judge Pfaelzer released the final ruling confirming the unconstitutionality of Prop 187. In the decision, she determined that only the federal government, and not individual states, can decide if immigrants are eligible for welfare program benefits (Ainsworth, 1997). The state of California appealed the decision, a process which continued until Governor Gray Davis requested a mediation in 1999 in lieu of continuing on a somewhat inevitable path to a Supreme Court battle. The matter was settled in a compromise with civil rights organizations on the opposing side; the only relic of the proposition

left standing remained the criminal punishments for creating and using falsified documents (McDonnell, 1999 July 29; Cooper, 2004).

The symbolic effects of Prop 187 endured as a warning communication relayed to undocumented immigrants (Calavita, 1996); and, the policy has been credited as ushering in an era of support for more restrictive policies targeting immigrants in the United States (Citrin et al., 1997). For instance, the California Department of Health Services (CADHS) anti-fraud program “Border Project,” which began in 1994, targeted both documented and undocumented immigrants at the border. It contributed to a 55% level of Medi-Cal application rejections by accessing supposedly damning information—such as “fraudulent reporting of income, property, residence, or household composition”—and, even at times, it cited a public charge policy against the person as a reason for denial (Park, p. 32, para. 3, 2011). SD County officials considered this project a triumph because they felt it deterred program enrollment, which reveals the darker goal of not just blocking immigrant access to social services, but blocking even attempting enrollment (Park, 2011).

Further, CADHS sent collection letters to those deemed “retroactively” ineligible for services based on their status. This practice was the focus of a class action lawsuit *Rocio v. Belshé* (1997), featuring a SD County resident as the central plaintiff. The complaint alleged that CADHS and INS were working in concert to prove documentation status suspicions about a specific female recipient. While applying for her green card, the plaintiff was sent communication from the CADHS that she needed to repay her previously authorized Medi-Cal benefits as a debt before CADHS would release a letter to INS—this action left her without access to a green card. After the case was settled in her favor, CADHS was forced to discontinue the practice of sending collection letters and of advising applicants on immigration status and

potential public charge allegations. The practices of these agencies through the CADHS Border Project served to obfuscate the process of receiving authorized medical care, creating confusion in the immigrant community about who was deemed qualified to apply for various benefits.

FAIR's leaders used Prop 187 as a case study to advance a two-tiered strategy for their future efforts in garnering and financially supporting grassroots local support for restrictionist policies and also for grooming and advancing new leaders to run for office (Arellano, 2019).

Rhetoric of Prop 187

Scholars of race and policy assert that the movement supporting Prop 187 shows how race is implemented in the “rhetoric of scapegoating, aggression, and resentment directed at immigrants” in the United States (Hasian & Delgado, 1998, p. 254). Media coverage of the unmitigated immigrant border flow operated as a trope to stoke fear and concern in the state. And, political commercials contributed to anxiety over the connection between undocumented immigrants and crime in California. In these advertisements, immigrants were largely portrayed as Latino, which served to “only further legitimate the notion that crime is a nonwhite phenomenon” (Garcia, 1995, p. 135). Racialized campaign rhetoric circling Prop 187 issues included a prominent advertisement from Pete Wilson's camp that included imagery of the inundation or “flooding” of immigrants into California (PeteWilsonCA, 2010). Featuring a video of immigrants running across the San Ysidro border, this advertisement began with an ominous voiceover saying, “They keep coming, 2 million illegal immigrants at the border. The federal government won't stop them at the border yet requires us to pay billions to take care of them” (PeteWilsonCA, 2010).

To reassure his audience after invoking anxiety through these images, Governor Wilson then appeared on the screen and announced, “For Californians who work hard, pay taxes, and

obey the laws, I'm suing to force the federal government to control the border. And I'm working to deny state services to illegal immigrants. Enough is enough" (PeteWilsonCA, 2010). The advertisement insinuated that immigrants were lazy, tax-avoiding criminals taking advantage of those entitled to the benefits meant and paid for by law-abiding Californians. The subtext of the ads served as dog whistles with coded language that sent restrictionist policy signals to anti-immigrant listeners. Professor John Pitney of Claremont McKenna College noted, "Others heard 'they' as referring more broadly to Hispanic people. One can debate what was on Pete Wilson's mind, but in politics, what matters is what people hear, and they very clearly heard a racist appeal" (Koran, 2020). As Pitney notes, the intentions of the speaker can be difficult to discern, but the interpretation by the hearers can be measured through polling their responses on various issues and policies to rectify those perceived social ills.

In an act of visualizing elite rhetoric, Governor Wilson targeted undocumented women of childbearing age by using images of droves of women crossing the border to purportedly have babies and to establish residency for their children. These women were accused of illicitly accessing public benefits and using their children as a tool to gain privileges associated with U.S. citizenship (Delgado & Stefancic, 1998; Johnson, 2004). Elite rhetoric constructed pregnant undocumented immigrants as an extra liability on society, since taxpayers stood to incur medical costs from a "biological reproduction" standpoint and then would shoulder the expenses of "social reproduction" as the child grew and needed additional care and education (Inda, 2006, p. 104, para. 2). This highly specific negative trope came to figure prominently in the 1996 federal welfare reforms as well.

All told, scarcity of resources, which was earlier discussed as a major trigger for group anxiety, was the prevailing theme of arguments for the passage of Prop 187. The "take care of

our own first” philosophy pervaded communications from the Citizens for Legal Immigration Reform group, illustrated by this excerpt from a “Save Our State” pamphlet for voters: “Every time an illegal alien takes something out of the system, through whatever program, it means there is less money available for a citizen who is legally entitled to that service” (as cited in Inda, 2006, p. 106, para. 1). The media campaign for Prop 187 successfully activated voters’ concerns that assistance would not be available when most needed, creating a ripple effect that spread to other states and, eventually, to the federal government.

Federal Reforms: 1994-1997

Overview of the Political Landscape

In the 1994 midterm elections, Representative Newt Gingrich’s (R-GA) Contract with America propelled Republicans to control of Congress for the first time in 42 years. In 1995, the Congressional Task Force on Immigration Reform gave its report to Speaker of the House Gingrich. This report included several measures recommended to restrict access to public programs for immigrants, reinforce border security, and use military bases for holding deportable immigrants. Additionally, legislation introduced by former SD County Supervisor, Rep. Brian Bilbray (R-CA) advocated denying citizenship to U.S.-born children of undocumented parents. Gingrich pledged to deliver on these suggestions (United Press International, 1995). Ironically, most Republican Congress members at this time supported “legal” immigration, feeling it protected the business interests of those companies that relied heavily on the less expensive immigrant labor.

Although there was widespread bipartisan agreement on undocumented immigration (Tichenor, 2013), as the 1996 presidential primaries heated up among Democratic President Bill Clinton’s opponents in their own camp, immigration became a wedge issue within the

conservative party. As a campaign point, Republican candidate Pat Buchanan delineated his restrictionist position for both documented and undocumented immigrants. This move “resonated with social conservatives in the party” and “may have influenced” a later proposal by Senator Alan Simpson (R-WY) to curb immigration altogether (Jeong, 2011, p. 518, para. 1-2). However, the shift in the Democratic party came as the attitudes of labor unions on immigration shifted. Unions changed positions from initially opposing to then promoting immigration, with many joining forces with civil rights groups and ethnic minority representative groups, aligning with a more “expansive” view of immigration (Jeong, 2011).

San Diego County Political Influence in Federal Reforms

During this time, Rep. Brian Bilbray (R-CA) figured prominently in interactions between SD County leaders and Congress on federal immigration and welfare reforms. From 1978-1985, Bilbray was mayor of Imperial Beach, a city in SD County that shares a border with Tijuana, Mexico, until he was elected to the BoS and served for ten years from 1985-1995. Bilbray was then elected to the House of Representatives for CA-District 49 where he served in the 104th-106th Congresses from 1995-2001. Upon the redistricting of CA-District 50, Bilbray won the seat in a special election and served in the 109th-112th Congresses from 2005-2013.

In each of his roles, Representative Bilbray has been and continues to be outspoken on issues surrounding immigration, the border, and welfare. As of 2021, Bilbray remains a member of the Board of Advisors for FAIR and lobbied for the group in 2002. Bilbray echoed the prevailing sentiment at FAIR, as quoted in a 2002 meeting with an immigration restrictionist lobby in the Cannon House Office Building. Bilbray, as if a sage foretelling a the truth stated, “We are creating a slave class that criminal elements breed in” (Intelligence Report, 2002). After

this inflammatory statement, he bitterly blamed illegal aliens who had supposedly voted against him for his lost 2000 re-election bid (2002).

In his time in Congress, Bilbray sponsored or co-sponsored 27 acts/resolutions on welfare and 126 acts/resolutions on immigration. In 1995, Bilbray began his time in Congress by cosponsoring the higher education act H.R. 1915, which echoed the ideas of Prop 187 by addressing immigrant self-sufficiency, barring them from accessing benefits—including unemployment, Supplemental Security Income (SSI), AFDC, Medicaid, Food Stamps, and housing assistance. On the positive side, H.R. 1915 did allow for emergency medical services, immunizations, and short-term emergency disaster relief.

In several instances, Bilbray called upon his former BoS colleagues to join him in congressional hearings on immigration and welfare topics, which illustrates the collusive nature of these political actors. The following section illustrates Bilbray’s instrumentality in legislative proposals and reforms in this domain.

Demonizing Immigrant Women and their Children. In July 1995, Bilbray gave a statement on the House floor, where he implored his colleagues to amend laws to “reflect our desire to reward legal immigration and discourage illegal immigration” (104 Cong. Rec. H6918, 1995). In his plea, Bilbray employed the pregnant Mexican mother trope, purporting that women crossing illegally into the United States are legally rewarded with citizenship for their children along with access to a menu of public benefit options (104 Cong. Rec. H6918, 1995). He called out the problem of these undocumented parents being unable to work lawfully and accused the population of a 75% rate of fraud in their category of welfare recipients. Regardless of numbers, Bilbray said that the problem of their access to benefits “basically is obviously fraud because it is a catch-22,” indicating that there was no way for the good citizens of America, according to his

perspective, to win in this situation against the incoming immigrants (104 Cong. Rec. H2478, 1996).

At a December 1995 House hearing entitled “Societal and Legal Issues Surrounding Children Born in the United States to Illegal Alien Parents,” Bilbray emphasized his ten years of work on the SD County BoS as evidence of his expertise in immigration and began arguing the case for passing legislation ending birthright citizenship. Again, his rationale was led by openly scapegoating immigrant women as scammers of the generous system of his home state of California, citing statistics that 96,000 “babies of illegal aliens” were born in 1992 in the United States (Societal and Legal Issues Surrounding Children, 1995, p. 28). His solution was simple: end this practice and enact legislation that will lead to immigrants going through the “proper channels” and “demonstrating obedience to the law,” just as his mother once did (Societal and Legal Issues Surrounding Children, 1995, p. 28). The conditionality of citizenship—who can and should be a citizen—and its accompanying rights and benefits occupied a major legislative motivation for Bilbray.

This rhetoric reflected a pattern for Bilbray, who disseminated the idea that benefits and employment served as magnets to undocumented immigrants to come to the United States. Pregnant immigrants were the center of the narrative of his accompanying anecdote from his time in San Diego as he offered to his audience “...anyone who wants to come to the emergency rooms and the hospitals of San Diego and see what we see going firsthand, see what we see in the parking lot waiting for a young lady to dilate, just so she can deliver her baby in a U.S. hospital” (Societal and Legal Issues Surrounding Children, 1995, p. 57). Bilbray followed this anecdote up with another, declaring that he obtained brochures from Mexico that offered a step-by-step guide to women on how they might enter the United States at its southern border, have

their babies in America, and qualify for welfare benefits “because they then are parents of a U.S. citizen” (Societal and Legal Issues Surrounding Children, 1995, p. 57).

The condemning language towards immigrant women continued in another floor debate the following year, where Bilbray shared an anecdote in which an undocumented immigrant allegedly confirmed his suspicions about the group’s motivation to be in the country: “a woman who is illegally in this country said to me, ‘Mr. Bilbray, you wouldn’t be giving us all these benefits if you didn’t want us here.’” (104 Cong. Rec. H11372, 1996). Rep. Bilbray’s central argument indicated his beliefs that immigrant women were calculating abusers eager to defraud and drain the U.S. benefits systems. According to Bilbray, these women were not to be trusted nor did they deserve to have care extended to them; their children certainly did not deserve to become citizens.

Classes of Immigrants. Bilbray frequently presents his own mother, an immigrant from Australia, as a positive example of a person who correctly went through the lawful process to become an LPR. In terms of elite rhetoric, the depiction of his mother functions as what is called “virtue signaling,” or a “sentiment intended to demonstrate one’s good character or the moral correctness of one’s position” (Virtue Signaling, 2021). Bilbray praised her by stating, “As being a child of a resident alien, I really believe...those resident aliens who have gone through the rules, who are under the jurisdiction, their children should have the same rights” as U.S. citizens (Societal and Legal Issues Surrounding Children, 1995, p. 58). However, when questioned further if the designation of temporary status could be altered to account for pregnant women crossing the border, Bilbray stated his view that the rules were too lax for all border crossers with temporary access. He explained that those with temporary passes “use that opportunity as a way to leapfrog over the system, while you have other people that want to immigrate legally waiting

patiently in Tijuana for the proper papers” to achieve LPR (Societal and Legal Issues Surrounding Children, 1995, p. 58). According to Bilbray, the system incentivized undocumented persons to come to the United States; and the only way to rectify this injustice was through passing more restrictive legislation: “...the days of encouraging illegal immigration is over. We are not going to reward people for breaking the law. We are not going to punish those who play by the rules and reward those who break the rules” (104 Cong. Rec. H11094, 1996). This was another occasion when Bilbray clearly indicated his conviction that some immigrants are inherently superior and entitled to assistance due to their status, a view that other political actors and voters shared, as evidenced in the Prop 187 movement. This is relevant to note because the distinctions Bilbray makes between groups of immigrants are reflected in his legislative proposals.

Immigrants as a Likely Public Charge. In March 1996, the Committee on the Judiciary of the House published a report on H.R. 2022, the Immigration in the National Interest Act of 1995. Bilbray was a co-sponsor of this bill, along with 85 fellow Republican and 14 Democrat colleagues. The report included a Congressional statement regarding federal policy on welfare and immigration, reflecting a prevailing dark ethos in that era—immigrants should not be public charges, current policy was ineffective in keeping immigrants from accessing benefits, and such benefits were known to incentivize illicit immigrant activity (H. Rep. No. 104-469, 1996). What evidence there was that illicit activity would indeed occur was missing from the report, but the caution was given nonetheless. Echoing the call for American-style self-sufficiency, the statement cited the immigrant burden to taxpayers and implored new arrivals to “rely on their own capabilities and the resources of their families, their sponsors, and private organizations,” which again echoes neoliberal privatization values (H. Rep. No. 104-469, 1996). This statement

implied that immigrants would come to the country equipped to integrate quickly, with ready-made networks to support them if they needed any assistance. Further, the report authors emphasized the historic nature of the American immigration path that eschews dependency on government assistance and describes welfare as an abject moral failure rather than a system of support: “Welfare destroys the recipient’s work incentives, encourages the breakdown of the family unit, and transmits dependency across generations. Further, it keeps immigrants from becoming productive participants in American society” (H. Rep. No. 104-469, 1996). Leveling the “lift yourselves up by your bootstraps” argument against immigrants was a harbinger of legislation to come, as just a few months later even many documented immigrants and those on the path to citizenship would be cut off from benefits entirely.

Criminalization of Immigrants via Fraud Accusations. Under Bilbray’s proposed two-tier system, civil liberties were not afforded to undocumented immigrants. For example, Bilbray defended an amendment to H.R. 2022 that would require medical facilities to report to INS any patients over 18 years of age that were undocumented immigrants: “When somebody violates immigration law and comes into this country, they are not illegal only when they break another civil law, a local law enforcement, they are illegal because they have broken the laws of the United States” (104 Cong. Rec. H2478, 1996). With this statement, Bilbray made a disturbing oversimplification of the many ways in which immigrants might find themselves without authorization to be in the country (visa overstay, trafficking, ending of Temporary Protected Status, etc.) Additionally, he ignored the fact that while the first offense of crossing the border without permission (unlawful presence) was a misdemeanor, living in the country without proper documentation was a civil rather than criminal violation (8 U.S.C. Section 1325, I.N.A. Section 275). Representative Bilbray affirmed his views in a speech on the House floor on March 21,

1996, where he repeated his charge of the inherent illegality of undocumented persons. This time he placed the blame on the federal government's incentives that served as a magnet, which was functioning as an elite discourse term, to immigrants seeking employment and public benefits (104 Cong. Rec. E405, 1996).

In a House floor debate, Rep. Bilbray mentioned a fraud study from Los Angeles that he asserted showed more than 70% of the "illegal aliens" obtaining benefits were committing welfare fraud, a crime punishable under the law (104 Cong. Rec. H3727, 1996). The source of the Los Angeles study is untraceable and is not entered into the Congressional Record. Although he did not expressly state that immigrant mothers were to blame in this instance, his statements could be interpreted as a reference to them, as they were the most likely to collect AFDC benefits on behalf of citizen children. With this rationale, immigrant mothers were not only immoral because Bilbray viewed them as using their children to access benefits, but they were also criminal.

Reforms through PRWORA and IIRIRA

Just before the 1996 elections, President Bill Clinton signed the PRWORA of 1996; and, thereby delivered one of his 1992 campaign promises to usher in the "end of welfare as we know it" (*The New York Times*, 1996 August 1). The 1996 IIRIRA was signed into law shortly thereafter and represented the most sweeping immigration reform since the 1986 IRCA. Several aspects of these reforms are particularly important to this study: qualifications for benefit eligibility, mandated reporting of undocumented immigrants to authorities, *deeming requirements* (the accounting of the income of an immigrant's sponsor in the determination of the immigrant's LPR status), and the devolution of authority to states to determine rules and program availability.

PRWORA's goals emphasized transitioning people from dependency on government assistance into full-time employment. It sought to end the AFDC program, which would be supplanted by enacting programs designed for the low-income bracket. Such programs would include, for example, the Temporary Assistance for Needy Families (TANF), which is a means-tested assistance that provides funds and services to underserved families. States each have their own specific maximum length of benefits, but they must adhere to the Federal limit of a lifetime maximum of 60 months of benefits per recipient. Federal funds are distributed to states via block grants, and each state has a measure of autonomy on the design and administration of welfare programs. While states are not required to disburse all available funds, they do not receive a funding increase according to need. In fact, after adjusting for inflation, states have experienced a decrease in funding for the block grants over time. This has caused many states to change policies, resulting in recipients being removed from the state's rolls (Danielson and Thorman, 2018).

PRWORA was considered to be a budgetary victory, as 50% of the savings counted from benefit cuts via this policy were credited to the decision to eliminate noncitizen participation in programs (Sato, 2015). Republican Ron Haskins, a Staff Director for the Subcommittee on Ways and Means for the House of Representatives and principal staff author of PRWORA, noted in a forum that the United States has had restrictive public charge rules for non-citizens since 1882. In his opinion, PRWORA was an answer to states and localities complaining that they were left "holding the bag" for administering programs to immigrants that were admitted by federal authorities (Gordner, 1997). This politician's rhetoric echoes the aforementioned testimony by citizen activist Muriel Watson, the founder of the anti-immigrant Light up the Border

organization, who complained of the federal government leaving American citizens at the state level to pay for immigrant benefits.

Title IV of PRWORA curtailed immigrant access to social welfare programs and further delineated the differences to entitlement for documented and undocumented immigrants. Prior to PRWORA, LPRs were permitted to apply for programs and to receive benefits, with the exception of those immigrants whose status was adjusted via the 1986 Immigration Reform and Control Act, who were still ineligible until five years after adjustment. However, after the enactment of PRWORA, all LPRs in the United States were forbidden access to some programs, such as the newly established TANF, for five years or more. As in many immigration law changes, this created a rush in applications for citizenship and confusion about eligibility at the state and local levels. Sadly, even lawful immigrants who had contributed to the economy and had paid taxes for years were disqualified from program participation.

PRWORA also delegated some eligibility laws to the states (Ramakrishnan & Gulasekaram, 2014), to which many states responded with more restrictive policies to ensure undocumented immigrants could not access housing programs, welfare program benefits, and services, such as driver's licenses (Bitler & Hoymes, 2011). Policy experts Fix and Tumlin labeled this transfer of federal authority and responsibility to the states as a "pass-through devolution," which they predicted in 1997 would "drive immigration politics to lower levels of government, generating divergent immigrant policies not just across states but across counties" (1997, p. 5, para. 4). This decision also served as an open door for states to discriminate against the immigrant population in the establishment of new eligibility requirements (Gordner, 1997).

These increasingly restrictive reforms made being in the United States even more tenuous for undocumented immigrants. A provision in Section 404 of PRWORA required that state

agencies administering TANF, SSI benefits, and public housing should report the names and addresses of undocumented individuals to INS. Further, states were forbidden under federal law from developing sanctuary-type laws to protect their agencies from this obligation. IIRIRA made the process to attain LPR status more challenging for undocumented parents of citizen children, which researchers asserted deterred parents from coming out of the shadows (Templeton, 2010). The draconian “touchback rule” in IIRIRA required identified undocumented persons to return to their country of origin for a minimum of ten years before requesting a waiver to come back to the United States to officially begin the path to citizenship.

Through PRWORA and IIRIRA, deeming requirements—previously present in federal law, but determined by the courts as unenforceable—were now made legally binding and would make a sponsor responsible for repayment of benefits if the new immigrant accessed any programs for, in most cases, their first five years in the country (Gordner, 1997). With deeming requirements, any sponsor would need to be able to financially supplement or support the immigrant person on a continuous basis or the sponsor would end up paying back the cost of any publicly funded benefits used by the person under his or her sponsorship. Obviously, this financial probability served as a deterrent to sponsoring would-be immigrants, let alone their full journeys to U.S. citizenship. States had leverage on how to apply these deeming requirements, including which programs the requirements would apply to, how long after immigrant arrival the deeming would last, and how much of the sponsor’s income to include in the deeming (Fix & Tumlin, 1997).

IIRIRA made affidavits from sponsors with incomes above 125% of the Federal Poverty Level a prerequisite for an immigrant to establish lawful residency. In California, this made access to Medi-Cal virtually impossible for immigrant applicants, as their income combined with

their sponsors would often place them over the eligibility ceiling. As a consequence, the immigrant would need to pay for health insurance, which was usually quite expensive at that time. IIRIRA also multiplied PRWORA's "chilling effect" (the results of a law or rule change that discourages engagement or use of an entitled program) due to fear of being labeled a *public charge*, or one dependent on public benefits, or creating a filing error due to misinformation about eligibility (Fix & Passel, 1999; Hagan et al., 2003). Learning that the chilling effect was adversely impacting immigrant populations and facing pressure from advocates, governors, and other political leaders, Congress restored some of the eligibility options for documented immigrants in 1997. Unfortunately for many, the damage of the rescission was already done.

Rhetoric of PRWORA and IIRIRA. PRWORA perpetuated the racially charged metaphor of the African American Welfare Queen that had been introduced during the Reagan Administration (Cammett, 2014). This scapegoating of Black single mothers, a racially charged and misogynistic narrative with roots deep in the slavery era, successfully led to the passage of the landmark legislation. In an interview, sociologist Joe Soss called this the "story of illegitimate takings," whereby recipients were politically constructed as undeserving, lazy, and eager to defraud a generous system. He referred to the conversation around the "pathologies of the underclass," as the general public was led to believe that the welfare system was responsible for breeding a "kind of crisis of crime and disorder and sexual irresponsibility" (Holland, 2014, para. 6).

Along with the African American Welfare Queen rhetoric, the pregnant Mexican mother trope filtered through arguments for reform. Members of FAIR heavily lobbied to keep children of undocumented immigrants from attaining citizenship and to deny them their *jus soli* Fourteenth Amendment rights (Sato, 2015). Anti-immigrant groups portrayed undocumented

mothers as criminals, accusing them of using their illegal children “to steal from the mouths of legal children,” which echoes the anxiety that can be triggered by a perceived competition for resources. This rhetoric, marked by a reference to deservedness and resource rights, emphasized a hierarchy of privileges based on a child’s family origins and parents’ immigration status (Bloch & Taylor, p. 206, para 2, 2014).

Satisfying dominant culture questions of deservedness fluctuated between objective completion of the citizenship process to subjective gray areas. Immigrants’ potential qualification for benefits was fully transactional and explicitly conditional on their perceived appreciation of being in the United States. As PRWORA staff author Haskins expounded,

in exchange for offering non-citizens ‘the best bargain in the world’—that is, the opportunity to come to this country where they enjoy the most individual freedom of any nation on earth, the ‘hottest’ economy on earth, and the liberty to practice their religious beliefs—they are asked to obey our laws and not to go on welfare until they become citizens. (Gordner, 1997)

However, policy experts Fix and Zimmerman pushed back on Haskins’ flowery rhetoric of American national praise. They asserted that requiring citizenship for services and benefits perhaps sent the wrong signals to immigrants that attaining citizenship was less about loyalty to the United States than it was about preserving their own self-interest (Espenshade et al., 1996).

