

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

FAIR FIGHT ACTION, *et al.*,
Plaintiffs,

Civil Action No.: 1:18-cv-05391-SCJ

vs.

BRAD RAFFENSPERGER, in his
official capacity as the Secretary of
State of Georgia; *et al.*,
Defendants.

**Expert Report of Thomas L. Brunell, Ph.D.
Professor of Political Science
Program Head, Political Science
Program Head, Public Policy and Political Economy
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Introduction

I am a Professor of Political Science at the University of Texas at Dallas, as well as the Program Head for both Political Science and the Public Policy & Political Economy programs. I received a Ph.D. in political science from the University of California, Irvine in 1997. I have published a book and dozens of journal articles on redistricting, elections, political parties, Congress, and representation. My research has been published in, among other outlets, the *American Political Science Review*, the *Journal of Politics*, *Electoral Studies*, *Election Law Journal*, and *Legislative Studies Quarterly*. A copy of my curriculum vitae, which lists my publications in the last ten years, is attached.

Over the past seven years, I have provided testimony in numerous federal and state cases including: *Dickson v. Rucho* (NC), *Guy v. Miller* (NV), *Egolf v. Duran* (NM), *Backus v. South Carolina* (SC), *ALBC v. Alabama* (AL), *A. Philip Randolph Institute, et al. v. Householder, et al.* (OH), *DNC Services Corp., et al. v. Lee*, 4:18-cv-520 (FL), *Common Cause v. Lewis* (NC).

Defendants' counsel asked me to review and comment on the expert report of Professor Daniel Smith. After reviewing the report and the data analysis, I have come to the conclusion that much of Prof. Smith's critique of the Georgia Secretary of State Office data-keeping and handling is misplaced. While there are some small differences across some datasets, many of his specific complaints stem from comparing datasets that are not necessarily comparable or from his misunderstanding regarding what the data and codes in the datasets actually mean. In terms of the racial differences among absentee rejection rates, there are indeed some small differences among all of the different racial and ethnic groups. The underlying cause for these differences however is unclear. Prof. Smith provides no evidence that election clerks who rejected these ballots knew the voter's race or ethnicity at the time a decision was made. Indeed, there is no evidence that any of the rejected absentee ballots, regardless of race or ethnicity, were rejected wrongly.

In order to better understand Prof. Smith's arguments, I downloaded the three datasets that he used in his report and I tried to replicate exactly what he did. First, I downloaded the Voter History file on December 19, 2019 at 5:39 pm.

It differed slightly from the version that Prof. Smith used.¹ The voter history file had 3,950,613 individuals – this is 104 more people than the version that Prof. Smith used. Of these, 1,833,104 individuals cast ballots on Election Day (code “N” for absentee ballot field), and 2,117,509 cast ballots prior to Election Day (code “Y” for absentee). These figures differ slightly from Smith’s results. There are 8,647 provisional ballots and 430 supplemental ballots cast according to this file.

Next Prof. Smith compared the total number of observations in the Voter History file to some data on the Georgia Secretary of State’s webpage.² On this page, there is an indication that the total number of ballots cast was 3,949,905. This differs from the voter history file by 708 ballots (which amounts to 0.018 percent of the total ballots cast). Expecting these two numbers to match exactly is overly optimistic. First, it is unclear how the final tally on the webpage accounts for provisional and supplemental ballots cast. Second, the data on the webpage were last updated on November 17, 2018. The voter history file has been updated since that time – indeed the version that Prof. Smith downloaded is slightly different than the one that I downloaded, indicating that updates to this file are on-going.

Prof. Smith argues, without providing any evidence, that Georgia’s election administrative data is worse than that of other states’ data that he has worked with (page 9). He doesn’t provide any data to back-up this claim, nor does he even mention another state that he has experience with that had fewer errors.

¹ Direct comparison to Prof. Smith’s paragraph 13 on page 8 of his report.

² <https://results.enr.clarityelections.com/GA/91639/Web02-state.221451/#/> (last updated Nov. 17, 2018).

Later in his report he mentions North Carolina and Florida, though he provides no details, analysis or data to the court supporting this contention. In fact, in unrelated litigation, Prof. Smith writes: “counties’ record keeping of VBM [vote by mail] ballots cast by Florida voters is rife with inconsistencies and errors” (page 8, Smith report, *DNC Services Corporation et al v. Lee et al.*). So one of Prof. Smith’s comparative states is not the exemplar implied by his report in this case.

I replicated most of what Prof. Smith did with respect to the three files from the Georgia Secretary of State’s Office. The absentee file has 2,184,922 observations - this number differs from the voter history file that indicates 2,117,509 people voted via absentee ballot. The problem with this comparison is that the absentee file contains records for *everyone* who requested an absentee ballot, not just those that *voted* via absentee ballot. Thus, Prof. Smith’s expectation that these two numbers would match is wrong – he is assuming certain things about these datasets that are simply not true. We can account for 95 percent of this difference that Prof. Smith finds by simply looking at the number of absentee file accepted – there were 2,114,409 absentee ballots accepted, and this simple step reduces Prof. Smith’s difference from over 67,000 to just 3,100. Moreover, the thousands of duplicates Prof. Smith discovered in the absentee file are not mistakes – they are there by design. This file is a record of all requests for absentee ballots and if someone has multiple requests, perhaps because they move, then there will be multiple entries for a single voter.

