

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

GLORIA PERSONHUBALLAH, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.: 3:13-cv-678
)	
JAMES B. ALCORN, et al.,)	
)	
Defendants.)	

**SECOND AGREED SUBMISSION REGARDING
PROPOSED CANDIDATES FOR SPECIAL MASTER**

In accordance with the Court's orders requiring the parties to identify special master candidates and to report on their availability and fee requirements (ECF Nos. 212, 213), and the Court's order extending the time for the parties to comply (ECF No. 220), the parties make the following report.

On September 14, 2015, the parties contacted, in writing, four candidates: Bernard Grofman, Bruce Cain, Richard Engstrom, and Ronald Weber. The parties asked the candidates to respond, by noon (ET) on September 16 whether they would be willing and able to serve as a special master, and, if so, to provide the candidate's qualifications and to disclose any limitations on availability, any possible conflicts of interest, and the candidate's fees. On September 16, the parties reported to the Court that only two candidates had responded; the parties suggested additional time for the remaining candidates to respond. On September 17, 2015, the Court extended the time until September 21. ECF No. 220.

The parties have now received responses from each of the four candidates they contacted. Two candidates have indicated that they are unavailable to serve as a special master. Ronald

Weber is unavailable due to a ten-week international trip commencing next week, and Bruce Cain is unavailable due to other academic and professional commitments.

Richard Engstrom is willing and able to serve as special master if chosen by the Court; his fee is \$400/hour. He indicated that, while he does not believe that any conflict of interest would prevent him from serving in this case, he has been retained previously both by Jones Day and Perkins Coie, and that he co-authored an article with Michael McDonald, who was retained by the Plaintiffs as an expert witness in this case. A copy of the parties' correspondence with Professor Engstrom, in which he provided his curriculum vitae and other materials, is attached as Exhibit 1.

Bernard Grofman is also willing and able to serve as a special master. He indicated that the only limitations on his availability are that he is out of the country until September 24 and must be in California each Wednesday to teach a class (although one or more classes could be rescheduled if necessary). He indicated that \$400/hour is a reasonable fee for someone of his experience, but that he would accept whatever hourly rate the court would regard as appropriate. He disclosed that he was an "external" member of Michael McDonald's doctoral committee, but did not discern any obstacle or conflict preventing him from serving in a fully unbiased manner. A copy of the parties' correspondence with Professor Grofman, in which he provided two versions of his curriculum vitae, is attached as Exhibit 2.

Counsel for Plaintiffs and counsel for Intervenor-Defendants join in this report.

Respectfully submitted,

JAMES B. ALCORN, CLARA BELLE WHEELER
And SINGLETON MCALLISTER, in their official
capacities as members of the Virginia State Board of
Elections

By: /s/
Stuart A. Raphael, VSB # 30380
Trevor S. Cox, VSB # 78396
900 East Main Street
Richmond, Virginia 23219
(804) 786-7704 – Telephone
(804) 371-0200 – Facsimile
sraphael@oag.state.va.us
tcox@oag.state.va.us
mmelis@oag.state.va.us

Counsel for Defendants

By: /s/
Kevin J. Hamilton, Esq.
PERKINS COIE, LLP
1201 Third Avenue, Ste. 4800
Seattle, WA 98101-3099
Tel. (202) 359-8000
Fax (202) 359-9000
KHamilton@perkinscoie.com

Counsel for Plaintiffs

By: /s/
John K. Roche, Esq.
Mark Erik Elias, Esq.
John Devaney, Esq.
PERKINS COIE, LLP
700 13th Street, N.W., Suite 600
Washington, D.C. 20005-3960
Tel. (202) 434-1627
Fax (202) 654-9106
JRoch@perkinscoie.com
MElias@perkinscoie.com
JDevaney@perkinscoie.com

Counsel for Intervenor-Defendants

CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2015, I electronically filed this document with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the counsel of record for the parties.

By: /s/
Trevor S. Cox

Exhibit 1-A

From: [Dick Engstrom](#)
To: [Cox, Trevor S.](#)
Cc: [Stafford, William B. \(Ben\) \(Perkins Coie\)](#); [jmgore@jonesday.com](#); [Elias, Marc \(Perkins Coie\)](#); [Raphael, Stuart A.](#); [Hamilton, Kevin J. \(Perkins Coie\)](#); [Michael A Carvin](#)
Subject: Re: potential retention as special master in Personhuballah v. Alcorn (E.D. Va.)
Date: Wednesday, September 16, 2015 5:17:49 PM
Attachments: [Chicago Heights decision.rtf](#)
[CV July 2015.doc](#)
[Engstrom McDonald PS piece.pdf](#)

Dear Mr. Cox,

Attached please find my CV, the decision in the case in which I served as a Special Master, and the paper I co-authored with Michael P. McDonald. The case in which I served as a court-appointed expert was *Williams v. Dallas* (see 1991 U.S. Dist LEXIS 1669).

Thank you, Richard L. Engstrom

From: Dick Engstrom
Sent: Wednesday, September 16, 2015 11:59 AM
To: Cox, Trevor S.
Cc: Stafford, William B. (Ben) (Perkins Coie); [jmgore@jonesday.com](#); Elias, Marc (Perkins Coie); Raphael, Stuart A.; Hamilton, Kevin J. (Perkins Coie); Michael A Carvin
Subject: Re: potential retention as special master in Personhuballah v. Alcorn (E.D. Va.)

Dear Mr. Cox,

I am pleased to have received your inquiry about being a Special Master in the *Personhuballah v. Alcorn* case. I have a flexible schedule coming up as my positions at Duke (Research Associate in the Center for the Study of Race, Ethnicity, and Gender and Visiting Fellow in the Social Science Research Institute at Duke) do not entail teaching. Attached please find a copy of my CV which lists my publications, most of which involved redistricting and/or voting rights. I also have a long career as a consulting or testifying expert in cases involving sections 5 and 2 of the Voting Rights Act and/or *Shaw* racial gerrymandering issues. In many of these cases I have performed racially polarized voting analyses, should that be necessary in this case. I also have served previously as an Special Master in the remedial redistricting portion of the City of Chicago Heights at-large election case and as a Court-Appointed Expert in the remedial portion of the Dallas city council redistricting council redistricting case. Both involved remedial redistricting issues. My fee is \$400 and hour.

I do not believe I have any conflicts of interest in this case. But I think I should disclose the following. I have served as a consultant or testifying expert in a few redistricting matters for Michael Carvin, an attorney in this case. Most recently he retained me a consultant on preclearance matters concerning the South Carolina State Senate redistricting a few years ago. As part of that role, I performed a retrogression analysis and report that

was included in the state's submission for preclearance from the Department of Justice. Preclearance was granted. I have also worked for the law firm of Perkins and Coie on challenge to at-large elections in Yakima, WA. The particular lawyers that I worked for in that case were in the firm's Seattle office are not listed on the documents you have provided. I have also co-authored an article, "TITLE" with an expert witness in this case, Michael P. McDonald. As noted above, I do not view any of these relationships as presenting a conflict of interest in this case.

If you desire additional information from me please use this email address or call me at 504-756-1478. Case cites for the Chicago Heights and Dallas cases will be forthcoming, as will my CV.

Thank you, Richard L. Engstrom

From: Cox, Trevor S. <TCox@oag.state.va.us>

Sent: Monday, September 14, 2015 2:34 PM

To: Dick Engstrom

Cc: Stafford, William B. (Ben) (Perkins Coie); jmgore@jonesday.com; Elias, Marc (Perkins Coie); Raphael, Stuart A.; Hamilton, Kevin J. (Perkins Coie); Michael A Carvin

Subject: potential retention as special master in *Personhuballah v. Alcorn* (E.D. Va.)

Dear Professor Engstrom,

We are writing as counsel to the parties in the redistricting case *Personhuballah v. Alcorn* [formerly *Page v. Judd*], No. 3:13-cv-678 (E.D. Va.), in which a three-judge panel struck down Virginia's Third Congressional District ("CD3") as a racial gerrymander that violates the Fourteenth Amendment to the United States Constitution. *See* 2015 WL 3604029 (June 5, 2015) (decision attached). The Court – consisting of Judges Robert Payne (E.D. Va.), Liam O'Grady (E.D. Va.), and Albert Diaz (4th Cir.) – is now overseeing the process of adopting a remedial redistricting plan, and plans to engage a special master to assist in the process.

At the Court's direction, we are contacting a number of potential candidates to serve as special master. **We are writing to see if you would be willing and able to serve as a special master if suggested by the parties and appointed by the Court.** Because of a Court-imposed deadline, **we request your response by noon (ET) on Wednesday, September 16.**

The attached decision provides much of the necessary background, but the relevant procedural history of the lawsuit is as follows. Plaintiffs initiated this suit in October 2013 against Defendants, the members of Virginia State Board of Elections. In November 2013, the Republican members of the U.S. House of Representatives moved to intervene as Defendants. Trial was held in May 2014, and the Court awarded judgment for Plaintiffs in October 2014, holding that race had been the predominant factor in the drawing of CD3. The Intervenor-Defendants appealed the judgment to the U.S. Supreme Court. The Supreme Court vacated and remanded for further consideration in light of its decision in *Alabama Legislative Black*

Caucus v. Alabama, 135 S. Ct. 1257 (2015).

On June 5, 2015, the Court issued an opinion again holding that CD3 was an unconstitutional racial gerrymander. The Court directed Virginia's General Assembly to adopt a remedial redistricting plan by September 1, 2015. When the General Assembly failed to adopt a plan by that deadline, the Court stepped in to oversee the creation of a remedial plan. After consulting with the parties, the Court notified the parties that it will be appointing a special master to oversee the process, and directed the parties to submit a list of three candidates for the Court's consideration on Wednesday, September 16.

We are writing to see if you would be willing and able to serve as special master if suggested by the parties and appointed by the Court. Although the Court has not provided a complete timeline for the process, the work may begin quickly: the Court has ordered that the parties and any interested non-parties submit remedial plans and supporting materials by Friday, September 18, and any written responses to those submissions by Friday, October 2.

Please let us know by return e-mail by noon (ET) on Wednesday, September 16 whether or not you would be willing and able to serve as a special master in this case, and if so, your qualifications, any limits on your availability, and any possible conflicts of interest that would prevent you from serving in this role. Please also indicate the fees that you would charge for your services. (The Court has ordered the Commonwealth of Virginia to pay for any special-master fees, so please provide your government rate.)

Please contact us as soon as possible if you require any further information to evaluate this request. Note that the Court has ordered that communications be with counsel for all the parties, and that communications be in writing.

Thank you for your consideration.

