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Antidiscrimination Ordinances in Northwest Indiana: An Event-History Analysis of Municipal Policies Since 1992

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ABSTRACT

In recent years, municipalities throughout Indiana have passed antidiscrimination ordinances that protect the rights of individuals who belong to racial, ethnic, or sexual minorities. Political scientists have proposed competing theories of policy-adoption processes that suggest a number of internal factors (such as socioeconomic characteristics, governmental capacity, or issue salience) or external factors (such as mandates/incentives from higher-level governments or influence from neighboring communities) as predictors of policy adoption; however, most existing studies focus on state-level processes, and those that focus on municipalities consider only large cities in different states. To more clearly distinguish between state-level effects and local effects, this study focuses on municipalities of all sizes within one particular region (Northwest Indiana) since 1992 and considers various theories of municipal policy processes in order to develop a model that explains the intraregional variation in whether municipalities adopted antidiscrimination ordinances and when they did so. An event-history analysis (Cox proportional hazards regression) finds the strongest empirical support for a model of antidiscrimination-policy adoption that uses municipality size and the extent of local mediareporting on bias-motivated incidents as predictors.

KEY WORDS: Antidiscrimination Policy; Municipal Politics; Event-History Analysis; Northwest Indiana

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In recent years, municipalities throughout the United States have passed ordinances protecting persons from discrimination on the basis of race, ethnicity, sexuality, and other characteristics. Often, these ordinances incorporate existing federal-and state-level protections into municipal codes so municipalities can take a more active role in protecting their residents' rights. In other cases, municipal ordinances establish protections that go beyond existing federal and state law in recognizing protected classes and prohibiting forms of discrimination (Johnson 2016). Clearly, some municipalities see it as their responsibility to protect their residents from discrimination and have enacted policies to achieve this end, while others have not taken such steps. Even when municipalities have adopted these policies, there is considerable variation, often within the same state and region, as to when they did so.

There are many reasons why municipal governments decide to adopt or not adopt particular policies and when they do so. Although the body of literature considering state-level policy adoption is extensive and sophisticated (Karch 2007a, 2007b), the literature on municipal policy adoption is less developed. Most municipal-level studies compare larger cities in different states and regions of the United States. Given that municipal-level data for many key measures is difficult to obtain, these studies sometimes substitute state-level measures for independent variables such as ideology or interest-group organization; however, this technique does not account for differences between cities within the same state and can confuse external influences (for example, pressure from statewide interest groups) with internal influences (from local interest groups). This study will focus on a group of municipalities within one region of a state and will use only measures that are available for each municipality. Although this approach presents challenges for data collection, if successful, it will provide a clearer picture of the policy processes within these smaller municipalities. Furthermore, the existing literature that specifically considers antidiscrimination-policy adoption is somewhat limited and focuses almost entirely on state-level policy. The only published study of municipal antidiscrimination-policy adoption (Wald, Button, and Rienzo 1996) does not consider issues of timing and pace of policy adoption.[1]

This study contributes to the existing literature on municipal government adoption of antidiscrimination-policy ordinances with an event-history analysis of the adoption of antidiscrimination ordinances by municipalities in the Northwest Indiana region between 1992 and 2018.[2] Through this empirical, longitudinal approach, the study can test competing models of the policy-adoption process, comparing the influence of external factors (such as state legislative action) and internal factors (including the demographic and political characteristics of each municipality). Specifically, this study finds that local media coverage of bias-motivated incidents plays a crucial role by increasing issue salience and influencing the timing of antidiscrimination-policy adoption among municipalities in Northwest Indiana.

BACKGROUND

Northwest Indiana is a region that has a strong regional identity but also has clearly defined internal divisions. Although located within the state of Indiana, it is more closely

linked economically and culturally to the Chicago area than to the rest of Indiana. In fact, much of Northwest Indiana is located within the Chicago metropolitan area. As a whole, it has a high level of racial and ethnic diversity, but the different racial and ethnic groups tend to live in highly segregated municipalities. Cities located in the northwestern part of Northwest Indiana, closest to Chicago and Lake Michigan, generally have more industrialized economies and larger minority populations, while the southern and eastern parts of the region are more rural and white. In recent years, southern Lake County and parts of Porter County have experienced a surge in development of suburban-style subdivisions targeted at upper-middle-class families. Additionally, a number of lakefront municipalities are located in Porter and LaPorte counties, and these small, exclusive towns have property values and income levels substantially higher than the rest of the region (Table 1). Because of these extreme racial and economic differences among the various municipalities, their residents and leaders often have regarded each other with suspicion. Efforts at regional intergovernmental cooperation have been fairly rare and limited in scope, although some cooperation has emerged in recent years on economic-development planning and public-transportation initiatives.