Prof. Smith requested the daily voter file from the Georgia Secretary of State’s office for October 15, 2018. The reason for choosing this particular date is

neither clear nor sound when conducting data compilation. The voter list file is ever changing as people move into and around the state – so the file is a snapshot of the electorate of the state on that particular day. While Georgia state law requires that voters register 29 days before an election, it is likely that this file gets updated very close to the actual election date as registrars process registration forms that were submitted prior to the deadline. This inevitable time gap – between when someone applies for registration, and his or her name appears in the daily voter file is another very likely reason that Prof. Smith is not able to perfectly match these three files.

Another major flaw in Prof. Smith’s report is he confused “ballot style” code as methods in which the voter cast a ballot (i.e. “MAILED” or “ELECTRONIC”)³, however these fields indicate *the method by which the ballot was delivered to the voter, **not** how the ballot was cast.* Thus, the thousands of entries that have a ballot status but no record of a vote being cast are simply people who requested a ballot by mail or electronically but never returned those ballots. Thus, the “differences” that Prof. Smith finds between datasets are, by and large, not mistakes on behalf of the state, but rather mistakes made by Prof. Smith in his analyses, as he did not grasp a complete understanding of Georgia election database entry.

Prof. Smith again makes unsupported statements like “I do not regularly encounter this type of discrepancy with statewide election administration data in other states in which I have conducted this type of analysis” (page 12). What does

³ Electronically delivered ballots are overwhelmingly Georgia residents in the military who are living overseas during the election. They can request a ballot be delivered via email. Those ballots have to be printed out and mailed back.

he mean by “regularly”? What other states are in his set of comparisons? How much better do the other unnamed states do with respect to record keeping? We know that in one of the two other states that he does mention, he was involved as an expert witness in an unrelated case and he criticized election officials in that state of poor record keeping. His argument boils down to: “Trust me, I have a lot of experience and Georgia’s record keeping is really bad.”

Reasons for Rejected Ballots

Prof. Smith conducted an analysis of some of the rejected absentee ballots, though it was a sub-sample. He only looked at those ballots that were delivered to voters by mail. Results for all absentee ballots could be different.

In the 2018 election, when a voter in Georgia wanted to cast a ballot through the mail there were several things a voter had to do according to state law. The ballot had to be returned in the envelope included with the ballot. The voter needed to sign the envelope, put the year of their birth on the envelope, and fill out their correct address on the envelope. If a voter failed to do one or more of these things, the absentee ballot could be rejected.

Among the 3,213 rejected absentee ballots cast by self-identified African Americans in the 2018 election, the four main reasons entered for the reason the ballot was rejected are:

1. Insufficient Oath Information (1,248, 38.84 percent)
2. Ballot Received after Deadline (733, 22.81 percent)
3. Ballot not Returned by Election Day (623, 19.39 percent)
4. Ballot returned undeliverable (131, 4.08 percent)

These four categories account for over 85 percent of all the rejected ballots. Many of the other 15 percent could also be included in one of these groups. For instance there are other codes that sound like they fit in the first category – “Fail to sign the oath of elector” appears once; “Blank oath of Elector” appears 39 times. The second and third categories may mean the same thing – the absentee ballots were not sent back in time. These types of ballots account for nearly half of the rejected ballots. Presumably there is no room for a judgment call on these types of rejections– if the ballots aren’t sent back in time, they are rejected. The fourth category is for when a ballot is requested, mailed, but returned to the election office by the post office as undeliverable. If we exclude those ballots returned late, then among African Americans we are talking about less than 2,000 ballots excluded statewide in the 2018 election. It is worth noting that when absentee ballots are excluded, the board of registrars “promptly” notifies the voter and the voter has an opportunity to cure the problem and have the ballot counted.⁴

Self-report Race

When a citizen registers to vote in Georgia, they are asked about their race and ethnicity. Answering this question is optional and roughly ten percent of registrants chose not to answer the question. These people are categorized as “Unknown” race or ethnicity. The categories in the statewide voter file are as follows:

Table 1. Race and Ethnic Categories in the Georgia Voter File

⁴ OCGA 21-2-384(a)(1)(C)

Race/Ethnicity	Number	Percent
American Indian	8,997	0.13
Asian	147,260	2.13
Black	2,068,440	29.86
Hispanic	200,700	2.90
Other	91,299	1.32
Unknown	680,119	9.82
White	3,731,326	53.86
Total	6,928,141	

If the actual race of these unknown voters is dispersed randomly across all the other race and ethnicity categories, then this is not a problem. However, if one race is more likely to refuse to answer this question than the other races, then using the available data to draw conclusions based on race is made more difficult. Perhaps white voters are less likely to answer the race question than other groups. If this is the case then the real rejection rate for Whites is higher than reported.

Table 2. Race and Rejected Ballots

Race/Ethnicity	Absentee Ballots Accepted	Absentee Ballots Rejected	Percent Rejected
Native American	193	12	5.85
Asian	7,971	486	5.75
Other	3,023	149	4.70
Hispanic	5,777	254	4.21
Black	81,804	3,161	3.72
Unknown	14,132	493	3.37
White	106,513	2,468	2.26

Table 2 has the number of accepted and rejected mailed absentee ballots from the 2018 election. It is very similar to Prof. Smith's Table 2, though Prof. Smith combines some categories, while I do not. Whites have the lowest rejection rate and African Americans are the third lowest (after the "Unknown"

group, which includes everyone who refused to answer the race/ethnicity question when they registered to vote). While there are differences between the various groups, without more information or data it is hard to know why these differences exist.

For instance, 2018 was a very high turnout election, and it is likely that there were more first-time absentee ballot voters. First-time absentee ballot voters are probably more likely to make a mistake than citizens that have cast such ballots in the past.⁵ It may also be possible that among those groups with higher rejection rates the main reason is there were a higher percentage of first-time absentee ballot voters. There are many possible explanations for the differences, including discrimination, though there is no evidence to suggest what the root cause is. There are small differences in rejection rates across the various racial groups, though the reason or reasons for these differences is not obvious. Do poll workers who decide whether a ballot ought to be accepted or rejected know the race or ethnicity of the voter (besides trying to guess based on the voter's name)?