California Program Adjustments after Federal Reforms

As 1.6 million immigrants in California gained documented status via IRCA in 1986, around 400,000 of those people declared residency in Southern California areas, such as Orange, San Diego, and Riverside counties. Los Angeles County absorbed around 800,000 IRCA recipients. Although under the law the adult IRCA recipients were not eligible to apply for benefits until the early 1990s, those that were parents of citizen children could apply for “child only” benefits (MaCurdy et al., 2000). Concurrently, child-only benefit cases in California

peaked at 29 cases for every 1,000 women in 1993, up from 13 cases per 1,000 women in 1989 (MaCurdy et al., 2000). This increase placed a spotlight on immigrant parents and raised questions about the sustainability of the system in the state.

Coinciding with the end of the holding period for benefits eligibility for many IRCA recipients, California experienced an uptick of cases that were previously considered child-only. But, now they included applications for one or two parents as well. A report by the PPIC showed that, controlling for changes in population with respect to the number of women in childbearing ages in the state, the case rate for California grew exponentially from 1989 to its peak in 1995. In this time period, the cases for one-parent families increased by a little more than 25%, while child-only and two-parent cases increased by 100%. MaCurdy et al. hypothesized that the IRCA eligibility had much to do with this increase, particularly on the number of two-parent cases (2000).

With the 1996 passage of IIRIRA and PRWORA, California's leaders were left to navigate new processes to ensure meeting federal requirements while dealing with unique state challenges. The block grant for TANF left the state with a projected \$6 billion dollar shortfall in providing benefits and services for documented immigrant individuals, if the state kept them on the rolls (MaCurdy & O'Brien-Strain, 1997). California leaders noted that cuts were inevitable and accounting for the losses necessitated state and local lawmakers would have to make hard choices.

The comprehensive CalWORKs program offered one potential solution. This means-tested program, initiated in 1998 to address TANF requirements, featured a welfare-to-work program for adult recipients and included time limits for benefits. If a qualifying parent did not or could not work, they would still be able to apply for child-only benefits for their household.

Following these changes, there was a sharp reduction in total cases in every category, except one—child-only cases. These case numbers remained steady; and, thus they became a greater share of the caseload numbers in the state, as some parents exited the program, but kept their children enrolled in benefits. Not surprisingly, FAIR criticized CalWORKS, calling it too permissive in allowing children of undocumented immigrants to access benefits, as FAIR reiterated the rhetoric that these programs serve as magnets for immigrants (Sato, 2015).

However, in a study conducted in Stanislaus County, California with undocumented immigrants whose children would qualify for child only benefits, participants revealed they were too concerned to apply for CalWORKs. They worried about being reported to immigration authorities or facing other repercussions, such as being labeled a *Likely Public Charge*. Additional barriers that kept them from applying included the convoluted 14-page application, lack of access to Spanish-speaking eligibility workers for their interviews, and the stigmatization of being an immigrant needing assistance (Speiglmán et al., 2013). In SD County, another barrier was added for would-be participants: P100 home investigations.

Conclusion

This point about variance in county-level implementation brings the analysis of the study to an important distinction: although it is imperative to understand the movement around reforms by political actors at the federal and state levels, programs such as CalWORKS were and are still rolled out locally. It is vital, then, to examine how the measure of autonomy given by states could lead to variation in access and participation rates in a county due to the distinctive programmatic approaches of local boards of supervisors and the county agencies they oversee. For this reason, the inquiry on RQ 3 will be continued in the following chapter. This will provide a closer examination of the role of elite political actors in reforms concerning welfare program

access in San Diego County in an effort to understand how a program such as P100 was authorized.

Chapter 5: Welfare Reforms, Immigrants, and Rhetoric in San Diego County

In this chapter, RQ 3 will be addressed: What factors contributed to the formulation, adoption, and implementation of P100? What evidence—in terms of media output, political commentary, public policy, and legal enforcement related to immigration and welfare issues—can be found to make connections among these coevolving systems that influenced the behavior and decisions of political actors in SD County?

The analysis below provides evidence that SD County leaders aspired to be a national example of strong governance in the face of an increasing immigrant population, a threatened budget, and a growing distrust towards those persons experiencing poverty. The BoS took the initiative to tackle all of these issues through its approach to welfare fraud investigations, culminating in the program that would come to be known as P100.

San Diego County Board of Supervisors

The State of California requires each county to have its own elected BoS—with each representative serving in a multi-faceted role that spans legislative, executive, and quasi-judicial issues. These entities make regulations and ordinances in compliance with state laws that provide for the county's functioning and residents' general welfare (California State Association of Counties, 2020). The SD County BoS consists of five elected members, each representing a district of approximately 600,000 people. The Board serves as government for all unincorporated areas of the county and presides over services such as vital records, tax collection, social welfare benefits, elections and voter registration, public health, law enforcement, and jails. In addition, the BoS works with elected officials, such as the DA and Sheriff, and has the power to appoint heads of county agencies, such as Parks and Recreation, Health and Human Services, and Registrar of Voters (Clerk of the San Diego County Board of Supervisors, 2018). California also

provides for an active Civil Grand Jury per county to act as an overseer of the efficiency, integrity, efficacy of county operations, and the conduct of county officials (California State Association of Counties, 2020).

SD County was a Republican stronghold from 1948 to 2004, with the Republican presidential candidate carrying the county in all elections—excepting 1992, when county voters supported Bill Clinton by a mere 1.5% margin (San Diego County Registrar of Voters, 2017). In the time period of this study, from 1990-1999, the Board was comprised entirely of Republican members. Until 2010, BoS members served four-year terms without limits. In 2010, voters changed the rule to a limit of two terms, with current sitting members “grandfathered” in without limit (Orr, 2010). From 1990-1999, ten Board Members occupied five seats, with two new members joining after the 1992 elections and three more joining after the 1994 elections.

At the March 3, 1933, start of the New Deal in the United States, boards like the one in SD County assumed an increased role in providing public health and social welfare services to their localities. As the safety net has grown over the decades, so has the responsibility of local officials to ensure that these programs’ administration and management comply with federal and state mandates (Sparrow, 2010). Additionally, because of the County’s border proximity, the BoS has weighed in heavily on immigration issues. Multiple factors precipitated the BoS to look for solutions—which came to center on benefits fraud investigations. Dialogue about county budget constraints, an influx of immigrants entering the country through the United States-Mexico border, and a shift in welfare program requirements led to the approval of fraud investigations by the BoS.

As a reference, short descriptions of those members most active in immigration and welfare reforms are added below, including Supervisors Jacob, Slater (now known as Slater-Price³), and Horn.

Dianne Jacob served longest on the Board, with 26 years representing District 2, the largest district with respect to land mass. The district encompasses East County and shares a southern border with Mexico. Jacob joined the Board in 1993 and has said that initially it seemed that she and fellow new member Pam Slater-Price were the only ones advocating for social policy change to happen in the county. However, after the 1994 elections of Greg Cox, Ron Roberts, and Bill Horn, the BoS enjoyed what Jacob said was a “good 20-plus years” where they “were on the same page...for fixing the finances and moving to make sure people felt safe in their neighborhoods. The public safety issue was a big priority” (Sutton, 2020). Jacob, too, has been outspoken on welfare and immigration, making news for some of her more controversial proposals on how to be tough on fraud in the county. In her policy positions, Jacob seems to interconnect fiscal concerns and neighborhood safety with the issues of people accessing benefits and the potential for benefits fraud.

Pam Slater-Price represented the coastal North County District 3 for twenty years. In that time, she focused on reforms in line with her fiscally conservative ideology. When first elected, Slater-Price remarked that she and Dianne Jacob imagined a “careful allocation of resources” in the county through examining how the county budget was managed, cutting the bureaucracy, and bringing accountability to local government (Granberry, 1992). At the time of her election, said Slater-Price, the county had a poor reputation, receiving negative attention in the media. “The social work and welfare department was being investigated for fraud and the county was on the

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³ Supervisor Pam Slater-Price was known as Pam Slater at the beginning of her time on the SD BoS. For sake of consistency, she will be referred to as Supervisor Slater-Price throughout this document.

verge of bankruptcy due to bad decisions” (Himchak, 2013). Slater-Price also agreed with Jacob that the Board worked especially well together after the 1994 elections (Himchak, 2013). Choosing not to seek reelection in 2012, Slater-Price endorsed Democrat Dave Roberts for her seat; he won and became the first Democrat to occupy a space on the Board in decades. Interestingly, in 2017, Slater-Price changed her party affiliation to Democrat. Supervisor Slater-Price’s aide Ted Hilton was involved in the creation and leadup to Prop 187 (Mendel, 1993, November 21). Hilton, an affiliate of the 1990s Coalition for Immigration Law Enforcement, became a part of the Immigration Reform Law Institute, the “public interest law” arm of FAIR (Beirich, 2009). As of 2021, Hilton continues to be active in anti-immigrant legislation, particularly participating in proposals seeking to cut many immigrants off from benefits and to eliminate birthright citizenship. Hilton’s record of legislative activism illustrates anxieties over the interconnections among policies on birthright citizenship, long-term access to child-only benefits, and parents seeking benefits through various channels. This is yet another association between Board members and FAIR, signaling Slater-Price was at least loosely connected with members of this coalition.

From 1995-2018, Bill Horn represented the inland North County District 5, where he was an outspoken member on border issues and immigrant access to care and benefits. Horn focused on denying prenatal and postnatal care to undocumented women, linking his policy positions to the overt targeting of immigrant women (Porous Borders and Downstream Costs, 2006, August 14). Supervisor Bill Horn ran his campaign on these issues and doubled down on the blame game, proclaiming that “illegal immigrants are responsible for much of the welfare fraud in the county” (Huard, 1994, May 31). Known as a brash and confident fiscal conservative, Supervisor Horn was a proponent of ending birthright citizenship and testified in Congress about the

taxpayer burden that undocumented immigrants posed to the County (Horn, 2006, August 14). The supervisor faced controversy in his time in office, including questionable revenue streams via real estate deals in funding his own nonprofit and using county resources for reelection efforts (Racino, 2014). Horn, who appraised his net worth between \$10-15 million, ran an unsuccessful U.S. Senate bid in 2000 and was termed out of his Board seat in 2018.

Pressures and Conditions Leading to the Adoption of Project 100%

Public Accusations of Fraud and Legislative Reactions. In 1991, controversy rocked the Department of Social Services (DSS) when charges were leveled on five county employees and twenty other county residents in a well-publicized \$1 million-dollar internal welfare fraud scheme for their own personal monetary gain—the Board moved quickly to crack down on welfare fraud in the county (Callahan, 1991, October 30). Following a 1992 SD County Grand Jury report on welfare fraud, the Board enacted a flurry of policies. These included giving direction on internal personnel changes, requesting the Chief Administrative Officer (CAO) locate more information on the rate of welfare fraud cases, and considering moving the investigations arm of DSS to the prosecution-oriented DA’s office. Further, the board directed the CAO to write up legislation that would include the elimination of sending welfare payments to P.O. boxes, to determine a plan to verify place of residence for applicants, and “to send letters to Federal and State authorities offering San Diego County to be a pilot for fraud prevention programs” (San Diego County Board of Supervisors, 1992, September 29, p. 1).

Early investigations to verify residency and household composition, referred to as “Home Call,” also began in 1992, and sought to cover the South County region near the United States-Mexico border. The Home Call initiative was charged with enforcing a California Welfare and Institutions Code that mandated recipients be LPRs residing within the county (CA Welf & Inst

Code § 11104 through 2012 Leg Sess). This program continued into at least 1994, where, according to BoS meeting minutes, the searches happened “in and around the Tecate, Portrero, and other East County border areas” (San Diego County Board of Supervisors, 1994, p.1). According to a 2002 deposition by Frank Reid, San Diego Supervising District Attorney Investigator, during this time, an investigator from the District Attorney’s office visited homes to verify residency status of “nearly all applicants” in the border region (Chan, 2014, p. 7).

During this era of policy changes, the Board also adopted M-57, the “Legislative Policy: Fraud Prevention in Public and Medical Assistance Programs.” This strongly worded policy guidance communicated a missive to federal and California state leaders to enact reform that “shifts the responsibility back to the recipient of public dollars to establish their eligibility and holds them accountable, if they fail to accurately report” (1992). The six goals of the written policy included: saving taxpayer funds for spending on the “truly needy,” detecting and preventing fraud, enacting tougher criminal sanctions on law violators, and "consequences" for those that do not give relevant eligibility information. The subtext of these rhetorical terms emphasize the differentiation of social groups between “truly needy,” or deserving, versus “fraudulent,” or undeserving, as well as who should receive “consequences,” or punishment.

As described in the documentation for the legislative policy M-57, the Board noted that misrepresented information, regardless of its effect on eligibility, should be penalized. Further, the penalties for falsification of documentation should be a misdemeanor for first time offenders and a felony for offenses thereafter. The Board intended to pursue recompense for overpayment of benefits and would sanction companies that paid employees off the books, stating it led to underreporting of income. Finally, immigration status checks with United States Citizenship and Immigration Services (USCIS) would be pursued, and possession of a *Border Crossing Card*

would be interpreted as evidence that the carrier lived in another country. (Border crossing cards are documents that serve as a visa to allow a Mexican citizen and resident to travel into the United States for a limited amount of time for activities such as training, shopping, or visiting a relative.) The plan indicated five other points to enact more stringent proof of residency procedures. The Board also stated its intention to procure funding from California and the federal government to cover the costs of such fraud prevention and detection activities (Board of Supervisors, 1992, November 3).

The details of the handover of fraud investigations to the DA's office were ironed out, as the CAO asked the Board to authorize over \$3.1 million in budget transfers and appropriations to cover the new six-goal initiative M-57. The countywide hiring freeze would not apply to this program, so as to bring on enough investigators to handle the caseload. The Board directed the CAO to conduct a cost-benefit analysis on this proposal both to learn the budgetary funds required by the state and to determine other methods of fraud elimination rather than investigations (San Diego County Board of Supervisors, 1993, January 19). However, "eliminating money spent on undocumented immigrants that are receiving benefits" was of chief concern (San Diego County Board of Supervisors, 1993, p. 2). Thus, in March 1993, the Welfare Fraud Subcommittee of the Board approved the full transfer of the investigations to the DA's office.

Zero Tolerance. In April 1993, the Board resolved to enact a "Zero Tolerance" policy for "abuse of the system by undocumented persons residing in the county" as well as for "foreign nationals" using addresses within the county to secure services when they in fact resided in other locations (San Diego County Board of Supervisors, 1993, p.1). Further, the Board resolved to "go after the foreign nationals' resources that are on this side of the border for outstanding bills"

and, interestingly, to “aggressively prosecute” any county employees assisting undocumented immigrants in learning how to receive benefits for which they are not eligible (San Diego County Board of Supervisors, 1993, p.1). This severe policy targeted the borderlands by ostensibly highlighting the residency issue, emphasized the community fiscal payback, and targeted employees sharing secret loophole knowledge all in efforts to illustrate their uncompromising commitment to strict policy positions on immigrants and fraud.

In July of that year, the DA’s office formed the Public Assistance Fraud Division (PAFD) (Frame, 1998). The approval recommended transferring the Welfare Fraud Hotline from the DSS to the DA’s office, placing the lion’s share of investigations and prosecutions of fraud within their office’s purview (San Diego County Board of Supervisors, 1993). This program was comparable to one beginning in the early 1980s in neighboring Orange County, which formed partnerships between the DA office investigators and social services case workers. If an applicant’s information was flagged for fraud—the definition of which was left open to be “broadly determined” by the caseworker—the investigator would step in on the front end of the application process (Department of Health and Human Services, 1987, p. 13). An open and disturbing rationale behind including investigators rather than relying solely on eligibility workers was their “ability...to use many more investigative techniques without the applicants’ consent. Also, the fraud investigators are empowered to review many more sources of information than is the investigative caseworker” (p. 14). The Department of Health and Human Services (DHHS) report also noted that while states defined fraud differently, they were more likely to include both intentional and unintentional misrepresentation of information on an application in their definition in detection programs that were preventative in nature on the front

end of the process (p. 5). Analytically speaking, this last rationale indicates the deep goal of blocking access as early as possible in the potential application process.

Supervisors Bilbray and Jacob recommended the Board declare official support for Governor Wilson's work to end undocumented immigration and its associated costs to the state, including the initiative to amend the Constitution to refuse citizenship to children born to undocumented immigrants. They also gave guidance to the CAO to draw up invoices with county costs borne from undocumented immigrants to be sent monthly to the President and certain members of Congress. Further, they requested letters be sent to U.S. Attorney General Janet Reno and Governor Wilson to request greater border enforcement by both the Border Patrol and the National Guard. The Board voted unanimously 4-0 (with one Supervisor absent) to support these measures and to send them as a resolution to Governor Wilson, Congress, and President Bill Clinton (San Diego County Board of Supervisors, 1993, September 28).

The same day on September 28, 1993, the Board also approved another legislative policy: M-59, the county's policy on undocumented immigration. In the policy document, the Board noted that it looks to federal and state authorities to consider the fiscal burden of undocumented immigrants to the county. It emphasized the federal government would be held accountable for any county costs of benefits or services provided to these persons, including social welfare services and criminal justice system costs. The Board indicated support for heavier sanctions on those convicted of document tampering, a creation of more tamper-proof forms of identification, and the presence of a Border Crossing Card as automatic proof of ineligibility for Medi-Cal. Finally, the Board supported refusing care to undocumented immigrants who were determined by Border Patrol to be part of a "patient dumping" scheme, meaning to have traveled to

California specifically to receive medical care (San Diego County Board of Supervisors, 1993, September 28).

Team Zero. Changes in how investigators handled welfare clients included “Team Zero,” which was under the Family Resource Bureau (FRB) of the SD County HHSA via approval and a budget change from the BoS. Team Zero was a distinct in-office fraud detection interview initiative begun in the Escondido District office of the FRB and was expanded to all offices by October 1994. The interviews, referred to as “full fields,” were lengthy and intrusive, as the depth of the term suggests. Welfare rights attorney Joni Halpern shared the experience she had while accompanying a client to a district office for an interview that led to a full field interview. In the interview conducted with Halpern for this research project, she recounted that the two eligibility workers initiated the interview by pulling the client’s file out of a large stack, before beginning the preliminary interrogation, which Halpern herself found intimidating. She paraphrased the eligibility workers’ comments as they rifled through her client’s paperwork:

“Ah, there’s your bank statement from ten months ago. We’ve been wondering about where this deposit came from. There’s a deposit here for \$500. And you only get this much in welfare, how on earth were you able to get this much money? You know, if you can’t explain that that’s going to be welfare fraud... Did you ever, ever take anything from anyone that you didn’t report? Did you get anything, anything for free that you did not report to welfare?”

Halpern noted the client’s growing stress, painfully honest answer, and the investigator’s severe response:

Now she's really freaked because this has been going on for 25 minutes. She said, “Um, one time, I took a pair of pajamas out of the dumpster. Somebody threw them away. They were almost new. And I washed them and I gave them to my son.” And the eligibility worker said, “That’s fraud. We need you to sign this statement under penalty of perjury that I took this and I didn’t report.”

In an echo of a dystopian interrogation, the client was so terrified during the interview that she confessed to taking an item from the trash without claiming it on her application. At this point, Halpern interjected and advocated for the client's lack of offense:

So, I said, "That's not a crime." I finally found my voice because I was terrified. I said (to the client), "No I'm sorry. Don't sign that form."

And they said "Fine." Slapped the case shut, put it back in the pile, and said, "We'll do a full field." Do you know what a full field is? That's where they send out an investigator and they do everything. Not just your house, but your neighbors, your landlord, the school, the place where you work, everything that's in your life. (J. Halpern, personal communication, 2019, November 22)

It can be noted that once a refusal was made to the interrogators, the situation quickly escalated to the threat of the full field investigation, including detailing the pervasiveness of this process in ways that insinuate the obvious potentials for negative impacts and danger. According to Halpern, this was not an isolated incident. The culture of Team Zero was toxic; welfare applicants were treated as criminals and subjected to the threatening demeanor of the staff on a regular basis.

These types of complaints were corroborated by a 1998 letter, which sought to justify discontinuing Team Zero, from Director Joan Zinser of the FRB to Director Robert Ross of the HHSA. Zinser wrote that, although the "vocal and committed" Team Zero staff were upset that the program was ended, their fervor for their "quasi-investigative role" created situations where team members employed methods that were not prescribed for their positions. In Team Zero's three-year run, numerous complaints against staff behavior ranged from bullying to allegations of violations of Civil Rights. Although the California DSS, SD County DA's office, and Legal Aid all investigated the complaints, the FRB took three years to take action to modify inappropriate behavior (J. Zinser, personal communication, 1998, February 27).

Director Zinser outlined the steps taken to mitigate investigative overreach—many of the situations prove disturbing transgressions of American civil and human rights boundaries. It is clear from the way the list is presented (as practices staff were instructed to discontinue) that staff did indeed engage in these violations. For example, Team Zero staff were told that they were not permitted to read Miranda rights to clients, call themselves investigators, threaten clients with criminal charges or with perjury, press them to withdraw from benefits, follow them to the parking lot, ask security guards to be present in interviews (except in cases of safety concerns), or tell them their cases would be withdrawn if the interview was refused. Further, the practice of dialing long-distance numbers on client phone bills would no longer be permitted and the “overly broad and non-specific Release of Confidential Information Authorizations would not be used” (J. Zinser, personal communication, 1998, February 27). This list of transgressive investigatory practices indicates the extent of the investigators abusing people’s Constitutional liberties.

Although he did not acknowledge the breadth of violations that occurred at the hands of Team Zero, Director Ross of the HHSA admitted that the activities of the group of Eligibility Technicians “targeted welfare recipients” in interviews “using specific questions designed to explore inconsistent information and clarify suspected fraud issues.” However, for Ross, there was a clear delineation in the difference between the activities of Team Zero and the PAFD. The DA office’s investigations were “to prepare for prosecution”—expressly seeking fraud detection activity illustrated the drive towards the criminalization of immigrant fraud suspects (R. Ross, personal communication, 1997, 20 November).

Legislative Changes. In early 1995, the Board passed policy M-60 on Self-Sufficiency Programs. M-60 policy measures included a fraud section, with four of the seven processes

explicitly addressing issues of ineligibility due to lack of citizenship documentation (San Diego County Board of Supervisors, 1995). This legislative move was an expression of the County's commitment to be tough on welfare fraud committed by immigrants.

Operation Gatekeeper and a Strained County Budget. In August 1996, Rep. Brian Bilbray and former BoS colleague Dianne Jacob participated in a Congressional hearing hosted in Imperial Beach on the efficacy of Operation Gatekeeper, the 1994 initiative to reinforce security at the southern border. Along with an increase in personnel, Gatekeeper provided funds for a strategic positioning of three tiers of agents assigned to zones and high-tech equipment to assist agents in their work. Gatekeeper first focused efforts in Imperial Beach, with the goal of sending would-be crossers eastbound; later efforts focused on Jacob's district area of East County and Otay Mesa. In the hearing, Supervisor Jacob testified that "illegal immigration" was the most fiscally pressing topic of concern in the County "in terms of human lives and property" (Jacob, p. 186, para. 3) and that the Board had shown the "political will" to be "unanimous in our fight against illegal immigration" (Jacob, p. 220, para. 1). Jacob alleged that the County spent \$70 million to "respond to the criminal activity of those who are illegally here" and \$40-50 million a year in Border Patrol's practice of patient dumping at hospitals any immigrants that needed medical care (Jacob, p.188, para. 4, 5). While no immediate solutions to this issue were given, Jacob noted that this strain on the system was causing a lack of "vital services to residents who truly deserve these services and who pay for these services" (Jacob, p. 187, para. 6). In this statement that includes rhetorical emphasis on the concept of being deserving, Jacob elevated taxpayers and citizens as more worthy of emergency medical care than immigrants, a claim also made on several occasions by Brian Bilbray.