Table 1. Profile of Northwest Indiana Communities

Municipality	Form of Government	County	Population	Minority Residents	Per Capita Income	College Degree or Higher
Beverly Shores	Town	Porter	613	3.4%	$45,969	60.9%
Burns Harbor	Town	Porter	1,156	4.6%	$21,997	13.4%
Cedar Lake	Town	Lake	11,560	5.1%	$24,148	16.3%
Chesterton	Town	Porter	13,068	7.3%	$28,366	30.9%
Crown Point	City	Lake	27,317	11.8%	$31,364	30.1%
Dune Acres	Town	Porter	182	4.9%	$142,090	75.1%
Dyer	Town	Lake	16,390	9.9%	$34,306	29.3%
East Chicago	City	Lake	29,698	64.5%	$13,850	8.6%
Gary	City	Lake	80,294	89.3%	$15,383	11.6%
Griffith	Town	Lake	16,893	24.2%	$25,486	18.8%
Hammond	City	Lake	80,830	40.6%	$17,844	12.1%
Hebron	Town	Porter	3,724	4.1%	$25,021	10.1%
Highland	Town	Lake	23,727	11.4%	$28,824	25.0%
Hobart	City	Lake	29,059	14.7%	$24,707	16.2%
Kingsbury*	Town	LaPorte	242	2.9%	$18,411	8.8%
Kingsford Heights*	Town	LaPorte	1,435	13.7%	$15,899	6.2%
Kouts	Town	Porter	1,879	2.4%	$22,710	14.9%

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Table 1. Profile of Northwest Indiana Communities, concl.

Municipality	Form of Government	County	Population	Minority Residents	Per Capita Income	College Degree or Higher
LaCrosse*	Town	LaPorte	551	0.5%	$19,809	9.9%
Lake Station	City	Lake	12,572	20.3%	$17,309	7.6%
LaPorte	City	LaPorte	22,053	11.4%	$20,432	14.4%
Long Beach	Town	LaPorte	1,179	3.2%	$51,523	62.9%
Lowell	Town	Lake	9,276	4.1%	$21,741	15.8%
Merrillville	Town	Lake	35,246	53.6%	$23,086	18.9%
Michiana Shores	Town	LaPorte	313	2.6%	$44,908	37.1%
Michigan City	City	LaPorte	31,479	35.1%	$18,315	14.8%
Munster	Town	Lake	23,603	14.4%	$34,564	35.6%
New Chicago*	Town	Lake	2,035	19.0%	$16,960	5.0%
Ogden Dunes	Town	Porter	1,110	3.9%	$56,374	63.0%
Portage	City	Porter	36,828	16.4%	$23,120	13.8%
Porter	Town	Porter	4,858	5.7%	$30,774	30.3%
Pottawattamie Park*	Town	LaPorte	235	7.7%	$38,261	35.8%
Schererville	Town	Lake	29,243	13.2%	$32,686	31.7%
Schneider*	Town	Lake	277	2.9%	$18,395	16.7%
St. John	Town	Lake	14,850	1.2%	$32,897	34.0%
Town of Pines*	Town	Porter	708	6.1%	$21,380	13.5%
Trail Creek	Town	LaPorte	2,052	8.8%	$26,287	14.1%
Valparaiso	City	Porter	31,730	10.1%	$25,339	36.2%
Wanatah	Town	LaPorte	1,048	3.1%	$23,784	15.5%
Westville	Town	LaPorte	5,853	27.9%	$11,243	7.9%
Whiting	City	Lake	4,997	23.7%	$21,017	14.2%
Winfield	Town	Lake	4,383	11.5%	$32,055	29.1%

Notes: All data from 2010 US Census.

* indicates municipalities excluded from study.

Although these high levels of segregation, income inequality, and division are undesirable from many perspectives, they do provide an opportunity for political scientists interested in studying local government. The relative insularity of Northwest Indiana's municipalities allows for the study of the politics of municipalities that are located in the same region of the country, are exposed to similar economic trends, and possess nearly identical formal political structures. At the same time, these municipalities are very different from each other, which allows researchers to concentrate on the effects

of the variables unique to each municipality, such as socioeconomic characteristics, political culture, and local issue salience.

Though several Northwest Indiana municipalities have a long history of ordinances against discrimination, the majority have no such ordinances (Table 2). The larger cities, including Gary, East Chicago, Hammond, and Michigan City, established human rights commissions as early as the 1960s, well before the time frame of this study. These commissions are empowered to investigate complaints of discrimination, promote reconciliation, and when necessary, enact penalties against discriminators. Fair housing ordinances that protected racial and ethnic minorities in the sale or rental of housing were passed by many Indiana municipalities, including a few in Northwest Indiana such as LaPorte and Hebron, beginning in the 1990s. Around 2010, a small number of municipalities in Northwest Indiana began to establish protections for LGBT persons.