Prof. Smith presents two graphic depictions of rejection rates by county in his report, however, the logic behind Figures 1 and 2 in his report escapes me. Why is it important that in counties with a higher percentage of Absentee ballots cast by African Americans has a slightly higher rejection rate relative to counties with lower percentage of African Americans casting a ballot via Absentee ballot?

⁵ Both very young and very elderly voters make substantially more voting mistakes than the rest of the voting public. "The Impact of Ballot Type on Voter Errors" by Paul Herrnson, Michael Hammer, and Richard Niemi. *American Journal of Political Science* (2012) 56(3): pp. 716-730.

Certainly overall differences among racial and ethnic categories are important, but the relationship between the two variables in the graph does not strike me as important in trying to infer whether ballots from one group of voters were held to a different standard than another group.

Comparing Georgia to Other U.S. States

It may be useful to situate Georgia's absentee ballot rejection rate against other states in the country to get a better idea if Georgia's rejection rate is high or low. Luckily, these data exist. The Election Assistance Commission (EAC) surveys the administrative units (usually counties) in all 50 U.S. States with respect to various election administration questions, including the number of absentee ballots requested, cast, and rejected. I downloaded the 2018 Election Administration and Voting Survey (EAVS) data from EAC website.⁶

Next, using two variables in the dataset – one for the number of absentee ballots counted and one for the number of absentee ballots rejected – I calculated a rejection rate for each state. Those data are presented in Table 3 and Figure 1 below. It is evident that there is a considerable amount of state-to-state variation in the proportion of rejected absentee ballots. Each state has different processes and requirements for their absentee balloting. Some states are going to be more restrictive and others less so. Georgia's rejection rate is in the upper part of the middle section with a rejection rate of 3.31 percent according to the EAVS survey. The average rejection rate across all states is slightly lower than that at 2.76 percent.

⁶ <https://www.eac.gov/research-and-data/datasets-codebooks-and-surveys>

Figure 1. Percentage of Absentee Ballots Rejected in 2018 Federal Elections by State, EAC Data

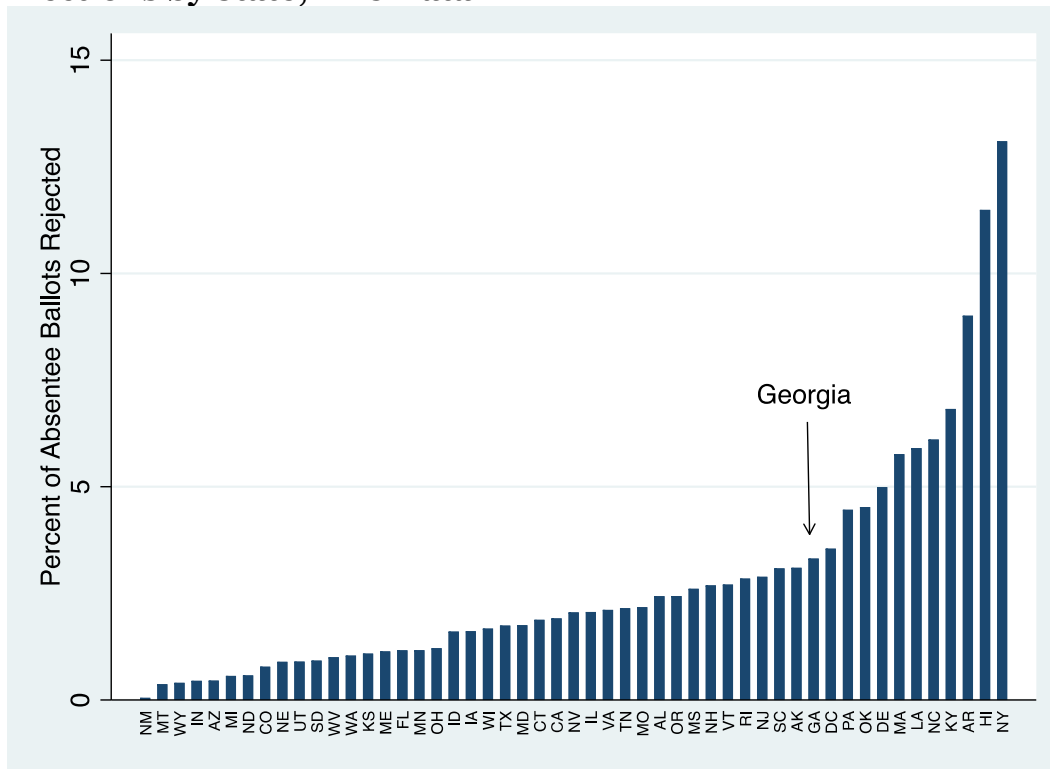


Table 3. Number of Absentee Ballots Counted and Rejected in 2018 Federal Elections by State, EAC Data

State	Absentee Counted	Absentee Rejected	Percent Rejected
NM	448,987	240	0.0534251
MT	366,188	1,373	0.3735434
WY	61,546	250	0.4045569
IN	750,339	3,419	0.4535939
AZ	1,874,577	8,567	0.4549307
MI	1,055,822	6,013	0.5662838
ND	95,562	554	0.5763869
CO	2,430,239	19,170	0.7826378
NE	167,332	1,512	0.8955012
UT	965,147	8,768	0.9002839
SD	32,056	300	0.9271851
WV	10,238	104	1.005608
WA	3,064,219	32,327	1.04397