/s/ Michael A. Carvin

Michael A. Carvin

John M. Gore

JONES DAY

macarvin@jonesday.com

jmgore@jonesday.com

Counsel for Intervenor-Defendants

/s/ Kevin J. Hamilton

Marc E. Elias

Kevin J. Hamilton

William (Ben) Stafford

PERKINS COIE

melias@perkinscoie.com

khamilton@perkinscoie.com

bstafford@perkinscoie.com

Counsel for Plaintiffs

/s/ Stuart A. Raphael

Stuart A. Raphael

Trevor S. Cox

OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA

sraphael@oag.state.va.us

tcov@oag.state.va.us

Counsel for Defendants

Exhibit 1-B

VITA
RICHARD L. ENGSTROM

July 2015

OFFICE

Center for the Study of Race, Ethnicity,
and Gender in the Social Sciences
Social Science Research Institute
Duke Box 90420
Duke University
Erwin Mill
Durham, NC 27705
Phone: (504-756-1478) Fax: (919)-681-4183
E-Mail Address = richard.engstrom@uno.edu
richard.engstrom@duke.edu

HOME

23 Banbury Lane
Chapel Hill, NC 27517
Phone = (504)-756-1478

PERSONAL AND EMPLOYMENT INFORMATION

Born May 23, 1946. Married to former Carol L. Verheek. Four children: Richard Neal, born 3/10/70; Mark Andrew, born 1/14/73; Brad Alan, born 3/31/77; and Amy Min, born 8/18/84.

Assistant Professor of Political Science, University of New Orleans, 1971-74; Associate Professor, 1974-1979; Professor, 1979-2006; Research Professor, 1987-2006, Endowed Professor of Africana Studies, 2003-2005.

Chairperson, Department of Political Science, University of New Orleans, 1976-1979. Coordinator of Graduate Studies, 1990-1992, 1993-2006.

Consultant, Center for Civil Rights, School of Law, University of North Carolina, Chapel Hill, 2006-2007.

Research Associate, Center for the Study of Race, Ethnicity, and Gender in the Social Sciences (REGSS), Duke University, 2013 – present. Visiting Research Fellow, REGSS, 2008 - 2012. Visiting Professor of Political Science, Duke University 2008 - present.

Fulbright-Hays Professor, National Taiwan University and National Chengchi University, and Visiting Research Fellow, Institute of American Culture, Academia Sinica, Taipei, Taiwan, R.O.C., 1981-82.

Fulbright-Hays Professor, University College, Galway, Ireland, 1985-86.

Senior Research Fellow, Institute of Irish Studies, the Queen's University of Belfast, 1990.

David Bruce Fellow, Bruce Centre for American Studies, University of Keele, England, 1993.

Visiting Fellow, School of Politics, Australian Defence Force Academy, Canberra, Australia, 1998.

Program Visitor, Political Science Program, Research School of Social Sciences, Australian National University, Canberra, Australia, June-July, 2005.

Recipient, UNO Alumni Association's Career Distinction Award for Excellence in Research, December 1985.

Recipient, George W. Lucas Community Service Award, New Orleans NAACP, 1993.

Recipient, Emmitt J. Douglass Memorial Award, Louisiana NAACP, 2013.

FORMAL EDUCATION

Ph.D., University of Kentucky, 1971

M.A., University of Kentucky, 1969

A.B., Hope College (Holland, Michigan), 1968.
(recipient of Class of '65 Political Science Award, 1968.

PRIMARY TEACHING FIELDS

Election Systems, Urban and Minority Politics, Legislative Process, American Politics.

PROFESSIONAL ACTIVITIES

Member, Election Review Committee, American Political Science Association, 2003-2004.

Chair, Section on Representation and Electoral Systems, American Political Science Association, 1993-95, 95-97. Section Board, 1993-present.

Book review editor, American Review of Politics, 1995-present.

Lecture tour, under sponsorship of United States Information Agency, of Tanzania, Ethiopia, Kenya, Malawi, and Liberia, January, 1994. Topics include, among others, comparative election systems, legislatures within democratic regimes, and race and gender in contemporary politics.

Associate Member, Centre for the Study of Irish Elections, University College Galway.

Member, Board of Editors, Public Administration Quarterly 1977- present.

Member, Editorial Board, Journal of Politics, 1988-1993.

Member, Board of Editors, State and Local Government Review, 1988- 1990.

Member, Committee on the Status of Blacks, Southern Political Science Association, 1991-1996.

Treasurer, Southwestern Political Science Association, 1981 (position resigned during term due to Fulbright Lectureship).

Chair, Harold D. Lasswell Award Committee, American Political Science Association, 1995-1996 (best dissertation in public policy).

Chair, Ted Robinson Award Committee, Southwestern Political Science Association, 1995-1996 (best research project in minority politics by a graduate student).

Member, Nominating Committees, Southern Political Science Association, 1980; Louisiana Political Science Association, 1981, Study Group on Comparative Representation and Electoral Systems, International Political Science Association, 1988, Section on Representation and Electoral Systems, American Political Science Association, 1999.

Member, Chastain Award Committee, Southern Political Science Association, 1978. V.O. Key Award Committee, Southern Political Science Association, 1990. Ted Robinson Memorial Award Committee, Southwestern Political Science Association, 1995, 1996 (chair). Hallett Award Committee, Section on Representation and Electoral Systems, American Political Science Association, 1999, 2000.

Member, Program Committee (Urban Politics Section), 1976 Annual Meeting of the Southern Political Science Association. Program Committee (Urban Politics Section), 1992 Annual Meeting of the Midwest Political Science Association. Program Committee (Representation and Electoral Systems Section), 1994 Annual Meeting of the American Political Science Association. Program Committee (Representation and Electoral Systems Section), 2002 Annual Meeting of the American Political Science Association.

Member, Membership Committee, Southwestern Social Science Association, 1973-74.

Presented papers at meetings of the American Political Science Association, International Political Science Association, Midwest Political Science Association, Southern Political Science Association, Southwestern Political Science Association, Louisiana Political Science Association, Citadel Symposium on Southern Politics, International Society of Political Psychology, Harvard University Computer Graphics Week, Australian-New

Zealand Academy for the Advancement of Science. Formal papers also presented at programs at Tulane University, Sagamon State University, University of Keele (England), Rice University, and Chief Justice Earl Warren Institute on Law and Social Policy, University of California School of Law.

Chaired panels at meetings of the American Political Science Association, Southern Political Science Association, Midwest Political Science Association, Southwestern Political Science Association, and International Political Science Association.

Served as discussant for panels at meetings of the American Political Science Association, Midwest Political Science Association, Southern Political Science Association; Southwestern Social Science Association; Louisiana Political Science Association; Institute of American Culture, Academic Sinica (Taiwan), and International Political Science Association.

Reviewed manuscripts for the American Political Science Review, American Journal of Political Science, Journal of Politics, Political Research Quarterly, Polity, Social Science Quarterly, Legislative Studies Quarterly, American Politics Quarterly, Urban Affairs Review, Electoral Studies, Election Law Journal, Political Analysis, National Political Science Review, Women and Politics, Southeastern Political Review, State and Local Government Review, Public Administration Review, Public Administration Quarterly, American Review of Politics, Presidential Studies Quarterly, Law and Policy, Journal of Policy History, Public Administration and Management, Journal of Women, Politics, and Policy, Du Bois Review, Howard University Press, Stanford University Press, and Northern Illinois University Press.

Recipient of grant from Pacific Cultural Foundation, Taipei, Taiwan to support project entitled "The Legislative Yuan: A Study of Legislative Adaptation" (1982).

Recipient of grant from private sources, New Orleans, to support a study of mayoral tenure in large American cities (1983).

Recipient of grant from Southern Regional Council, Atlanta, Georgia, to conduct exit poll of cumulative voting election in Chilton County, Alabama (1992).

Recipient of grants from Louisiana Education Quality Support Fund, Fellowship Funding for Superior Graduate Students, 1992 (1993-1997) \$48,000; 1996 (1997-2001) \$64,000; 1997 (1998-2002) \$48,000; 1998 (1999-2003) \$56,000.

Reviewed grant proposals for National Science Foundation programs in Political Science and Law and Social Sciences, and National Science Foundation graduate fellowship applications for the National Research Council.

Served as mentor in Southern Regional Council's Voting Rights Fellowship Program to Jason F. Kirksey, 1992-1993, and Dr. Olethia Davis, 1993-1994.

United Nations Consultant on Election Systems and Constituency Delimitation, National Election Commission of Liberia, UN Mission in Liberia, 2004.

COMMUNITY AND UNIVERSITY SERVICE

Consultant, Charter Task Force Committee, New Orleans, 2000. Preparation of Term Limits: A Report to the Charter Task Force Committee, February, 2000.

Interviewed on term limits issue on "Crescent City Close Up," public affairs program on three radio stations, WNOE, KKND, and KUMX, March 19, 2000.

Participant, Roundtable on At-Large Elections for the Internet Corporation for Assigned Names and Numbers (ICANN), sponsored by Common Cause, the Center for Democracy and Technology, and the Markle Foundation, at the Kennedy School of Government, Harvard University, February 9, 2000.

Member, Board of Directors, Concern International Charities, 1998-2003.

Chairperson, Taskforce on Civil Service, Mayor-Elect Ernest Morial's Transition Office (New Orleans), 1977-78.

Member, Chachere Subcommittee of UNO Diversity Cabinet, 2003-2004.

Member, Graduate Council, UNO, 1975-76, 1994-95, 2006.

Member, Research Council, UNO, 1995-97, 2005.

Member, International Student Recruitment Committee, UNO, 1993-96.

Chairperson, Search Committee for Vice Chancellor for Research and Graduate Studies and Dean of the Graduate School, UNO, 1987-88.

Chairperson, Search Committee for Graduate Dean, UNO, 1978-79.

Member, University Budget Committee, UNO, 1983-84.

Member, Liberal Arts Advisory Committee, UNO, 1975-76, 1982-84.

Member, Academic Planning Committee, UNO, 1982-1988.

Member, Faculty Council Committee on Faculty Honors, UNO, 1985-1990.

Member, Committee on Research, UNO Self-Study, 1972-73; 1982-83.

Member, Dean's Advisory Committee on Academic Planning, College of Liberal Arts, UNO, 1983-84.

Member, University Senate, UNO, 1975-77; 1980-81; 83-85; 87-91.

Member, Steering Committee, Legal Division, New Orleans Chapter, American Foundation for Negro Affairs, 1977-79.

Service as expert witness in numerous vote dilution cases in federal courts. Employed by the United States Department of Justice, Lawyers' Committee for Civil Rights Under Law, NAACP Legal Defense and Educational Fund, Center for Constitutional Rights, Mexican-American Legal Defense and Educational Fund; Native American Rights Fund, and other organizations. Served as court-appointed expert for the remedial portion of Williams v. City of Dallas, United States District Court for the Northern District of Texas, Dallas Division, 1991. Service as Special Master for the remedial portion of Harper v. City of Chicago Heights, United States District Court for the Northern District of Illinois, Eastern Division, 2002-2004.