County Welfare Changes Post-PRWORA. After the broad changes enacted via PRWORA and IIRIRA, the BoS proposed several creative solutions to save budget dollars for the county while staying in compliance with federal directives. The Former CAO of the County Lawrence B. Prior III was tasked to lead a transition in the county government that would “make it run as if it were a private company,” which adheres to neoliberal values on privatization (Eimicke, 2000, p. 9, para. 4). One of the innovations involved an incentivizing contest with financial rewards for the government employees to innovate ways to improve practices at HHSA. After PRWORA, the BoS set Welfare-to-Work goals to reach by June 30, 1999, for CalWORKs participants, mandating to reach a goal of 40% of all enrollees in unsubsidized jobs and 100% of those that are able-bodied in work or work activities. HHSA split the county into six district offices and opened bidding for the management of four of the districts to private companies that would be paid based on performance. Two districts went to Lockheed Martin, an aerospace and defense company, another to for-profit corporation Maximus, and the last one to Catholic Charities. The report notes that by June 30, 1999, 47.2% of “employable families reported some earnings from wages” (Eimicke, 2000, p. 12, para. 8). Although this statistic made the program look like a success, there was immense pressure to move welfare enrollees into work, causing issues for some women working to complete job training through technical schools and community colleges. Says Halpern,

I was working with all of these women who were getting kicked off of welfare because they were in their last year of dental hygiene training or whatever, they were about to get their certificate. (J. Halpern, personal communication, 2019, November 22)

Although these women were demonstrating dedication and good faith in improving practical skills to gain legal, long-term jobs, Halpern says that they were still removed from welfare in order to simply satisfy a statistic. It seems illogical to deprive these women of completing the

final requirements to enable them permanent certification to find employment that would provide a livable wage and give back to the community.

Almost 4,000 women were kicked out of their community college training and told that they needed to go on a job search, go to job readiness and take anything they could get. And these were women who were striving to get to a place of self-sustaining employment. (J. Halpern, personal communication, 2019, November 22)

Federal work participation rates and other work initiatives, however, could not be improved by immigrants that for various reasons lacked eligibility to work “on the books,” making them a target for removal from the rolls.

So, mirroring the federal proposals on control of immigrant access to welfare benefits, the county level also included using the suspects’ possession of border crossing cards to determine the ineligibility of welfare recipients (San Diego County Board of Supervisors, 1996, p.8). The Board and leaders of county agencies wanted to secure subsidies for the anticipated increase in funding necessary to provide Medi-Cal services for documented immigrants (San Diego County Board of Supervisors, 1996). Nevertheless, they simultaneously directed Medi-Cal staff to cultivate pilot projects that would enable crosschecking residency documentation for “questionable indicators,” which would be facilitated through partnerships with the California DMV, Federal INS, and U.S. Consulate (San Diego County Board of Supervisors, 1997, p.1).

Another recommendation by Board members Cox and Slater-Price specifically targeted undocumented parents of citizen children eligible for benefits from the AFDC/TANF programs. Under this proposal, the DSS would implement a program requiring all employable undocumented persons with children eligible to apply for AFDC to perform a specified number of hours of community service or be denied benefits. This measure was necessary, according to Slater-Price, because “welfare is not a right, but a privilege” (San Diego County Board of Supervisors, 1997, March 15). The Board voted the proposal down 2-3. Jacob later commented

that the suggestion of a “work-for-benefits program for illegal aliens is an illegal act” and called it “the height of absurdity,” adding that it “violates common sense” (Kucher, 1997, April 16, pp. B1,B-3). Nonetheless, Slater-Price abided by her assertion that it was only fair that the undocumented parents have to contribute in some way. This proposal made sweeping assumptions about undocumented parents and their motivation to work, a move that shows a failure to account for the actuality of a reliance on undocumented labor in the county in many industries. Further, the proposal placed the wellbeing of children on the line by threatening to remove those most vulnerable from program enrollment.

Birthright Citizenship Movement and the County. After IIRIRA passed, Rep. Brian Bilbray continued his quest to reform immigration through introducing H.R. 7, the Citizenship Reform Act of 1997. Bilbray and his cosponsors sought to deny birthright citizenship for children born to non-citizen or non-permanent resident aliens through this amendment to the 1965 Immigration and Naturalization Act. Although *jus soli* was extended to all via the Fourteenth Amendment in 1868, lawmakers reintroduced the legislation in 1993, 1995, and 1997, the latter of which was unanimously supported by the SD County BoS. This shows their attempt to violate Constitutional principles in an effort to exclude these families.

This series of unconstitutional initiatives and the deepening support for it by strong political actors indicated the questionable ethics of their processes. These dominant political players focused intensely on denying or removing an undocumented parent’s child’s birthright citizenship because if the child’s rights were lost, then the entire family was rendered ineligible for welfare benefits. The bill contained a provision for children to become citizens if they were born in wedlock to a citizen or to an LPR parent. If a child was born out of wedlock to a non-citizen undocumented mother, the child was denied citizenship.

In a June 1997, hearing on the bill, where Supervisor Pam Slater-Price was invited to testify, Chairman Smith of the House Subcommittee on Immigration and Claims gave the rationale for the bill's proposal in a familiar storyline that levelled accusations against Latina women once again. "Smugglers are bringing pregnant women into this country to give birth so that they can bestow upon their children American citizenship. About 16 percent of all the births taking place in California each year are to illegal alien mothers" (*Citizenship Reform Act*, 1997). Slater-Price did not provide any further evidence of this claim. In his opening statement, Rep. Smith pairs the women with human traffickers—another recurring trope on immigration that depicts the activities of the women as that much more illicit.

As Rep. Slater-Price began her statement, she noted that the BoS voted unanimously to support the bill and had taken the initiative to send information about the bill out to every supervisor in California. The communication was received with enthusiasm, said Slater-Price, as she beseeched the House to adopt the bill "due to the significant number of births by illegal alien mothers in California, and particularly in our county" (*Citizenship Reform Act*, 1997). Of chief concern to the Board, noted Slater-Price, were the long-suffering taxpayers that must pay for the "increasing costs for services rendered to illegal alien parents." However, it was not just "parents" in general that concerned the BoS, it was *especially* a certain group that caused a burden—those mothers that were provided with birth assistance (*Citizenship Reform Act*, 1997). Slater-Price noted that one of three births in the county were funded by Medi-Cal, but did not mention if the women were confirmed to be undocumented mothers. In these statements, Slater-Price signaled a common thread in the argument regarding the burden that poor immigrants from Mexico and South America represented and the constant drain they imposed on the social safety net.

While immigrant women were criminalized, their children were constructed in a way that placed them on a lower rank than children born of citizen parents, deeming them undeserving of assistance. The effects of the inundation of immigrants reached beyond the local economy and encroached on other services and programs that were meant only for citizens to utilize. The emphasis, again, rests on both the biological reproduction and social reproduction of the children of illegal immigrants.

Children born to illegal alien mothers constitute the largest caseload increase among welfare applicants in counties across the State. In fact, while our welfare rolls are declining due to welfare reform, benefits for citizen children of illegal alien mothers are on the increase.

In addition to the birth benefits, here are some more benefits accorded illegal aliens on behalf of their child. They may receive a welfare check on behalf of their child under the AFDC, now called TANAS, welfare benefits for 18 years. They may receive food stamps. They may receive childcare payments and free milk, cheese, and other subsidies. They may receive free education until the child turns 18 years old. Educating 355,000 citizen children of illegal aliens in California cost taxpayers \$1.7 billion in fiscal year 1995-96. (*Citizenship Reform Act, 1997*)

Slater-Price's statements seem directed at triggering a sense of resource imbalance and, thus competition, which can instill a sense of fear regarding resource scarcity. Also, as TANAS (TANF) became CalWORKs in the state of California the following year, a lifetime limit of 60 months was placed on recipients. Slater-Price proceeded with her listing of entitlements for undocumented immigrants:

Illegal aliens are eligible to receive housing assistance from the county of San Diego if their child is born in the United States. Assistance is based on one child. If they have more than one child, the assistance increases. Conceivably, recipients can receive assistance for the majority of their lives. (*Citizenship Reform Act, 1997*)

Programs providing for the welfare of young American citizens, highlighted Slater-Price, unfairly become auxiliary benefits to their undocumented parents as well, who may in turn be

motivated to have more children in order to get more benefits, which also echoes the Welfare Queen trope. This takes precious resources out of the hands of Americans.

The San Diego County Board of Supervisors believes that granting automatic citizenship to persons born in the United States to parents who have entered the country illegally encourages illegal immigration. An offer of financial support to children born in the United States is far too great a lure. We believe the loophole must be closed. We believe that H.R. 7 is the way to do it. (*Citizenship Reform Act*, 1997)

In this statement, the rhetorical term “lure” serves as a synonym for magnet, which had become a coded term within this discourse coalition. Basically, existing laws allowing for citizenship serve as a magnet to undocumented immigrants, therefore their children born on U.S. soil should be denied citizenship.

To reward people who enter our country in defiance of our laws is unjust. And we believe it is a slap in the face to legal immigrants who often wait years to become American citizens and who honor their commitment. In my view, encouraging illegal entry into our country dishonors our long and rich heritage of legal immigration. (*Citizenship Reform Act*, 1997)

Slater-Price pulled at the same rhetorical string of the dominant culture metanarrative of the noble and honored history of American immigration, regardless of the complex reality of the process. She returned to the idea of the parents not just milking off of American wealth, but milking off of their children, invoking the same rationale she used when she proposed to the BoS that undocumented parents with citizen children receiving benefits be required to perform community service as some sort of payment back to the system:

Adults who are in this country illegally and are not permitted to work, not recognized as legal by our law enforcement agencies or by any branch of government, are appearing at county welfare offices to collect checks on behalf of their children. The parents are using the children to collect benefits and remain in the country. This is a travesty for our country. We have encouraged generations of people to come to the United States not out of loyalty or a sense of belonging, but, instead, for money and benefits. (*Citizenship Reform Act*, 1997)

The contrast is set to juxtapose the image of upstanding lawful immigrants versus those that unfairly skip the line to reap the benefits, without the ability to contribute lawfully to the labor market and be productive members of society. She proceeded to cite supportive statistical evidence:

A poll conducted by the University of California at Berkeley between 1982 and 1987, concluded that 95 percent of women from Tijuana, Mexico, who gave birth in the United States admitted that they did so to gain U.S. citizenship for their child. In most cases, the bill is left to the taxpayers. One-third of Medi-Cal or Medicaid births in San Diego County and two-thirds of Medi-Cal or Medicaid in Los Angeles County are to those illegal parents. (*Citizenship Reform Act*, 1997)

Read for the true accusation against the immigrant parents, particularly Latina women, Slater-Prices' statement indicates again that the motivations for Mexican women to come to the United States are ultimately for personal gain for themselves and/or their children.

Later, Rep. Peters questioned the existence and/or validity of the alarming poll that Slater-Price referenced. Rep. Peters then followed up on this dubious citation and stated, "I've checked—I don't know of any INS report or any Border Patrol report or any scholarly study that indicates that the motivation for illegal immigrants to come here is primarily to bear children, and then through that, to gain citizenship" (*Citizenship Reform Act*, 1997). In fact, in the study that Slater-Price incorrectly referenced, the researchers found that in their sample of 184 women, 47% "expected to obtain citizenship for their children or their families" and 8% conveyed their motivation was to obtain "special benefits such as food coupons, WIC, or a comfortable hospital stay" (Guendelman & Jasis, 1992). These figures do not match the 95% touted by Supervisor Slater-Price, indicating that the supervisor either intentionally or unintentionally misrepresented the results of the study.

The Lead Up to Project 100%

Funding for investigations changed after PRWORA, as HHSA Director Ross noted, in that CalWORKs funding was delivered to the state via block grants, and provisions covered “revenue for fraud protection, investigation, and prosecution.” In a memo, Ross suggested that the proposed P100 program would achieve the same goal while utilizing less of the county's funds (R. Ross, personal communication, 1997, 20 November).

Luis Aragon, Chief of the PAFD, wrote to the Assistant DA Greg Thompson as a follow-up to a meeting with DA Paul Pfingst.

I raised the concept of our... investigators checking all new welfare applicants... This is a really excellent plan which meshes with the county's “ZERO TOLERANCE” policy on welfare fraud. And it comes at a time when DSS referrals are declining. We anticipate that DSS will not react well to this plan and that Paul's strategy of going directly to the Board of Supervisors makes sense. (L. Aragon, personal correspondence, 1997, March 5)

Aragon continued to promote the idea of P100 to the DA, citing the aforementioned Orange County study, and stated that DSS concurred with performing early fraud investigations for every new applicant. Additionally, he ran the idea of Medi-Cal sweeps to save taxpayer dollars, similar to those being conducted in San Bernardino County. Finally, Aragon wondered if some “show the badge” visits to the DSS offices during the distribution of General Relief checks would lead to uncovering and/or preventing benefits fraud. He cited the success of this intimidation tactic: “Our PAF investigators would conduct a brief interview of each person receiving a check. When we did this some months ago, more than half of the GR recipients left without requesting a check” (L. Aragon, personal correspondence, 1997, April 2). Although this paper's inference remains only conjecture, it is highly likely the interviewed persons felt worried about the very potential for misunderstanding or accusation, as previous testimonies quoted in this project have noted the Kafkaesque nature of the benefits-related interviews. It is almost certain that some of those who were left were legally entitled to benefits.

Later that month, DA Pfingst requested that the BoS increase fraud prevention in the county, recommending that they allow his office to investigate all new AFDC/TANF applications (P. Pfingst, personal correspondence, 1997, April 29). According to Halpern, with the budget for eligibility workers in Team Zero greatly reduced, the idea of P100 achieved the aim of retaining the staff by moving them over to the DA's office and recouping their salaries from the federal funding (J. Halpern, personal communication, 2019, November 22). As evidence of the potential for efficacy of the proposed program, Pfingst claimed that the rate of fraud in the Orange County study was listed as 45%, an off-the-charts number when it comes to incidents of fraud, (see refuting report below). Pfingst then suggested a chilling “proactive assault” that matched the Board's position of zero tolerance—rather than passively wait to produce “Orange County type incidence studies” that survey the damage, why not attack the problem on the front end? He closed with this statement: “It is time to take the awarding of public assistance from the honor system to a system of verification and accountability” (Pfingst, personal communication, 1997, April 29, p. 2, para 3). Not surprisingly, while the anti-immigration actors frequently cited the Orange County study as justification for more austere measures on welfare fraud early detection, researchers and advocates have since heavily criticized this study. The *LA Times* reported that of the 450 families observed in 1994-1995, 76 cases were referred (16% of sample), with 46 cases ultimately opened on fraud (10% of sample)—not nearly the anti-fraud success that was repeatedly presented during the late 1990s anti-immigration discourse and nowhere near the 45% that Pfingst cited (Bailey, 1997).

Project 100% Begins

In June 1997, the Board issued the mandate to the DSS to refer all new applicants to social welfare programs to the PAFD for early fraud investigations—the mandate soon be known

as Project 100% (P100). The Board concurred with DA Pfingst and cited the same Orange County Welfare fraud incidence study (San Diego County Board of Supervisors 1997). P100 purported to address rising concerns amongst county residents and officials over misuse of public programs, such as the food stamp program and TANF. Early results were reported favorably by PAFD Chief Aragon to DA Pfingst:

We have always known that some DSS eligibility technicians never made referrals to us. The new policy of 100% referrals has changed this. In fact, not only are these ETs referring cases to us, they are also documenting their suspicions regarding potential fraud in many of their referrals. Although the numbers are not exact, we are finding fraud in about 20% of the new referrals. L. Aragon, personal correspondence, 1997, June 16)

By July, the PAFD reports that fraud was detected in 1/4 of the inquiries of new applicants, leading to what Aragon estimates will be a \$300,000 savings that month (L. Aragon, personal correspondence, 1997, 10 July 1997).

Project 100% Fraud Reduction Activity—What Was Communicated

To the Applicants. At the application process start, applicants were clearly informed of the intent of the department to investigate for fraud, as well as the determination of the county to prosecute if evidence was found. In truth, this opening implied the concept of criminality, suspicion, and punishment as an applicant's introduction to assistance programs. In an introduction video shown to them called "Rights and Responsibilities," it stated, "San Diego County has zero tolerance for flat fraud. If you don't report truthfully, you are committing welfare fraud. This is a felony and will be prosecuted. Prosecution will result in a six month to a permanent disqualification, fines and/or jail time" (San Diego County Health and Human Services Agency, n.d., p. 5). Applicants were also warned that their immigration status would be validated with INS (San Diego County Health and Human Services Agency, n.d., p. 1). Finally, applicants were informed they were expected to cooperate with their case managers and to

expect home searches: “An authorized representative may come to your home unannounced to check the information you report...If you do not cooperate, your benefits will be stopped or denied” (San Diego County Health and Human Services Agency, n.d., p. 3).

Similar to the debate over the constitutionality of revoking birthright citizenship, the blanket home calls also contradicted American Constitutional rights and laws. During the home investigation, a sworn statement was obtained to show that the applicant acknowledged the “facts of the situation” along with their level of understanding on their obligation to report all aspects of the application correctly and to give a rationale for why certain information was omitted or misrepresented (PAFD, p. 81). Reiterating the underlying concepts of suspected fraud and potential punishment, the statement form warned applicants that a misrepresentation of the facts or failure to report information correctly that led to wrongful payment of more than \$400 in benefits could result in felony charges, a fine, and/or imprisonment (County of San Diego Health and Human Services Agency, 2000). The form also explained they could be charged as much as \$10,000 for cash aid and \$250,000 for food stamps if they were convicted of welfare fraud (California Health and Human Services Agency, 2000). The introductory video content and forms both sought to indemnify the government agencies while simultaneously intimidating the applicant seeking assistance.

To the Investigators. The first pages of the PAFD training manual listed the California Welfare Institutional Codes that covered the prosecution of government employee welfare offenses, along with the corresponding penalties. Included in the listed offenses were failure to report any income or resources, which could lead to the seeking of restitution of overpayment. Another penalty of three years in prison and a \$5,000 fine would be leveled against anyone applying under a false identity or for a person who does not exist. Finally, a person that was

“convicted of knowingly making a false statement” would be charged with a misdemeanor, also leading to imprisonment and a fine (PAFD, n.d., p. 11, para.1). Unintentional misrepresentation would not be classified as fraud but could still result in recovery of any overpaid benefits (PAFD, n.d., p. 8). In truth, these warnings to the case workers also read as quite threatening and punitive.

Initial visits were to confirm the information given by applicants in the paperwork process, but investigators were instructed to make the “purpose of the interview and future contacts...investigatory in nature” if any inconsistent evidence is uncovered in their visit, which prompts case workers to adopt a questioning, distrustful attitude (PAFD, n.d., p. 1, para. 5). This can be interpreted to mean that any indication that there has been omission or misrepresentation of information given on the initial application immediately changes the tone and purpose of the visit. To be fair, in the interview, investigators were told to explain rights to the applicant and to reassure them that they were not under arrest. During the interview, they were instructed to reserve “moral judgements/statements regarding others' lifestyles” (PAFD, n.d., p. 80). However, investigators were not permitted to provide any counsel or advice. PAFD chief Aragon discussed this particular issue in his deposition for the *Sanchez* case, “[I]t is not our expectation that they are going to go outside of (investigation formalities). And I’m trying to envision what a rehabilitation would be under those circumstances. Get off the couch. Get a job. I don’t know... I don’t envision rehabilitation as a part of that. I can’t even imagine what that would look like (*Sanchez v. County of San Diego* 2007). Aragon’s statement emphasizes the difference between the approach and ethos of a DA-sourced investigator versus a social welfare worker who might specialize in giving counsel to families seeking medical access advice, education-related

assistance, or any other type of support regarding personal issues that serve as a barrier to transcending poverty.

Training slides for P100 contained information on the eligibility factors that should be focused on during a home investigation. With loosely defined parameters, these factors included confirmation of residence, the presence of a previously reported absent parent, number of children/presence of children, unreported income, personal property, and other unclaimed persons living in the household (PAFD, n.d., p. 7). To confirm residence, investigators were permitted to consult apartment managers and neighbors and/or to request the previous address and any related documents, such as pay stubs or bank statements (PAFD, n.d., p. 8). To detect an absent parent, investigators should look for “evidence that supports or fails to support the claim of an absent parent” (PAFD, n.d., p. 9). For children, investigators were permitted to contact schools and to seek out any “evidence that children are residing in the home” (PAFD, n.d., p. 10). Unreported income should be examined through collateral information and any documents that supported evidence of self-employment as well as obtaining confirmation of any payment and length of employment from a current employer, if applicable (PAFD, n.d., p. 11).

Personal property was considered another potential sign of fraud, and was featured on a slide that said, “Expensive Jewelry” and “Fancy Cars” with unrealistic clipart of a luxury vehicle and a large diamond ring, images that would hold little connection to the reality of immigrant life for those seeking welfare assistance (PAFD, n.d., p. 18). The investigators were instructed to detect household composition fraud by counting the number of beds, the contents of closets, and the number of bedrooms (PAFD, n.d., p. 19). Combined into the presentation, it was noted that 9.3% of all cases included overpayments, for an average amount of \$278 per fraud case (PAFD, n.d., p. 22). While it is unclear how much time investigators spent gathering evidence for each

case's prosecution, suffice it to say that the effort made to obtain less than \$300 in restitution for an overpayment makes the cost-benefit analysis of the activity tenuous at best, as will be demonstrated in the section that discusses costs and savings associated with P100.

Eligibility investigators were told walkthroughs of residences were "to be non-intrusive." Investigators were admonished to not stick their hands in drawers or bags (PAFD, n.d., p. 73). Importantly, according to this document, walkthroughs are "totally voluntary, they are not a requirement for applicant's cooperation in the interview process," a statement which implies respect, but can also be read as a legal indemnification for the government (PAFD, n.d., p. 2, para. 1). During the actual walkthrough, recipients should be allowed to take the lead and the investigator should "avoid the use of offensive or suggestive phrases, such as 'show me your underwear' when requesting to see the applicant/recipient's personal belongings," which demonstrates a positive regulation against sexual harassment, but also negatively indicates the vulnerability of the walk-thru recipients (PAFD, n.d., p. 77, para. 3). Investigators were instructed to end the walkthrough immediately if the recipient decided it was over. However, as will be detailed later, this was not made clear to all applicants during their visits; investigators commonly acted outside of the scope of their instructions.

In the paperwork process before the home visit, applicants signed off on information verification via several government agencies, including the DMV, HHSA, the Social Security Office, the Franchise Tax Board, and other state information systems. Home investigators should reexamine any documents for validity and could make contacts with INS, the Social Security Administration, the Vital Statistics Office, and/or the Housing Authority for verification. Using a false residence was considered a violation; applicants were required to be residents of San Diego or the state of California, depending on each program's specifications. Investigators were given

express information on how to detect document fraud and were encouraged to question all discrepancies (San Diego County Health and Human Services, 1998).

Proof of eligibility also included a birth, hospital, or baptismal certificate; a U.S. passport or documentation of naturalization or other INS documents. Documents that would indicate ineligibility included “out of country birth certificates not registered with the U.S. consulate, student or visitor visas, I-94s with ‘Outstanding Order of Exclusion’ noted on it, (and) Border Crossing cards” (PAFD, n.d., p. 37, para. 2). On the signature page of the benefits application, it stated that the signatory understood that the county would communicate with INS “to verify immigration status and the facts the county gets from INS may affect my eligibility for cash aid, food stamps, and full Medi-Cal” but that the county would not send facts to INS if the applicant was seeking Medi-Cal assistance only and was not an LPR or valid recipient of amnesty with an I-688 (State of California Health and Human Services Agency, 2000). The signature page truly read like a convoluted and dizzying system of rules. (See Figure 6).

CERTIFICATION

I understand that:

- Any facts I gave, including benefit and income facts, will be matched with local, state and federal records, such as employers, the Social Security Administration, tax, welfare and unemployment agencies, school attendance, etc. And for cash aid and food stamps, records will be matched with law enforcement agencies for arrest warrants.
- All facts, including benefit and income facts, I gave may be reviewed and checked out by county, state, and federal personnel, and that if I gave wrong facts, my cash aid, food stamps, and Medi-Cal may be denied or stopped.
- My case may be picked for reviews to ensure that my eligibility was correctly figured and that I must cooperate fully with county, state or federal personnel in any investigation or review, including a quality control review.
- The county will send facts to the Immigration and Naturalization Service (INS) to verify immigration status and the facts the county gets from INS may affect my eligibility for cash aid, food stamps, and full Medi-Cal. But if I am applying for Medi-Cal Only, AND if I am not (a) a lawful permanent resident alien (LPR), (b) an amnesty alien with a valid and current I-688, or (c) an alien permanently residing in the United States under color of law (PRUCOL), the county will not send facts to the INS.
- I must apply for and keep any available health coverage if no cost is involved; if I do not my Medi-Cal will be denied or stopped.
- I or other family members will be required to repay any cash aid I should not have received.
- The Food Stamp household, any adult member of a Food Stamp household (even if he/she moves out), the sponsor of a noncitizen household member or the authorized representative of residents in an eligible institution may be required to repay any benefits the household should not have received.
- Any member of my household who is avoiding or running from the law to avoid a felony prosecution, custody or confinement after conviction, or in violation of their parole or probation cannot get cash aid or food stamps.
- Anyone who has committed and been convicted of a drug-related felony for possession, use, or distribution of a controlled substance(s) since August 22, 1996, cannot get food stamps or if convicted on or after January 1, 1998, cannot get cash aid.
- For cash aid and food stamps, the county will require that I and certain household members be fingerprint and photo imaged. My benefits may be denied or stopped if I do not cooperate.