KS	170,641	1,879	1.089149
ME	183,644	2,119	1.140701
FL	2,585,374	30,540	1.16747
MN	632,868	7,479	1.167961
OH	929,985	11,462	1.217488
ID	72,872	1,188	1.604105
IA	310,563	5,098	1.615024
WI	147,597	2,517	1.676726
TX	527,787	9,377	1.745649
MD	111,696	1,997	1.756485
CT	89,877	1,725	1.883147
CA	8,289,322	161,660	1.912914
NV	84,396	1,772	2.056448
IL	429,874	9,056	2.063199
VA	95,238	2,057	2.114189
TN	38,855	855	2.15311
MO	211,178	4,700	2.177156
AL	54,833	1,368	2.43412
OR	7,043	176	2.438011
MS	17,979	482	2.610909
NH	43,416	1,199	2.687437
VT	25,936	722	2.70838
RI	26,418	775	2.849998
NJ	392,931	11,694	2.890083
SC	70,558	2,248	3.087658
AK	23,667	758	3.103378
GA	218,858	7,512	3.318461
DC	9,019	332	3.550422
PA	186,664	8,714	4.460072
OK	66,160	3,136	4.525514
DE	13,436	706	4.992222
MA	84,280	5,157	5.76607
LA	41,363	2,596	5.905503
NC	89,711	5,835	6.107006
KY	23,971	1,756	6.825514
AR	11,611	1,150	9.011833
HI	12,616	1,638	11.49151
NY	226,151	34,095	13.10107

Conclusions

Prof. Smith's issues with inconsistencies in voting data in the state of Georgia largely stem from his own misunderstandings about what the data mean and how and if two datasets can be compared to one another. Many of the "problems" he finds are easy to explain once the content and purpose of each dataset is understood.

Prof. Smith provides no evidence that Georgia's administrative election records are worse off than any other state. He asks the court to simply believe it based on his experience. He mentions two states (Florida and North Carolina) as states that he says do a better job with record keeping, however, just last year Prof. Smith was involved in a lawsuit in Florida in which he wrote an expert report complaining about the voting records in that state.

There are small differences among all of the different racial/ethnic categories in terms of the proportion of absentee ballots rejected. While it is possible these differences are due to racial discrimination, there is no effort made to allow for other possible variables or explanations. It isn't clear that when an absentee ballot is rejected that the person making the decision even knows the race or ethnicity of the voter.

Absentee ballots were rejected for two main reasons: the ballot was sent back too late or the voter did not comply with the statutory requirements to sign, fill out their address, and put in the year of their birth on the envelope. Prof. Smith provides no evidence that any of the rejected ballots were wrongly rejected. Finally, looking at nationwide data for rejection of absentee ballots, Georgia is not an outlier in terms of the overall percentage of ballots that get rejected.

Under the penalty of perjury, I certify that the above is true and correct to the best of my knowledge.



Thomas Brunell

February 2, 2020

EXHIBIT A

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Education

Ph.D., 1997 Political Science, University of California, Irvine

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B.A., 1991 Political Science, University of California, Irvine

Employment History

The University of Texas at Dallas. Professor, 2009-present.

The University of Texas at Dallas, Senior Associate Dean, 2010-2012.

The University of Texas at Dallas, Director of Graduate Studies, Political Science Program 2007-2010.

The University of Texas at Dallas. Associate Professor, 2005-2009.

Northern Arizona University. Assistant Professor of Political Science, 2003-2005.

Binghamton University, SUNY. Assistant Professor of Political Science, Fall 1999–2003.

American Political Science Association Congressional Fellow, 1998–1999.

Grants and Awards

Visiting Fellowship, Australian National University, \$10,000, Summer 2014

Visiting Fellowship, University of Sydney, United States Studies Centre and The Election Integrity Project, \$10,000, Winter 2013.

EPPS Advisory Board Grant, \$5,000 for research on Redistricting. 2014.

Intramural Grants Program, Northern Arizona University. \$5,000 for a study on the impact of redistricting on House elections. Summer 2004.

Deans Workshop Grant, "Methods and Politics," \$3000, 2002-2003, with David Clark, David Rueda and Wendy Martinek.

Deans Workshop Grant, "Democratic Institutions, Preference Aggregation and World Politics," \$4000, 2001-2002, with David Clark and Patrick Regan.

Dean's Research Semester Award. Binghamton University, 2001-2002.

American Political Science Association Congressional Fellowship, 1998-99

Order of Merit. Outstanding Graduate Scholarship. School of Social Sciences, University of California, Irvine, 1996-1997

University of California Regents Dissertation Fellowship, Spring 1997.

Scaife Foundation Fellowship to attend ICSPR summer statistical program, 1993.

Books

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Journal Articles

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Stone Sweet, Alec and Thomas L. Brunell. 1998. "Constructing a Supra-National Constitution: Dispute Resolution and Governance in the European Community." *American Political Science Review* 92(March,1): 63-81.

Stone Sweet, Alec and Thomas L. Brunell. 1998. "The European Court and the National Courts: A Statistical Analysis of Preliminary References, 1961-95." *The Journal of European Public Policy* 5(March): 66-97.

Grofman, Bernard, Thomas L. Brunell, and William Koetzle. 1998. "Why Gain in the Senate. But Midterm Loss in the House? Evidence from a Natural Experiment." *Legislative Studies Quarterly* 23(February): 79-89.