INVITED LECTURES / PRESENTATIONS (Since 1986)

1986: McGee College, University of Ulster - "The Reagan Elections: Realignment or Dealignment?" and "The Contemporary Voting Rights Issue in American Politics"

The Queen's University of Belfast - "The Reagan Elections: Realignment or Dealignment?" and "The Contemporary Voting Rights Issue in American Politics"

University of Keele - "The Contemporary Voting Rights Issue in American Politics"

University College Dublin - "The Contemporary Voting Rights Issue in American Politics" (4/30/86).

University College Galway - "The Reagan Elections: Realignment or Dealignment?"

1987: Southern University - "The Equal Protection Clause and Electoral Reapportionment" (4/8/87).

APSA Summer Institute for Black Students, Louisiana State University - "The Political Scientist as Expert Witness" (7/26/87).

NAACP Legal Defense Fund, Conference on Voting Rights, San Antonio, Texas - "Cumulative and Limited Voting as Remedies for Minority Vote Dilution."

1988: College of William and Mary - "The Contemporary Voting Rights Issue" and "The Role of Social Scientists in Voting Rights Litigation"

University of Queensland - "One Vote, One Value: The U.S. Experience After 25 Years" (5/24/88).

Griffith University (Brisbane) - "One Vote, One Value: The U.S. Experience After 25 Years" (5/25/88).

1989: Tulane University - "Frontiers of Voting Rights: Vote Dilution in Judicial Elections" (3/9/89).

Lamar University - "Voting Rights: A Retrospective" (10/30/89).

Oklahoma State University - "Frontiers of Voting Rights" (November/10/89).

Prairie View A and M University - "Reapportionment and Black Political Power" (11/16/89).

1990: The Queen's University of Belfast-Institute of Irish Studies, "The Irish Election System: Manipulation and Reform" (3/13/90); Department of Politics, "The Reagan Presidency: An Assessment" (3/8/90).

Brookings Institution - "Social Scientists and the Voting Rights Act" (10/19/90).

Lyndon Baines Johnson Library (Austin, Texas) - "The Evolution of the Voting Rights Act of 1965" (10/29/90).

1991: University of Texas at Dallas - "Redistricting the Dallas City Council" (3/8/91).

United States Department of Justice, Voting Section - "Alternative Election Systems" (3/15/91).

Stetson University School of Law - "Alternative Election Systems as Remedies for Minority Vote Dilution" (4/27/91).

Norfolk State University - "Election Analyses in Voting Rights Litigation" (6/15/91).

1992: University of Colorado, Summer Workshop in Urban Politics - "Race and Voting in Judicial Elections: New Orleans as a Case Study Setting" (7/9/91).

Harold Washington College, Chicago - "Political Science Research and Testimony in the Miami-Dade County Core" (9/5/92 - not presented to illness).

Southern Regional Council, Atlanta, Georgia - "Exit Polls and Voting Rights Litigation" (10/2/92).

1994: Lecture tour of Tanzania, Ethiopia, Malawi, and Liberia for United States Information Agency, January, 1994.

National Conference of State Legislators, Annual Meeting, New Orleans - "Redistricting and the Courts" (7/26/94)

1995: Department of International Politics, Peking University, "Constitutional Law, Comparative Electoral Systems, and the Politics of Race and Gender" (10/17/95).

1997: John D. Lees Memorial Lecture, Keynote Address, 1997 Annual Meeting of the American Politics Group, (United Kingdom) Political Science Association, Keele, England, "Affirmative Action: The Election and the Election System" (1/3/97).

Alumni College, College of Liberal Arts, University of New Orleans, "Racial Gerrymandering in the 1990s: The Issues and the Alternatives" (2/1/97).

Commission on Governmental Reorganization, City of New Orleans, "Principles for Governmental Organization" (9/23/97).

Civil Rights Training Institute (Airlie Conference), NAACP Legal Defense and Educational Fund, "Alternative Election Systems in the Post-Shaw Era" (11/8/97).

1998

School of Politics, Australian Defence Force Academy, Canberra, "Racial Gerrymandering in the United States" (4/1/98) and "Election Systems and Minority Representation in the United States: Racial Gerrymandering and Its Aftermath" (5/29/98).

School of Political Science, University of New South Wales, Sydney, "Election Systems and Minority Representation in the United States: Racial Gerrymandering and Its Aftermath" (4/8/98).

Illinois Secretary of State's Commission on Redistricting, Chicago, IL, "Computer Generated Districting Plans: Necessary Conditions and Tie Breaking Criteria" (12/16/98).

2001

Carinthian Institute of Minority Affairs, Villach, Austria, "Spiders, Earmuffs, and the Mark of Zorro: Creating Electoral Opportunities for Minorities in America's Single Member District System" (5/5/01).

Bureau of Governmental Research, New Orleans, LA, "The Mayor: How Many Terms?" (10/10/01).

2002

Pomona College, Claremont, CA, "Spiders, Earmuffs, and the Mark of Zorro: There Must be a Better Way" (3/13/02).

Utah State University, "The Redistricting Thicket: Are There Alternatives?" Bennion Teachers' Workshop (8/9/02).

Utah State University, "Missing the Target: Priorities among Districting Constraints," Redistricting in the New Millennium: A Lecture Series, (11/26/02).

2003

Florida State University, "Missing the Target: Priorities among Districting Constraints," (1/21/03).

2004

Cleveland City Club/Cleveland State University, "Metro Reform and Minority Voting Rights," (2/25/04).

Liberian National Election Commission Consultative Assembly, Monrovia, Liberia, "Constituency Boundary Redemarcation: Concepts and Timeframes," (6/7/04).

2005

Subcommittee on the Constitution, Committee on the Judiciary, United States House of Representatives, written and oral testimony, hearing on Extension of the Preclearance Provision of the Voting Rights Act, (10/25/05).

William C. Velasquez Institute, San Antonio, TX, "Influence Districts," (11/19/05)

2006

University of West Georgia, "The Gerrymandering Problem: Lessons from Australia?" (4/3/06).

Duke University, "Racially Polarized Voting: Pervasive and Persistent in the American South," Conference on "W(h)ithering the Voting Rights Act?" (4/7/06).

International Political Science Association, Fukuoka, Japan. Roundtable on Electronic Voting. "E Voting in the U.S.," (7/13/06).

Brennan Center for Justice, New York University School of Law, "The Gerrymandering Problem: Lessons from Australia?," (8/7/06).

Short Course on The National Popular Vote Plan to Revamp the Electoral College, American Political Science Association Annual Meeting, Philadelphia, "Potential Impact of the National Popular Vote Plan on Presidential Elections and Other Electoral Reforms," (8/30/06).

American Bar Association, Administrative Law Section, "Redistricting Reform: Lessons from Australia," Washington, D.C. (10/26/06).

2008

Morehouse College, “The Gerrymandering Problem in the United States: Judicial Protection or Redistricting Commissions or Alternative Election Systems,” Voting Analysis in Mathematics and Politics: Interdisciplinary Research and Education Seminar (VAMPIRES) (4/18/08).

2009

Duke University, “Response to Thomas Brunell, ‘Why Competitive Elections are Bad for America’,” Duke University Political Science Students’ Association (2/10/09).

Chief Justice Earl Warren Institute on Race, Ethnicity, and Diversity, University of California at Berkeley School of Law, presenter, panel on “The Redistricting Experience: Tales from the Field,” conference on Redistricting Reform and Voting Rights: Identifying Common Ground and Challenges, UC Washington Center, (11/11/09).

2010

Center for the Study of Race, Ethnicity, and Gender in the Social Sciences, Duke University Presentation on “Race and Redistricting” at the conference “Counting Race: Racial Classifications and the 2010 Census,” Duke University (3/19/10).

St. Louis University Law School, Presentation on “Cumulative and Limited Voting as Remedies for Dilutive Election Systems,” at the symposium on “Voting 45 Years after the Voting Rights Act,” (3/26/10).

Demos, Presentation on “Issues in the Post-2010 Round of Redistricting” and Discussion Leader for Session on Redistricting, “An In-Depth Discussion with Demos,” Washington, DC (9/4/10).

NAACP Legal Defense and Educational Fund, Presentation on “Prongs II and III: Necessary Preconditions under *Thornburg v. Gingles*,” at the Voting Rights and Redistricting Training Institute, Airlie Conference, Warrenton, VA (10/9/10).

Center for Democratic Performance, Binghamton University, “Influence Districts and the Courts: A Concept in Need of Clarity,” (10/28/10).

Mexican American Legal Defense and Educational Fund, Short presentation on “Racially Polarized Voting Analyses,” National Redistricting Convening, San Antonio, TX (12/9/10).

2011

Columbia University, “IRCs in Comparative Perspective: Lessons from Australia?,” Conference on Do Independent Redistricting Commissions Affect Minority Representation?, New York City (12/9/11).

2012

Duke University, “Minorities and the New Round of Redistricting: Native Americans, Latinos, and African Americans, Plus (of course) The Great State of Texas,” Center for the Study of Race, Ethnicity, and Gender Colloquium, (3/22/12).

Georgia Perimeter College, Clarkston Campus, “Minority-Majority Districts: Their Adoption and Consequences,” (10/4/12).

2013

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Dr. Christine L. Day, former Chair, Department of Political Science, University of New Orleans, New Orleans, LA 70148, 504-280-6266, clday@uno.edu.

Dr. Charles D. Hadley, former Chair, Department of Political Science, University of New Orleans, New Orleans, LA 70148, 504-810-3087, cdhadley@gmail.com.

Dr. Kerry L. Haynie, Department of Political Science, Duke University, Durham, NC 27708, 919-660-4366, klhaynie@duke.edu.

Dr. Baodong Liu, Associate Professor of Political Science, University of Utah, Salt Lake City, UT 84112, 801-581-6473, baodong.liu@utah.edu.

Dr. Michael D. McDonald, Department of Political Science, University of Binghamton, Binghamton, NY 13901 607-777-4563, mdmcd@binghamton.edu.

Dr. Henry Flores, Distinguished Professor of Political Science, St. Marty's University, San Antonio, TX.

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Review of James Thomas Tucker, THE BATTLE OVER BILINGUAL BALLOTS: LANGUAGE MINORITIES AND POLITICAL ACCESS UNDER THE VOTING RIGHTS ACT, in International Journal of Law in Context, 8 (December. 2012), 524-526.