I also understand that:

I will get disqualification and/or welfare fraud penalties if on purpose I give wrong facts or fail to report all facts or situations that affect my eligibility or benefits for cash aid, food stamps, and Medi-Cal.

For cash aid:

- If I on purpose do not follow cash aid rules, I may be fined up to \$10,000 and/or sent to jail/prison for 3 years. And my cash aid can be stopped:
  - For not reporting all facts or for giving wrong facts: 6 months for the first offense, 12 months for the second, or forever for the third; and for Refugee Cash Assistance, 3 months for the first and 6 months for any later offense.
  - For submitting one or more applications to get aid in more than one case at the same time: 2 years for the first conviction, 4 years for the second, or forever for the third.
  - For conviction of felony thefts to get aid: 2 years for theft of amounts under \$2000; 5 years for amounts of \$2000 through \$4999.99; and forever for amounts of \$5000 or more.
  - For giving the county false proof of residency in order to get aid in two or more counties or states at the same time; giving the county false proof for an ineligible child or a child that does not exist; getting more than \$10,000 in cash benefits through fraud; getting a third conviction for fraud in a court of law or an administrative hearing: forever.

For food stamps:

- If on purpose I do not follow food stamp rules, my food stamps will be stopped for 12 months for the first violation, 24 months for the second, and forever for the third. And I may be fined up to \$250,000 and/or sent to jail/prison for 20 years.
- If I am found guilty in any court of law because:
  - I traded or sold food stamps for firearms, ammunition, or explosives, my food stamps can be stopped forever for the first violation.
  - I traded or sold food stamps for controlled substances, my food stamps can be stopped for 24 months for the first violation and forever for the second.
  - I traded or sold food stamps that were worth \$500 or more, my food stamps can be stopped forever.
  - I filed two or more applications for food stamps at the same time and gave the county false identity or residence information, my food stamps can be stopped for 10 years.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the information in this statement of facts is true, correct, and complete.

SIGNATURE (PARENT OR CARETAKER RELATIVE, MEDI-CAL APPLICANT, ADULT FOOD STAMP HOUSEHOLD MEMBER OR FOOD STAMP AUTHORIZED REPRESENTATIVE)		DATE	
SIGNATURE (OTHER PARENT LIVING IN THE HOME, IF APPLYING FOR CASH AID)	DATE	SIGNATURE OF WITNESS TO MARK, INTERPRETER OR PERSON ACTING FOR APPLICANT/BENEFICIARY	DATE

Figure 6. State of California Health and Human Services Agency Signature Page for Benefits Application. (2000).

Once a visit was complete, the investigator was to enter one of six disposition codes, each with a corresponding action for follow up: “(1) discontinuance including clients’ request; (2) denial or withdrawal; (3) benefits reduced; (4) allegations unfounded (no violation occurred); (5) insufficient evidence (not enough evidence to take any case action; and (6) fraud found, no adverse dollar impact (no effect on eligibility)” (PAFD Research Study, n.d., p. 5, para. 1).

After two of these unannounced visits with no response or presence of the applicant at home, the investigator was “instructed to respond back... that the applicant has failed to cooperate” (PAFD, n.d., p.1, para. 6). It is important to note that these reports become recorded as denials for purposes of classification. Further, an agent could request a full field pervasive home and life investigation, which involved a deep investigation into a person's claims on their application.

Complaints, Psychological Harms, Reporting Discrepancies, and Credit-Taking—What Actually Happened

Complaints Over Home Searches. To no surprise, numerous applicants subjected to the visits by PAFD investigators submitted grievances to various contacts within HHSA and through the official complaints process. Although one of the democratic tenets of P100 was that everyone got the same visit before qualifying for benefits, it is clear that some participants were valued more than others in the system.

On March 25, 1999, the General Manager for the North Central Region of HHSA Yvonne Campbell wrote to the Deputy Director of Policy Strategy and Program Development Joan Zinzer, acknowledging the difficulty that comes with the P100 process. Campbell advocated on behalf of familial caretakers of children who qualified for assistance benefits. Campbell explained, “As you know, many of our relative caretakers are unhappy with having to

come into the office to apply for aid and all the demoralizing aspects of this process. To have an investigator come to their home adds insult to injury” (Y. Campbell, personal correspondence, 1999, March 25). In this communication, the caretakers’ concerns were met with sincerity by the program administrator and their complaints over a violation of privacy were taken seriously. Further, Campbell noted that the pre-screening efforts of the social workers involved in the cases were enough to clear the caretakers from the arduous task of scheduling another visitor to the caretaker’s home. The time of the caretakers was valuable and their contribution to the system was respected in the next statement: “This seems like a waste of everyone's time... We need these relative caretakers. We want to make them happy campers without compromising accuracy as they agree to provide care for these often difficult children” (Y. Campbell, personal correspondence, 1999, March 25). Shortly thereafter, the decision was made that relative caretakers would not have to endure P100 home searches.

Now, contrast this experience with community objections concerning P100 investigators, who had threatened, intimidated, and encroached on the privacy of applicants in their own homes. To illustrate the difference in care, value, and dignity ascribed to the two groups, several filed complaints are detailed in this section. In one grievance to the PAFD, the applicant, who was fluent in Spanish but spoke limited English, said that the investigator that came to her house only spoke English to her, interrogated her child and sister, and told her sister to leave the room. Otherwise, the interview would be conducted outside. The report said the investigator intimidated her, asking: “Do you want the aid, yes or no? You have to do what I tell you” (Author redacted, personal communication, 2000 June 29).

Applicants were questioned on their residency and affiliation to addresses across the United States-Mexico border, even after they provided physical evidence that they resided in

America, as demonstrated in the following account. In one preliminary P100 report, the investigator noted that after questioning an applicant at her home in South County, San Diego, the applicant said that a property listing in Chihuahua, Mexico (where her soon-to-be ex-husband lived, whom she had a restraining order against) was not hers. The investigator checked again on the property listing and determined the property should have been claimed on the application (San Diego County District Attorney's Public Assistance Fraud Division, 2002, April 28). Later, it was revealed in the filing for the *Sanchez v. County of San Diego* (2006) case that this applicant withdrew her application and did not seek help for some time after facing the repeated questions of the investigator.

The investigator then incorrectly advised Ms. Castro that she would have “problems” if she did not withdraw her application for benefits and suggested that Ms. Castro depart the United States and live with her husband in Mexico despite the fact that she is a United States citizen, was working and attending school in San Diego, and has a daughter who is a US citizen attending school in San Diego. (*Sanchez v. County of San Diego*, 2006)

This suggestion harkens back to the suffering and trauma induced by the “repatriation drives” in the 1930s when United States citizens of Mexican descent were forced to go to Mexico, a place where many of them had never resided. For the investigator to recommend that Ms. Castro leave the country on account of any connection to Mexico is unconscionable. This suggestion was followed by the investigator requesting that Ms. Castro sign a declaration that untruthfully stated that she and her husband cohabitated; when she declined, the investigator told her to retract her application for benefits. The complaint states that she felt “frightened and wanted to avoid the ‘problems’ that the investigator threatened,”—this led to her unwilling, but intimidated decision to sign the form. This encounter left her so shaken that she did not reapply to the program for more than half a year. Because of fear over using her Medi-Cal benefits, she also “delayed seeking medical care for herself and her daughter” (*Sanchez v. County of San Diego*, 2006). It

should be considered that this encounter may have caused Ms. Castro to worry about further repercussions from the government investigators just as much as she worried about her estranged husband being contacted by the investigators and learning of her and her daughter's whereabouts. The investigatory activities of the PAFD employee placed the privacy, safety, overall welfare of the applicant and her daughter at risk. Further, if an applicant might have experienced previous abuse or trauma, the experience of someone intimidating her, especially in her own home, could exacerbate her suffering.

Tactics by investigators, such as the threat of contacting neighbors or employers and the search for evidence in the home, were unnecessarily invasive and stress inducing when considering the suffering that applicants in a position of needing benefits already were facing. In the case of the plaintiff Rocio Sanchez in the *Sanchez v. County of San Diego* (2006) case, the investigator knocked on her door and mistakenly asked to interview Ms. Sanchez about a neighbor, Rocio Sanchez. When Ms. Sanchez identified herself as the person in question, the investigator informed her that he would be asking neighbors about the living situation between herself and her husband. The investigator entered the home and began to ask deeply personal questions about the husband, including "his whereabouts, the last time she had seen or talked with him, the reason for the separation, and whether they were planning on reuniting" (*Sanchez v. County of San Diego*, 2006). After the investigator searched the home, he located a pair of men's shoes and a shirt in the bedroom closet, which Ms. Sanchez said belonged to her brother. The upsetting persistence of the investigator continued when he tried to make collateral contact with her estranged husband, against whom she had a restraining order.

The investigator then unexpectedly reappeared at her previous address, where she was busy cleaning in order to recoup the cleaning deposit and began interrogating her.

He asked why she was there, and Ms. Sanchez explained. The investigator searched the home, including the bathroom cabinets, the bedroom, and every dresser drawer in the bedroom. Each drawer was empty. The investigator asked Ms. Sanchez about a jacket and a pair of boots that her husband had left behind, stating that the presence of the clothing did not “make sense.” (*Sanchez v. County of San Diego*, 2006)

The lack of discretion and the inherent distrust from the investigator towards her are evident as he continued to unleash a barrage of personal questions, asking for private details about the applicant’s husband and their separation. Then, in an appalling violation of privacy, the investigator located a notepad with a personal letter written in Spanish to Ms. Sanchez from her husband: “The investigator asked Ms. Sanchez to translate the letter for him.” After she did so, the investigator commenced a search for other documentation in the apartment and “told Ms. Sanchez to pull pieces of paper out of a plastic bag filled with her husband’s trash so he could look for evidence regarding the husband’s whereabouts” (*Sanchez v. County of San Diego*, 2006). As if violating her personal space was not enough, to add insult to injury, the investigator also “asked if Ms. Sanchez’s neighbors had ever heard her and her husband argue and stated that it was ‘funny’ that she had never filed a domestic violence complaint” (*Sanchez v. County of San Diego*, 2006). Recall that this was the second instance where Ms. Sanchez had been forced to comply with the investigator or face denial of benefits. His visits left her “upset by the investigator’s accusatory demeanor, his demanding questions, and his refusal to except her truthful answers” (*Sanchez v. County of San Diego*, 2006). In an ordinary U.S. circumstance, a government employee entering a private home without a warrant, inspecting the contents of the home, and asking intrusive questions would not be welcomed, tolerated, or considered constitutional. However, when a welfare applicant applies for assistance, the county fully expects them to subject themselves to the process without question and to comply to any extent, being

patient and fully compliant with the prying in personal spaces and asking inappropriate lines of questioning from overstepping investigators.

In some cases, the request to search was never made and the investigator proceeded into the home without permission (Aceves, et al., 2010). Attorney Joni Halpern noted that even if a request was made, clients often felt they were not able to decline a further inspection of their home.

If you pissed them (the investigators) off, if you said, “Wait a minute, are you sure you have the right?” that would set them off, and then they'd go through everything, your refrigerator, and your cupboards and your mail and everything and see whatever it is that they could find. (J. Halpern, personal communication, 2019, November 22)

Halpern detailed a female applicant’s testimony of an investigator touching her underclothes from the laundry—which borders on sexual harassment, as it was deeply unwelcome. It is interesting to note the parallels of treatment of the women listed in these testimonies.

I had people that came to me as a lawyer and said, “The investigator picked up my Victoria's Secret bra out of my hamper and said, ‘What are you doing with this? These are expensive.’” (J. Halpern, personal communication, 2019, November 22)

At no point is the privacy or dignity of the applicant considered when questions such as this are leveled against her. There are any number of reasons why a woman might possess an undergarment of a certain brand—but are any of these reasons the business of the county government simply because a woman has applied for assistance?

Halpern noted that others had their enrollment terminated because of the number of toothbrushes in their cabinet or a coat deemed to be menswear was hanging in a closet (J. Halpern, personal communication, 2019, November 22). The possession of TVs was questioned and accusations of extravagance were leveled against a woman because, as the investigator told her, “welfare women can’t afford those TVs” (J. Halpern, personal communication, 2019, November 22). Inaccurate inferences about the applicants’ possessions and the scrutiny of

anything perceived to have value in their homes led many to be disqualified or to withdraw their applications (J. Halpern, personal communication, 2019, November 22).

Psychological harms. Applicants are vulnerable to the psychological trauma of being in need, and P100 layers this with the experience of embarrassment from an official with the power to approve or deny relief. Another applicant gave a statement in Spanish (later translated) on the abuse she suffered during a P100 visit:

Personally, the visit of this person at my apartment was very unpleasant. I felt abuse the way she treated me... She arrived at my house, rang the bell several times, when I open the door she identified herself in a very angry and authoritative manner. I told her to wait a moment. At no time did I tell her to come in. The door was stuck when I return she had already come inside without being invited to come in, and at the same time yelling at me and ordering me as to what I should and should not do. (Author redacted, personal communication, n.d.)

According to this account, the investigator violated the rules of conduct for P100 from the beginning of this encounter by forcing herself into the home and berating the applicant. In this case, however, the applicant did not allow the investigation to continue, even though her benefits were in jeopardy. The applicant stood her ground and responded, “I am a Christian, I have self-respect... I believe all humanity should be treated with respect and courtesy. That is why I immediately decided that the investigation would be terminated” (Author redacted, personal communication, n.d.). Indicative of the repercussions for refusing a home call, the cost of preserving her dignity was the loss of benefits that were likely critical to her family’s subsistence (Author redacted, personal communication, n.d.).

Dr. Saul Levine, a licensed psychiatrist and professor emeritus of psychiatry at the University of California, San Diego offered his expert testimony about the impacts of P100 on applicants. First, noted Dr. Levine, even under the best treatment by home investigators, the unwarranted pressure on the applicant is apparent from the beginning, embedded within the

design of the program itself. “The approach and methodology is cloaked in an aura of suspiciousness, mistrust, skepticism, and cynicism” (S. Levine, personal communication, 2002, May 2). As evidence, Levine commented on the use of the word “fraud” in the program, nature of the “consent” of a walkthrough, and pervasive threat of denial of benefits.

The power differential between investigators and applicants is marked, and overall places pressure on applicants to yield to requests that may be beyond their level of comfort, especially given previous trauma they may have experienced. An expert in Neuropsychology, Dr. Ricardo Weinstein likens this relationship to an “individual and a police officer, in this case, even while functioning people, more often than not, feel intimidated, anxious and distressed, particularly if they believe that the interaction can have devastating consequences” (R. Weinstein, personal communication, 2002, July 5). To this end, Levine commented on the psychological and psychiatric risk to these vulnerable applicants:

There is a significantly higher incidence of affective disorders (depression, bipolar, etc.), anxiety-related disorders, and psychosomatic disorders than in the general population. In addition to the guilt and shame of not being able to ‘make it’ for themselves and their families at that particular juncture in their lives, they feel particularly physiologically and psychologically vulnerable—and in general this is an accurate and valid conclusion (S. Levine, personal communication, 2002, May 2).

Further, it is more difficult for individuals under duress to assert their rights, much less to consider defending their own psychological well-being in the face of being denied access to aid (R. Weinstein, personal communication, 2002, July 5).

In the mildest of cases they will feel humiliated and intimidated. They will be afraid of not obtaining the help they require in order to satisfy their most basic needs and that of their children, they will experience transitory emotional problems in the form of anxiety and depression. In the most severe reaction some individuals will suffer Post Traumatic Stress Disorder, a serious psychiatric condition that requires professional intervention on a long-term basis. (R. Weinstein, personal communication, 2002, July 5)

While the experts in the *Sanchez* case did not specifically address issues of race and gender in their testimony, considering the globally common marginalization of women immigrants and generally of immigrants in the U.S. time period in question, it is appropriate to conjecture that additional racial and gender strains were placed on these women. This would be of particular concern if issues of eligibility were broached regarding their own documentation or that of a member of their household.

Discrepancy in Reporting and Savings.

The PAFD team frequently sent updates to DA Pfingst and the BoS to represent their success in budgetary savings as well as caseload reductions. Through reading the communications of the department, it is clear that public and political perception of the program's efficacy was important from the beginning. However, as will be demonstrated in this section, there were inconsistencies in the reports, with presented data often missing context, such as the methods used to calculate the savings as well as the accuracy in categorization of the denials of and withdrawals from benefits.

Early reports on savings and benefits denials show that in P100's first month, fraud was detected in one quarter of the inquiries of new applicants, leading to what Aragon estimated would be a \$300,000 savings in July (L. Aragon, personal communication, 1997, July 10). That month, the South Bay District Office alone processed 290 case referrals and conducted 166 investigations, resulting in 62 adjustments, discontinuances, or denials. The cash savings listed on the report is \$31,835 in AFDC and \$16,881 in Food Stamps (Gonzalez, 1997). By contrast, the Northeast district processed just 126 case referrals and completed 120 investigations resulting in 36 adjustments, discontinuances, or denials for a savings of \$16,795 in AFDC and \$8,065 in Food Stamps (Berner, 1997).

By August, South Bay, with a heavier case volume, also was host to “ride alongs” and sweeps, dedicating ten teams to a special effort of concentrated visits on a Saturday in August. The concept of a concentrated day of unannounced home inspection of a target social group obviously crosses boundaries from American constitutionalism and seems more like a raid. After the day of Home Calls, the teams publicized their work through the media to let the public know about the new effort: “Channel 39 news rode along and will air their presentation tomorrow, August 19, at 5:00 pm” (San Diego County District Attorney Office Public Assistance Fraud Division, 1997). This also adds an element of entertainment-news value with a sense of voyeurism and curiosity from people watching from their own homes.

In their August 1997 PAFD Management meeting, a savings of \$1.2 million was reported for the “first time ever.” Meeting notes remark: “We are in good standing with the 13th floor at HOJ (Hall of Justice)” (San Diego County District Attorney Office Public Assistance Fraud Division, 1997). However, in September of 1997, the Chief of the PAFD reported to DA Paul Pfingst the results from the activities of the first three months of the P100 Program as \$999,999 savings through 4,939 total referrals (Aragon, 1997).

A later report on the first six months of the program (June-November 1997) states that 9,413 cases were investigated, with 2,790 (26.9%) of those investigations resulting in denial of benefits. By preemptively investigating each new applicant, “rather than prosecuting after long-term and expensive fraudulent activities have been uncovered,” the savings passed on to the county were \$2,419,543. Again, there is evidence present of problematic divergences in reporting. A report to the SD County 1997-1998 Grand Jury by Chief Aragon on the identical time period gives the same savings—but a different caseload. While data stated \$2,419,543 was saved in that first phase of P100, this report claims that 11,140 referrals were completed with

6,631 denials, at a 60% success rate for fraud detection (Aragon, 1998). An additional report covering June 1997-April 1998 claims \$3,747,657 in savings through 10,000 grants modified or applications denied (Aragon, 1998). These reports provide evidence of a lack of consistency in gathering and reporting out data for P100.

The 1997-1998 SD County Grand Jury supported the activities of P100 in their report “Reducing Waste and Promoting Integrity in Public Assistance Programs.” The statement alleges \$24 million in incorrect HHSA payments of benefits to applicants, “partly because DSS workers are required to decide on grants before they have the information necessary to screen applicants for eligibility” (San Diego County Grand Jury, 1998, p. 1., para. 1). Further, writes the Grand Jury, this has been an issue in the county for 30+ years, and the DSS has not implemented many of the recommendations made in the 1991-1992 Grand Jury report. The FRB spends \$249.94 per overpayment in recovery costs, for a total of \$2 million dollars of their budget going towards these activities. The Jury says that P100 saved \$3 million through its investigations in a nine-month time span. The Grand Jury concluded that a unit outside of HHSA/DSS should be established to conduct welfare fraud investigations, which included the initiatives to cover all applicants and re-applicants where program applications should take place every six months, thereby subjecting applicants to the paperwork process and the home investigation of P100 twice per year (San Diego County Grand Jury, 1998, p. 4., para. 3).

HHSA Director Ross responded with a correction of the \$24 million fraudulent payment figure by noting that the Grand Jury inaccurately placed SSI (a federal, not County responsibility) as well as General Relief (which “are considered repayable loans”) in their calculations (R. Ross, personal communication, 1998, June 5). (Note: Once removing those figures, the estimate is still over \$15 million dollars in overpayments.) The letter closed with a

strongly worded paragraph, saying that HHSA takes the issue seriously and implemented recommendations in the past, despite the accusations of the Grand Jury. Additionally, the "County Board of Supervisors has strong anti-fraud policies and has advocated for statutory changes to illuminate loopholes and sanction people who commit fraud" (R. Ross, personal communication, 1998, June 5).

The words of the Grand Jury served to further validate to the BoS that P100 was well worth the cost in comparison to the benefits it could provide. However, the recommendations of the Grand Jury translated to financial as well as staffing implications of adopting a policy of 6-month re-application requirements. To keep up with demand of visiting the homes of each of these cases of reapplication, PAFD projected that they would need to increase their home calls from 20,000 to 45,000 (L. Aragon, personal communication, 1998, 14 August). By FY 1997-1998, PAFD was responsible for three main areas of fraud detection: 1. Employee fraud within the DSS, 2. Full Field Investigations of recipient fraud for AFDC/TANF, Food Stamps, General Relief, and In-Home Support Services, and 3. Early fraud investigations on all new applicants of AFDC/TANF. These activities were carried out with a staff of six Deputy District Attorneys, 10 DA investigators, 62 PAFD investigators, and 28 support staff (L. Aragon, personal communication, 1998, 14 August).

As greater resources were invested in P100, the Lieutenant of PAFD Dick Frame painted a positive picture of PAFD as one that developed into a bonded team with a good working relationship alongside HHSA. The professionalization of the investigators continued and they "receive training in areas such as report writing, firearms, first aid, and investigative techniques" (Frame, 1998, p. 1, para. 2). Additionally, investigators were given new vehicles, badges, and cell phones to carry out their work. For staffing and budget, Frame reported that 83 staff

members were budgeted for, and that the total budget for PAFD in 1998-1999 was \$8,477,797.

P100 was depicted as a total success in this report:

Not only in the amount of fraud found but also in its deterrent effect. When an applicant is given their packet included is a form informing them that a District Attorney Fraud Investigator will visit their home to confirm information. We have been told that when some applicants read this they change their mind about applying. Welfare rolls have dropped 28% over the past two years, partly because of Project 100%. (Frame, 1998, p. 3, para 3-4)

By May of 1999, a total lifetime P100 savings was reported to be \$7,617,656; in May 2001, it was listed at \$14,673,287 (Aragon, 1998); and, in 2014, it was listed as \$22,500,000.

(Note that the lifetime savings does not account for the expenses of delivering the program.) The figures are depicted in the chart below. Note the discrepancy in the two reports for the period June-August 1997.

Period Reported	P100 Lifetime Savings Reported
July 1997	\$300,000
June-August 1997	\$1,200,000
June-August 1997	\$999,999
June-November 1997	\$2,419,543
June 1997-April 1998	\$3,747,657
June 1997-March 1998	\$3,000,000
May 1999	\$7,617,656
May 2001	\$14,673,287
2014	\$22,500,000

Figure 7. Reported Savings for P100 from correspondence listed in this section (Gonzalez, 1997; Berner, 1997; Aragon, 1997; Aragon, 1998; Frame, 1998)

Coding and Categorization of Denials and Withdrawals. At face value, these figures appear indicative of success for proponents of the welfare fraud initiative. Yet, several officials and researchers have taken notice that reporting from PAFD is unreliable for a number of reasons. First, the coding system of dispositions is widely inconsistent, as attorney Hilda Chan reported in her research on P100. The County does not track re-applications from previous denials and withdrawals—meaning that if a person is denied more than once, it is counted again

as a savings (Chan, 2014, p. 29). Secondly, although PAFD investigators enter a disposition code after their visit, the Eligibility Technicians in HHSA only used two of the codes—Code 2: “denied or withdrawal—enter HH size for grant savings calculation” and Code 4: “allegation unfounded (no violation occurred).” There was no differentiation between a denial and a withdrawal, meaning that if a person decided to discontinue their application process, it was included with denials and included as savings. If a person was not home for two investigator visits, they are included with this figure. If an applicant was initially denied, but later approved after a full field investigation, they were also included in this figure (Chan, 2014, p. 30). An early internal study by PAFD identified this as an issue, and although the research team recommended clarifying that code in the future, the problem was not remedied (Public Assistance Fraud Division, 1997 December). This shortcoming was also discussed in the 1997-1998 Grand Jury report and in a memo from the HHSA (D. Hand, personal communication, 1999, February 18).