Grofman, Bernard, Thomas L. Brunell, and Janet Campagna. 1997. "Distinguishing the Difference Between Swing Ratio and Bias: the U.S. Electoral College." *Electoral Studies* 16(December,4):471-487

Grofman, Bernard, William Koetzle, and Thomas L. Brunell. 1997. "An Integrated Perspective on the Three Potential Source of Partisan Bias: Malapportionment, Turnout Differences, and the Geographic Distribution of Party Vote Shares." *Electoral Studies* 16(December, 4):457-470.

Brunell, Thomas and Bernard Grofman. 1997. "The 1992 and 1996 Presidential Elections: Whatever Happened to the Republican Electoral College Lock?" *Presidential Studies Quarterly* Winter: 134-38.

Wuffle, A, Thomas Brunell, and William Koetzle. 1997. "Death Where is Thy Sting: The U.S. Senate as a Ponce (de Leon) Scheme." *PS:Political Science and Politics* 30 (1): 58-59.

Reprinted in the *Journal of Irreproducible Results* 1999. 44(5-6): 25-26.

Koetzle, William, and Thomas L. Brunell. 1996. "Lip-Reading, Draft-Dodging, and Perot-noia: The 1992 Presidential Campaign in Editorial Cartoons." *Harvard International Journal of Press/Politics* 1(4): 94-115.

Book Chapters and Other Articles

Adams, James, Thomas L. Brunell, Bernard Grofman, and Samuel Merrill III. 2013. "Do Competitive Districts Necessarily Produce Centrist Politicians." In *Advances in Political Economy*. Norman Schofield, Gonzalo Caballero, and Daniel Kselman, eds. New York: Springer, pp 331-350.

Wuffle, A, Thomas Brunell, and William Koetzle. 2010. "Death Where is Thy Sting? The Senate as a Ponce (de Leon) Scheme." Eds. Lee Sigelman, Kenneth Newton, Kenneth J. Meier, and Bernard Grofman. Washington D.C.: APSA and ECPR.

Grofman, Bernard and Thomas L. Brunell. 2010. "Redistricting," in *The Oxford Handbook of American Elections and Political Behavior*, ed. Jan E. Leighly. Oxford: Oxford University Press.

Brunell, Thomas L. 2009. "The presidential and congressional election in the USA, November 2008." *Electoral Studies*, 28(4): 322-325.

Brunell, Thomas L. and Bernard Grofman. 2008. "The Partisan Consequences of Baker v. Carr and the One Person, One Vote Revolution," in *Redistricting in Comparative Perspective*, Lisa Handley and Bernard Grofman, eds. Oxford: Oxford University Press.

Brunell, Thomas L. and Bernard Grofman. 2008. "Evaluating the Impact of Redistricting on District Homogeneity, Political Competition, and Political Extremism in the U.S. House of Representatives, 1962-2006." In *Designing Democratic Governments*, Margaret Levi, James Johnson, Jack Knight, and Susan Stokes, eds. New York: Russell Sage Publications.

Grofman, Bernard and Thomas Brunell. 2006. "Extending Section 5 of the Voting Rights Act: The Complex Interaction Between Law and Politics." In *The Future of the Voting Rights Act*, David Epstein, Rodolfo O. de la Garza, Sharyn O'Halloran, and Richard H. Pildes, eds. New York, NY: Russell Sage Publications.

Grofman, Bernard and Thomas Brunell. 2005. "The Art of the Dummymander: The Impact of Recent Redistrictings on the Partisan Makeup of Southern House Seats." In Galderisi, Peter (Ed.) *Redistricting in the New Millennium*. New York: Lexington Books, pp. 183-199.

Brunell, Thomas L. 2004. "Seeking to Institutionalize a Partisan Electoral Advantage: The Battle Over the Census." *War Stories from Capitol Hill*. Edited by Paul S. Herrnson and Colton C. Campbell. Upper Saddle River, New Jersey: Prentice Hall.

Brunell, Thomas L. 2001. "Congress and the Courts: The Strange Case of Census 2000." In *Congress Confronts the Court*, edited by Colton C. Campbell and John F. Stack, Jr.. Lanham, MD: Rowman and Littlefield Press.

Grofman, Bernard and Thomas L. Brunell. 2001. "Explaining the Ideological Differences Between the Two U.S. Senators Elected from the Same State: An Institutional Effects Model." Galderisi, Peter F., Marni Ezra, and Michael Lyons, eds. *Congressional Primaries and the Politics of Representation*. Lanham, MD: Rowman and Littlefield Press.

Other Publications and Community Involvement

Quoted in DMN "At 85, Rep. Sam Johnson has rivals' respect — but still has rivals" by Elizabeth Koh, Feb 15, 2016.

Quoted in:

<http://www.foxbusiness.com/politics/2016/02/25/last-stand-in-texas-for-cruz-before-super-tuesday.html>

Interview for WRLD on Feb 27, March 1, March 2 and throughout march and april

Interview KRLD on Oct 18 about vote rigging and presidential election

KRLD Oct 25 interview early turnout

Oct 26 Interviewed on Channel 8 news about future of GOP

Went to Republican National Convention, July 2016

Appeared on McQuisition television show. May 20, 2012. "Redistricting: Do you Know Who Your Congressman is?"

Newsweek story on special elections

<http://www.thedailybeast.com/articles/2011/09/12/david-weprin-vs-bob-turner-the-race-to-replace-anthony-weiner.html>

Nate Silver story on special elections, NY Times

<http://fivethirtyeight.blogs.nytimes.com/2011/09/13/a-guide-to-cutting-through-special-election-spin/>

Appeared on McQuisition TV Show; local PBS talk show. Two episodes, one on the Tea Party and one on the 2010 Election.

Quoted in an Associate Press article "Vulnerable House Dems declare their independence," by Cristina Silva, September 25, 2010.