Exhibit 1-C

SYMPOSIUM

The Political Scientist as Expert Witness

Richard L. Engstrom, *Duke University*

Michael P. McDonald, *George Mason University*

Political scientists serve in courtrooms as expert witnesses on many topics related to their professional training: elections, same-sex marriages, employer sanctions for hiring undocumented aliens, school desegregation, political asylum requests, property rights, and racial profiling, among many others. It is not by chance that we—the authors—have chosen to testify as experts in cases concerning elections (see also Cain 1999). Election-related cases compose a large percentage of all cases involving political scientists brought to court: a study of references to expert testimony by political scientists in published federal district court decisions from 1950 through 1989 reports that 61% involved election law issues (Leigh 1991). Our replication of this study for the period of 2000 through December 18, 2010, reveals that 74% of such cases (28 of 38) involved election law issues.¹ These cases involved issues of minority vote dilution, redistricting, alternative election systems (cumulative and limited voting), campaign financing, voting equipment and invalid ballots, voter registration, nominating petition requirements, and a number of other issues.²

Our political science expertise is particularly relevant to issues of how political competition is or should be structured and how election structures interact with the behavior of voters to affect election outcomes and other facets of the electoral process that are often litigated. Yet despite political science's relevance for this area, relatively few political scientists serve as courtroom expert witnesses, perhaps because these jobs are not easy to find. This kind of employment is not listed in the APSA Personnel Service Newsletter, the *Chronicle of Higher Education*, or any other standard job listing. Expert witnesses may be recruited through informal networks or by over-the-transom requests. They may be referred by a friend, schoolmate, or mentor (as happened to McDonald), or they may have had a chance meeting with an attorney at a party (as happened to Engstrom). A nonacademic practitioner may need an expert in a particular field and be sufficiently familiar with the scholarly literature to identify a likely candidate. Organizations such as the Southern Coalition for Social Justice have even begun recruiting and training scholars for the rigors of expert witness testimony in their policy advocacy areas.

The historical lack of formal recruitment mechanisms may be diminishing as time goes by, but this absence is not the only impediment to political scientists using their skills as expert witnesses. This type of work does not follow some scholarly norms. Witnessing often occurs on a fast track and takes precedence over other responsibilities. The legal process is confrontational, not collegial. An attorney's goal is to win a case,

not advance social science theory. Lawyers prefer experts who state their findings in simple, nonequivocating terms.

We hope to help political scientists understand these challenges so that they may become expert witnesses when an opportunity arises. This article introduces the role and responsibilities of expert witnesses, the standards that their work must meet to qualify as "expert," and the adversarial context in which they testify. Understanding the latter point is extremely important, because this environment differs greatly from the scholarly forum with which we are all familiar. This difference in context can make academics uncomfortable. Despite understanding in the abstract how the adversarial context works, scholars are quite often shocked the first time they are subjected to a deposition or cross-examination at trial and may not respond as planned. Experienced lawyers have noted that "the world's leading expert may be a terrible witness" (Horowitz 2005, 18). Successful expert witnesses must be able to handle themselves in this pressure-cooker. They must have a thick skin; good concentration; and the ability to explain concepts, measurements, and analytic techniques to persons who have no formal training in them. They must be able to deliver their work product under severe time constraints. For some political scientists, their first experience working on a case is their last; they simply do not want to go through the ordeal again, or worse, they perform so poorly that no one wants to hire them in the future.

If the previous paragraph has not scared you off, this article offers a place to start for scholars who want to learn more about being an expert witness. There are plenty of benefits to working as an expert witness, such as the great satisfaction that can come from this work; the ways in which witnessing can enrich your teaching, research, and writing; and, of course, the sometimes impressive financial remuneration. First, however, we describe this job in more detail. The following section outlines this work's challenges and rewards, as well as its ability to contribute important service to society while rounding out and enriching a scholar's career—a defining characteristic of all pracademic work.

WHAT IS AN EXPERT WITNESS?

The major distinction between an expert witness and a lay witness in a court of law is that an expert is allowed to express opinions in court (Posner 1999, 92). Lay witnesses are "fact witnesses" who testify based on their direct, personal knowledge of people and events. Expert witnesses are allowed to inform the court about their conclusions based on their examination of information. The federal rules regarding the use of

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expert witnesses in litigation are described in the Federal Rules of Evidence.³ Rule 702 identifies a person as a qualified expert based on his or her relevant “knowledge, skill, experience, training, or education” and the formation of his or her opinions through the application of established principles and methods to the facts of the case (Engstrom 2005; Mitchell 1978). Witnesses who present themselves as experts can have their credentials challenged by the opposing counsel. This challenge is usually a pro forma exercise, since an attorney is unlikely to present an unqualified expert to a court. Still, an expert witness who does not have an established reputation in the area central to his or her testimony can be disallowed from testifying.

THE ROLE OF THE EXPERT WITNESS

As a potential expert, you will typically be contacted by attorneys, not the parties to a case. Attorneys will inform you about the case and provide you with their version of both the legal and evidentiary issues. If litigation is already underway—which it may be in fast-moving election law cases—a copy of the plaintiff’s complaint, the defendant’s response, and any other filed court documents may provide you with important context to the factual disputes. If he or she is not already familiar with your reputation, an attorney will question your credentials, quiz you about facets of the case, and observe your demeanor to determine if you will make a credible expert witness (Horowitz 2005). In deciding to take your first case, be honestly self-critical in assessing your level of expertise and time available to provide the requested testimony. This initial contact also provides an opportunity to assess the type of lawyer who is recruiting you. Steer clear of an attorney who may pressure you to provide testimony that is in conflict with the facts as you see them (Eaton and Kalman 1994). Your most valued commodity is your credibility. If this is damaged by straying outside your area of expertise or allowing your judgment to be subverted, it cannot be easily rehabilitated (Prager and Marshall 2005).

Ultimately, attorneys decide what an expert will address in his or her testimony (Ruse 1986, 69–71). This power to determine a line of inquiry is the critical distinction between research prepared for litigation and academic research: the expert’s role is to answer only those questions that the attorneys decide to ask. Your attorney may consider questions that a political scientist might want to examine to be legally irrelevant. However, this dynamic does not mean that you and your legal team cannot discuss which questions to ask and how to ask them. In our experience, this input is typically welcomed. Ultimately, however, the attorneys will decide what questions will be investigated. You may want to file away theoretically interesting questions related to the case to pursue later, on your own time—which does not begin until the litigation is concluded, depending on the terms of the confidentiality agreement you may be required to sign. Scholars may even be asked to sign such an agreement before an attorney will speak with them about the case.

You must be careful while working on a case because everything that you do that is related to the case while it is pending is potentially discoverable to the opposing side—that is, every-

thing must be shared with the opposing legal team. This information can include anything you used to inform your opinion, including e-mail communications. Opposing attorneys will attempt to discredit your testimony or use it to their favor, and they will tenaciously pursue any indication that you have doubts about your conclusions.

Once the attorneys agree to enter into a contract, the real work commences. The legal team may first commission preliminary analysis from you to determine whether their factual assumptions are supported by the evidence. Such work is usually done in the role of a *consulting expert*, an expert who does not present testimony before the court and whose work is not shared with the other side. If the attorneys are pleased with your preliminary analysis, they may change your role from consulting to *testifying expert*, an expert who testifies. If this shift occurs, all of the work performed, including that done previously as a consultant, becomes discoverable by the opposing side. If your analysis does not support their expectations, the legal team may decide to change its line of argument, engage another consulting expert for a second opinion, or engage another testifying expert to replicate only the portion of your work that is consistent with its argument. This stage of the process demands the highest quality work. Unlike peer review, your data are discoverable and must be shared with the opposing attorneys. The opposing counsel will engage its own experts to replicate and pick apart your analysis. You will have no chance to correct your expert report in response to reviewer comments.

Discovery is the next phase of the process, in which both sides must share all of the evidence that they will present. For an expert witness, this evidence may include anything done in relation to the case. It is for this reason that lawyers often prefer to communicate by phone—and why you need to develop meticulous and consistent archiving habits. You will be required to share all your work in a timely manner. The judge or judges will set a discovery schedule, which can be distressingly short in election law cases, since the subject of the case—such as redistricting or a ballot format—requires a court ruling in advance of an impending election. Judges frown upon expert witnesses who hold up court proceedings by failing to disclose all information, such as data files or any programming code used in your analysis.

As a testifying expert, you are responsible for preparing a report. This document will identify the opinions you intend to express and the analyses you performed to support your conclusions. You will give this report to your attorneys, who in turn will provide it to the opposing attorneys by a court-specified date. When each side employs an expert, which is the usual practice, these reports may be exchanged simultaneously or the plaintiff’s expert’s report may be provided first with the defendant’s expert’s report following. These initial reports may be followed by supplemental and rebuttal reports.

Reports are followed by depositions, during which the opposing attorneys will ask you questions in the presence of your lawyers, but without a judge present. These sessions are conducted under oath and are typically in-person, although they may also be held by video or telephone. During the deposition, all your reports may be the subject of questioning by

the opposing legal team. The primary purpose of a deposition is to find out what witnesses will and will not say in court to preclude one party from ambushing another at trial with new evidence or testimony. The deposition also streamlines court proceedings, since it allows opposing attorneys to avoid asking dead-end lines of inquiry and get straight to the points they wish to make in the courtroom. Depositions are almost always what they are widely reputed to be—unpleasant for the individuals being questioned. These situations can be “an enormous shock to the unprepared” (Mayer 2010, 3). The style of questioning can range from friendly to nasty and aggressive, and the focus of questions can range from disagreements between the parties’ experts to attempts to catch you impeaching your testimony. Because no judge will be present to act as an impartial referee, your attorney may instruct you to not answer particular questions, although such direction is very rare. Objections can be raised and noted for the record, but they are generally left for a judge to rule on later, if necessary, since it would be inefficient to go back and forth between depositions and rulings. A court reporter transcribes deposition testimony, and you are allowed to correct the record for spelling, grammar, and missing words. You are not allowed to correct or elaborate further on the substance of your testimony.

If the case is not settled in advance, your court day will eventually arrive. Plaintiffs present evidence first, so the plaintiff’s expert will normally be the first expert to testify. Each expert will be sworn in and testimony will begin with direct examination, during which the attorney with whom each has worked will ask questions. The judge or judges will now be present and may interject questions at any time. You should be well-prepared for this part. Because good attorneys usually appreciate experts’ input about potential lines of questions, you will usually know which questions will be asked and how they will be phrased. However, surprise questions and unexpected phrasing that changes the meaning of questions can arise even during direct examination, so you must stay on your toes.

The next stage is cross-examination, which is perhaps the most difficult aspect of expert witnessing for most scholars. In cross-examination, one side’s attorney asks questions of the opposing witnesses. You do not know what will be asked, although potential lines of questioning can be anticipated from the questions posed previously in deposition. Although a cross-examination is supposed to stay within the confines of what a witness was asked during direct examination, our experience is that judges are not strict about enforcing this constraint. In particular, judges tend to be more flexible about what they allow into the record in a bench trial as opposed to a jury trial. Furthermore, lawyers are given more leeway in cross-examining expert witnesses than fact witnesses. Judges give attorneys wide latitude in their style of cross-examination, as long as attorneys are not abusive. After cross-examination, your attorneys will have the opportunity to ask additional questions during follow-up redirect questioning, which may result in re-cross-examination, *ad infinitum*, although our experience is that any questioning beyond one round of re-cross is rare. Experts may still testify a second time in a case, offering rebuttal testimony in response to the other side’s expert.