Officials outside of the county questioned the reporting. HHSA Director Jim Wilson of Los Angeles County called Donna Hand of the SD County HHSA after he analyzed data sent to him by that agency. Wilson determined that the pre-P100 denial rates and the post-P100 denial rates remained the same—43% (D. Hand, personal communication, 1999, May 4). A follow-up letter from Zinser of San Diego HHSA confirmed that the data showing CalWORKs denials included figures attributed to both P100 and welfare reforms and could not be separated (J. Zinser, personal communication, 1999, May 5).

HHSA itself found the reporting procedures to be problematic as evidenced by the savings figures featured in memos on an initiative by the county called Do-It-Better-By-Suggestion (D.I.B.B.S.). D.I.B.B.S. gave county employees an incentive to share ideas that could be implemented in order to save money for the county through productivity and tangible savings.

Awardees received up to \$20,000 for their ideas, if they were used. On February 1, 2000, an employee of the PAFD named Donna Berner retroactively submitted a suggestion for an activity associated with P100, stating that it was her idea to implement such a program in 1997. She proposed:

In eliminating the need for a specific reason for a referral, it would encourage workers to utilize the referral process. Without the need for an allegation, at least residents and household composition could be verified before the case was granted. With past experience as an Early Fraud investigator, I was aware that many of the cases ready to grant could have benefited from a home call. (D. Hand, personal correspondence, 2000, February 1)

Berner's program involved skipping the step of an applicant being under suspicion of fraud and preemptively opened applicants to Home Calls at any time for any reason.

There were at least three different versions of this D.I.B.B.S. form, with revisions and responses, suggesting that there was some interdepartmental resistance to the \$20,000 amount requested as an employee award along with the rationale provided with the calculation of savings. The March 14th response to the D.I.B.B.S. suggestion by the DHHS was telling. First, they noted and provided data to show that the AFDC/CalWORKs caseload had decreased significantly, with "no evidence of a single factor that has caused this decline" (HHSA, 2000, March 14). While not pinpointing a strong source of decline, they instead offered a host of broad contributory reasons. These included: the ongoing fraud prevention efforts of the County agencies, economic and unemployment rate improvement, and the requirement of new applicants to sign a commitment to find work as they started their application process for CalWORKs. While also citing PRWORA in general, they did specifically mention PRWORA's requirement for benefits recipients to record work activities during program enrollment. They also provided evidence that the denial rate of cases before and after the inception of P100 remained unchanged at 46%. The explanation was that the fraud detection activities were still happening as they were

before, just at a different part of the process, yielding similar results. The next bullet point in the response proved the most revealing regarding how savings numbers were spun to translate into massive savings to the county:

Despite the above points, for each investigation with findings of discrepant information and resulting denial or reduction in benefits, the dollars not spent cannot be calculated. These Fraud Prevention savings are “cost avoidance,” meaning that if benefits are not paid, the county receives no state or federal reimbursement. The only savings are the 2.5% county net cost share of unpaid benefits. Based on the DA’s cost avoidance calculation of \$1,365,114, tangible net county savings are \$34,128, resulting in a recommended award of \$5080. (HHSA, 2000, March 14, p. 2, para. 2)

Further, the response detailed that the HHSA Eligibility Technician positions had been reduced by 37% and cases were reduced by 53% from 1994-1999, yet the DA office staffing had remained the same, meaning that the cost per investigation had increased in that period. This cost had been transferred over entirely to the CalWORKs Block Grant, since TANF funds were now distributed to states. (HHSA, 2000, March 14, p. 2, para. 3).

Undeterred by this initial rejection of her employee suggestion, Ms. Berner resubmitted the D.I.B.B.S. form, according to a statement from the DA's office. In this statement, included with the April 17th application, Ms. Berner claimed the program was her idea and that it led to savings of \$1.3 million in the first year. Also, according to the statement, the idea had gained the attention of “numerous counties, to Los Angeles grand juries, and the US Senate have come to San Diego to learn how this program was developed.” The exchange also praised Ms. Berner, advocating she be celebrated and compensated for “showing initiative and innovation that has resulted in millions of dollars in taxpayer savings in San Diego County.” The DA suggested Berner receive the \$20,000 maximum allotment for her ideas (SD County Department of Human Resources, 2000, April 17). There are no public records showing the amount of Ms. Berner’s

award, but from the correspondence it is clear that the two offices did not share the same view of what constituted savings to the county.

Most importantly, the correspondence from SD County HHSA states that the case denial rate of 46% of applications before the implementation of P100 remained unchanged after the implementation of P100. Eligibility Technicians were already doing this work, and the extra steps of P100 were not leading to a better outcome for the county (HHSA, 2000, March 14). The flow chart provided by HHSA shows how the agency came to this conclusion. On the left side of the chart are outcomes from the Eligibility Technician screening process from December 1996-May 1997, showing that benefits denials came in at 46% over that period. On the right side are outcomes from P100 from June 1997-November 1997, showing the same result—a 46% denial rate (HHSA, 2000, March 14).

Figure 8. CalWORKs application and fraud referral process comparison, December 1996-November 1997 (HHSA, 2000, March 14).

These circumstances make it virtually impossible to get an accurate accounting of the cost-effectiveness and overall efficacy of P100. Further, by one estimate, all told, cost of activities of P100, including salaries, investigations, and prosecutions from 1997 to 2014, came in at around \$28.5 million (Chan, 2014). This, according to Chan, translated to roughly \$1.76 million per year in funds from CalWORKs that “has been diverted away from needy families” (Chan, 2014, p. 20) with no evidence that the efforts were more effective than the screening done already by Eligibility Technicians during the application process.

Pilots in Other Counties. Because of the claims made by SD County leaders about the efficacy of P100, the program did indeed gain attention from leaders in other areas of California and across the country. In Los Angeles, a form of P100 was piloted but with a major difference—the employees from the DSS that were sent out on home searches were department social workers, not DA investigators. They were tasked with confirming information from the application process, but also were trained to work with the applicants in a discussion to determine if they qualified for other services or benefits in the county and to refer them accordingly. A report from the LA DPSS juxtaposed the overall tone of these calls with those happening in San Diego: “Of the 229 comment cards received from applicants who had a home visit, 198 (82.5%) praised the home visit for the personal help and attention they received. None of the cards contained negative comments about the program” (Los Angeles County Department of Public Social Services, 2000, August 3). Based on this report, the pilot program was considered a success, with an estimated \$4.3 million dollars in savings to the county and a 25% reapplication approval rate for those previously denied. Projected savings if expanded countywide were impressive—\$42 million dollars at a cost of \$5.78 million in operation expenses (Los Angeles County Department of Public Social Services, 2000, August 3).

Contrasting the San Diego report, this LA DPSS report also included precise figures on denials and withdrawals, with a breakdown of exactly why they occurred (Los Angeles County Department of Public Social Services, 2000, August 3). Mayor Garcetti praised the efforts of DPSS and the program was expanded county-wide. However, in 2008, the county decided to discontinue the program after determining that the projected savings were much greater than the actual results yielded. In 2008, 90,262 total home searches were conducted, with some of this number representing duplicate visits in attempt to make contact with applicants. Of completed interviews, fraud was found in less than ½ of a percentage point of cases (0.5%). The majority of denials, then, were ascribed to attempted visits without successful contact, refusal of the applicant to give entry to the home, or the applicant not living at the listed address (P. Ansell, personal communication, 2013).

Citing the success of P100 in both SD and LA counties, the Santa Clara County Civil Grand Jury twice recommended the practice be taken up in their county but were met with little enthusiasm by the Social Services Agency (SSA) that administered welfare benefits. The SSA, according to the Grand Jury report, considered P100 activities to be “intimidating to their clients, were intrusive and violated the rights of the applicants (Santa Clara County Grand Jury, 2004-2005, p. 7). The program was not implemented in the county.

In 2005, State Senator Tom McClintock introduced SB-786, a proposal that would require each county in California to adopt the practice of blanket mandatory home investigative visits for TANF applicants, conducted by a member of the county’s DA’s office (SB-786, 2005). The first section of the bill’s text, which addresses general citizens and not people seeking benefits, noted that “the citizens of California should be assured that public assistance benefits are only awarded to those who legitimately require and are qualified to receive those benefits.” It

declared that SD County was to be commended for the “overwhelming success” of P100, in which “more than 118,000 home calls have been conducted and have consistently identified an average of 25% of all preliminarily approved applicants to be totally ineligible for public assistance, based on the investigative findings of the District Attorney” (SB-786, 2005). As discussed previously, these claims cannot be supported because of the lack of consistency in reporting practices of the San Diego PAFD. SB-786 failed in committee, and staff analysis from the CA Senate questioned the constitutionality of such a practice. Further, the committee questioned the overall cost effectiveness of the proposal (California State Senate Human Services Committee, 2006, January 10).

Sanchez Case. In 2000, *Sanchez v. County of San Diego* was filed by plaintiffs who maintained that P100 constitutionally violated California welfare code that forbids “mass and indiscriminate home visits” from occurring (California Department of Social Services, 2016). Further, the applicants held that their Fourth Amendment rights, which protects against unreasonable government search and/or seizure of property, were being violated. The 9th Circuit did not agree with this position, citing the “special needs” doctrine of the Supreme Court case *Wyman v. James* (1971), which stated that the investigators needed to acquire information in order to administer the program and render services in an effective manner. According to the court, the visits “did not qualify as searches within the meaning of the Fourth Amendment” (Morgan, 2009) because they were only administered with consent and were considered rehabilitative in nature (Budd, 2010). However, reading the testimony of people who endured P100 home searches, it is clear that these criteria were violated. The editors of the *Harvard Law Review* wrote that this decision was “driven less by legal doctrine and more by widely shared

assumptions about the poor as lazy, immoral, and undeserving of aid,” a statement that parallels the elite rhetoric tropes regarding immigrants and other outgroup peoples (2007, p. 1,999).

Jonathan Markovitz, one of the staff attorneys for the ACLU of San Diego and Imperial Counties that brought the *Villafana* case, notes that the dismissal did yield some positive results for those subjected to P100. The county did not win on the issue of collateral contact, and “as a result agreed to do collateral contacts in a much more limited way so now... I think they will only ask landlords and school administrators and they will only do either of those things if there's a signature from the applicant saying that it's okay” (personal communication, 2019, December 18). The difference between only requiring a verbal versus written consent figures importantly in terms of verification and proof. Markovitz added that although it was the new policy of the county, he was not sure that it was enforced in practice. Further, due to the ruling, *Sanchez* ended the practice of conducting P100 visits for CalFRESH, the state's food stamps program (personal communication, 2019, December 18).

Villafana Case. P100 again became the subject of a court case in 2018, *Villafana v. County of San Diego*. The basis of *Villafana* proposed: “regardless of intent to discriminate, California law prohibits state-funded programs such as P100 from unnecessarily harming vulnerable communities by treating everyone who seeks help as a criminal” (ACLU, 2018). Further, the plaintiffs claimed that Latinos, African Americans, and women were disproportionately affected by P100 because of the high percentage of participants from these groups in comparison to their representation in the overall population of the county. Therefore, “the administration and operation of P100 cause a disproportionate adverse effect on the basis of race, color, national origin, ethnic group identification, or sex (*Villafana v. County of San Diego*, 2018, June 26, p. 9). Relevant to this study, Figure 10 shows that currently Latinos make up

33.5% of the population of the county, but account for 50.33% of the participants in CalWORKS.

Figure 9. CalWORKs Participants Affected by Project 100% (ACLU, 2018)

The amended complaint of the case alleged that by making the home searches mandatory, P100 treats applicants as deviants “rather than people in need seeking help in good faith to support their children” (*Villafana v. County of San Diego*, 2018, December 7, p. 8). Recall the testimony of the complaints about the nature of the home searches earlier in this chapter and consider that the emotional and mental wellbeing of applicants is disregarded in the name of fact-finding.

By invading the sanctity of the home and family, the inspections by law enforcement investigators inflict stigma and trauma not presented by ordinary requirements such as completing an application or other form, speaking with an eligibility worker or non-law enforcement personnel, or providing documents. It is inherently embarrassing and stigmatizing to have a law enforcement investigator ask questions about the intimate

details of one's life or inspect private areas of one's home. (*Villafana v. County of San Diego*, 2018, December 7, p. 8)

The complaint also explained that the visits open applicants up to humiliation in their own neighborhoods and homes, as the investigator arrives on their doorstep unannounced. When living in close quarters, such as apartment complexes, neighbors are often keenly aware of the comings and goings from one unit to the next. Not only does the visit classify the applicant as a potential criminal, but also as someone reliant on welfare benefits. This might "cause the neighbors to judge the applicant and think less of her. Either way, the investigations inflict stigma by potentially attracting the attention of others and causing them to draw a variety of negative inferences about the CalWORKs applicant" (*Villafana v. County of San Diego*, 2018, December 7, p. 9).

In the SD County Superior Court, Judge Styn ruled that P100 was facially neutral, as virtually all applicants were required to accept the condition of a home visit. Therefore, the issues that may arise as a result of the visits have the potential to affect all equally. Styn also referred to the *Sanchez* case in reaffirming that the visits were a part of necessary activity to determine eligibility for the governmentally administered program (*Villafana v. County of San Diego*, 2019, March 22).

Affirming the previous judgement of dismissal, the Fourth District Court of Appeal stated that the first amended complaint did not provide sufficient evidence that a disparate impact occurred on the protected groups in question, since the P100 visits were equally applied to all applicants. Additionally, comparison to the general population did not hold because not everyone in the county's general population would qualify for benefits, according to program requirements (*Villafana v. County of San Diego*, 2020, November 11).

Project 100% Today

The problem in the case of *Villafana v. County of San Diego* (2020) was nothing new. The inequitable effects of P100 on marginalized populations was evidenced early on by the PAFD research staff in their report on the first six months of P100 in 1997. From the study sample of 162 applicants who were denied benefits via P100, demographic information revealed 43% of the women and 25% of the men that were denied were Hispanic/Latino, while 32% of women and 30% of men denied were Caucasian and 81% of the denied sample were single. Of the denials, 74% were single mothers (San Diego County Public Assistance Fraud Division, 1997 December). These figures raise a red flag in terms of this study's investigation into the links between policy initiatives and negative stereotyping of women of color. Further, this report confirms that Code 2, a denial/withdrawal of application, surfaced as the most frequent disposition code; 66.67% of the denials were marked as such (San Diego County Public Assistance Fraud Division, 1997 December). Along with the recommendation to develop "fraud profiles" of the applicants most likely to commit fraud, the researchers recommended a further study of why applicants might withdraw their applications before and after the home visit. There is no evidence that such a study was conducted. (San Diego County Public Assistance Fraud Division, 1997 December).

SD County is the only county in the United States that has instituted and maintained a policy of blanket home inspections, at the estimated cost of \$28.5 million dollars from the inception of the program through 2014 (Chan, 2014). In the early PAFD study on P100, remarks indicated program activities were considered effective deterrents for applicants to apply for benefit programs (San Diego County Public Assistance Fraud Division, 1997 December).

Qualitative research conducted with members of San Diego welfare-rights group Supportive Parents Information Network (SPIN) shows that often the reason for "fraud" can be

attributed to a simple mistake as applicants try to navigate mountains of paperwork or underreporting of income for a variety of reasons other than outright intent to commit fraud (Swan, et. al, 2008). However, this narrative is not politically expedient.

Figure 10. Timeline of key events discussed in Chapters 4 and 5.

In Chapters 4 and 5, RQ 3 was examined, and evidence presented to show the factors that influenced the formulation, adoption, and implementation of P100. In the following chapter, RQs 1 and 2 are analyzed by examining rhetoric for group position indicators as well as discovering the existence of discourse coalitions on the topic of immigrants and welfare during this era.

Chapter 6: Blumer Analysis & Findings

In this section, a detailed rhetorical analysis was conducted to determine the answer to RQ 1: Leading up to the inception of P100, did elite and public discourse on immigration and welfare among dominant social groups in SD County indicate anxiety over maintaining group position? (Blumer, 1958). A total of 261 *U-T* articles qualified under the study criteria by covering immigrants/immigration, illegal/legal, reforms, P100, fraud, welfare, and/or fraud investigations. Articles were organized by date published and coded for both origin (local, state, or national) and type (opinion or news). Trends in the articles are detailed in the section below, followed by an analysis of content, as it relates to Blumer's Group Position Theory in both *U-T* articles and SD County BoS documents. The process employed in MaxQDA for the analysis in this chapter is detailed in Chapter 3 in the section titled "Data Analysis."

Trends in Published Articles 1990-1999

Frequency

Of the data included in this research, the yearly frequency of the 261 *U-T* articles that focus on immigrants and welfare spikes at 73 (28.1% of articles in study) during a key political juncture in 1994, as Prop 187 stood on the ballot and Governor Pete Wilson sought re-election. Article frequency dips dramatically to 28 news pieces (10.8% of articles in study) in 1995, rises slightly to 40 (15.4% of articles in study) in 1996 (during PRWORA and IIRIRA), then dips to 34 (13.5% of articles in the study) in 1997 (the year of Project 100 inception) before dropping off to 7 (2.7% of articles) in 1998. Clearly this topic is most salient in 1994, then out of the local media's purview four years later.

Figure 11. Number of articles about immigrants and welfare in *San Diego Union-Tribune* (1990-1999). This figure illustrates the change over time in the publishing of 261 total articles on this topic.

Articles by Type

The majority of articles (51.9%) center on local issues in SD County, while 16.8% cover the State of California and 14.9% cover national stories. Opinion pieces comprise 15.6% of the 261 articles.

Figure 12. Percentage of total stories (261) about immigrants, welfare, and reforms published in *San Diego Union-Tribune* (1990-1999), by type.

General Sentiment

Articles were determined to have a general *negative* sentiment if the article mentioned negative aspects of immigrants and welfare and no mention of positive aspects or arguments with respect to program participation or presence in the country. *Neutral* articles either expressed no positive or negative aspects of immigrants and welfare or presented a balanced examination of the two opposing viewpoints. Articles determined to be generally *positive* mentioned positive aspects of immigrants and welfare and did not mention negative aspects with respect to program participation or presence in the country. Overall, the 261 articles in this study are categorized as mostly ambivalent (44.2%) or negative (42.7%) in their portrayal of the issue of immigrants, welfare fraud, and/or policy reforms involving immigrants and welfare. The tone change in the articles over time is marked, with a dramatic content and connotation change from the early years to the middle of the 1990s. The percentage of negative articles on the topic jumps in 1991

from only 1.5% of the total articles in the study 7.2 % in 1992. This occurs as internal welfare fraud scandals became highly publicized in SD County and the restrictionist rhetoric from Governor Wilson at the state level increased. In 1994, at the height of the debate over Prop 187—with a special focus on the issue of Latino undocumented immigrant access to welfare programs—38.3% of media stories are negative and 50.6% are neutral on the topic. The following year, the overall number of articles published on the topic drops considerably again. But then, the article number increases in 1996, with 50% of that year’s articles found to be ambivalent and 32.5% as negative, as federal reforms are debated and local political leaders chime in on the reforms’ effects on the county. This trend remains steady in 1997. In this post-PRWORA era, a rush of immigrants apply to gain U.S. citizenship, partly due to confusion over eligibility rules for various programs, particularly food stamps. This uptick in applications gained public attention and is covered broadly in local media (Sanchez, 1997). However, by 1998, the issue of immigrants and welfare essentially disappears from the pages of the *U-T*.

Year	Articles	Positive	Negative	Ambivalent
1990	3	0	1	2
1991	4	0	4	0
1992	28	1	19	8
1993	40	6	20	14
1994	73	8	28	37
1995	28	7	9	12
1996	40	7	13	20
1997	35	4	15	16
1998	7	1	1	5
1999	3	0	1	2
Total (%)	261	34 (13%)	111 (42.5%)	116 (44.4%)

Figure 13. Number of total stories and percentages of general sentiment in articles about immigrants and welfare published in *San Diego Union-Tribune* (1990-1999).

Figure 14. Trends in frequency of articles (261 total) about immigrants and welfare published in *San Diego Union-Tribune*, by tone and year (1990-1999).

Headlines

Finally, headlines matter as they present the first impression of an article and signal information to the reader who is deciding if the article will help them learn more about a topic of personal interest (Surber & Schroeder, 2007). Headlines easily influence readers' opinions (Ecker, et al., 2014), alter how people consider issues, or reinforce prior beliefs (Konnikova, 2014). The chart below conveys a breakdown of the thirty most frequently found words in the titles of the articles in this study (after eliminating common articles such as a, an, the, etc.).

Word	Frequency	%	Rank
immigrant	91	10.00	1
Prop 187	66	7.25	2
welfare	48	5.27	3
State	28	3.08	4
County	27	2.97	5
immigration	27	2.97	5

Wilson	22	2.42	7
fraud	20	2.20	8
aid	17	1.87	9
border	17	1.87	9
illegal	15	1.65	11
Welfare	13	1.43	13
county	12	1.32	14
issue	11	1.21	15
reform	10	1.10	16
Medi-Cal	9	0.99	17
new	9	0.99	17
plan	9	0.99	17
service	9	0.99	17
cut	8	0.88	21
House	8	0.88	21
legal	8	0.88	21
urge	8	0.88	21
budget	7	0.77	25
California	7	0.77	25
initiative	7	0.77	25
seek	7	0.77	25
want	7	0.77	25
bill	6	0.66	30
care	6	0.66	30
cost	6	0.66	30
down	6	0.66	30
face	6	0.66	30
measure	6	0.66	30
rule	6	0.66	30
tough	6	0.66	30
vote	6	0.66	30

Figure 15. Most common words used in headlines of articles about immigrants and welfare published in San Diego Union-Tribune, by frequency and percentage of word count (1990-1999).

Of note, illegal appears almost twice as much as legal in headlines, a signal word that can evoke emotion, triggering anxiety in the masses in connection to the discussions with the presence of and issues surrounding immigrants. Two example headlines—“Births to illegal immigrants on the rise—California taxpayers finance soaring number of foreigners’ babies” and

“California’s primal scream protests illegal immigration”—use inciting language to signal financial concerns, resource scarcity, and an overall angst. Conversely, some headlines seek to provoke empathy and conjure images of real human subjects with feelings: “Hispanic family feels the sting of 187 vote.”

Headlines can also signal to the reader that an issue is pervasive and on the agenda of leaders. For example, Prop 187 occurs in 66% of the headlines, and Governor Wilson is mentioned in almost 10% of the headlines in the data. “Give Gov. Wilson credit for his Prop 187 stand” appeals one op-ed writer. “Wilson denies any immigrant bashing—tells governors his actions aren’t racist” tops a story that details the former governor’s remarks on his policies towards immigrants at a 1994 border governors’ conference.

Sometimes, a headline indicates action on the part of political leaders. A series of articles expounded on the implementation of fraud deterrence in the county: “D.A. looks for fraud in Tecate” covers the early South County welfare fraud residency investigations that the Board authorized in 1993. Three years later, “County battles fraud in welfare” appears on the front page of the Local section, while another 1997 op-ed on “Cutting fraud and saving the social safety net,” written by attorney Erik Luna, applauds the efforts of the DA and the Board in P100 fraud reduction efforts.

Once a headline has caught the attention of the reader, elites and experts are often given space to chime in on their viewpoints on the topic at hand. These spaces offer fertile ground to assess elite rhetoric and to analyze the influence of these leaders, both in the formation of discourse coalitions on immigrants and the implementation of policies and programs designed to maintain group position.

Results of Analysis: Blumer’s Group Position Theory

Blumer characterized “group position” as feelings associated with racial prejudice that can be inherently detected in the manner in which one group communicates about another group they deem as less worthy than themselves (1958). The following section discusses findings from the mixed methods of analysis in MaxQDA described in Chapter 3, including the qualitative thematic coding process, the forming of concept maps to visualize connections between themes, and the quantitative comparison of code frequencies by document group. This analysis includes:

- Detailing each of Blumer category’s codes as they *appear (not in tandem with other codes) or co-occur (in tandem with other codes)* in segments of rhetoric in each document set
- Examining each of Blumer category’s five codes with the highest overall count between the two documents, considered *shared rhetoric*
- Mapping the *co-occurrence of codes* in categories between the document sets and examining the significance of the combinations
- Analyzing salient points on the *importance of rhetoric in the construction of the dominance* of the group in power—in this case, predominately White lawmakers and elite leadership in county, state, and federal agencies—and how this plays out in policymaking for minoritized groups

For reference, the chart below shows how each category is coded and organized for document sets. Citations for the documents that are directly referenced are available in the Reference section, and a full listing of all *U-T* and BoS documents in the data set is available upon request.