Appeared on *Think* with Krys Boyd on KERA Channel 13 (Dallas) talking about my book.

I wrote the feature op-ed for the Dallas Morning News on June 3, 2008.

http://www.dallasnews.com/sharedcontent/dws/dn/opinion/viewpoints/stories/DN-brunell_03edi.ART.State.Edition1.45fe223.html

Quoted extensively in a Huffington Post story by Tom Edsall on political cycles.

http://www.huffingtonpost.com/2008/06/24/obama-rides-the-wave_n_108848.html

Appeared on local radio station (KRLD 1080 am) as a guest political commentator for a 3 hour election wrap up program for the Texas presidential primary election, March 4, 2008.

Was one of four invited speakers, including one member of Congress, at North Central Texas College's 2nd Annual Conference on American Leadership, April 12, 2008, where I spoke about redistricting and representation.

My research on cycles in American electoral politics was featured on Discovery's website <http://dsc.discovery.com/news/2008/03/13/political-cycles.html>

Quoted in Pittsburgh Tribune Review on Thursday March 27 about jury deliberations. http://www.pittsburghlive.com/x/pittsburghtrib/news/cityregion/s_559258.html

Quoted in Philadelphia Inquirer on Wednesday April 2 about jury deliberations. <http://www.philly.com/philly/news/local/17215627.html>

My research with Patrick Brandt involving predicting the 2006 Congressional elections was quoted extensively in an article U.S. News and World Report.

Wrote an op-ed for Newsday (New York) on the impact of timing of events for presidential elections. Published 1/4/04. This was reprinted in the Dodge City Daily Globe (Kansas) on 1/8/04 and in the Chattanooga Times Free Press (Tennessee) on 1/25/04.

Spoke to Pi Sigma Alpha meeting on the Presidential Primary Process, February 2004.

Delivered a speech to the League of Women Voters of Broome and Tioga Counties entitled "Redistricting after Census 2000: Playing Political Hardball." September 25, 2001

Appeared as an hour long guest on NPR's "Talk of the Nation" to discuss the decennial census. March 7, 2001.

Stone Sweet, Alec and Thomas L. Brunell. 2000. "The European Court, National Judges, and Legal Integration: A Researcher's Guide to the Data Set on Preliminary References in EC Law, 1958-98." Working paper. Robert Schuman Centre for Advanced Studies. European University Institute.

Brunell, Thomas L. and Amihai Glazer. 1999. "Evidence for the Irrationality of Governmental Policy." Working paper, Center for the Study of Democracy, U.C. Irvine.

Stone Sweet, Alec and Thomas L. Brunell. 1997. "The European Court and the National Courts: A Statistical Analysis of Preliminary References, 1961-95." Working paper 14/97, Jean Monnet Center, Harvard Law School.

Appeared on News Channel 34 (ABC) on 11/12/00 discussing the process by which we amend the constitution.

Appeared on Fox 40 on election night 11/7/00 as an analyst discussing the election.

Appeared on WBNG TV (CBS) on 11/2/00 discussing voter fatigue.

Appeared on News Channel 34 (ABC) on 11/2/00 discussing the Electoral College.

Quoted in Press and Sun-Bulletin on 10/14/00 in an article about the 26th district Congressional election in New York.

Appeared on WBNG TV (CBS) with students in my class discussing the second Clinton/Lazio debate, 10/8/00.

Appeared on News Channel 34 (ABC) discussing Presidential debate, 10/4/00

Appeared on News Channel 34 (ABC) discussing Presidential debate, 10/3/00

Appeared on News Channel 34 (ABC) discussing the 2000 NY Senatorial primary, 9/12/00.

Appeared on WBNG TV (CBS) News discussing the 2000 presidential primaries. March 7, 2000.

Appeared on WBNG TV (CBS) News discussing Census 2000 and its likely impact on New York. January 20, 2000.

Appeared on WBNG TV (CBS) and News Channel 34 (FOX) talking about turnout in local elections. October 2, 1999.

Brunell, Thomas L. "Accurate Census Count Vital for New York." The Press & Sun-Bulletin. July 25, 1999. Page 6E.

Invited Talks

Reforming Redistricting

Political Discourse Conference, University of Iowa, December 4, 2015

"The Impact of Competitiveness on Attitudes Towards Government, a Comparative Perspective." Australian National University, August 21, 2015.

"Asymmetrical Polarization in the U.S. Congress" Australian National University, July 14th, 2015.

"Population Deviations: A Subtle Form of Gerrymandering in the U.S. States" March 2014, The University of Sydney, Electoral Integrity Project.

"The Uses and Abuses of Population Deviations in State Legislative Redistricting." Case Western Law School, November 4, 2011.

Why Electoral Competition is Bad for America

Political Science Department at Duke University. February 10, 2009.

“Why We Need Fewer Competitive Elections in the U.S. House of Representatives.”
Department of Government, University of Texas, Austin, January 27, 2006.

“Why Fewer Competitive Elections are Better in Single Member District Electoral
Systems.” May 27, 2005, Nuffield College, Oxford University.

”Parsing Sincere Versus Strategic Interest Group Behavior: Explaining Patterns of Hard
Money Contributions to Candidates for the U.S. Congress.” January 9, 2003, Dept. of
Political Science UC Riverside.

“Party Polarization and Divided Government.” American Politics Research Group,
University of North Carolina, Chapel Hill. December 1, 2000.

“The Politics of Census Taking in the United States. Nuffield College, Oxford
University, September 28, 1999.

“The Statistical Adjustment of the 2000 U.S. Census. The George Washington
University, June, 1999.