Your obligations as an expert witness do not necessarily end when the courtroom phase of the case concludes. When a case is appealed, higher courts do not ask witnesses to testify before them. However, higher courts may remand cases back to lower courts. Another trial may be held in which the lower court will address specific legal questions posed by the higher court. Expert witnesses may be required to produce more reports and testify again or can even be ordered by the judge or judges to perform tasks such as drawing a redistricting plan. Any further work you do related to the case, including your own scholarly pursuits, can be requested by the opposing legal team through a new round of discovery. Until all court action is exhausted, you should consult with your attorneys before doing anything that may affect the case. Afterwards, you may be contractually barred from discussing the case or using proprietary information in your research.

THE ADVERSARIAL CONTEXT

The adversarial process in the Anglo-American judicial system differs greatly from other fora in which political scientists share their work. The legal search for the truth in a case is not a consensus-building enterprise. When experts are used in a trial, two sides present contrasting versions of the facts, and often the law from which the judge or a jury is expected to determine the “truth.” Thus, presenting expert research in court is far different from presenting basic research at a professional conference. A discussant on a panel at a professional meeting might provide a harsh critique or complimentary feedback. The latter is very unlikely to be heard in court from opposing lawyers or their expert witnesses.

The job of the opposing legal team is to ask you questions that are intended to impeach your analysis and sometimes your credibility as an expert who can render opinions on the subject at hand (Mitchell 1978, 212). As an expert witness, you should never dismiss the opposing attorneys because you think you are a better substantive expert. Especially when you are serving as an expert for the first time, the opposing lawyers will likely be better versed than you on the evidentiary issues at hand. Many lawyers have extensive experience reading expert reports, questioning expert witnesses, and studying their research methodologies (Van Matre and Clark 1976). Opposing experts may also be present in deposition and the courtroom to provide advice to their attorneys, although they cannot ask questions directly. If you are confident in your skills, consider this: depositions of respected scholars have sometimes gone so poorly that their attorneys removed them from the testifying calendar.

In attempting to discredit your expertise and testimony, all of your professional activities are fair game for the opposing legal team, including your publications, media work, and what you have said in previous depositions and trials. One veteran expert witness was even asked questions about a surreptitiously recorded conversation between himself and a planted audience-member during a public forum. “Nitpicking,” “blowing smoke,” and “obfuscating” are all words experts have used to describe attorneys’ cross-examinations of them. Sometimes, opposing experts may be the source of this nitpicking and obfuscation, and they may even employ these

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approaches in their testimony (Engstrom 1985; Engstrom 2005; Wuffle 1985). While these criticisms are often principled, they can sometimes become personal—hence the need for a “thick skin,” as mentioned earlier. The nature and character of criticism in the legal context can be a big surprise to a first-time witness. While an expert in court might make positive comments about the other side’s expert, we have never heard one say nice things about his or her overall work for the case. Indeed, it is our experience that when cross-examination gets personal, it usually means that the attorney has not been able to discredit the analysis. The old adage applies: if you cannot attack the message, attack the messenger.

BENEFITS OF THE WORK

As noted previously, there are many additional benefits to expert witness work than the satisfaction of doing a good job. Political scientists are often passive observers of politics. Policymakers may incorporate your ideas into the political dis-

Refinements in ecological inference were stimulated by the need for reliable estimates of levels of racially polarized voting in litigation under the Voting Rights Act (e.g., King 1997). A parallel line of scholarship on redistricting that examined electoral systems’ bias and responsiveness helped stimulate efforts to detect legally impermissible partisan gerrymanders (Gelman and King 1994; Grofman and King 2007). Several other innovative methods have been developed across disciplines, from computer science to political science, to detect gerrymandering (for a review, see Altman and McDonald 2010).

From an academic political scientist’s perspective, the remuneration for service as an expert witness can be very rewarding. During your initial contact with an attorney, you will be asked about your hourly rate and to estimate how many hours of work a project will take. When asked, do not be shy. Set an hourly rate that will reasonably cover all your costs, including your home office and your taxes. Estimating the number of hours a case will require is always difficult. We cannot offer

In attempting to discredit your expertise and testimony, all of your professional activities are fair game for the opposing legal team, including your publications, media work, and what you have said in previous depositions and trials. One veteran expert witness was even asked questions about a surreptitiously recorded conversation between himself and a planted audience-member during a public forum. “Nitpicking,” “blowing smoke,” and “obfuscating” are all words experts have used to describe attorneys’ cross-examinations of them.

course, but their influence is often heavily diluted within the melting pot of pressure politics. Not so in the legal realm. In their written opinions, judges directly cite the evidence used to arrive at their conclusions, including expert testimonies. The theories that you study can be immediately implemented in practice when a court rules to change government institutions, whether it mandates a change to the electoral system or the overturning of a government policy.

The experience of expert witnessing can also enrich your teaching by providing examples that will engage students, particularly those who wish to proceed to law school. In the area of election law, for example, our work provides us with concrete examples of representation and election issues related to the use of single-member districts and alternative electoral systems, as well as how these issues relate to seminal U.S. Supreme Court decisions—topics that are often dryly presented in textbooks. Analyses for court can easily be presented to classes. Anecdotes from trials can reveal the normative dimensions of the adversarial legal process.

Expert witness activities can also inform a scholar’s writing and influence his or her research agenda both substantively and methodologically. Consider the literature on the effects of the Voting Rights Act, which was developed with the intent to inform courts and policymakers on how best to achieve racial representation goals (e.g., Engstrom and Widgen 1977; Cameron, Epstein, and O’Halloran 1996; Lublin 1997).

any hard and fast numbers, since everyone accomplishes activities at his or her own pace, and experts have little, if any, control over the need for additional analyses and reports. Report writing often takes longer than you anticipate. Furthermore, remember that anything that you do for the case that you would not otherwise do is billable, including replying to e-mails, speaking on the phone to your attorneys, traveling, and sitting in a courtroom waiting area. (Some people charge half-time for activities in which they can do other work, such as travel.) You must meticulously note the date, time, and activity for anything you do that is related to the case. Most attorneys request invoices on a monthly basis.

CONCLUSION

We conclude with some thoughts about the role of expert witnesses in the profession. A selection bias does exist in the choice of expert witnesses (Lee 1988). This is the nature of the adversarial process. Attorneys will only call on an expert to testify if the expert’s findings support their side of the case. This bias coupled with what most academics consider extraordinary pay are likely reasons why others often view expert witnesses in the same light as lawyers: “hired guns” or even “whores” who will do or say anything for money (Kousser 1985). The professional stigma that can result when one appears to be subverting one’s professional integrity for filthy lucre may steer some scholars away from this type of work

(Ruse 1986). But not all lawyers deserve such epithets, and neither do all expert witnesses. Many well-respected scholars participate in this type of pracademic work.

An expert does not have the responsibility to win a case. His or her responsibility is to provide good, defensible evidence for the issues on which they testify. This distinct aim is why experts' fees should not be contingent on the outcome of a case. Selection bias does not preclude an analysis from being high quality. Analyses by political scientists in election law cases are typically transparent and inter-subjective. Data are scrutinized, statistics replicated, and decision rules attacked and defended. Experts can maintain their integrity in this process. Over the years, expert testimony by political scientists has been found to be disingenuous on at least one occasion, but those individuals who provide such testimony rarely testify for long. Those who provide solid evidence without embellishment are usually asked to testify in many cases, sometimes over many years.

Expert witness testimony is hard, stressful, and can interfere with other obligations. For these reasons, you should carefully weigh the opportunity costs of engaging in this type of work, especially if you are a younger scholar who needs to mind your career advancement. However, hardworking junior scholars have juggled academic and legal work successfully and used their experiences to launch fruitful research agendas. We believe that this work has made us better teachers and scholars and allowed us to contribute to the profession as a whole. We thus encourage those scholars who are given the opportunity to engage in expert witness work to consider such a responsibility in a favorable light. Serving as an expert witness can be immensely satisfying pracademic work, because it employs an academic's knowledge and skills to directly address the legality of government policies that affect countless peoples' lives. ■

NOTES

1. The Leigh study and our study entailed a LEXIS search of federal district court cases. We requested cases in which the word "expert" appeared along with "political scientist," "political science," "professor of government," or "department of government." Whereas Leigh found 53 cases during the 1980s (Leigh 1991, 521), our search found only 38 cases over the 11 years covered, including those cases with unpublished opinions. We do not claim that this list is exhaustive. Some cases in which political scientists served as experts might not appear in the LEXIS database, and some cases that are in it do not identify expert witnesses by name or academic discipline. Not all of the cases in which we have testified have recorded this information. We are not aware, however, of any reason to suspect that such identifications would vary by the issues involved and therefore skew our distribution of the types of cases. As noted previously, our search included federal and not state court cases. We have both testified in state court cases involving redistricting issues. The findings might be quite different, however, if the issues addressed by political scientists in state courts systematically differ from those addressed in federal courts. For a report on the experience of political scientists participating as expert witnesses in a state court case concerning the butterfly ballot in Palm Beach, Florida, in 2000, see Brady et al. (2001).
2. For a report on the experience of two of the 12 political scientists testifying in the campaign finance case, *McConnell v. Federal Election Commission*, see La Raja and Milkis (2004).

3. State rules vary but may be modeled on the federal rules. See <http://www.law.cornell.edu/rules/fre/>.

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Exhibit 1-D

1 of 1 DOCUMENT

**RON HARPER, KEVIN PERKINS, WILLIAM ELLIOT and ROBERT McCOY,
Plaintiffs, v. CITY OF CHICAGO HEIGHTS and the CHICAGO HEIGHTS
ELECTION COMMISSION, Defendants.**

No. 87 C 5112

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ILLINOIS, EASTERN DIVISION**

2006 U.S. Dist. LEXIS 5025

February 8, 2006, Decided

SUBSEQUENT HISTORY: Amended by, in part, Stay granted by Harper v. City of Chi. Heights, 2006 U.S. Dist. LEXIS 10952 (N.D. Ill., Mar. 16, 2006)

PRIOR HISTORY: Harper v. City of Chi. Heights, 2002 U.S. Dist. LEXIS 16803 (N.D. Ill., Sept. 5, 2002)

CORE TERMS: map, deviation, Voting Rights Act, election, compactness, voting age, compact, voting, voting age, contiguous, dilution, elect, single member districts, substantially equal, threshold, at-large, contiguity, recommend, federal law, consent decree, recommendations, single-member, districting, guideline, combined, elected, voter, case law, political processes, form of government

COUNSEL: [*1] For Ron Harper, William Elliot, Plaintiffs: Michael P. Seng, John Marshall Law School, Chicago, IL.; J. Timothy Eaton, Shefsky & Froelich Ltd, Chicago, IL.; James C. Craven, James C. Craven, P.C., Springfield, IL.; Susan Barbosa Fisch, Woodridge, IL.; Theodore E. Harman, Ungaretti & Harris, Chicago, IL.