THEORIES OF POLICY ADOPTION

The most common approach to the study of policy adoption is the policy-diffusion approach, which focuses on the processes through which policies spread across or within political systems as well as on how internal factors, such as political culture or demographics, make municipalities more susceptible to policy diffusion (Biesenbender and Tosun 2014; Godwin and Schroedel 2000; Karch 2007a; Lozner 2004; Rogers 2003; Vasi and Strang 2009). Although diffusion studies address a wide range of policy innovations, they all share the assumption that policy making at one level of government affects the likelihood of policy making in other governments (Gray 1973; Karch 2007b). Scholars have found evidence of policy diffusion as a result of vertical influences (both top-down and bottom-up) through processes of coercion, imitation, or policy learning (Gray 1994; Mintrom and Vergari 1996, 1998; Shipan and Volden 2006, 2008). Other studies have found evidence of horizontal diffusion, facilitated through communication and information pooling between municipalities in close geographic proximity to each other (regionally, intrastate, and so on) or of similar size and demographic composition (Berry and Berry 1990; Mitchell 2018; Mooney and Lee 1995). Only a few studies of antidiscrimination-policy adoption have found evidence of either vertical or horizontal diffusion, however. Grattet, Jenness, and Curry (1998) found that as more states enact hate-crime laws, other states experience more pressure to do so as well. Taylor et al. (2012) found that states whose neighbors have passed gender-identity-protection legislation are more likely to pass similar policies.

Policy-diffusion studies also account for various internal factors that can increase the likelihood of policy diffusion (Shipan and Volden 2008). Factors such as a jurisdiction's socioeconomic characteristics or dominant political culture can make it more or less likely to be influenced by external policy diffusion. The presence of a large number of members of a particular racial group or religious denomination might make a state more or less likely to pass antidiscrimination policies, but findings in this area are mixed. Berry and Berry (1990) and Wald et al (1996) found that a concentration of fundamentalist Christians decreased the likelihood of adoption of policies that offended those groups. Colvin (2008) found that cities with high levels of racial diversity, same-sex households,

and college graduates were more likely to adopt public-employment protections for transgendered persons; however, other studies found that the concentration of nonwhite or Jewish populations had no measurable effect on the likelihood of states passing antidiscrimination measures (Grattet et al. 1998; Soule and Earl 2001).

Table 2. Anti-Discrimination Policies Enacted by Northwest Indiana Municipalities, 1992–2018

Municipality	Action	Date
Hammond	Fair Housing Ordinance	5/12/1992
Gary	Revised Civil Rights Ordinance	12/20/1994
LaPorte	Fair Housing Policy	2/6/1995
Hebron	Fair Housing Policy	4/18/1995
East Chicago	Revised Civil Rights Ordinance	9/25/1995
Michigan City	Prohibited Sexual Orientation Discrimination	9/18/2002
Munster	Fair Housing Policy	4/20/2009
Merrillville	Fair Housing Policy	4/27/2010
Hobart	Fair Housing Policy	5/1/2010
Valparaiso	Established Advisory Human Relations Council	6/27/2011
Hammond	Prohibited Sexual Orientation and Gender Identity Discrimination	4/13/2015
LaPorte	Re-established Human Rights Commission	9/21/2015
Michigan City	Prohibited Gender Identity Discrimination	12/1/2015
Gary	Updated Fair Housing Policy to Include Families with Same-Sex Partners	12/15/2015
Munster	Anti-Discrimination Ordinance including Sexual Orientation and Gender Identity	4/25/2016
Valparaiso	Anti-Discrimination Ordinance including Sexual Orientation and Gender Identity	5/23/2016
Portage	Established Human Rights Committee	1/23/2018

Municipality	Pre-1992 policies
Michigan City	Human Rights Commission
East Chicago	Human Rights Commission
Gary	Human Relations Commission
Hammond	Human Relations Commission
Porter	Fair Housing Ordinance
St. John	Fair Housing Ordinance

Another internal factor that can influence policy diffusion is governmental capacity. Governmental capacity can be understood in terms of the size and scope of units or government or in terms of fiscal health. Wald et al. (1996) found that city size was one of the strongest predictors of cities adopting gay-rights ordinances, and Soule and Earl's (2001) measure of political innovativeness, which looked at how often states had adopted new policies in the past, was predictive of the passage of hate-crime legislation. Per capita income is often used as a measure of fiscal health and size of tax base. These kinds of measures are more common in the literature on economic-development policies (for example, Feiock and West 1993) but are sometimes included in studies of moral issues such as the establishment of lotteries or antidiscrimination measures. Soule and Earl found that higher per capita incomes increased the likelihood that states would pass hate-crime legislation.