Conference Activity

State Election Administration and Voters’ Perceptions of Electoral Integrity
T. Brunell, S. Bowler, T. Donovan, P. Gronke
Presented at State Politics and Policy Conference, Sacramento, CA

“Electoral Engineering and the Representation of Underrepresented Groups”
Elin Bjarnegard, Thomas L. Brunell, and Par Zetterberg
Annual Meeting of American Political Science Association, San Francisco, August 2015

“Median and Supermajoritarian Pivots in Congress and Conditional Party Government”
Thomas L. Brunell and Samuel Merrill, III
Annual Meeting of American Political Science Association, San Francisco, August 2015

“Election Reforms and Perceptions of Fair Elections.”
Shaun Bowler, Thomas Brunell, Todd Donovan, and Paul Gronke
State Politics and Policy Conference, Sacramento CA, May 2015.

“Replacement Effects and the Slow Cycle of Ideological Polarization in the U.S. House.”
Presented at the Annual Meeting of the American Political Science Association,
Washington D.C., September 2010.

“Putting Critical Elections in Historical Perspective”
Thomas L. Brunell, Samuel Merrill III, and Bernard Grofman
Midwest Political Science Association Annual Meeting. Chicago, IL April 2-5, 2009.

“Do Special Elections Foretell the Results of General Election Outcomes in the U.S. House of Representative.” Thomas L. Brunell and David Smith
Midwest Political Science Association Annual Meeting. Chicago, IL April 2-5, 2009.

“Who Wants Electoral Competition and Who Wants to Win?” With Harold Clarke.
Presented at the Annual Meeting of the Midwestern Political Science Association,
Chicago, April, 2008.

“The Impact of Electoral Competitiveness on Voters’s Attitudes Toward Government:
Evidence from the U.S., Great Britain, and Canada.” With Elizabeth Clausen.
Presented at the Annual Meeting of the Western Political Science Association, Las
Vegas, NV, March 2007.

“The Impact of Electoral Competitiveness on Voters’s Attitudes Toward Government:
Evidence from the U.S., Great Britain, and Canada.” With Elizabeth Clausen
Presented at the Annual Meeting of the Midwestern Political Science Association,
Chicago IL, April 2007.

“Time to Deliberate: Factors Affecting the Length of Jury Deliberations” With Chetan
Dave and Nicolas Morgan. Presented at the Annual Conference on Empirical Legal
Studies, New York Law School, November 2007.

“Move to the Center or Mobilize the Base? Effects of Political Competition, Voter
Turnout, and Partisan Loyalties on the Ideological Convergence of Vote-Maximizing
Candidates in Two-Party Competition.” With Bernard Grofman, Sam Merrill, and Jim
Adams. Presented at the Annual Meeting of the American Political Science Association,
Philadelphia, PA August 30 - September 3, 2006.

“Rethinking Redistricting: How Drawing Districts Packed with Partisans Improves
Representation and Attitudes Towards Congress.” Presented at the Annual Meeting of the
American Political Science Association, Washington, DC, September 1-4, 2005.

“Evaluating the Political Effects of Partisan Gerrymandering.” With Bernard Grofman.
Presented at the Annual Meeting of the American Political Science Association,
Washington, DC, September 1-4, 2005.

“The Impact of Primary Type on Competitiveness of U.S. Congressional Primary
Elections.” Presented at the Annual Meeting of the American Political Science
Association, Chicago, IL, September 1-5, 2004.

“The Relationship Between Descriptive Representation of African Americans in
Congress and Attitudes Toward Government.” With Rachel Cremona and Chris
Anderson, presented at The Annual Meeting of the Midwestern Political Science
Association, Chicago, IL, April 14-17, 2004.

“Do National Tides Affect Governors?: Midterm Loss in Gubernatorial Elections .” With

Robin Best, presented at The Annual Meeting of the Midwestern Political Science Association, Chicago, IL, April 14-17, 2004.

“The Relationship Between Parties and Interest Groups: Explaining Interest Group Donations.” Presented at the Annual Meeting of the American Political Science Association, Boston, MA August 26-September 1, 2002.

“The Entrance of Women into the U.S. Congress: The Widow Effect.” with Lisa Solowiej. Presented at the Annual Meeting of the Southern Political Science Association. Atlanta, GA November 7-10, 2001.

“Before Election Day: The Effect of Timing of Elections in U.S. Presidential and Congressional Elections.” Presented at the Annual Meeting of the American Political Science Association, San Francisco, CA August 30-September 2, 2001.

“Ideological Swing Districts in the U.S. House of Representatives,” with A.J. Quackenbush. Presented at the Annual Meeting of the American Political Science Association, San Francisco, CA August 30-September 2, 2001.

”The Effect of District Diversity on Party Loyalty Voting in the U.S. Congress.” Presented at the Annual Meeting of the Western Political Science Association, Las Vegas, March 15-17, 2001.

“Explaining the Proportion of Split House-President Outcomes, 1900-1996,” with Bernard Grofman and Samuel Merrill. Presented at the Annual Meeting of the Public Choice Society, San Antonio, Texas, March 9-11, 2001.

“Congress and the Courts: The Strange Case of the Census.” Florida International University, Miami, Florida. April 7-9, 2000. Conference on Congress and the Courts.

“The Link Between Primary Type and Representation in the U.S. Senate.” Presented at the 1999 Annual Meeting of the American Political Science Association, Atlanta GA.

“The Power of Ideologically Concentrated Electorates.” Presented at the 1997 Annual Meeting of the American Political Science Association, Washington D.C, August 28-31.

“Rethinking the Link Between District Diversity and Electoral Competitiveness.” Presented at the 1997 Annual Meeting of the American Political Science Association, Washington D.C, August 28-31.