For Kevin Perkins, Robert McCoy, Plaintiffs: Michael P. Seng, John Marshall Law School, Chicago, IL.; J. Timothy Eaton, Shefsky & Froelich Ltd, Chicago, IL.; James C. Craven, James C. Craven, P.C., Springfield, IL.; Robert L. Anderson, Jenkins & Anderson, Chicago, IL.; Theodore E. Herman, Ungaretti & Harris, Chicago, IL.

For **Chicago Heights** Election Commission, Defendant: Anthony Scariano, Scariano, Ellch, Himes, Sraga and Petrarca, Chtd., **Chicago Heights**, IL.; Jon Gardner Crawford, Antioch Community High School, Antioch, IL.

For City of **Chicago Heights**, Defendant: Anthony Scariano, Scariano, Ellch, Himes, Sraga and Petrarca, Chtd., **Chicago Heights**, IL.; James J. Casey, McGuireWoods LLP, Chicago, IL.; Jon Gardner Crawford, Antioch Community High School, Antioch, IL.

JUDGES: David H. Coar, United States District Judge.

OPINION BY: David H. Coar

OPINION

MEMORANDUM OPINION AND ORDER

[*2] For nineteen years, the parties have been involved in litigation to insure that the election process for the **Chicago Heights** City Council complies with Section 2 of the **Voting Rights** Act of 1965, as amended, 42 U.S.C. § 1971 et seq. A Section 2 violation has long since been established; this case is presently in its remedial phase. On October 2, 2002, this Court appointed Richard Engstrom, a Research Professor of Political Science at the University of New Orleans, as Special Master in this case to assist in crafting a remedy. Presently before the Court are the recommendations of Rich-

ard Engstrom as to which party's proposed remedy to adopt. The Court has reviewed the recommendations as well as the objections raised by the parties to these recommendations. For the reasons set forth below, the Court orders that the Perkins and McCoy plan and map (the "Individual Plaintiffs' plan and map") be adopted for the City of **Chicago Heights** City Council elections.

I. BACKGROUND ¹

In 1987 and 1988, Ron Harper, Kevin Perkins, William Elliot, and Robert McCoy ² filed complaints for injunctive and other relief against the City of **Chicago Heights** ("City"), [***3**] the **Chicago Heights** Election Commission, the **Chicago Heights** Park District ("Park District"), and Stanley Kusper, Clerk of Cook County. The complaints alleged that the non-partisan, at-large elections for City Council and the Park District Board violated Section 2 of the **Voting Rights** Act by diluting the opportunity of African Americans to elect representatives of their choice. ³

¹ This case has a lengthy procedural and factual history that is only summarized here, and only with regard to the City of **Chicago Heights** City Council. The history of the case against the Park District (which has been resolved, see Harper v. City of **Chicago Heights**, 223 F.3d 593 (7th Cir. 2000)) and the disputes over attorney fees have been omitted. Earlier opinions recite the history of this litigation extensively. See Harper v. City of **Chicago Heights**, 824 F. Supp. 786 (N.D. Ill. 1993); Perkins v. City of **Chicago Heights**, 47 F.3d 212 (7th Cir. 1995); Harper v. City of **Chicago Heights**, 1997 U.S. Dist. LEXIS 2509, No. 87-C-5112, 88-C-9800, 1997 WL 102543 (N.D. Ill. March 5, 1997); McCoy v. **Chicago Heights**, 6 F. Supp. 2d 973 (N.D. Ill. 1998); and Harper v. City of **Chicago Heights**, 223 F.3d 593 (7th Cir. 2000).

[***4**]

² The plaintiffs in this case are divided into the "Class Plaintiffs" (Ron Harper and William Elliot) and the "Individual Plaintiffs" (Kevin Perkins and Robert McCoy).

³ As explained in Thornburg v. Gingles, 478 U.S. 30, 43, 106 S. Ct. 2752, 92 L. Ed. 2d 25 (1986), the relevant part of Section 2-subsection (b)--"establishes that § 2 has been violated where the 'totality of the circumstances' reveal that 'the political processes leading to nomination or election . . . are not equally open to participation by members of a [protected class] . . . in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.'"

Pursuant to a consent decree approved by Judge Will on May 24, 1994, the City and the Park District abandoned the at-large election method and created a new system of government. "The new plan was designed around six single member districts for the election of six City Council members and six single member districts for the election of six City Council members and six Park Board Commissioners, with [***5**] a mayor and Park Board president elected at-large." Harper v. City of **Chicago Heights**, 1995 U.S. Dist. LEXIS 17819, No. 87 C 5112, 88 C 9800, 1995 WL 706898, *1 (N.D. Ill. Nov. 30, 1995). The form of government prescribed in the consent decree was a deviation from the forms of government provided for in the Illinois Municipal Code. See generally Harper v. City of **Chicago Heights**, 223 F.3d 593, 597 (7th Cir. 2000).

Two of the named plaintiffs, Kevin Perkins and Robert McCoy (hereinafter the "Individual Plaintiffs"), appealed the entry of the consent decree to the Seventh Circuit Court of Appeals, which vacated the decree and remanded the case on February 7, 1995. See Perkins v. City of **Chicago Heights**, 47 F.3d 212, 218 (7th Cir. 1995). The Seventh Circuit found that the parties did not have the ability to consent to modifications in statutorily prescribed forms of government absent a finding that "such a remedy is *necessary* to rectify a *violation of federal law*." Id. at 216 (emphasis in original). The Court ruled that, without such a finding, the parties could only "agree to that which they have the power to do outside litigation." [***6**] Id. Thus, on November 7, 1995, the form of city government contained in the consent decree was approved by **Chicago Heights** voters in a referendum.

By order of December 21, 1995, the **Chicago Heights** litigation was reassigned to this Court. Ron Harper and William Elliot (hereinafter the "Class Plaintiffs") then filed motions to dismiss on grounds of mootness. In August of 1996, this Court held a hearing on the mootness issue and on the issue of whether the City and the Park District's previous form of governance violated Section 2 of the **Voting Rights** Act (since the consent decree had been approved prior to a finding of a violation). The Court found that the old at-large election system did violate Section 2, but there was insufficient evidence to determine whether the new form of governance adopted by referendum was an appropriate remedy. See Harper v. City of **Chicago Heights**, et al., 1997 U.S. Dist. LEXIS 2509, 87-C-5112, 88-C-9800 1997 WL 102543, at *5, *14 (N.D. Ill. March 5, 1997). Accordingly, this Court ordered the parties to propose new governmental structures and voting maps designed to remedy the Section 2 violation. 1997 U.S. Dist. LEXIS 2509, [WL] at * 14.

After evaluating the proposals submitted by the [*7] parties, this Court rejected the proposals of the City, the Park District, and the Class Plaintiffs, and accepted in part the proposal of the Individual Plaintiffs. The Court modified that proposal by implementing a system under which seven aldermen were elected at-large by cumulative voting. See *McCoy, et al. v. Chicago Heights, et al.*, 6 F. Supp. 2d 973, 982 (N.D. Ill. 1998).

The City, the Park District, and the Class Plaintiffs appealed. In a decision issued on July 27, 2000, the Seventh Circuit affirmed this Court's holding that the election method adopted by referendum, as it applied to the City, violated Section 2 of the **Voting Rights** Act. See *Harper*, 223 F.3d at 605. The Seventh Circuit reversed, however, this Court's remedy for the violation and remanded the case to this Court to craft a suitable remedy. *Id.* The Seventh Circuit held that this Court had "modified the election methods set forth in the Illinois Municipal Code without either going through the statutorily required procedures for making such changes to electoral methods or making a judicial finding that it was necessary to make these changes in order to comply with federal law. [*8] " *Id.* at 601. Additionally, the Seventh Circuit took note of the City's preference for single member districts and held that "we should defer to the City's plan to the extent possible as long as it does not violate federal law." *Id.* at 602.

Subsequent to the Seventh Circuit's remand and pursuant to Rule 53 of the Federal Rules of Civil Procedure, this Court appointed Richard Engstrom as Special Master in this case (hereinafter, Richard Engstrom is referred to as the "Special Master"). The October 2, 2002 appointment order charged the Special Master with:

the duty to prepare and file with the Court a report, including a proposed redistricting plan, for adoption by this Court, for the City of **Chicago Heights**, dividing the City into single member districts, unless to do so would violate federal law.

In developing a plan for the City, the Special Master was directed to adhere to and, where possible, reconcile the following guidelines:

- (a) Districts shall be of substantially equal population, compact and contiguous, ⁴
- (b) The plan shall comply with 42 U.S.C. § 1973(b) [*9] and with other applicable provisions of the **Voting Rights** Act. ⁵

Further, the Court directed the Special Master to consider the materials already submitted to the Court by the parties, and allowed him to invite any additional submissions, if desired, from the parties. The Order permitted the Special Master to adopt one of the parties' proposed redistricting plans so long as that plan did not violate state or federal law.

⁴ See 65 Ill. Comp. Stat. 5/3.1-20-25(a) (2006) ("In the formation of wards, the number of inhabitants of the city immediately preceding the division of the city into wards shall be as nearly equal in population, and the wards shall be of as compact and contiguous territory, as practicable.").

⁵ 42 U.S.C. § 1973(b) (2006) provides that a violation occurs when "the political processes leading to nomination or election in the . . . political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice."

[*10] On October 27, 2004, the Special Master submitted his report to this Court. The report, which the next section discusses in detail, compares the maps presented by the parties at a public meeting in **Chicago Heights** on October 1, 2003. At that meeting, the City presented a map with seven single-member districts, a strong city council composed of a member from each of the seven districts, and a weak mayor elected at-large. The Individual Plaintiffs proposed an aldermanic form of government with a weak-mayor framework and two representatives elected from each of seven wards. These wards differ from the wards drawn by the City. The Class Plaintiffs also proposed seven wards which were drawn differently than the wards drawn by both the Individuals Plaintiffs and the City. In advance of his report, the Special Master attended this hearing, met with the parties, and toured **Chicago Heights**.

The Court docketed the Special Master's report and directed the parties to file any objections to the report. The Class Plaintiffs had no objections to the recommendations of the Special Master but urged this Court to reject any proposed plan that deviates from the law of Illinois. The Individual Plaintiffs [*11] and the City had several objections to the Special Master's Report which this Court will discuss.

Finally, on March 4, 2005, the Class Plaintiffs filed a stipulation to accept the map proposed by the Individual Plaintiffs. On March 30, 2005, over the objections of the City, the Court granted the Class Plaintiffs' stipulation. Consequently, if this Court credits the Special Master's findings that the Class Plaintiffs' and Individual Plaintiffs' plans comply with the **Voting Rights** Act but the City's plan does not, the Court will adopt the Individual Plaintiffs' plan and map.