Political culture also can make a jurisdiction more susceptible to policy diffusion; however, findings related to antidiscrimination policy are mixed. Studies that look at measures of mass opinion, such as voting in presidential elections (Wald et al. 1996) or liberal attitudes of voters (Soule and Earl 2001) have not found a clear connection to the adoption of antidiscrimination ordinances. Soule and Earl (2001) found that the percentage of Democratic legislators in a state increased the likelihood of passage of hate-crime legislation.

In summary, the existing policy-diffusion literature finds limited evidence of either external policy diffusion or internal factors influencing state-level antidiscrimination-policy adoption and, with few exceptions (Colvin 2007, 2008; Wald et al. 1996), has ignored municipal-level antidiscrimination-policy adoption. Additionally, very few existing antidiscrimination studies (*see* Grattet et al. 1998; Soule and Earl 2001) focus specifically on the varying pace of antidiscrimination-policy adoption. To put it simply, most diffusion studies tend to exclusively focus on the spread and adoption of policy innovations (Biesenbender and Tosun 2014) instead of the timing of policy adoption and the impact of specific factors on the timing of policy adoption. This means that our understanding of the antidiscrimination policy-making process is incomplete, as is our understanding of how various factors influence municipal governments' decisions about when to adopt such policies. This is unfortunate, because other research suggests that the timing of policy adoption has consequences for its content, implementation, effectiveness, and subsequent evaluation (Pavalko 1989; Pindyck 2000).

As an alternative to diffusion models, some scholars have studied the adoption of antidiscrimination policies using a morality-politics model. In this body of literature, scholars attempt to determine the circumstances under which political systems are most likely to create policies that are consistent with public preferences. Morality policies are policies in which the government regulates social norms by endorsing one set of values over a different set of values (Gusfield 1963). Compared to other kinds of policies, these policies tend to be highly salient in public debate and engaging to many citizens because they do not require acquiring new information to have or express an opinion; "Everyone is an expert on morality" (Haider-Markel and Meier 1996:333, 2003:672).

While both diffusion models and morality-politics models attempt to explain why jurisdictions adopt new policies, and both consider that policies can move between

jurisdictions vertically and horizontally, they suggest different means of transference. Diffusion models assume that diffusion happens when political elites in one jurisdiction seek out and learn about new policy options in neighboring jurisdictions. Morality-politics models focus on the activities of interest groups or activist coalitions (Haider-Markel 2001), either internal or external to a jurisdiction, that lobby on behalf of policies and thus influence the strategic decisions of political actors. These studies indicate that as policy debates take on the characteristics of morality politics, there is a greater probability that political actors will take actions that reflect public preferences (Haider-Markel 2001:7; Lax and Phillips 2009:383). This suggests the potential importance of issue salience in determining antidiscrimination-policy adoption, as high issue salience is one of the characteristic features of morality politics; however, issue salience itself varies across time and is influenced by various factors including interest-group presence, mobilization, and resources; media campaigns; and specific triggering events (Becker 1999; Haider-Markel and Meier 1996; Swarts and Vasi 2011).

Although the morality-politics model improves on the diffusion model with its emphasis on issue salience, still missing from this literature is a focus on how factors influencing an issue's perceived salience affect the pace of policy adoption. For example, although some scholarship recognizes the impact of media coverage of hate and other bias-motivated crimes and specific triggering events on citizens' perception of an issue's salience (Becker 1999; Feinberg 2002; Rabrenovic 2007), these studies stop short of examining the connection between that phenomenon and the varying pace of antidiscrimination-policy adoption. Soule and Earl found that "states in regions where there is a great deal of media attention to hate crimes are quicker to enact hate crime laws than are states in regions with little or no media attention" (2001:294), but it is unknown whether this phenomenon also explains the variation in the timing of when municipalities adopt antidiscrimination policies. This research lacuna is particularly surprising, as a growing body of research highlights the significance of local media's influence on the policy-making process (Crow 2010).

Research on the local policy-making process often involves a direct or indirect analysis of the role of the media. These studies provide evidence that media reports, particularly those about crime, help shape public opinion (Colomb and Damphousse 2004). Furthermore, related studies demonstrate that frequent exposure to stories about crime from local news sources increases individual and aggregate levels of fear (Haghighi and Sorensen 1996; Liska and Baccaglini 1990). Such increases in fear may mobilize people to put pressure on elected officials to address the problem. Government officials, particularly local elected politicians, facing these circumstances are likely to respond. As such, it is possible that media stories about bias-motivated incidents may be a catalyst for the development and adoption of local antidiscrimination ordinances. If this is the case, it is expected that localities where large volumes of local newspaper coverage highlight bias-motivated crimes and other incidents will have adopted antidiscrimination policies earlier than similarly situated municipalities with less coverage.