Blumer's Group Position Theory Categories (1958) Descriptions Developed by Carter and Lippard (2015)			
SUPERIORITY (1) - Disparagement of qualities of subordinate race - Condemnatory or debasing traits: laziness, dishonesty, greediness, unreliability, stupidity, immorality - Dominant group has "positive" attributes and subordinate one has "negative"	DIFFERENT/ALIEN (2) "They are not our kind" - Citizenship/Documentation - Promotion of social exclusion of subordinate race - Suggestions of aversion/antipathy towards "strangers" and "aliens"	PROPRIETARY CLAIM (3) - Dominant group entitled to rights and resources - Resources may include jobs, industries, decision making, schools, churches, welfare programs, medical services, recreational institutions, religious practices	FEAR/SUSPICION (4) - Subordinate group threatens livelihood and safety of dominant group - Any mention of "attack" or invasion on resources, space, rights by subordinate group - Encroachment on resources exclusive to the dominant group
Themes Identified/Coded in San Diego Union-Tribune Articles and SD County Board of Supervisors Documents			
Illegal/Legal distinction	Animal	Coming for Work	Anxiety/Escalating/Fear
Accountability/Responsibility/Bootstrapping	Alien	Economy	Fraud
Birthright Citizenship	Border	Ineligible	Incentive/Magnet
Hard Working vs. Lazy	Citizenship	Deeming	Inundated/Flooding/Exploding Population/Invasion
Proper Channels	Documents (Physical & Permission)	Truly Needy	Investigations
Take Advantage	Language	Restrict Immigration	People Reporting
Undeserving	Residency Related	Resource Drain/Take More Than Give/Blame	Prejudice/Nativism/Xenophobia
Pregnant Mothers/Mexican Mothers	Rights	Taxpayer Burden	Tough on Fraud
Self-Sufficient/Productive/LPC	Undocumented	Who Pays/Reimburse/Costs Associated	War/Violence
Abuse		Cut Off/Withhold	Criminal Penalties
Anecdotes/Imagery		Political Gain/Pressure	Punish/Reward Behavior
		Public Opinion	

Figure 16. Analytical cues for Blumer's (1958) Four Types of Feelings Associated with Prejudice, (Carter and Lippard, 2015).

Blumer 1: Superiority

Blumer noted that superiority surfaces as denigration of others and is often accompanied by judgmental language that highlights the inferior traits projected by the dominant group onto another individual or group (1958). Each document set contains varying combinations of the superiority theme. For the BoS, the most prevalent theme is the illegal/legal distinction, occurring in 59.6% of the documents. This is followed by 14% with references to the need for

accountability, responsibility, and/or bootstrapping on the part of immigrants. Taking advantage of undeserved benefits is included in 8.8% of documents, while the combination of the illegal/legal distinction and the undeserving nature of immigrants in relation to welfare access appears in 8.8% of documents as well.

Figure 17. Superiority Coded Themes in Board of Supervisors Documents, (1990-1999).

The illegal/legal distinction is far and away the most commonly occurring code at 76.2% in the documents. Anecdotes and imagery are shared in 9.6% of the *U-T* articles, which will be detailed in the following section, along with discussion of the needs of immigrant mothers that are pregnant and/or Mexican. Finally, birthright citizenship and the proposed legislation to deny citizenship to children born on U.S. soil to undocumented parents appear in 3.8% of these articles.

Figure 18. Superiority Coded Themes in Union-Tribune Articles, (1990-1999).

The five most prominent themes of shared rhetoric in the superior category for both document sets include the following five themes: illegal/legal distinction, anecdotes/imagery, pregnant mothers/Mexican mother, birthright citizenship, and accountability/responsibility/bootstrapping. These themes are explored below. Although the other categories such as proper channels and take advantage occur in the U-T, because they are not shared categories with the BoS documents, they will not be covered.

Superiority (Blumer 1) Shared Rhetoric in Document Sets

Figure 19. Superiority-centered Shared Rhetoric in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

In the case of these two document sets, the co-occurrence of superiority codes remains most apparent in characterizing the divide between “legal” and “illegal” immigrants, the anecdotes told and imagery invoked when a leader is discussing immigrants and welfare usage, and the trope of the pregnant Mexican mother crossing the border to have her baby in order to take advantage of benefits, such as birthright citizenship and welfare programs. While the moral imperative for immigrants to pull themselves up by their bootstraps and to be self-sufficient by providing for themselves appears in various articles, this concept does not overlap with the other codes in this category in the document sets.

Superiority Code Co-Occurrence Model in Union-Tribune Articles and BoS Documents

Figure 20. Co-occurring Superiority codes in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

Anecdotes/Imagery. Much of the superiority-style rhetoric relies on anecdotes and imagery to convince the hearer or reader that undocumented immigrants pose a pervasive problem to U.S. citizens. In the document sets, this category is coded 72 times. Most frequent are negative anecdotes, followed by positive anecdotes.

Type of Portrayal	Frequency
Positive Anecdotes	14
Negative Anecdotes	52
Positive Imagery	0
Negative Imagery	6

Figure 21. Anecdotes and imagery by type and frequency in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

Anecdotes powerfully convey superiority as a dominant group member tells a story, detailing the inferiority of the subordinate group on a moral, intellectual, and even physical basis. Anecdotes also lead to generalizations of a population as stereotypical traits are highlighted in an

account of either a person’s firsthand knowledge or a story they have heard and are passing along.

While the negative anecdotes, obviously, convey pejorative tales and images, the positive ones are not necessarily more affirmative to immigrant populations. In fact, the positive anecdotes often reinforce the values proposed by the dominant group rhetoric on “how” the outgroup population “should” behave in order to satisfy ingroup social requirements. The positive anecdotes in the document set predominately tell personal stories of immigrants, both documented and undocumented, that have refused to utilize welfare program benefits—instead relying on hard work and innovation (read “self-sufficiency”), or those that have managed to improve their situations and ceased participation in benefits programs. Accounts of events in citizenship classes feature in two articles, affirming the hard work of those studying for their upcoming citizenship exam.

To further examine the subjects of the negative anecdotes, each was categorized according to race, gender, and immigration status. If any of these areas were undesignated, the account was categorized as such. At 42.3%, the category most represented is instances in which a Latina immigrant is featured as suspected or accused of cheating the system to obtain welfare benefits. Latinas without specified immigration status comprise 3.8% of the accounts. Women without a race or immigration status designated are mentioned 11.5% of the time. Meanwhile, another 15.3% of the accounts describe immigrants but do not include references to race, ethnicity, or gender, while 13.4% of accounts specifically mention non-Latino immigrants.

Subject(s) of Negative Portrayal in Anecdotes	Frequency	% of Negative Portrayals
Male or Couple, race and immigration status not specified	4	7.6%
Female, race and immigration status not specified	6	11.5%

Immigrant, race specified, non-Latino	7	13.4%
Immigrant, race or gender not specified	8	15.3%
Latino immigrant, gender not specified	3	5.7%
Latina, immigration status not specified	2	3.8%
Latina immigrant	22	42.3%

Figure 22. Subjects of negative anecdotes by race and immigration status in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

Over half of the negative accounts are direct quotes from fraud investigators who become the heroes of the narrative, as they share how they ferret out the corruption of welfare applicants during their home searches and call upon lawmakers to fix the broken system. Other accounts come from lawmakers such as Rep. Bilbray, who tells a story of learning about generational dependency on welfare from conversations with other kids in his childhood days and connects the issue with rampant fraud in the county in the present (Wilkie, 1992, October 25).

For most people in general, imagery can evoke the senses and can invoke an audience to recall material items or sociocultural representations of ideas such as democracy, freedom, and integrity (Imagery, 2021). An impactful example of negative imagery in the documents depicts Lady Liberty reimagined as “Lady Futility” located at the United States-Mexico border. This political cartoon exhorts visitors to knock for help on the door of the smaller of two houses that is labeled “Mexico” rather than the door of the larger house that is labeled the “U.S.” Another negative image portrays campaign mailers with people rushing chain-link fences in an attempt to cross the border illegally.

Illegal/Legal Distinction. The language clearly delineates a hierarchy of superiority in examples used to describe the conflict of interests among citizens and “legal” immigrants, “illegal” immigrants, and “illegals.” At the core of the arguments made in the documents in this study around “illegal immigrants” sits the concept of “legitimacy”—it is the question of who is most deserving and rightfully entitled to the benefits of being a member of society in the United

States. In this order, citizens are depicted at the top as upstanding taxpayers, those that are most deserving of assistance, and the victims of crime and welfare fraud wrought by immigrants.

Legal Immigrants. Next in the hierarchy are “legal immigrants,” lauded by lawmakers for going through the proper channels, showing patience, and enduring the process of obtaining documentation and permission to be on U.S. soil. Recall that Bilbray frequently told the story of his own immigrant mother’s legal path citizenship; he routinely emphasized the rhetorical term “proper channels” to differentiate among good versus bad types of immigrants. The way the media portrays Bilbray’s story and his quote about current legislation virtue signals the difference between his “legal” immigrant mother and the targeted immigrant mothers who, according to Bilbray, are not doing it the proper way:

That baby today is Rep. Brian Bilbray, and he tells his mother's story as he promotes a bill that would end one of this country's most sacred and long-held practices—that of granting instant citizenship to those born on American soil. “There are thousands of other Mavises all over the world who are playing by the rules” says Bilbray... “To reward people for breaking the law is a slap in the face to everyone, and it's an embarrassment to the American process of fairness.” (Wilkie, 1997, July 2)

Like Bilbray’s personal anecdote, other lawmakers use their own family history as a device to show that they are not prejudiced against immigrants or certain ethnic groups, since they also share the immigrant experience in their family history.

As the 104th Congress convened for the 1995-1996 legislative session, even those considered “legal” received blame and were the targets of lawmakers’ reforms that limited their access to IIRIRA and/or PRWORA benefits and programs. Concurrently in San Diego, welfare reforms were instituted to check for the legitimacy of residency and paperwork for immigrant applicants to CalWORKS, Medi-Cal, and Food Stamps through P100. The pejorative social labeling of “illegal” along with the restrictive policies illustrate a clear hierarchy of groups, where even LPR and naturalized citizens fall squarely below U.S.-born citizens on this scale.

Illegal Immigrants. In the analysis of the document sets, the word “illegal” is never paired with a positive construction of immigrants or an argument for the provision for their needs. On the contrary, the criminalizing term “illegal” most often appears connected with rhetoric on the burden that undocumented persons pose to society, especially along with blame for a dearth of available funds to provide vital services and safety net benefits for citizens. For instance, Prop 187 supporters claim in one article that needy citizen children are denied vital education services that are given instead to “illegal” immigrants (Mendel, 1994 May 3).

Illegals. Even more derogatory, the term “illegals” often figures in spoken anecdotes that disparage undocumented persons. “Illegals” is used 25 times between the two document sets—always in phrasing that dehumanizes people and reduces their mere existence to being a problem. For reference, a few examples of these occurrences are included here. First, as Prop 187 was challenged in court, Paul Craig Roberts, the former Assistant Secretary of the Treasury from the Reagan administration exerts this superiority in an op-ed: “The people’s decision has been put on hold by federal judges who apparently believe that illegals have the right to be supported by the incomes of the native-born” (Roberts, 1995, April 21). These comments include no mention of how undocumented immigrants might contribute to the fabric of American society economically through their labor or how they might contribute socially as good neighbors who also bring valuable cultural perspectives. Roberts’ discourse expresses a wholesale dismissal of a group based on a generalization. Thus, politicians and other political actors use these negative discourses, which then predisposed audiences absorb on conscious and subconscious levels.

Not only are these groups involved in and impacted by this discourse content but being labeled as an “illegal” can lead to physical and emotional trauma. Another example can be found in this narrative related by a Latino immigrant family who shared their experience: “That

atmosphere dissuaded Marta from getting Medi-Cal last year when she was pregnant... a social worker told her that ‘because of illegals, California is falling apart,’ she recounted. Embarrassed and afraid, Marta didn’t complete the application, even though she was legally allowed to do so” (Young, 1995, June 2). In this account, a government official, responsible for assisting applicants through the process of obtaining medical assistance with prenatal care, instead strikes fear into the heart of the applicant with their words. This experience is not uncommon. After the passage of Prop 187, some county Latino residents told reporters they felt the need to continually prove their status, so as not to fall under the “illegal” distinction (Mendel, 1994, November 6). Further, the part of the measure that would require those employed by the state of California to report anyone they suspect as being undocumented led to distress for many in the Latino community of the county (Sanchez, 1994, September 12).

“‘Legal residents notice a change in attitude as well,’ said Ozzie Venzor, who works with migrant workers in North County. ‘It’s subtle, but it is there. I can sense it once in a while. You feel like people look at you like you’re one of ‘them.’ They never talk about our contributions, only our costs’” (Cleeland, 1993, June 13). These testimonials illustrate the psychological and physical tolls the negative labels bring to general society, which then become externally projected onto persons who are part of that rhetoric’s target social group. Minoritized individuals become victims of stereotyping with each micro- and macroaggression associated with being pejoratively labeled.

Pregnant Mothers/Mexican Mothers and Birthright Citizenship. Another critical piece of superiority rhetoric towards immigrants relates to the depiction of pregnant mothers crossing the United States-Mexico border to birth their babies. The image of these mothers is mostly portrayed in the document sets as Latina and frequently specified as being Mexican. This

line of discourse targeted towards Latina women differs from the Welfare Queen trope, which centers on the accusation that women (especially African American ones) do not deserve to have babies, if they cannot provide for them.

Instead, this Latina-directed discourse centers on the accusation that they should not be present in the country at all. They should be the “problem” of the government in their country of origin. The conversation in the public arena does not allow for nuance or reason; while we do know that some women come to the United States while pregnant to have their babies and gain citizenship for their children, we do not know the intention or story behind every case.

The Supervisors see these women as a major threat to resources in the county and easy to eliminate from the rolls, as they determine to devise a better procedure to check eligibility and to save budget dollars: “What will the impact be on next year’s budget from pregnant women who are illegal immigrants? Is there a system to identify cases where parents are not (from) the United States but have citizen children? Add into each budget Program a statement that the County will pay ‘none’ in those areas the law does not demand it” (San Diego County Board of Supervisors, 1994, May 23). The county leadership here is sending a signal to federal lawmakers and leaders that they would not assume the budgetary burden to care for these women.

The document sets demonstrate how undocumented pregnant women are presented as problematic from multiple, long-term perspectives. The discourse accuses the women of using their children to illegitimately gain access to free prenatal care, hospital births, and postnatal care; rhetoric furthers the narrative to a life-long commitment, stating that when the women cannot afford to live in the United States with their new citizen children, they simply drain welfare benefits. Further, elite actors point out that the women are not legitimately able to work in the United States, thus, they benefit from tax-funded programs for which they will never

contribute. In this sense, these women are ascribed a hierarchical position even lower than “illegals.”

Legal U.S. citizens are depicted as the victims in this story, with a recurring trope of hospital parking lots full of Mexican women waiting to give birth. Supervisor Slater-Price repeats this in a House Judiciary Committee meeting, as quoted in the *U-T*: “We in San Diego County have been exposed . . . to scenes of expectant mothers in labor, circling hospital parking lots in their cars, waiting until the last possible minute to enter the hospital” (Wilkie, 1997, July 2). If estimates are to be believed, according to Medi-Cal fraud investigator James Mayfield, the droves of women circling parking lots who are “lying, cheating, and stealing” to get benefits comprise “95% of Medi-Cal fraud cases” in San Diego and Imperial counties (Dalton, 1993, April 11).

One policy remedy? Home searches to ensure residency—the infamous house calls. Even then, problems existed in fraud detection, as Mayfield describes scenes indicating to him that clients are coached on how to pass inspections: “It is like they are following a script; their personal belongings are laid out, incriminating papers are nowhere to be found, and they know just what to say. Someone has been counseling these people big-time” (Dalton, 1993, April 11). This hardline anti-immigrant comment conveys a heavy sense of suspicion both towards sympathetic government employees and the targeted applicant or recipient of benefits.

What about an additional solution? The BoS endorsed ending birthright citizenship when Rep. Bilbray proposed legislation in Congress. “Slater said that denying automatic citizenship to the children of illegal immigrants would ‘help turn off the magnet’ of taxpayer-supported benefits” (Kucher, 1997, April 16, pp. B-1, B-3). Notice the application of the patterned elite rhetorical term citing welfare benefits as “magnets” for unwanted immigrants. Birthright

citizenship appears 40 times in *U-T* articles and 5 times in the BoS documents. Illustrating gender bias, mothers are mentioned time and again while the fathers do not receive much attention in these accounts. Ceasing to grant citizenship to the children functions as another assertion of superiority—a policy choice that conveys that the minoritized outgroup’s rights and privileges should be fewer than those provided to children born of citizen parents, the dominant ingroup.

Accountability/Responsibility/Bootstrapping. Although this code did not co-occur with the others in the superiority category, it bears mention because in both sets of documents the occurrences overwhelmingly communicate the expressed ideology of the SD County BoS. Personal responsibility is clearly a theme of federal reforms and a pillar of county reforms as well. A slogan that exhorted self-sufficiency—“hand up instead of handout”—recurs on more than one occasion, including in Supervisor Jacob’s comments on reductions in 1996: “These cuts certainly do not go far enough, but it’s a step in the right direction to force individuals to take responsibility for themselves and have welfare be a hand up to independence and not a handout for dependence” (Rother, 1996, April 13, p. B-5). Supervisor Jacob’s comments both contain the subtext of a promise or a threat (depending on the audience’s view) of future increased restrictions while dog whistling the self-sufficiency narrative by echoing the slogan’s language.

Other instances of this code occur when supervisors share personal stories of their own work ethic and approach to personal responsibility, both portrayed as positive attributes and a key difference between those that do not rely on benefits versus those who access welfare. While Supervisors Cox and Slater-Price noted in a *U-T* interview that they had no personal experience with poverty as a child, Supervisor Horn shared that he “started working when he was 8 years old, mowing lawns and later repairing bicycles, cleaning doctors’ offices and delivering

newspapers. ‘I stood on my own... We never had extra money.’” (McKinnie, 1995, February 27, p. B-1). Supervisor Jacob says she:

learned from her parents early in life the value of work. By age 9, Jacob said, she was raising chickens in La Mesa and selling their eggs. “My father felt very strongly that you get nothing for free, that you must work in order to survive.” (McKinnie, 1995, February 27, p. B-1)

The statements by these powerful local political actors assert the superiority of grit and determination as moral qualities, which is the correct way of life as opposed to the way of those deemed to be taking advantage of the system.

Blumer 2: Different/Alien

Blumer noted that language casting the non-dominant group as “other” from the dominant group served to distance the groups and was used as permission to encroach on the rights of the non-dominant group and exclude them, often coupled with a hostile tone (1958). In the case of the rhetoric from elite actors towards immigrants and welfare, exclusion surfaces in several distinctions in both document sets. In the BoS set, being undocumented is discussed in 54.8% of coded segments with respect to program qualification. Residency, as detailed below, covers two distinct categories, both of which are criteria for program exclusion.

Figure 23. Different/Alien Coded Themes in Board of Supervisors Documents, (1990-1999).

In the *U-T* articles, points related to people's undocumented status occur most frequently at 48.0% of coded occurrences and appeared especially in 1993 (26 instances) and 1994 (38 instances). Citizenship is at issue in 25.3% of segments and the third most common code is border.

Figure 24. Different/Alien Coded Themes in Union-Tribune Articles, (1990-1999).

Shared rhetoric is comprised largely of the following codes: undocumented, border, physical documents, citizenship, and residency related statements. The following section details these accounts and explains the differences among coded terms.

Different/Alien Shared Rhetoric in Union-Tribune Articles and Board of Supervisors Documents

Figure 25. Different/Alien Shared Rhetoric in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

These codes co-occurred together frequently in the document sets and combines most often with the other codes, which is logical when reading the context of the rhetoric. Three *U-T* articles contained quotes where Mexican immigrants or welfare recipients were compared to animals. One article quotes a letter written to a state legislator of Latino descent, referring to him as a “Mexican monkey” (Wilkie, 1993, May 24, p. A-3) while another states that House Representative Cubin of Wyoming called welfare recipients wolves. “Just like with any animal of the species, when you take away their freedom they can’t provide for themselves” (Goldsborough, 1995, April 3, p. B-5). This code did not appear in the BoS documents.

Different/Alien Code Co-occurrence Model in Document Sets

Figure 26. Co-occurring Different/Alien codes in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

Undocumented

The code “undocumented” has been put in the different/alien category (and not in the superiority one) because it is used mostly in reference to a person or persons who lack possession of official credentials that convey inclusion in the dominant group. In this sense, “undocumented” is a term employed by elite politicians and government officials to separate the immigrants they are not obligated to serve from the constituents that they are duty-bound to serve.

However, as mentioned previously, “undocumented” (versus “illegal immigrant”) was not necessarily considered the more polite or correct of the two terms in the 1990s. Even so, it is

evident that “undocumented” is approached differently than “illegal immigrant” in BoS and *U-T* documents. “Undocumented” encodes a business-like tone, lacking the derision that “illegal” carries. For example, the Board uses this term in comments and proposals on plans to pare down services as much as the federal and state governments will allow via sanctions, penalties, and enforcement policies. But it is not used in directly questioning the presence of immigrants. The *U-T* articles cover undocumented immigrant laborers and their children with additional concern on the blowback around what to do with workers not covered by IRCA (1986).

To further divide and categorize the rhetoric, the code is mapped below by origin and frequency. Notably, Supervisors Bilbray and Slater-Price comments encompass the only occurrences from the Board; all of their statements are connected to reforms to deny services, birthright citizenship, or report undocumented immigrants to federal authorities. Elites identifying with the Republican and Democratic parties, as well as those governmental actors that are career civil servants or appointees, coded Elite N/A, also made multiple references to issues in conjunction with undocumented immigrants. No discernable difference shows in this term’s use when partisan associations are defined, indicating that elite rhetoric employing certain terms can be independent of party.

Undocumented in Union-Tribune Articles and BoS Documents, by Origin of Rhetoric

Figure 27. Undocumented code in Board of Supervisors Minutes and *Union-Tribune* Articles, by Origin of Rhetoric, (1990-1999).

Documents

References to documents center around three main themes: documents are necessary to prove legitimacy of a person's presence and eligibility for government programs; document verification is difficult to manage between agencies and levels of government that do not coordinate information-sharing well; and documents are too easy to falsify. In many instances, immigrants are blamed for their lack of correct documentation or are accused of intentionally gaming the system. In other cases, the concern focuses on immigrants possessing the wrong documents—this scrutiny becomes especially pronounced in the controversy over those persons who have border crossing cards, which were a requirement; yet, they were accused of inappropriately accessing Medi-Cal or other benefits. In either case, the onus rests on immigrants to learn the system and abide by it—even as the system itself remains in a constant flux due to reforms.

As the County is not responsible for producing most documentation other than birth certificates, the Board's comments focus on gaining access to state and federal records to

confirm welfare application information, made newly possible by the 1996 federal reforms. Although acknowledging that the move reduces privacy for immigrants or anyone suspected of being an immigrant, Supervisor Cox lauds the decision as a helpful collaboration that bolsters fraud detection activities in the County: “This is a landmark approach. This type of cooperation has not been possible in the past because of the confidentiality of records” (Sanchez, 1996, October 9, pp. B-7-B-8). Further, the article reports that the County has permission to conduct searches in databases for “certain names” that they suspect may belong to people who are not eligible for Medi-Cal based on immigration status and/or residency (Sanchez, 1996, October 9, pp. B-7-B-8). This praise led to a pilot program that was expanded to all new applicants for Medi-Cal (Sanchez, 1997, May 21) and of course to P100.

Residency

Rhetoric on residency is divided into two categories: 1. verification that a person is lawfully living within the boundaries of the United States and 2. inspection/confirmation of a physical place of residence, such as a home, apartment, etc. that includes proof of habitation. PAFD Assistant Chief Rebelez observes, “We get calls all the time...Residency is one of the biggest issues of aid, especially here on the border” (Krueger, 1993, November 13, p. B-1). The inherent distrust of County officials often leads to their close scrutiny of residency and fraud detection activities that significantly disregard the rights of applicants.

False claims of residency at a non-existent address or using a P.O. box for collecting a welfare check can be cleared up more quickly, but many cases are deemed to require a home visit.

More often, however, investigators find applicants at the address they listed, though sometimes their living space is confined to a corner of a room. To distinguish who is a true resident and who isn't, they must rely on subjective clues—a lack of clothes in the

closet or photos on the wall, comments from neighbors and landlords, items found in a purse. (Cleeland, February 20, 1994, p. A-1)

With this form of residency verification, it is not only items in the home that are under scrutiny—the invasive experience communicates to the applicant that they are part of a system that differentiates them from those that have the right to dignity and privacy in their own homes. Further, to a traumatized immigrant, such a visit can signal a threat of deportation or removal of their children from the home.