II. STANDARD

"Once a right and a violation has been shown, the scope of a district court's equitable powers to remedy past wrongs is broad, for breadth and flexibility are inherent in equitable remedies." U.S. v. Paradise, 480 U.S. 149, 183-84, 107 S. Ct. 1053, 94 L. Ed. 2d 203 (1987) (quoting Swann v. Charlotte-Mecklenburg Board of Education, 402 U.S. 1, 15, 91 S. Ct. 1267, 28 L. Ed. 2d 554 (1971)). When a Section 2 violation, specifically, has been found, a district court:

must, wherever practicable, afford the jurisdiction an opportunity to remedy the violation first, . . . with deference afforded the jurisdiction's plan if [*12] it provides a full, legally acceptable remedy. But if the jurisdiction fails to remedy completely the violation or if a proposed remedial plan itself constitutes a § 2 violation, the court must itself take measures to remedy the violation.

Harper, 223 F.3d at 599-600 (quoting Dickinson v. Indiana State Election Board, 933 F.2d 497, 501 n.5 (7th Cir. 1991)). If the district court must fashion a reapportionment plan or choose among plans, it should not "intrude upon state policy any more than necessary." White v. Weiser, 412 U.S. 783, 795, 93 S. Ct. 2348, 37 L. Ed. 2d 335 (1973) (quoting Whitcomb v. Chavis, 403 U.S. 124, 160, 91 S. Ct. 1858, 29 L. Ed. 2d 363 (1971)). A district court should only follow the policies and preferences of the state, however, if those policies and preferences do not "detract from the requirements of the Federal Constitution." Id. ⁶

⁶ The law on state legislative and congressional reapportionment applies to municipal reapportionment as well. See, e.g., Wise v. Lipscomb, 434 U.S. 1329, 1331, 98 S. Ct. 15, 54 L. Ed. 2d 41 (1977) (holding that "municipal election plans are entitled to the same respect accorded those of state legislatures").

[*13] III. DISCUSSION

A. Substantially Equal Population, Compactness, and Contiguity

One of the two guidelines given the Special Master was to recommend a plan with single-member districts that are of substantially equal population, compact, and contiguous. Since, as will be explained below, the Special Master determined that the districts in all three plans are contiguous and compact and comply with Section 2 of the **Voting Rights Act** (the second guideline), the only significant difference the Special Master found between the plans was whether they contained districts of substantially equal population.

1. Substantially Equal Population

As the Special Master correctly noted in his report, the "substantially equal population" criterion requires that districts satisfy the Supreme Court's "one person, one vote" rule for local governments. See Board of Estimate v. Morris, 489 U.S. 688, 692-93, 109 S. Ct. 1433, 103 L. Ed. 2d 717 (1989). See generally Hadley v. Junior College District of Metropolitan Kansas City, Missouri, 397 U.S. 50, 56, 90 S. Ct. 791, 25 L. Ed. 2d 45 (1970) (holding that the "one person, one vote" principle requires that "each qualified voter must be given an equal opportunity to participate [*14] in the election, and when members of an elected body are chosen from separate districts, each district must be established on a basis that will ensure, as far as is practicable, that equal numbers of voters can vote for proportionally equal numbers of officials."). The Supreme Court has provided a benchmark for determining whether a plan violates the "one person, one vote" principle. As explained by the Special Master:

The average population size of a district is determined by dividing the population of the city by the number of districts. The population of each district is then subtracted from the average, and the difference is expressed as a percentage of the average. Those above the average deviation are expressed as positive percentage deviations, those below the average as negative percentage deviations. The deviations for the two districts with the greatest deviation above the average and below the average are combined, ignoring their signs, into a total deviation figure. If this figure is less than 10 percentage points, the plan is "presumptively constitutional" and those challenging the plan are required to demonstrate why, despite these small deviations, the plan does [*15] not comply with the one person, one vote rule. If the figure is 10 percentage points or higher, however, those defending the plan must explain why that rule has been satisfied.

See Brown v. Thomson, 462 U.S. 835, 842-43, 103 S. Ct. 2690, 77 L. Ed. 2d 214 (1983). See generally Frank v. Forest County, 194 F. Supp. 2d 867, 873-74 (E.D. Wis. 2002).

The Special Master then provided the relevant statistics for **Chicago Heights**. According to the U.S. Census Bureau, the total population of **Chicago Heights** is 32,776. The average district in a seven-district plan, when rounded off to the nearest whole number, is 4,682. The plans presented by the Individual Plaintiffs and Class Plaintiffs contain districts in which the combined deviations, based on total populations figures, are 6.1 and 1.0 respectively. This falls below the 10% threshold. The plan presented by the City has a combined deviation of 11.9, which exceeds the 10% threshold. As the Special Master noted in his report, a plan that exceeds the 10% threshold is not *per se* unconstitutional; it merely creates a *prima facie* case of discrimination. See *Brown*, 462 U.S. at 843. The party defending a plan that exceeds [*16] the 10% threshold can argue that the deviations were the result of applying "rational state policies" that justify the deviations. See *id.* (quoting *Mahan v. Howell*, 410 U.S. 315, 325, 93 S. Ct. 979, 35 L. Ed. 2d 320 (1973)).

The Special Master noted, however, that the City has not cited any such policies. Instead, the City argues that voting age population, rather than total population, should be used in calculating whether a plan satisfies the "one person, one vote" principle. When voting population rather than total population is used, the City argues, the differences between the combined deviations of the three plans are negligible. The Special Master determined that whether voting age population or total population should be used is a legal issue reserved for this Court.⁷

⁷ To prepare for both outcomes, the Special Master calculated population equity using total population *and* using voting age population. The Special Master noted that the City's plan still does not fit within the 10% deviation when voting age population, rather than total population, is used. In fact, the Special Master found that use of voting age population only magnifies the inequality of the districts proposed by the City. This finding, of course, is irrelevant given this Court's holding, below, that total population is the proper measure for determining whether a plan satisfies the "one person, one vote" principle.

[*17] The Court finds that total population should be used to determine whether districts satisfy the "one person, one vote" principle. The "one person, one vote" rule from Supreme Court equal protection case law is different from the minority vote dilution issue addressed by the **Voting Rights** Act. This Court has asked the Special Master to recommend a plan that complies with both equal protection case law (i.e., by requiring districts of substantially equal population that are also compact and contiguous) *and* Section 2 of the **Voting Rights** Act. In this Circuit, citizen voting age population is the proper measure for latter (the **Voting Rights** Act inquiry). That is the holding in *Barnett v. City Chicago*, 141 F.3d 699 (7th Cir. 1998). *Barnett* held that voting age population, or citizen voting age population, is the proper measure *to determine proportional equality of voting power under the Voting Rights Act*. See *id.* at 705. As explained above, this is a question of vote dilution and a statute. *Barnett* does not say that voting age or citizen voting age population is the proper measure to determine whether a plan satisfies the "*one person, [*18] one vote*" rule. This is an equal protection question flowing directly from the Constitution.⁸

⁸ This finding represents a reversal of the Court's position in its Order dated September 6, 2005, which requested the parties to consider whether new plans and maps needed to be submitted to the Special Master "in light of the fact that voting age population is the proper of measure of population equity." That order misstated the holding in *Barnett*.

The case law reflects this distinction. The reapportionment cases discussing the "one person, one vote" principle all condone the use of total population as a measure. See, e.g., *Reynolds v. Sims*, 377 U.S. 533, 84 S. Ct. 1362, 12 L. Ed. 2d 506 (1964) (using total state population); *Brown v. Thomson*, 462 U.S. 835, 103 S. Ct. 2690, 77 L. Ed. 2d 214 (1983) (using total county population); *Board of Estimate v. Morris*, 489 U.S. 688, 109 S. Ct. 1433, 103 L. Ed. 2d 717 (1988) (using total city population). Indeed, as the Special Master notes, most jurisdictions use total population. Moreover, as the Class Plaintiffs argue, [*19] Illinois law speaks of simply "population." See 65 Ill. Comp. Stat. 5/3.1-20-25(a) (2006) ("In the formation of wards, the number of inhabitants of the city immediately preceding the division of the city into wards shall be as nearly equal in population . . ."). The Seventh Circuit has twice held that state law should not be ignored in this case. See *Harper*, 223 F.3d at 601; *Perkins*, 47 F.3d at 217.

By contrast, the cases concerning the dilution of minority voting strength in violation of Section 2 use voting age population or citizen voting age population as the measure. See, e.g., *Barnett*, 141 F.3d 7004-06 (requiring the use of citizen voting age population); *Ketchum v. Byrne*, 740 F.2d 1398, 1412 (7th Cir. 1984) (affirming the use of voting age population). The court in *Frank v. Forest County*, 194 F. Supp. 2d 867 (E.D. Wis. 2002), followed precisely the methodology used by the Special Master in the instant case: In computing the size of the districts, the court used total population figures. *Id.* at 873. In measuring proportionality to [*20] determine whether the districting plan diluted minority votes in violation of Section 2, the court, following *Barnett*, used citizen voting age population. *Id.* at 877.

Finally, nothing in the **Voting Rights** Act dictates that parties must use voting age population instead of total population for the "one person, one vote" inquiry. Thus, the Court finds that the Special Master's use of total population to calculate percentage deviations in the parties' plans was correct.

After performing the test set out in *Brown*, the Special Master concluded that, because the Individual Plaintiffs' and Class Plaintiffs' plans had deviations below the 10% threshold, they should be considered presumptively constitutional. The City's plan, with deviations above the 10% threshold *and no justifications for those large deviations*, should be considered presumptively unconstitutional. As a consequence, the Special Master declined to recommend the City's plan to this Court. Moreover, the Special Master determined that "the Class Plaintiffs' plan is considerably closer to perfect equality than that of the Individual Plaintiffs." Special Master's Report at 18. Since "the Class Plaintiffs [*21] have come closer to achieving the goal of equi-populous districts," the Special Master recommended the Class Plaintiffs' plan to this Court. Id.

2. Compactness

The Special Master reported that there is no bright-line test to determine whether a district is compact; districts may only be considered more or less compact. He therefore employed the two most common measures of compactness, a dispersion measure known as the Roeck measure and a perimeter measure known as the Polsby-Popper measure. To determine the compactness of the districts in the parties' proposed plans, he compared their scores along the Roeck and Polsby-Popper measures to the compactness of the current six-district plan in **Chicago Heights**. The Special Master noted that, when comparing plans, one must focus on the least compact districts, rather than the most compact districts or the average compactness of districts. After providing the scores for all of the proposed districts and identifying the least compact district in each plan, the Special Master determined that none of the plans contain districts with bizarre shapes and none contain districts that depart substantially in compactness scores from the districts [*22] in the current six-district plan. All three plans, the Special Master concluded, "satisfy that compactness standard, as that standard has been applied in **Chicago Heights** in the only city council districting plan that has been used since the elimination of the at-large election system." Special Master's Report at 10.