METHODS AND DATA

The process through which a municipality decides to pass an antidiscrimination ordinance happens over time. Because many of the independent variables that might predict passage can occur before or after the actual time of passage, it is not sufficient simply to demonstrate correlation between the two variables; the relationship must occur in the correct chronological order. For example, the mere fact that bias incidents occurred in a city that passed an antidiscrimination ordinance does not provide evidence that the incidents influenced the ordinance's passage unless it is also the case that the incidents occurred before the ordinance's passage. The cross-sectional analysis techniques used in many studies of policy adoption cannot account for chronology, however. To account for this, the present study uses Cox regression, a form of event history analysis (EHA), to evaluate its models. EHA is a method that was originally developed in the healthcare field as a means of understanding how pathologies and treatments contribute to the survival or death of patients. Social scientists have adopted this methodology to study a number of phenomena, including policy innovation and diffusion (Berry and Berry 1990; Box-Steffensmeier and Jones 2004). As used by social scientists, EHA is a kind of longitudinal analysis that predicts the probability of an event happening within a particular frame of time, based on the values of the independent variables. Each case in the data is a particular time frame for a particular government unit. In this study, each case is one month for one municipality. The first month included in the study is January 1992, and the last month included is January 2018.

Dependent Variable

The dependent variable is a dichotomous variable coded 1 for months during which a municipality adopts an ordinance establishing or expanding antidiscrimination protections and 0 for months when a municipality does not. These ordinances include establishment of human rights commissions, fair housing ordinances, or broader antidiscrimination policies, or addition of new protected classes to existing policies (Table 2). Current compilations of municipal codes were examined for antidiscrimination provisions and for annotations indicating the specific ordinances that established the protections. Only ordinances that expanded the level of legal protections were counted; ordinances that made only minor changes to the functioning of the municipalities' antidiscrimination processes—such as changing the membership or quorum rules of the human rights commission—were not counted as expanding protections against discrimination. Among the 34 municipalities included in the study, 17 antidiscrimination ordinances were passed and included.

Model 1: Diffusion Model

Policy diffusion can be vertical, such as when a municipality adopts a policy in response to policies at the state or federal level, or horizontal, such as when a municipality imitates a policy adopted by a nearby municipality with which it shares relevant characteristics,

emulates policy successes in a nearby municipality, or adopts policies similar to those in nearby municipalities in order to remain economically competitive (Karch 2007b). Because all of the municipalities in this study are within the same state, vertical external influence will be constant among them; however, vertical influences might affect the timing of when new policies are adopted. If the state or federal government is encouraging municipalities to adopt antidiscrimination ordinances, then multiple municipalities in the state should be passing them at approximately the same time. City codebooks were reviewed for existing antidiversity ordinances and passage dates. Of 110 cities outside Northwest Indiana, 91 (82.7 percent) had codebooks online that could be searched. This study counts the number of antidiscrimination ordinances passed by Indiana cities outside of Northwest Indiana during the previous year as a measure of vertical influence.

Horizontal (or neighborhood) influence also should be relatively constant, and there are a number of reasons to expect that it will not be a significant determinant of antidiscrimination-policy adoption in Northwest Indiana. Horizontal influence is more likely in policy areas where the impacts of a policy are likely to spill over and be experienced across jurisdiction boundaries, such as gun control, gambling, or bottle-and-can deposit laws (Tucker, Stoutenborough, and Beverlin 2012). Because the effects of antidiscrimination laws are less likely to spill over, horizontal influence is less likely in this case. Additionally, Northwest Indiana's history of municipalities not coordinating on policy makes horizontal influence less likely, especially for antidiscrimination policies, because any of the divisions between these municipalities are rooted in racial and ethnic differences.

There are two common strategies for measuring possible horizontal diffusion, both of which were developed in studies focusing on states. One is to measure the percentage of contiguous states that have adopted the policy being studied (Haider-Markel 2001); the other is to measure the percentage of states within the subject state's region that have adopted the policy (Lott 1998). Neither of those strategies is appropriate for this study. Some of the municipalities in Northwest Indiana are completely surrounded by other municipalities, but some have no contiguous municipalities. The three counties (Lake, LaPorte, and Porter) could be used as subregions, but many municipalities will be much closer to municipalities across county lines than to municipalities on the other side of their own county. Furthermore, a percentage measure is not appropriate in this study because municipalities can enact multiple antidiscrimination measures. As an alternative, this study counts the cumulative number of antidiversity ordinances passed in neighboring municipalities (including those passed before the time frame of this study) and then uses the square root of that number. Neighboring municipalities are defined as those that are less than half the mean distance between the municipality and all other municipalities included in the study.[4]

> **H1:** A higher number of antidiversity ordinances passed in Indiana cities outside of Northwest Indiana within the past year will increase the probability of municipalities in Northwest Indiana passing an antidiversity ordinance.

H2: A higher cumulative number of antidiversity ordinances passed in neighboring municipalities will increase the probability of a municipality passing an antidiversity ordinance.