Border

The dialogue on the border evolved over the course of the period studied. Initially, it centered on excluding those crossing without permission from obtaining benefits and how to “catch” people that allegedly intended to exploit the system. Subsequently, as federal reforms heated up and SD County was increasingly in the spotlight, the rhetoric involving immigration became harsher, with demands for militarized Border Patrol enforcement replete with reinforced triple fencing, preventative ditches, and heavy regional surveillance. The issue of unlawful crossings of the border became one defined as a threat to national security, as a county history teacher penned in an op-ed, “A nation without secure borders is no longer a secure nation” (Maggiano, 1993, June 16, p. B-7).

When Republican state or county leader codes are combined, Republicans were quoted on border issues with respect to immigrants and benefits more than their Democrat or non-affiliated counterparts, signaling that it was a more salient issue for them to discuss publicly. However, Democrats such as Senator Dianne Feinstein (D-CA) suggested reforms such as a pragmatic \$1 border-crossing fee to cover costs for increased Border Patrol. Senator Barbara Boxer (D-CA) called for a greater National Guard presence, and 66% of Californians polled agreed with her position (Marelius, 1993, August 19).

Border Code Co-occurrence Model in Union-Tribune Articles and Board of Supervisors Documents

Figure 28. Border code in Board of Supervisors Minutes and *Union-Tribune* Articles, by Origin of Rhetoric, (1990-1999).

Salient to this study, in SD County, the Board responded in part by producing a plan to boost investigations of welfare fraud at the border, a change that was “aimed at saving the county money” according to the Board’s communication with the *U-T* (Young, 1994, August 17, p. B-1).

Citizenship. Demarcation of rights and privileges through citizenship has been a cornerstone of U.S. immigration policy since the 1790 Naturalization Act, when free white men of good character living in the country for at least two years were given the right to become citizens, along with their children under 21 years of age. Since the focus of this study is immigrants, it is understandable, then, that the term “citizenship” frequently appeared (276 coded segments in 99 documents). Let’s consider the connotations and contexts of these references. Were they presentations of opportunities or depictions of a required process

immigrants needed to undergo in order to obtain citizenship? To get a clearer picture, frequent word combinations in these documents were run, and a stark representation emerges of the officials' stance to deny, exclude, and "other" immigrants and their children. The narrative does not promote inclusion, cooperation, or acceptance of immigrants—instead, the clear message communicates exclusion, denial, and marginalization, especially in the quest to make an underclass of children of immigrants.

Word combination	Words	Frequency	%
undocumented immigrant	2	151	30.51
deny citizenship	2	58	11.72
child bear	2	39	7.88
citizen child	2	30	6.06
San Diego	2	30	6.06
legal immigrant	2	18	3.64
citizenship class	2	16	3.23
constitutional amendment	2	15	3.03
automatic citizenship	2	12	2.42
give birth	2	11	2.22
medical care	2	10	2.02
Pete Wilson	2	10	2.02
public assistance	2	10	2.02
14th Amendment	2	8	1.62
Brian Bilbray	2	8	1.62
American-born child	2	7	1.41
dependent child	2	6	1.21
food stamp	2	6	1.21
legal resident	2	6	1.21
Los Angeles	2	6	1.21
naturalization service	2	6	1.21
welfare reform	2	6	1.21

Figure 29. Word combinations appearing most frequently with citizenship in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

Undocumented immigrant occurred as the most frequently found word combination with citizenship in the *U-T* articles and BoS documents, which is not surprising, given the focus of the

articles. Following that word combination, “deny citizenship” appears in 11.72% of the articles. Then, the word combinations that focus on children emerge—“child bear” appears 39 times (7.88%) and “citizen child” appears 30 times (6.06%). A review of the rest of the phrases reads like a proposal for a birthright citizenship bill—“constitutional amendment,” “automatic citizenship,” “give birth,” and “medical care” all appear in reference to undocumented parents and their children born on U.S. soil. General social attitudes towards children, especially those in need, tend to be constructed as deserving dependents (Schneider and Ingram, 1997), but in this discourse the immigrants’ children are portrayed as unworthy of citizenship or care, based on the perceived shortcomings of their non-citizen parents.

Blumer 3: Proprietary Claim

In this category, Blumer emphasized that the dominant group would assert its entitlement to certain rights, privileges, programs, and institutions while rejecting the outgroup from those claims (1958). Scarcity, who is owed what, and paying one’s dues all figure as part of the language of proprietary claim. The top two categories in both BoS documents and *U-T* articles are, interchangeably, “taxpayer burden” and “who pays/reimburse/costs associated,” indicating that the main concern over sharing resources was financial. While this is understandable given the state of the economy at the time of the reforms, it is also noteworthy because immigrants were targeted as the path of least resistance towards the elimination of budget expenditures in the county.

The BoS was most focused on showing their fiscal conservativeness and efforts to be accountable and responsive to the demands of local taxpayers, as is demonstrated in Figure 30. Also, as has been discussed at length, the Board was caught between state and federal leaders in the reforms, often asking who might provide the necessary funds for delivery of services.

Figure 30. Proprietary Claim Coded Themes in Board of Supervisors Documents, (1990-1999).

In the *U-T*, there is no clear leader in this Blumer category (see Figure 31), but the interplay of the themes is interesting to note, especially that eligibility did not register as a concern in the news as much it did in BoS materials. The issue of the taxpayer burden is raised almost as frequently as is the question of who will pay for the services. Also, the idea of immigrants coming for work surfaced as a talking point, which was not covered frequently in BoS documents.

Figure 31. Proprietary Claim Coded Themes in Union-Tribune Articles, (1990-1999).

Further, while political pressure was not expressly mentioned in BoS documents, the *U-T* covered much (almost 16% overall) in the area of the political gain that elite actors sought to obtain from their stance and actions on immigrants and welfare. Based on the amount of coverage in 1993, 1994, and 1996, the political pressure to resolve the issue (see Figure 32) was particularly high in these years and most intense in 1994. Incidentally, these are the years that the most drastic immigration and welfare reforms were taking place at federal, state, and local levels.

Figure 32. Political Gain/Pressure Coded segments in *Union-Tribune* Articles, (1990-1999).

The five themes most prominent in shared rhetoric in the document sets concern resource eligibility, access, and who is financially responsible for these services.

Figure 33. Proprietary Claim Shared Rhetoric in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

The financial aspect of this discourse has strong ties to the other codes in the category. This indicates that the themes of cutting off or withholding benefits are strongly associated with calls for financial accountability and with elite leaders' declarations of responsibility to their constituent taxpayers.

Proprietary Claim Code Co-occurrence Model in Union-Tribune Articles and BoS Documents

Figure 34. Co-occurring Proprietary Claim codes in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

Taxpayer Burden

A commonly occurring term that elected officials use to describe their constituents is “taxpayer.” According to Board members Jacob and Bilbray, their duty is to ensure taxpayer funds are spent properly and that dollars are not wastefully or illegally used. The politicians do not make mention that many non-citizens pay taxes and contribute to the economy (see below), yet they lay blame on immigrants for being an unfair burden on upstanding taxpayers. “Your Board,” writes the 1994 members, “has aggressively pursued actions to prevent fraud and abuse, demonstrating that San Diego County is committed to protecting taxpayer funds allocated to welfare programs from exploitation” (Board of Supervisors, 1994, March 1).

However, immigrants are taxpayers. In 2014, immigrants paid 28% of California's state tax revenue—\$82.9 billion dollars (New American Economy, n.d.). Immigrants also pump dollars back into the economy. It is estimated that, after taxes, immigrants of Hispanic/Latino descent represented \$300 billion dollars in spending power nationally (New American Economy, n.d.). Undocumented immigrants accounted for an estimated \$3.1 billion dollars in tax revenue for the state of California in 2013 (American Immigration Council, 2016).

Even so, taxpayers and immigrants are continually pitted against one another, like in this op-ed from a conservative thinker: "I see no good reason for them (taxpayers) to be fined every time an illegal immigrant enters the state... Without Proposition 187, the theft from California taxpayers will continue, and respect for the law will be nothing more than a memory" declares Bruce Herschensohn, a Claremont Institute Fellow and former member of the Reagan and Nixon administrations (1994, October 30, p. G-1). This portrayal of immigrants as thieves that poach the system precipitates the enactment of policies that are punitive towards them and deny them basic rights such as privacy in their homes. "Investigators—who can only enter homes if given permission—will check on who lives in the home and determine whether the family appears to have assets or income that exceeds eligibility limits. This is not meant to punish. It is to ensure the taxpayers' money goes to people who need it" (Kucher, 1997, April 30, p. B-1). This quote is from DA Paul Pfingst, telling a *U-T* reporter about P100 and his recent success in appearing before the Board, who voted to expand P100 into all homes of applicants. Pfingst does not add that the "permission" given by applicants is a condition of receiving benefits and that if an investigator is denied permission, the family will not receive help. This permission is therefore granted via extortion as people find themselves in a position that they must accept the investigator into their home.

Who Pays/Resource Drain/Take More Than Give

This category is not to be conflated with the previous discussion on taxpayers, as the focus of these comments is on local and state officials demanding that the federal government pay for services and benefits for immigrants. This concern was principally expressed in two ways. First, an oft-repeated point placed the onus on the federal government due to lack of a tougher stance on immigration policy and border control (Perkins, 1996, September 6; Mendel, 1998, March 13). The Board expressed this by declaring a state of emergency and sending a bill to President Clinton to reimburse San Diego for \$64 million they say the county spent on undocumented immigrants due to the federal failure (McKinnie, 1994, April 20, pp. B-3, B-8). The Mexican government was a target of political statements, particularly from supporters of Prop 187, expressing the sentiment that Mexico was using the United States as an “economic safety valve” (Mendel, 1994, August 23, p. A-3). Supervisor Jacob reiterated the Board’s hard stance on this issue, particularly with respect to Mexicans: “It’s unfortunate on the one hand that those who come from Mexico have a deplorable situation in their country, but it’s incumbent on the Mexican government to take responsibility for their own” (Sweeney & Curran-Downey, 1996, August 28, p. A-1). Here, the “self-sufficiency” model value becomes extended in a to an entire nation. Secondly, it seems the “who will pay?” question was at the forefront of news accounts because even those studying this issue could not come to agreement on precisely how many undocumented immigrants were in the state and how much it actually cost to provide benefits to them (Bayer, 1995, December 14).

Ineligible and Cut Off/Withhold

This category is covered by two prevailing talking points: first, policymakers pledging to change eligibility rules and, secondly, the enforcement of existing rules through fraud detection

investigations. When reforms left some LPRs without benefits and created mass confusion over who is eligible for assistance, the Board complained that the changes Congress enacted would “bankrupt the county” (Sanchez, 1997, July 21 p. B-1). But Supervisor Slater-Price amplified her support for the changes, as she wrote in a *U-T* op-ed: “To me, this should have been done decades ago. Denying Medi-Cal, welfare, food stamps or any other benefit to a non-U.S. citizen makes sense, but government at the state and federal level do not always act on common sense. Stricter controls...are common-sense actions” (Slater-Price, 1998, June 25, p. B-1). The prevailing mode of operation for the Board was, again, to cull the welfare rolls of as many program participants as possible.

Blumer 4: Fear/Suspicion

The final category of group position theory serves as the key to determining the operationalization of race prejudice, according to Blumer. Without the application of fear and suspicion, the other three categories (the sense of superiority, the assertion that another group is different or alien, and a dominant group’s proprietary claim on resources) could be construed as structural inequality, as occurs in a caste or feudal system. But when combined with feelings of apprehension and mistrust towards a marginalized group’s encroachment on the overall *position* of the dominant group, race prejudice can be weaponized in this imbalance with a designation to keep the group “in its place” (1958). This is not a far stretch, considering how often race is employed in the rhetoric on immigrants and welfare—for this research project, most frequently targeting Mexican women or Latina women, as discussed in previous sections.

A sizeable shift in this rhetoric was noticeable in the 1993-1994 election cycle for the BoS, when a representative from California Rural Legal Assistance spoke about the charged rhetoric of then-candidate Bill Horn and its consequences: “What concerns me most is that the

debate has gotten so vitriolic. There is so much hatred being heaped upon undocumented workers that it is creating a climate of license for people that are on the fringe to act out their aggressions” (Bratt, 1994, September 14, B-3).

Figure 35. Fear/Suspicion Coded Themes in Board of Supervisors Documents, (1990-1999).

In the *U-T*, the trend was somewhat different, largely due to coverage of Prop 187 and the accompanying racist rhetoric that zeroed in on Latinos. Investigations and fraud are covered as well, but a strong emerging theme was in the imagery of immigrants as inundating, flooding, or invading the border county, leading to a problematic population growth in the county that created economic strain. Although this code did not explicitly co-occur in BoS documents, it certainly bears mention here as it was and is still powerfully employed by political leaders. Community organizers and some scholars warned of the effects of the rising apprehension between the groups: “All of a sudden, immigrants have become highly visible, being characterized as the devil, the cause of all our problems,” comments UCLA historian Dr. David Gutierrez (Cleeland, 1993, June 13, p. A-1).

Phrases such as “increased flow of unaccompanied illegal juveniles” and Governor Wilson’s comment on the “exploding number of immigrants” exacerbated concerns that immigrants crossing the border would all become public charges and overwhelm the strained system (Meinert, 1993, March 23; Wilkie, 1993, January 12). Further, warned Rep. Ron Packard of north SD County, “Whether economic benefits such as free health, education and welfare, are magnets to illegal immigrants, or whether jobs are the main reason they come to America, the bottom line is that they are entering this country in record numbers” (Packard, 1993, October 11, p. B-7). Please note the repeated use of the metaphoric term linking U.S. benefits as “magnets” to immigrants. Even the Clinton administration scapegoated immigrants for the region’s economic problems: “In California, the number of welfare recipients now total 2.4 million—a 2 percent increase over 1993. White House officials blamed the increase on California’s long-lived recession and large immigrant population, citing specifically the children of illegal immigrants” (Bayer, 1997, April 11, p. A-2).

Figure 36. Fear/Suspicion Coded Themes in Union-Tribune Articles, (1990-1999).

The most prominently occurring shared categories between the two document sets related to prejudice/nativism/xenophobia, investigations and criminal penalties for welfare fraud, and war imagery/accounts of violence by and against immigrants. This shared rhetoric is measured by a cumulative number of occurrences and is represented by the themes appearing in the center of the two document set icons, as seen in Figure 37.

Fear/Suspicion (Blumer 4) Shared Rhetoric in Document Sets

Figure 37. Proprietary Claim Shared Rhetoric in Board of Supervisors Minutes and Union-Tribune Articles, (1990-1999).

Although the war/violence category was not in the top occurring codes in the independent document sets, it does make the list of top five co-occurring codes. Each of the themes in this category have a connection in the rhetoric, co-occurring anywhere from 13 times (war/violence and fraud) to 133 times (investigations) and 147 occasions (fraud). This is interpreted to show that the themes appearing here are interdependent in the rhetoric, serving as vehicles to express the elite group rhetoric about the hazards of the increasing number of immigrants into the county.

Fear/Suspicion Code Co-occurrence Model in Union-Tribune Articles and BoS Documents

Figure 38. Co-occurring Fear/Suspicion codes in Board of Supervisors Minutes and *Union-Tribune* Articles, (1990-1999).

War/Violence

This section's code analysis in the documents focuses on the fight or battle against fraud, violence at the border, and the threat of safety to immigrants. Early in the 1990s, Supervisor Bilbray commented to a reporter that the "battle" needed to be taken to state and federal leaders so that "we can win the war" on welfare fraud (Wilkins, 1992, November 4, pp. B-1,B6). On the subject of "Bringing Welfare Integrity to California," the Board listed its commitment to the constituents of SD County as declaring "war" on both fraud and "against people 'beating the system' to access dollars which should be reserved for only the most needy" in part, by exacting stringent investigations to confirm "residency, identification, and citizenship/alienage" (Board of Supervisors, 1994, March 1). The battle to protect taxpayers is a higher level of concern than the effort to protect the rights of those persons, including immigrants, experiencing poverty in the county.

Further, in a written declaration of a state of emergency on September 20, 1994, the BoS states that they are “asking the federal government to execute the rights under the Treaty of Guadalupe [sic] Hidalgo, Article 16; secure the San Diego County, State of California, United States’ side of the international border” (Board of Supervisors, 1994, September 20). In invoking this treaty, which was signed at the end of the Mexican-American War in 1848, the BoS signals to the federal government that they have a war-level crisis on their hands at the border and need direct intervention.

Reports on the rise of hate crimes targeting Mexican nationals (Bratt, 1994, September 21) applied war-like imagery to describe the border region. Professor James Gerber of San Diego State University commented to the *U-T* that this was part of a cycle that has been repeated since the 1870s: “Californians have always blamed their worst problems, whatever they were, on Mexicans” and have “projected onto the border our worst fears” (Goldsborough, 1994, September 26, p. B-5). The result, according to Professor Gerber, is that politicians have used this fear for political gain (Goldsborough, 1994, September 26). And once people crossed the border, they had no guarantee of the protection of their physical safety under the law, according to the words of one op-ed writer in 1996 who decried comments made about the Mexican immigrant victims of a beating by two White sheriff’s deputies, an act of brutality which was televised from a Los Angeles freeway. “No measure of vitriolic expression has been spared on the victims. ‘If they dare to enter illegally, they deserve what they get,’ or so the argument goes” (Aragon, 1996, April 12, p. B-9). Once again, a lack of concern for protecting the rights of immigrants was on full display in Southern California.

Fraud

The rhetoric encompassing the issue of fraud is thoroughly detailed in previous sections. However, it is relevant here to note the most frequent word combinations (from 2 to 3 words) that appeared in conjunction with rhetoric on fraud and how the public fear and suspicion of immigrants was used to capitalize on opportunities for leaders to appear tough on fraud. Most notably, administrators and public programs that dealt with allegations of fraud appear at the top of the list. The focus of those investigations appears next in the frequency list: illegal immigrant, border crossing card, and (people coming from outside of the) United States.

Word combination	Words	Frequency	%
welfare fraud	2	81	1.57
San Diego	2	73	1.42
Chief Administrative Officer	2	64	1.24
social service	2	44	0.85
fraud investigation	2	34	0.66
Medi-Cal fraud	2	30	0.58
grand jury	2	27	0.52
district attorney	2	26	0.50
illegal immigrant	2	21	0.41
border crossing card	2	16	0.31
United States	2	16	0.31
public assistance	2	15	0.29
orange county	2	13	0.25
dependent child	2	12	0.23
support legislation	2	12	0.23
Medi-Cal benefit	2	10	0.19
fraud investigator	2	10	0.19
county official	2	9	0.17
welfare recipient	2	9	0.17
county department	2	8	0.16
health service	2	8	0.16
welfare applicant	2	8	0.16
welfare check	2	8	0.16
border patrol	2	7	0.14
welfare reform	2	7	0.14

Figure 39. Word combinations appearing most frequently with fraud in Board of Supervisors Minutes and Union-Tribune Articles, (1990-1999).

This distinctly illustrates that immigrants were targets of fraud-detection activities by the county, but also that the county government leaders wanted the public to see that they were taking action to eliminate the problem.

Investigations

Tracking people using fingerprints and document searches; coordinating with INS; filing criminal charges; demanding restitution; spending millions of dollars on fraud investigator salaries and equipment; conducting a system of sweeps; collecting evidence; and forming rhetoric of allegations, interrogation, and means of pressuring suspects to confess—these terms were not describing a drug bust or a takedown of a money-laundering operation. They were all employed in elite rhetoric in BoS documents and *U-T* articles on investigating immigrants for welfare fraud. They constructed identities of the applicants as criminals that threatened not only the livelihood of the citizens, but also the very safety of community members.

In the *U-T*, home searches were depicted as precarious activities, since applicants may reside in undesirable areas of the county, as one fraud investigator told a reporter: “Nancy Bennett is one of those who wishes investigators could carry weapons and make arrests. Most of her clients live in neighborhoods that she finds threatening, if not for her personally, certainly to her car, a brand-new Toyota Celica. A nine-year veteran of the welfare-fraud unit, she has felt like a rabbit among foxes several times” (Jones, 1992, March 15, p. B-1). This narrative promotes an image of the investigator as innocent prey and the immigrants as cunning predators. Many investigator accounts also include targeted narratives of Latina women being caught in acts of dishonesty and lack of disclosure on their applications.

In few spaces did the question of the autonomy of applicants arise; rights and dignity were not on the menu when it came to taking down those accused of taking advantage of

program benefits. However, one commentator did ask if a threat to the rights of immigrants might eventually translate to governmental overreach that violated all American citizens' rights:

Are 3.4 million undocumented immigrants among a population of 250 million enough of a problem to justify a huge, and surely permanent, extension of Big Brother government? Admittedly, the justification is more compelling in California, where the proportion of undocumented immigrants is greater and the public sector costs more concentrated. But even here, the cost-benefit ratios of enforcing Prop.187's provisions are less clear than many imagine. (Caldwell, 1994, October 9)

But in SD County, preventing fraud remained a top priority for the Supervisors—as P100 was rolled out, the DA told the BoS that “When the rules change, the crooks find new ways to exploit the new rules. I think the benefit of us getting together to talk about this is to try to make as fool-proof a welfare eligibility system as can be found anyplace in the country and certainly anyplace in the state” (Kucher, 1997, April 30, p. B-1).

Prejudice/Nativism/Xenophobia

Xenophobia, or the fear of outsiders, was represented by bold language in both document sets. The political climate was marked by this panic, with leaders stepping forward to stoke the flames of animosity and to ask: What will happen to “us” if the White majority loses its position in the state?

California's rapidly shifting demographics exert their own unsettling effects. One of every five California residents is foreign born. Moreover, race is undeniably a factor, however unspoken. Proportionally, the current white majority (53.8 percent) is shrinking. If present trends continue, whites will be a minority in California within 10 years. (Caldwell, 1994, October 9)

Things are not the same as they once were, Cato Institute Fellow Paul Craig Roberts writes in his op-ed infused with nativist ideology.

Prior to 1965 immigrants to our shores had cultural ties. Moreover, there were lulls in the flow of immigrants which permitted time for them to become assimilated. Today, however, 83 percent of legal immigrants and practically all of the illegal immigrants are “protected minorities” and there are no lulls in the massive inflow. The flood of immigrants, together with their higher reproductive rates, is changing the racial character

of the U.S. population. Sometime after the middle of the 21st century, whites will become a racial minority. They may also be second class citizens considering the quota privileges that have been given to “people of color.” (Roberts, 1995, April 21, p. B-5)

One such “privilege” that was recommended to be taken away was, of course, birthright citizenship for children of undocumented immigrants. This would also solve the irksome problem of an overrun of minority groups in the country. Discussing the hallmark of his nativist legislative agenda, H.R. 7, Bilbray argued that a Constitutional amendment was not even necessary to accomplish this move because it was impossible that the writers of the 14th Amendment meant for it to apply to “illegal immigrants” (Wilkie, 1997, July 2, p. A-1).

Who was standing up to stop this divisive rhetoric and to bring the hysteria to a halt? Not Governor Pete Wilson, whose words and policies reflected outright rejection of undocumented Mexican immigrants in the state. Pitting his constituents against the immigrant population, Wilson ominously proclaimed the occurrence of “painful consequences” if federal leaders did not supply funds to the state to pay for immigrant services. “If we don't get it . . . we are compelled to do things that nobody wants to do. We're down to the point where we have to do painful things” (Barabak, 1993, February 4, p. A-3). Wilson’s reference to the need for U.S. citizens to do “painful things” in order to stem a growing immigrant population seems to infer the use of violence against this perceived outgroup, but in a manner as if Wilson is compelled against his will to take such drastic measures. Wilson shared an anecdote where two women—one undocumented and one a citizen—sought prenatal care, but the citizen woman was turned away by the system that was forced to care for the undocumented woman (Mendel, 1994, July 7). Not everyone agreed with Wilson. Some, like California State Senator Art Torres, called him out for creating a xenophobic environment: “The immigration debate in this state is fast degenerating into a myopia of fear, misunderstanding and finger-pointing” (Wilkie, 1993, May

24, p. A-3). In SD County, however, Wilson's statements and policies were met with acquiescence from the BoS, who publicly supported, endorsed, and implemented his nativist and xenophobic ideology, as they made policy decisions for the County in tandem with the same ethos with which Wilson approached state reforms.