“Comparing Electoral Competition, Responsiveness, and Change in the House and Senate: The Senate Really is Different.” Presented at the 1997 Annual Meeting of the Southwestern Social Science Association, New Orleans, March 26-30.

“Explaining the Ideological Differences Between the Two U.S. Senators Elected from the Same State: An Institutional Effects Model,” with Bernard Grofman. Presented at the

1997 Annual Meeting of the Public Choice Society, San Francisco, March 21-23.

“The Power of Concentrated Ideological Minorities,” with Bernard Grofman and William Koetzle. Presented at the 1997 Annual Meeting of the Public Choice Society, San Francisco, March 21-23.

“Why Do Voters Split Their Tickets? A Comparative Midpoints Approach,” with Bernard Grofman, Michael McDonald, and William Koetzle. Presented at the 1997 Annual Meeting of the Public Choice Society, San Francisco, March 21-23.

“Explaining Divided Senate Delegations 1788-1994, A Realignment Approach.” Presented at the 1996 Annual Meeting of the American Political Science Association, San Francisco, August 28 - September 1, 1996.

“Toward a Realignment-Based Theory of Divided Senate Delegations” presented at 1995 Western Political Science Association Meeting, San Francisco, March 1996. And at the 1996 Annual Meeting of the Public Choice Society, Houston, Texas, April 1996.

“Split-ticket Voting and Divided Government” with Bernard Grofman, Michael McDonald, and William Koetzle. Presented at the Conference on Strategy & Politics, Center for the Study of Collective Choice, University of Maryland, April 14, 1996.

“Comparing Midterm Elections in the U.S. House and Senate,” with William Koetzle and Bernard Grofman. Presented at the 1996 Annual Meeting of the Public Choice Society, Houston, Texas, April, 1996.

“Explaining Seat Change in the United States Senate, 1922-1994,” with William Koetzle. Presented at the 1995 Midwestern Political Science Association Annual Meeting in Chicago, Illinois, April 1995.

“Lip-Reading, Draft-Dodging, and Perot-noia: The 1992 Presidential Campaign in Editorial Cartoons,” with William Koetzle. Presented at the 1994 Western Political Science Association Annual Meeting in Albuquerque, New Mexico, March 1994.

Teaching Experience

Introduction to U.S. and Texas Government

Political Parties and Interest Groups

American Political Institutions

Race and Redistricting

Congress

Campaigns and Elections

Statistics

Computer Based Research in Social Science

Graduate seminar in American Politics

Graduate seminar in Electoral Systems

Graduate seminar in American Political Institutions

Graduate seminar in Comparative Institutions
Graduate seminar in Election Law and Electoral Systems

Service & Professional Activities

2013-14 Executive Committee, Political Science, UT Dallas

2010-2012 Senior Associate Dean, in charge of graduate studies for the School of Economic, Political, and Policy Sciences.

2007-2010 Associate Program Head and Director of Graduate Studies, Political Science, UT Dallas.

2005-2007 Executive Committee, Political Science, UT Dallas.

2006 American Politics search committee, UT Dallas.

2003-2005 Faculty Senate, Northern Arizona University.

2000-2001 Faculty Senate, Binghamton University.

2000-2001 Graduate Committee, Department of Political Science, Binghamton University.

2000-2001 American Politics Search Committee, Binghamton University.

1999-2000 American Politics Search Committee, Binghamton University.

1999-2000 Graduate Committee, Department of Political Science, Binghamton University.

Reviewer, National Science Foundation, American Political Science Review, American Journal of Political Science, Journal of Politics, Legislative Studies Quarterly, Journal of Theoretical Politics, American Politics Review, National Science Foundation, Public Choice, Political Research Quarterly, Electoral Studies, British Journal of Political Science, Journal of European Public Policy, European Journal of Political Research, and Party Politics.

Ph.D Students

finished

Paul Collins, faculty at University of North Texas

DeWayne Lucas, faculty at Hobart and William Smith Colleges

Marcus Allen, faculty at Wheaton College

Billy Monroe, faculty at Stephen F. Austin State College

Amy Gould, faculty at Evergreen State College

Walt Borges, faculty at UNT Dallas

David Smith, faculty at Texas A&M University, Corpus Christi

Whitney Manzo, faculty at Meredith College
Adrianna Smith

Redistricting and Litigation Experience

Expert Witness, Texas Congressional, 2001, testified in state court
Expert Witness, Pennsylvania Congressional, 2002, testified in state and federal court
Expert Witness, Alabama Congressional, 2002, testified in federal court
Expert Witness, Alaska State Legislative, 2002 testified in state court
Expert Witness (wrote a report but did not testify), Virginia State Legislative, 2001
Expert Witness, Nevada State Legislative (Guy v. Miller), 2011 testified in state court
Expert Witness, New Mexico State Legislative (Egolf v. Duran), 2011 testified in state court
Expert Witness, Colorado Congressional (Moreno v. Gessler), 2011
Expert Witness, South Carolina Congressional (Backus v. South Carolina), 2012 testified in federal court
Expert Witness, North Carolina Congressional and Legislative (Dickson v. Rucho), 2012
Expert Witness, Alabama Legislative (ALBC v. Alabama), 2013 testified in federal court
Expert Witness, South Dakota Voting Rights Act case (Brooks et al. v. Gant et al.)
Expert Witness, Galveston County Texas (Petteway et al. v. Galveston County)
Expert Witness, Kern County (Luna v. Kern County)
Expert Witness, Kentucky campaign finance case (Schickel v. Dilger)
Expert Witness, Florida redistricting, (Romo v. Detzner)

References

Bernard Grofman
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