Model 2: Socioeconomic Model

Models based on socioeconomic internal factors predict that policy innovations are related to the presence of various populations that are likely to benefit from (or be harmed by) a policy (Berry and Berry 1990:402) or that are likely to approve (or disapprove) of it (Wald et al. 1996:1156–58). In terms of antidiscrimination ordinances, members of racial, ethnic, or sexual-identity groups likely to be discriminated against would most likely support these policies. Information about the size of racial or ethnic minorities in a municipality is readily available through census data. Antidiscrimination policies also would likely be supported by those with higher levels of education.[5]

H3: The percentage of minority residents in a municipality will increase the probability of adoption of an antidiscrimination ordinance.

H4: The percentage of residents attaining at least a bachelor's degree will increase the probability of adoption of an antidiscrimination ordinance.

Model 3: Government Capacity Model

Models that focus on government capacity suggest that larger city governments and those with more resources will be more likely to adopt policy innovations. Government capacity can be measured through municipality size, budget size, tax base, or the structure and powers of government. Larger municipalities are likely to have larger governments that have more experience dealing with various kinds of issues and will be more likely to take on new issues. City size has been found to be a strong predictor of policy innovation (for example, Green 2014; Swarts and Vasi 2011). Furthermore, wealth disparities between cities leave some cities of similar size with different levels of financial resources, which gives wealthier cities more capacity to initiate new policies. This study follows Feiock and West (1993) in using per capita income as a measure of a city's tax base. Because the per capita income data include outliers and are heavily right-skewed, the natural log of per capita income was used in the model. The U.S. Census Bureau's Census of Governments provides data on municipalities' annual budgets.[6] Because population size is already accounted for, this study uses annual expenditures per resident. Finally, to account for differences in the type of government, a dummy variable is included to distinguish between municipalities organized as cities and those organized as towns (City = 1, Town = 0).

H5: Larger overall populations will increase the probability of a municipality adopting an antidiscrimination ordinance.

H6: Higher per capita incomes will increase the probability of a municipality adopting an antidiscrimination ordinance.
H7: Higher per-resident municipal expenditures will increase the probability of a municipality adopting an antidiscrimination ordinance.
H8: Municipalities that are organized as cities will be more likely to adopt antidiscrimination ordinances than will those organized as towns.

Model 4: Political-Culture Model

Studies of state-level policy diffusion and studies of larger cities often include measures of residents' ideological or political preferences, which can be obtained through various national-level surveys. Municipalities whose residents hold more liberal attitudes are expected to be more open to various kinds of policy innovations, particularly to antidiscrimination measures. This kind of data is difficult to obtain for smaller municipalities, since existing national surveys are not large enough to contain data on every small municipality. Presidential elections are a more promising option, given that presidential-election results exist for every precinct in this country. Political scientists are attempting to collect as many of these returns as possible; however, complete precinct-level returns are not yet available for many of the presidential elections within the timeframe of this study.[7] Instead of presidential-election returns, this study will use partisan control of the city or town council, which can be determined through articles published in local newspapers. A dichotomous variable is coded 1 when the Democratic Party holds a majority on the council and is coded 0 for evenly divided councils or those with Republican or third-party majorities.

H9: Municipalities with Democratic majorities in control of the city or town council will be more likely to adopt antidiscrimination ordinances than those without Democratic majorities.

Model 5: Morality-Politics Model

Morality-politics studies have found that high-salience levels make state legislators more willing to innovate with policies that are responsive to the demands of popular majorities or vocal interest groups, and these findings seem particularly strong for morally charged issues, such as antidiscrimination policies (Haider-Markel and Meier 1996; Lax and Phillips 2009). This study uses local newspaper reports of bias-motivated incidents as a measure of political salience. The Community Research and Service Center (CRSC) at Valparaiso University has tracked newspaper reports of bias-motivated incidents in Northwest Indiana since 1990.[8] This database includes each bias-motivated incident that has been reported in local newspapers during this time period, along with information on the date, location, target, and severity level of the incident. With this database, we can

determine the number of reported bias-motivated incidents in each municipality in each month. Reported incidents are also scored for severity on a scale of 1–5 (5 = most severe, 1 = least severe), and composite bias-incident severity is defined as the sum of the severity scores of all bias incidents in a particular time frame.

Because municipalities take time to develop and implement new ordinances, there will likely be a significant lag time between initial reporting on an incident and the adoption of an antidiscrimination ordinance. This study uses composite bias-incident severity for the previous two years as the measure of political salience. The expectation is that as more bias-motivated incidents occur and are reported in local newspapers, the municipality, including both political activists and elected leaders, will become more aware of discrimination within it and that political salience will increase, creating more pressure on elected leaders to adopt antidiscrimination ordinances.