Conclusion

The concentrated argument made against immigrants in the 1990s is reflected in a statement from a former United States Ambassador to the UN, who observed that California was exceptional when it came to anti-immigrant sentiment:

California breeds special attitudes, mainly because an estimated 40 percent of the country's 3.5 million illegal immigrants are found there. Illegal immigrants are poorer, less educated, less employable and impose special burdens on any community. Concern about illegal immigration in California is further exacerbated by the fact that the state's border with Mexico is porous, and that living standards are very different on the two sides. Current Mexican economic problems will only make matters worse. Welfare benefits for noncitizens only make California a greater magnet. (Kirkpatrick, 1995, January 13, p. B-6)

As presented in the analysis of this chapter, these prevailing beliefs were disseminated and reinforced by political elites and members of the public in speech and print in the 1990s. RQ2 is clearly answered in the affirmative: discourse indicates great concern over maintenance of group position with respect to immigrants and welfare in SD County. The positive traits of the dominant group (native-born taxpaying citizens) were highlighted while immigrants were often painted as immoral, dishonest, and unworthy of significance in society at large, and the county in particular. Within this social positioning, a hierarchy of the outgroup was constructed, with Latina women occupying the lowest classification, gaining political attention and becoming a target for fraud-reduction policies in the county. These policies proved to place undue burdens on people experiencing poverty while living in SD County and were politically advantageous targets for actors such as the BoS and the District Attorney, as they endeavored to appear tough

on fraud. How this ordering linked with the decision-making of SD County policymakers, leaders, and administrators will be elucidated in the following chapter.

Chapter 7: Discussion

When a group is constructed as deviant, policy decisions will be made about them that deny them equal treatment and the dignity of their inherent human rights (Schneider & Ingram, 1997). In this chapter, RQ 2 is discussed: What discourse coalitions (Hajer, 2006) existed during the federal, state, and local reforms on immigration and welfare in the 1990s? For this question, the entire scope of the 437 documents in this study along with the 4 elite interviews were considered. The presence of the discursive power structure that was formed through metaphor, storyline, and a discourse coalition (Hajer, 2006) is considered along with the implications of this process—discourse institutionalization leading to the formulation and implementation of the oppressive P100 policy.

Metaphor and Storyline

Three emerging metaphors combined to create a powerful storyline in this case: the pregnant immigrant mother/Mexican mother, the unhindered flooding of immigrants into the county, and the unmitigated draining of the social welfare system. The use of the pregnant mother/Mexican mother trope was a racialized and gendered disparagement of immigrant women that figured prominently in rhetoric on reforms, becoming a dangerous device utilized in arguments for more punitive policies. The imagery of droves of immigrants “flooding” the border and arriving at County hospitals to birth their babies was used in storylines that became shorthand for describing the reasons for the County’s budget concerns. This trope stoked anxiety and contempt, blaming Latina women for an exploding population that depleted the welfare system and threatened the county’s budget. As a note, this type of pregnancy discrimination is something that the United States Equal Employment Opportunity Commission notes is

unacceptable under the law (2021) however for the political elite of the time it was a fully adequate storyline to propagate.

Discourse Coalitions

While the rhetoric at the federal level on this topic was robust and created a path towards sweeping reforms, it was not the voices of members of Congress or the Clinton administration that carried the most influence in this local issue. This study clearly demonstrates that Governor Pete Wilson was a well-defined leader of the discourse coalition, repeating the storylines on immigrant usage of public programs throughout his time in leadership, reelection campaign, support of Prop 187, and failed campaign for President. Wilson's influence was reified through the garnered verbal and policy support of the County BoS via Supervisors Jacob, Slater-Price, and Bilbray. Their language consistently reflected the desire to be recognized as tough on fraud, fiscally conservative, and restrictionist on receiving immigrants into their constituency. What can be learned from the discovery of a discourse coalition? As Stone notes, the causal story about these women was an element of the partnership between these immigration restrictivist political actors, placing the women as a target group on the policy agenda, and leading to the formation of initiatives that were harmful to the group.

Discourse Structuration

When a discourse becomes dominant, the power arrangement is clearly defined by the elite group in the form of a discourse structuration. Although Latina women were not the only target of this type of language, they were undoubtedly constructed to occupy the bottom rung of the ladder, as established in the analysis of the superiority and different/alien categories of Blumer. Using the analysis conducted in Chapter 6, a chart was constructed to depict the discourse structuration of immigrants and welfare within elite rhetoric, shown below in Figure

40. To determine this structuration, two factors were considered: first, the ordering of who was cut off or threatened to be cut off from benefits and services, and secondly, an interpretation of the group's political power based on their portrayal in the documents and interviews in this study.

Figure 40. Discourse structuration of immigrants and welfare within rhetoric.

According to this arrangement, power in the form of citizenship, rights, and access to health care and welfare benefits is enjoyed most readily at the top rungs. At the bottom of the hierarchy, political power is minimal. These groups are routinely denied rights and experience the codification of barriers, preventing access to the privileges of the general population. These policies serve as a consistent societal reminder of who is “in” and who is “out.”

Discourse Institutionalization

The results of this structuration negatively impacted the immigrant population in SD County but also reverberated throughout the communities they called home, affecting non-

immigrants as well. Mexican immigrant women and mothers became a specific target of animosity, leading to discrimination against and anxiety experienced by other women identifying as Latina. For these women, something as pro-social as registering children for school was met with a public campaign to revoke their access to public education, as in the movement for Prop 187. Attempting to obtain care for their unborn babies culminated in restrictions to healthcare and warnings that the government may strip the rights and citizenship of their native-born children. And, as detailed in this study, through P100, consequences were expanded to the predominately female and Latina applicants of CalWORKs and CalFresh—dignity-robbing home inspections, repeated questioning by authorities, suspicion-inducing conversations with neighbors and landlords, threats of criminal charges, and anxiety over being reported to federal authorities. These policy consequences were born, at least in part, from a pervasive distrust of immigrant women and an easy target group to trim the welfare participation numbers in the county.

Results Rather Than Intent?

It can be argued that these women were not a singular target of P100—in fact, it was successfully argued by the county in *Villafana v. County of San Diego* (2020) that minority women were not specifically discriminated against in P100. Suppose it was just a matter of unintended consequences of P100 that women *felt* their rights were threatened, but they really were not disproportionately infringed upon? What if it really was necessary to enter their homes to search and ask invasive questions, just to be sure that they were not committing welfare fraud on their applications for what currently averages to a \$583-a-month benefit? Is it efficient or just to spend millions of dollars a year in activities that infringe on the rights of these women, with no real proof that the cost-benefit of the program checks out? The rhetorical and therefore policy

emphasis here was, to a fault, personal over societal responsibility and economic efficiency over the health and wellbeing of the residents of the county.

Policy Recommendation: End Project 100%

Regardless of the success of P100 in removing or deterring applicants from program participation (which is quite unclear from the county's own information), this was plainly a case of policymaking gone wrong. In 2021, P100 remains an intrusive, humiliating, and unnecessary program; the current San Diego Board of Supervisors and the District Attorney should review and reform the welfare fraud investigation procedure in the county to end this massive overreach of authority. This is not an issue that should be relegated to one side of the political aisle.

Treating people like criminals upon first contact as they reach out for help is disgraceful.

Just as political scientist Elizabeth F. Cohen so aptly asserted in her book on the current state of the U.S. immigration system, it is not only the rights of non-citizens present in the United States that are at stake in this conversation (Cohen, 2020, p. 9). If Americans think that they are not affected by a punitive policy that denigrates immigrants, racial minority groups, or persons experiencing poverty, they are wrong. Over time, if groups at the “top” of the hierarchy turn their head away in willful ignorance of the threats faced by those groups at the “bottom,” there is a possibility that the top of the hierarchy will eventually be threatened too. Recall that even the rights of naturalized citizens and LPRs were threatened in the federal reforms of the 1990s.

In SD County, the fraud detection home investigations began in select homes in the border areas of the county, but in the years following were spread to encompass all applicants in the entire county. “But beware the society that starts to redraw its lines, tightening the drawstrings on its democracy, and emboldening its most abusive institutions. Access to rights

may recede further and further until few people can claim protection by the law of the land”

(Cohen, 2020, p. 42). Indeed, the Fourth Amendment affirms

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. (U.S. Const. amend. IV)

However, in P100, SD County institutionalized the criminalization of seeking government assistance at the expense of fundamental rights, such as privacy and security in our own homes, and scapegoated persons such as immigrant women to make this infringement more palatable to constituents.

What this policy dilemma boils down to is this—how the “other” group is depicted matters greatly. The words that are chosen, the stories that are told—they live on and are passed from generation to generation, reinforcing even beliefs that are patently false and dehumanizing. How our elected officials and program administrators speak about human beings matters, and how people’s needs are addressed by society when they are suffering matters, too. When entire groups are targeted and historically systemic issues are blamed on the presence of individuals that are members of a specific group, policymakers have a much bigger problem on their hands than a budget shortfall or an approaching election.

Advocacy: An Alternative Vision for Policymaking

Just ending P100 will not be enough. As was learned in the process of researching this issue, multifaceted problems require complex solutions. A few of these policy advocacy ideas will be shared in this section. While P100 may be unique in that it is the only blanket home investigation program in the country, there are certainly principles learned here that can be generalized to local policymaking for vulnerable groups, especially in the era of the COVID-19 pandemic and exacerbated inequality. First, we must elect and appoint politicians and

administrative leaders that use language ascribing dignity and worth to people, irrespective of their immigration or wealth status. The comments that are detailed in this study are reprehensible, showing a lack of compassion or understanding of the population that became the target of the storyline. Regardless of policy position, a need or desire to make budget cuts, or an ideology that favors fiscal conservatism, leaders need to truly lead on how to discuss issues without constructing immigrants as the villains of the story. To do this, leaders should invite stakeholders to the decision-making table in more than a performative manner. Groups like SPIN and others that were active in the county for years need to be funded, valued, and represented in the planning of a way forward. Hearing the voices of those that are experiencing poverty is critical in understanding how to mitigate contributors to poverty from a governmental and community standpoint.

Though leaders at the county and city level may not have outside influence on federal reforms, the block grant for TANF (which provides funds for CalWORKs) is actually imbued with flexibility that gives counties the opportunity to innovate program delivery towards participant self-sufficiency. One idea is to infuse Asset-Based Community Development (ABCD) principles into TANF programs, setting participants as the protagonists of their own story. In ABCD, the strengths, connections, and social capital of individuals, neighborhoods, and associations within a community are assessed and built upon by the people themselves to create targeted plans for mobilization and change (Harrison, et al., 2019). When ABCD works, the government responds with policy that considers the rights and dignity of people, regardless of wealth or influence, for the betterment of the local communities. One such group that is an exemplar of creative ABCD implementation is the Morongo Band of Mission Indians in California, who works with families to provide capacity-building resources and autonomy-

respecting personalized plans to become self-sufficient (Morongo Band of Mission Indians, n.d.). Piloting a program such as this in SD County would require an expansion of caring and capable staff, including some that have themselves transcended poverty; perhaps funds can be cut from invasive, criminalizing investigatory activities and redirected towards financing this initiative that supports human dignity and self-sufficiency.

COVID-19

A lesson that will certainly come from a look back at the economic and social impact of the COVID-19 pandemic is that many more people in the United States were vulnerable to poverty and food insecurity than previously acknowledged. However, there is one group that we have known about for decades and have yet to properly care for, even as they provide vital labor in frontline occupations and endeavor to raise thriving families. An early study is showing that Latina mothers are disproportionately affected by the COVID-19 crisis due to economic setbacks including job loss and mental health issues associated with making difficult financial decisions to keep their families fed and housed (Hibel, et al., 2021, January 7). The health, safety, and security of these women should be a consideration in the decision-making process by our legislators as they formulate relief measures and create long-term recovery plans.

Another related issue hit close to home in SD County in 2021 and is garnering a strong public reaction nationally. As of official count at the end of February, there are 6,581 unaccompanied minors in the care of the U.S. Office of Refugee Resettlement, awaiting asylum hearings and, for some, the opportunity to be united with family here in the U.S. (U.S. Department of Health and Human Services 2021). Meanwhile, County Supervisor Nathan Fletcher shared on his Instagram account that SD County agreed to assist the federal government by providing space at the San Diego Convention Center to house and care for the children while

they are being processed. Wrote one commenter, “Can’t have anything for US Citizens, but let’s bring in ILLEGAL immigrants and give them food that US Citizens can’t have... nope, not cool!” (Fletcher, 2021, March 22). Another stated, “The right thing to do is not give people the false impression our border is open” (Fletcher, 2021, March 22). Perhaps the right thing to do is for San Diego County to humanely meet the needs of the most vulnerable immigrants in an unprecedented time, rather than react to the alarmist headlines that once again are filled with warnings of impending doom. “Texas guard deployed as migrants, some in Biden t-shirts, flood border states” (Villareal, 2021, March 10). “Frozen immigration system begins to thaw, towns on border brace for flood” (Dobbins, et al., 2021, March 21). “Migrant flood at border puts Biden in hard spot” (*Arkansas Democrat-Gazette*, 2021, March 17). Clearly, the treatment of immigrants and the rhetoric used to target them is still a salient topic in 2021.

April 6, 2021: Project 100% Discontinued

The day after this dissertation was defended, two SD County Supervisors elected in November 2020 introduced an agenda item at the April 6th, 2021 BoS meeting: Termination of Early Fraud Prevention/Detection- San Diego County Project 100%. In a letter to their fellow members, Supervisor Nora Vargas and Supervisor Terra Lawson-Remer proposed that the county discontinue the program. Supervisor Vargas noted in the meeting that she found P100 to be an issue that “raised unnecessary barriers, caused harm for many of our communities of color, particularly during difficult times” with the rationale that “we must end the practice of stigmatizing and criminalizing individuals that participate in self-sufficiency programs” (Vargas, 2021, April 6). Supervisor Lawson-Remer stated that P100 is “an outrageous invasion of people who are just trying to get their basic human rights met. It is just appalling that this has been standard practice” (Lawson-Remer, 2021, April 6). Later, Lawson-Remer added, “I would much

prefer that we look at fraud detection in ways that protect the dignity and respect of everyone in our county” (Lawson-Remer, 2021, April 6). The Board voted unanimously to end P100 and agreed to create a Social Services Advisory Board task force to study the barriers to enrollment in the county and to report back to the Board monthly, with concluding suggestions coming December 2021 (City News Service, 2021, April 7).

Clearly this is an issue to follow in the coming months, as the rescinding of this decades-long program indicates a significant shift in the county leadership’s philosophy on welfare program delivery. The end of P100 could impact several factors, including program enrollment, the reconfiguration of PAFD and its departmental budget, and delivery of services to those experiencing poverty in the county.

Conclusion

The entire solution to lack in this country is not wrapped up in local or federal government, and it is certainly not going to be solved by continuing to blame marginalized populations. We have means and incredibly creative people in the United States and around the world who are working to tackle systemic poverty through social enterprise, public-private partnerships, and policy. If ever there was an opportunity to create sweeping and positive change, it is now, as the United States faces one of our greatest challenges in history. As Dr. King implored in his last sermon before his untimely death, “This is America’s opportunity to help bridge the gulf between the haves and the have-nots...There is nothing new about poverty. What is new is that we now have the techniques and the resources to get rid of poverty. The real question is whether we have the will” (King, 1968, March 31).

Appendix A

Terms and Acronyms

American Civil Liberties Union (ACLU)

Aid to Families with Dependent Children (AFDC)

American National Election Survey (ANES)

California Department of Health Services (CADHS)

California Medical Assistance Program (Medi-Cal)

California Work Opportunity and Responsibility to Kids (CalWORKs)

Chief Administrative Officer (CAO)

Department of Health and Human Services (DHHS)

Department of Social Services (DSS)

Do-It-Better-By-Suggestion (D.I.B.B.S.)

Family Resource Bureau (FRB)

Federation for American Immigration Reform (FAIR)

Health and Human Services Agency (HHSA)

Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA, 1996)

Immigration Reform and Control Act (IRCA, 1986)

Immigration and Naturalization Service (INS)

Lawful Permanent Residents (LPR)

Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA, 1996)

Project 100% (P100)

Proposition 187 (Prop 187)

Public Assistance Fraud Division (PAFD)

Public Policy Institute of California (PPIC)

San Diego County (SD County)

San Diego Union-Tribune (U-T)

Social Services Agency (SSA)

Southern Poverty Law Center (SPLC)

Supportive Parents Information Network (SPIN)

Temporary Assistance for Needy Families (TANF)

United States Citizenship and Immigration Services (USCIS)

Appendix B

MaxQDA Codebook

Code Name	# of Coded Segments
1 Blumer 1: Superiority	
1.1 Abuse	15
1.2 Anecdotes/Imagery	78
1.3 Take Advantage	12
1.4 Birthright Citizenship	53
1.5 Self-sufficient/Productive	12
1.6 Accountability/Responsibility/Bootstrapping	19
1.7 Hard-Working vs. Lazy	7
1.8 Illegal/Legal Distinction	538
1.9 Pregnant Mothers/Mexican Mothers	67
1.10 Proper Channels	16
1.11 Undeserving	22
2 Blumer 2: Different/Alien	
2.1 Citizenship	234
2.2 Rights	24
2.3 Alien	17
2.4 Animal	3
2.5 Border	81
2.6 Documents	68
2.7 Language	8
2.8 Residency Related	92
2.9 Undocumented	410
3 Blumer 3: Proprietary Claim	
3.1 Who Pays/Reimburse/Costs Associated	131
3.2 Coming for Work	34
3.3 Cut Off/Withhold Benefits	86
3.4 Deeming	11
3.5 Ineligible	24
3.6 Economic Concern	45
3.7 Resource Drain/Take More Than Give	75
3.8 Immigration Restriction	21
3.9 Taxpayer Burden	128
3.10 Truly Needy	12

3.11 Political Gain/Pressure	63
3.12 Public Opinion	33
4 Blumer 4: Threat Greater Share	
4.1 Incentive/Magnet	50
4.2 Investigations	133
4.3 Prejudice/Nativism/Xenophobia	175
4.4 Anxiety/Escalating/Fear	35
4.5 Criminal Penalties	82
4.6 Fraud	174
4.7 Inundated/Flooding/Population Growth/Invasion	60
4.8 War/Violence	13
5 Type of Article	
5.1 Lifestyle-Local	1
5.2 Business-Local	1
5.3 Opinion	41
5.4 News- National	39
5.5 News-State	43
5.6 News- Local	135
6 Year	
6.1 1990	3
6.2 1991	4
6.3 1992	28
6.4 1993	40
6.5 1994	73
6.6 1995	28
6.7 1996	40
6.8 1997	35
6.9 1998	7
6.10 1999	3
7 Tone	
7.1 Positive	34
7.2 Negative	111
7.3 Ambivalent	116
8 Reforms	
8.1 California	37
8.1.1 Prop 187	34
8.2 San Diego	
8.2.1 P100	27

8.2.1.1 Psychological harms	10
8.2.1.2 Other Counties	7
8.2.1.3 Full Field	1
8.2.1.4 Instructions	3
8.2.1.5 P100 Reports	10
8.2.1.5.1 Eligibility	13
8.2.1.5.2 Case Reduction	14
8.2.1.5.3 Savings/Denials/Costs	34
8.2.1.5.4 Home Calls	25
8.2.1.6 Villafana Case	12
8.2.1.7 Sanchez Case	11
8.2.2 SD Welfare Reforms	89
8.2.2.1 SD Fraud Welfare	112
8.2.2.2 SD Fraud Immigrants	61
8.2.2.3 SD Burden Costs	37
8.2.2.4 SD Immigration Reform	44
8.2.2.5 Zero Tolerance/Team Zero	17
8.3 Federal	
8.3.1 Border Security	3
8.3.2 PRWORA	18
8.3.3 IIRIRA	0
8.3.4 Federal Welfare	5
8.3.5 Federal Immigration	26
8.3.6 Federal Welfare and Immigration	76
9 Rhetoric	
9.1 Rhetoric- Public R	3
9.2 Rhetoric- Public D	0
9.3 Rhetoric- Public N/A	51
9.4 Rhetoric- FAIR/Anti-immigrant/restrictionist groups	28
9.5 Rhetoric- Elite R	133
9.5.1 Rhetoric-Bailey	1
9.5.2 Rhetoric- Golding	5
9.5.3 Rhetoric- Roberts	4
9.5.4 Rhetoric- Gov. Wilson	63
9.5.5 Rhetoric- Williams	4
9.5.6 Rhetoric- Slater-Price	19
9.5.7 Rhetoric- Cox	15
9.5.8 Rhetoric- Horn	20

9.5.9 Rhetoric- Jacob	36
9.5.10 Rhetoric- Bilbray	69
9.5.11 Rhetoric- MacDonald	3
9.6 Rhetoric- Elite D	62
9.7 Rhetoric- Elite N/A	348

Appendix C

IRB Letter

AGREEMENT TO PARTICIPATE IN *PROJECT 100% AND IMMIGRATION RHETORIC IN SAN DIEGO COUNTY* (IRB # 3610)

You are invited to be interviewed for a research project. Volunteering may benefit you directly, but you will be helping the researcher explore the activity surrounding the formulation, adoption, and implementation of policy in San Diego. If you volunteer, you will participate in a one-on-one interview with the researcher. This will take about 1 hour of your time. Volunteering for this study involves no more risk than what a typical person experiences on a regular day. Your involvement is entirely up to you. You may withdraw at any time for any reason. Please continue reading for more information about the study.

STUDY LEADERSHIP: This research project is led by Amy Nantkes, PhD Candidate at Claremont Graduate University under the advisement of Dr. Melissa Rogers, a professor at Claremont Graduate University.

PURPOSE: This study examines the political atmosphere and rhetoric surrounding immigrants and welfare program benefits in San Diego County, California in 1993-1999 as a new program entitled Project 100% (P100) was formulated, adopted, and implemented in the county. This research will focus on the intersection between reforms in the immigration and welfare policy domains at a local county level.

ELIGIBILITY: To be included in this study, you must be a former/current San Diego County Board of Supervisors member that served during the years 1993-1999.

PARTICIPATION: During the study, you will be asked to speak with the researcher about your service on the Board in the 1990s and about the political atmosphere surrounding immigration and welfare reforms during that era. The interview will take approximately 1 hour and can be done on the telephone or in person, at a location and time convenient for you. Interviews will be transcribed and made available to participants. Participants will be given the opportunity to clarify points via a follow-up interview or in writing.

A sample of the questions you will be asked is included below:

1. Describe the political climate during (the years in question 1993-1999 that you were an active Board member).
  - a. What were the pressing political issues in the county?
  - b. What issues were recurring concerns for your constituents, particularly in election years?
2. What were your views on immigration and welfare reform in San Diego County during this time (the years in question 1993-1999 that you were an active Board member)?
  - a. What actions did you personally take to address the issue?
3. What was the general public sentiment on the issue of immigration and welfare reform in the County?
  - a. Did your constituents appeal to you on this issue, and, if so, what requests were they making or concerns did they share?
4. Describe the events and conversation surrounding the inception of Project 100% in 1997 (if you served during this period).
  - a. Was there any public conversation about this policy? If so, what was opinion towards P100?
  - b. What role did the District Attorney's office play in the formulation of this policy?
  - c. Were there other policies or programs that influenced P100?
  - d. What were the conversations around P100 amongst political leaders?
  - e. What were the intended effects of P100, and, to your knowledge, has the policy been successful?

RISKS OF PARTICIPATION: The risks that you run by taking part in this study are minimal. Participation is minimal risk to interviewees as they are describing their ideas and recollections about a policy event that

occurred while in elected office. As described in a previous section, interviewees will have the opportunity to review transcripts of the interview and can make adjustments and/or retract statements at that time.

BENEFITS OF PARTICIPATION: I do not expect the study to benefit you personally. This study will benefit the researcher by successful completion of dissertation research and advancement to degree completion.

COMPENSATION: You will not be directly compensated for your participation.

VOLUNTARY PARTICIPATION: Your participation in this study is completely voluntary. You may stop or withdraw from the study at any time or refuse to answer any particular question for any reason without it being held against you. Your decision whether or not to participate will have no effect on your current or future connection with anyone at CGU.

CONFIDENTIALITY: Because the interviewees will be named in their comments in the final research product, participation will not be anonymous. However, participants may end the interview and/or skip questions if they do not wish to answer. Participants will be asked for their verbal consent before beginning audio recording and will be allowed access to the audio file and transcripts after the interview. The audio files and transcripts will be password protected on the researcher's computer.

FURTHER INFORMATION: If you have any questions or would like additional information about this study, please contact Amy Nantkes at 949-266-4822 or amy.nantkes@cgu.edu. You may also contact Dr. Melissa Rogers at 646-232-8327 or melissa.rogers@cgu.edu. The CGU Institutional Review Board has approved this project. If you have any ethical concerns about this project or about your rights as a human subject in research, you may contact the CGU IRB at (909) 607-9406 or at irb@cgu.edu. A copy of this form will be given to you if you wish to keep it.

CONSENT: Your signature below means that you understand the information on this form, that someone has answered any and all questions you may have about this study, and you voluntarily agree to participate in it.

Signature of Participant _____ Date _____
Printed Name of Participant _____

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