> **H10:** A higher composite severity score for reported bias-motivated incidents over the previous two years will increase the probability of adoption of an antidiscrimination ordinance.

RESULTS

Before analysis was completed, the model was checked for problems related to multicollinearity and the proportional hazards assumption of the Cox regression model. The variables measuring per capita income and education level exhibited a substantial level of multicollinearity (VIF = 8.42 and 7.18, respectively). A combined model including all variables was run and then run again, first without the education variable and then without the per capita income variable, but the results of the three models were not substantially different; therefore, both variables are included in the final model. The proportional hazards assumption was confirmed for all reported models.

The results are reported in Table 3. These results confirm only two of our ten hypothesis: H5 and H10. Five variables—percentage with a bachelor's degree or higher, per capita income, municipal expenditures per resident, influence of external cities' ordinances, and neighborhood effect—resulted in coefficients with signs opposite the direction predicted, although none of these were statistically significant. The other five variables—percentage of residents who belong to a racial/ethnic minority group, overall population, form of municipal government, Democratic control of city/town council, and composite bias severity—demonstrated coefficient signs that were positive, as predicted, and two of these—population and composite bias severity—were statistically significant.

The Government Capacity model is the strongest of the five initial models (LR chi-squared = 27.93). The only significant variable in the model is population size; as a municipality's population increases, the likelihood of the municipality passing an antidiscrimination ordinance increases, a finding consistent with previous studies of municipal political innovation. Additionally, the city/town variable is nearly significant ($p = 0.06$), indicating that the hypothesis that cities are more likely than towns to adopt antidiscrimination ordinances may be worth further exploration.

Table 3. Factors Influencing Passage of Anti-Discrimination Ordinances
Cox Proportional Hazard Regression Models

	1 **External Diffusion Model** β (SE)	2 **Socio-Economic Model** β (SE)	3 **Government Capacity Model** β (SE)	4 **Political/ Ideological Model** β (SE)	5 **Salience (Morality Politics)** β (SE)	6 **Combined Model** β (SE)	7 **Trimmed Model** β (SE)
H1 External Cities' Ordinances	)18 (0.077)	-	-	-	-	0.023 (0.078)	-
H2 Neighborhood Effect	258 (0.298)	-	-	-	-	-0.393 (0.405)	-
H3 Minority Population	-	).016 (0.010)	-	-		-0.007 (0.018)	
H4 Bachelors Degree	-	).026 (0.023)	-	-		-0.067 (0.055)	
H5 Population/1000	-		0.033 (0.010) ***	-	-	0.045 (0.017) **	42 (0.009) ***
H6 Per Capita Income (log)	-		-0.212 (0.861)	-	-	1.235 (2.096)	
H7 Expenditures per Resident	-		-0.255 (0.251)	-	-	-0.060 (0.218)	
H8City/Town	-		1.427 (0.759)	-	-	0.506 (0.869)	
H9 Democratic Council	-			0.749 (0.532)	-	-0.318 (0.884)	
H10 Composite Bias Incident Se	-			-	.011 (0.002) ***	009 (0.003) **	10 (0.002) ***
Log Likelihood	-130.609	-127.538	-117.057	-129.945	-124.029	-112.615	-114.831
LR Chi Squared (df)	0.82 (2)	6.97 (2) *	27.93 (4) ***	2.15 (1)	13.98 (1) ***	36.81 (10) ***	32.38 (2) ***

Notes: n=10,606

No. of Failures (Ordinances passed) = 17

* $p < .05$ ** $p < .01$ *** $p < .001$

The socioeconomic model was significant at the $p < 0.05$ level; however, none of the variables in this model were significant.

When all variables included in all five models were combined into a single model (model 6), the combined model is stronger than any of the separate models (LR chi-squared = 36.81), but only two variables—overall population and composite-bias incident severity—have positive signs and are statistically significant. The city/town variable is much weaker in the combined model ($p = 0.56$) than it was in the government-capacity model.

A trimmed model (model 7) that included only the two variables that were statistically significant in any of the original five models was created, and it was nearly as strong (LR chi-squared = 32.38) as model 6, which included all ten variables. Composite-bias incident severity and population are both significant at the $p < 0.001$ level in the trimmed model.

DISCUSSION

This study provides support for the morality-politics model of municipal antidiscrimination-policy adoption. Our findings indicate that when local media report on bias-motivated incidents, municipal governments are more likely to adopt antidiscrimination ordinances. We also find that larger municipalities, which are likely to have more developed political systems, are more likely to take such action than are smaller municipalities. It should be noted that although Wald et al. (1996) also found that city population correlates with adoption of gay-rights ordinances, that study treated city size as a measure of urbanization and social diversity. Because this study did not find any other evidence that social diversity predicts antidiscrimination-policy adoption, population appears best understood as a measure of government capacity; however, further research could clarify this relationship.

This study did not find support for policy-diffusion models based on the geographic spread of antidiscrimination policies among jurisdictions. Variables in this study that measured municipalities' internal characteristics, such as sociodemographic characteristics, financial capacity, and political culture, were not significant, except for municipality size.

The strength of the morality-politics model in this study is perhaps its most important finding. Although government capacity is important, bias-motivated incidents must be brought to the attention of governments before the governments are likely to act to address them. This study confirms that local media coverage of bias-motivated incidents increases the probability of antidiscrimination-ordinance adoption. Of course, the political processes through which adoption occurs are likely more complex than members of the city council simply learning about an incident by reading the newspaper and deciding to pass a new ordinance. It is far more likely that local interest groups are alerted to these incidents by local media reports and then mobilize to place pressure on municipal governments to address the incidents. This study was not able to find reliable data on interest-group membership or activities in these municipalities over the time frame of this study, which suggests that interest-group activity in small

municipalities is another avenue for future research. Because of the difficulty in finding reliable comparative data on interest groups in small municipalities, a more qualitative, case study-based approach is likely to be more useful in understanding how these processes function.

There is some variety in the kinds of ordinances that were passed by municipalities over the time frame of this study. In the early part of the timeframe, these ordinances were primarily fair housing ordinances that protected racial minorities' and, in some instances, same-sex couples' access to public housing programs. Later in the timeframe, many of the ordinances passed were broader antidiscrimination ordinances protecting racial, ethnic, and sexual minorities from discrimination in a broader range of activities. Taylor et al. (2012) found that policy-adoption processes for antidiscrimination ordinances that protect different kinds of groups and activities can be very different, and this study found anecdotal evidence supporting that argument. A number of the newspaper articles that we read for this study indicated that fair housing ordinances were often passed or amended in order to qualify for grants from the state government but that broader antidiscrimination ordinances were driven more by local concerns. Because of the small number of ordinances included in this study (n = 17), separate models for the different kinds of ordinances were not viable. If this study can be expanded to include data from other parts of Indiana or perhaps to regions of other states, it might be possible to account for these differences. This article offers a first attempt at understanding the factors that lead municipalities within a particular region to adopt antidiscrimination policies; further studies, including both quantitative and qualitative methodologies, will be necessary to expand our understanding of these complex processes.

ENDNOTES

1. This study does not include public-sector employment-discrimination policies, which are considered in Colvin (2007, 2008).
2. For the purposes of the study, Northwest Indiana is defined as Lake, Porter, and LaPorte counties, which include 41 incorporated cities and towns. Six of these (Kingsbury, Kingsford Heights, LaCrosse, Pottawattamie Park, Schneider, and Town of Pines) were excluded because their municipal codes were not available online and their town halls do not maintain regular office hours. One (New Chicago) was excluded because its municipal codebook was recodified in 2017, which removed annotations regarding when ordinances were originally adopted. Attempts were made to contact officials from all excluded towns but were not successful. The town of Winfield was incorporated in August 1993 and did not have a functioning town council until January 1995.
3. Indiana passed a Home Rule Act in 1980, although the state legislature frequently passes legislation restricting the scope of municipal home rule. Even prior to passage of the Home Rule Act, municipalities were authorized to create human rights commissions under the Indiana Civil Rights Law, which dates to the 1960s.
4. Distances were calculated by entering the two municipalities into Google Maps and using the shortest in miles of the suggested routes.

5. This study uses decennial census data for 1990, 2000, and 2010, and American Community Survey (ACS) five-year estimates beginning in 2012. Census and ACS data were assigned to the month of April for each year. Gaps between data points were interpolated assuming an even, linear rate of change. Data points after April 2017 are estimated using an exponential smoothing algorithm.
6. The Census Bureau surveys all municipal governments in years ending in 2 and 7. In intervening years, a much smaller sample is surveyed, but some data are available. All Census of Governments data have been compiled into a single data set (Pierson, Hand, and Thompson 2015). Gaps between data points are interpolated assuming a linear rate of change. Data points after 2012 are estimated using an exponential smoothing algorithm.
7. The Harvard Elections Data Archive includes precinct-level returns for presidential elections for 2002–2012; however, returns for Indiana are not included. The Record of American Democracy data include precinct-level returns for some presidential elections in Indiana prior to 1990.
8. The CRSC's data are available at nwibiasincidents.org. These data include incidents reported in the *Times of Northwest Indiana* (Munster) from 1990 to the present, *Post-Tribune* (Merrillville) from 1990 to the present, *Herald Argus* (LaPorte) from 2000 to the present; *News-Dispatch* (Michigan City) from 1997 to the present, and *Vidette-Messenger* (Valparaiso) from 1990 through 1995. Newspapers are the primary source of local news in Northwest Indiana.

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