3. Contiguity

The Special Master reported that contiguity is a much simpler concept: A district is contiguous if a person can go from any point within the district to any other point within the district without leaving the district. The Special Master concluded that all of the districts in each of the proposed plans satisfy the contiguity principle. None of the plans even contain bodies of water connecting otherwise separate parts of a district, or connect districts at only one point.

B. Compliance with the **Voting Rights** Act

The second guideline the Special Master was compelled to follow was to recommend a plan that complied with 42 U.S.C. § 1973(b) and other applicable provisions of the **Voting Rights** Act. To that end, the Special Master examined (a) the minority percentages of the voting age populations in the plans' districts and [*23] (b) whether, in creating the districts, the parties subordinated traditional districting principles to racial considerations, thus triggering strict scrutiny of the plan under the Fourteenth Amendment.⁹

⁹ The Special Master also examined whether there were minority vote dilution implications resulting from whether districts elect one or two representatives. He found "no measurable, systematic differences in the ability of minority voters in **Chicago Heights** to elect representative of their choice between the single and two-member contexts." Special Master's Report at 17. The Court will ignore this finding, however, since, pursuant to the Seventh Circuit's decision in *Harper*, 223 F.3d at 602, this Court ordered the Special Master to recommend only plans that divide the City into single member districts.

1. Minority Percentages of Voting Age Population

As the Special Master correctly noted, Section 2 of the **Voting Rights** Act prohibits the use of an electoral system that dilutes a protected [*24] minority's voting strength. See *Thornburg v. Gingles*, 478 U.S. 30, 88, 106 S. Ct. 2752, 92 L. Ed. 2d 25 (1986) (O'Connor, J., concurring) (stating that "the essence of a vote dilution claim is that the State has created single-member or multimember districts that unacceptably impair the minority group's ability to elect the candidates its members prefer"). African Americans and Hispanics are the two groups that garner concern about vote dilution in **Chicago Heights**. The voting age population of the city, as recorded in the 2000 census, is 33.9% African American

(33.6% non-Hispanic African American) and 21.5% Hispanic. The current six-district plan contains two majority-African American districts and one majority-Hispanic district. Each of the seven-district plans proposed by the parties contains two majority-African American districts, one majority-Hispanic district, and an additional majority-minority district if these two groups are combined.

The Special Master concluded that there are no serious differences in the minority composition of the districts in the three proposed plans. Indeed, the parties agreed as much at a November 11, 2002 meeting that the Special Master attended.

The Special Master [*25] also determined that the districts in all three plans would survive a vote dilution challenge under Section 2. As the Special Master correctly noted, the Supreme Court held in *Gingles* that a minority group claiming vote dilution through the use of multimember districts must prove three threshold conditions. First, the minority group must show that they are "sufficiently large and geographically compact to constitute a majority in a single-member district." 478 U.S. at 50. Second, they must prove that the group is "politically cohesive." *Id.* at 51. Third, they must prove that the white majority votes as a bloc to defeat the minority group's preferred candidate. *Id.* These conditions also apply to Section 2 challenges to single-member districts. *Grove v. Emison*, 507 U.S. 25, 40-41, 113 S. Ct. 1075, 122 L. Ed. 2d 388 (1993); *Voinovich v. Quilter*, 507 U.S. 146, 157-58, 113 S. Ct. 1149, 122 L. Ed. 2d 500 (1993). The Special Master concluded all three proposed plans would be upheld under Section 2 because the first of the three necessary conditions cannot be shown: No additional district, beyond those in the current plans, can be created in which members of a protected group in **Chicago Heights** [*26] constitute a majority.

2. Racial Gerrymandering

The Special Master also examined whether any of districts in the proposed plans would be subject to strict scrutiny because of an allegation that the district constitutes a racial gerrymander. *Shaw v. Reno*, 509 U.S. 630, 649, 113 S. Ct. 2816, 125 L. Ed. 2d 511 (1993) indirectly defines racial gerrymandering as reapportionment that, although facially race-neutral, "rationally cannot be understood as anything other than an effort to separate voters into different districts on the basis of race" without sufficient justification. To prove the existence of a racial gerrymander, "a plaintiff must prove that the legislature subordinated traditional race-neutral districting principles, including but not limited to compactness, contiguity, and respect for political subdivisions or communities defined by actual shared interests, to racial considerations." *Miller v. Johnson*, 515 U.S. 900, 916, 115 S. Ct. 2475, 132 L. Ed. 2d 762 (1995).

Because these race-neutral principles have not been disregarded in the parties' proposed plans, the Special Master concluded that the plans would easily defeat a claim that districts were gerrymandered on racial lines. See *id.* As discussed [*27] earlier, the Special Master determined that all three plans have contiguous districts and satisfy the compactness principle. Further, the plans do not upset the boundaries of political subdivisions because there are no political subdivisions in **Chicago Heights**. Finally, although there is no widely agreed upon definition of the concept "communities of interest," see *Hastert v. State Board of Elections*, 777 F. Supp. 634, 660 (N.D. Ill. 1991), the Special Master observed that there were no allegations at the October 1, 2003 public hearing that any of the plans violated a "community of interest." Neither were there allegations that the plans violated any other traditional districting principle.

Thus, the Special Master concluded that no plan contains districts that would constitute a racial gerrymander, and no plan dilutes minority voting strength in violation of Section 2.

C. The Parties' Objections

The Individual Plaintiffs and the City raised objections to the Special Master's Report. The Court will only discuss their material objections.

First, the Individual Plaintiffs insist that state law requires each ward in **Chicago Heights** to elect two aldermen, not [*28] one. As noted earlier, however, the Seventh Circuit ruled that this Court and the parties should defer to the City's preference for single member districts. *Harper*, 223 F.3d at 602. The order directing the Special Master to recommend a plan with single member districts reflects this ruling.

Second, the Individual Plaintiffs complain that the Class Plaintiffs' map unnecessarily splits too many precinct voting districts ¹⁰ and fails to use political subdivisions as precinct lines. Therefore, they argue, the Special Master's favorable analysis of the Class Plaintiffs' plan is flawed; both the Class Plaintiffs and the City could have produced a map with fewer percentage deviations. Consequently, the Individual Plaintiffs argue, both the Class Plaintiffs' and the City's map

will have a negative impact on the ability of African Americans to elect representatives of their choice. The Individual Plaintiffs add that, in their view, the Class Plaintiffs' map fails to meet the contiguity requirement.

10 The Individual Plaintiffs maintain that the Class Plaintiffs split sixteen of thirty-four precincts, whereas they split only two.

[*29] Third, the Individual Plaintiffs protest the practice of comparing the plans' scores along the two compactness measures to the compactness of the current six-district plan in **Chicago Heights**. The Individual Plaintiffs regard the current six-district plan as questionable, if not illegal, and they argue that a visual (simply looking at the maps to determine compactness) is not necessarily a less objective method of determining compactness than the method employed by the Special Master. As an example, the Individual Plaintiffs point to the West-North and Prairie State districts in the City's map; they claim that a visual allows one to see that the map splits the African American community in these districts. Thus, the map does not comply with the **Voting Rights** Act and is also not compact. As a related matter, the Individual Plaintiffs argue that the current six-district plan is too recent to be used as a benchmark for ideal districts. For this reason, they quibble with the Special Master's statement that there are no political subdivisions in **Chicago Heights**.

The Court considers these second and third objections moot given its decision that the Individual Plaintiffs' plan and map will [*30] be used for the **Chicago Heights** City Council elections.

The City merely disguises several earlier, unsuccessful entreaties to this Court as formal objections to the Special Master's Report. First, the City complains that the report fails to consider a Six-Member Voting District Proposal that the City submitted to the Special Master in June of 2004. According to the City, the Special Master erred in refusing to consider that proposal. The Special Master did so because he provided notice to the parties in April of 2004 that no additional maps would be entertained as his report would be written soon. Reasonable deadlines were certainly appropriate in this hoary case and this Court finds no fault in the Special Master's enforcement of the deadline here. Moreover, the City already submitted this complaint to the Court in the form of an Emergency Motion by Defendant to Remand the Special Master's Report for Further Consideration by the Special Master, filed on December 6, 2004. This motion was denied.

Second, the City objects to the Special Master's Report because it fails to use voting age population to determine whether the proposed plans satisfy the "one person, one vote" requirement. [*31] The City has already unsuccessfully argued this point in an earlier brief submitted to this Court. As discussed above, the case law supports the Special Master's use of total population figures.

Finally, the City asserts that the Special Master's report is not supported by the evidence, and the City has been prejudiced in its opportunity to respond to the report because the Special Master has not filed a complete record of the evidence considered in making his recommendations. The Court finds *this objection*, not the Special Master's Report, unsupported. The Special Master considered the three plans presented at a public hearing, several tables and charts are appended to his report, and he has maintained contact with the parties throughout his appointment. The City has not been prejudiced in its ability to review the report. Moreover, the City has offered nothing to support its self-serving conclusion that the report is inconsistent with the evidence.

D. The Court's Findings

Because the Class Plaintiffs' plan contains districts that are more equal in population than the Individual Plaintiffs' plan, the Special Master has recommended the Class Plaintiffs' plan to this Court. [*32] He found both the Individual Plaintiffs' plan and the Class Plaintiffs' plan, however, acceptable: "Both . . . satisfy the 'one person, one vote' rule, contain districts that are contiguous and compact, satisfy the **Voting Rights** Act, and contain no 'racial gerrymanders' requiring strict scrutiny under Shaw." Special Master's Report at 18. The City's plan, by contrast, fails to satisfy the "one person, one vote" principle.

There being no material, supported objections to the Special Master's Report, the Court will credit its findings. Since the Special Master found that the Individual Plaintiffs' plan complies with each of the Court's guidelines, and this Court has granted the stipulation by two of the three parties to adopt the Individual Plaintiffs' plan, the Court will adopt that plan.

IV. CONCLUSION

2006 U.S. Dist. LEXIS 5025, *

For the foregoing reasons, the Perkins and McCoy plan and map will be adopted for the City of **Chicago Heights** City Council elections.

David H. Coar

United States District Judge

Dated: **February 8, 2006**

[SEE Perkins and McCoy Maps Comparison IN ORIGINAL]

[SEE PERKINS & McCOY MAP IN ORIGINAL]

Exhibit 2-A

From: Cox, Trevor S.
To: ["Stafford, William B. \(Ben\) \(Perkins Coie\)"; "imgore@jonesday.com"; "Elias, Marc \(Perkins Coie\)"; Raphael Stuart A.; "Hamilton, Kevin J. \(Perkins Coie\)"; "Michael A Carvin"](#)
Subject: FW: potential retention as special master in Personhuballah v. Alcorn (E.D. Va.)
Date: Friday, September 18, 2015 5:53:00 AM

Counsel, in addition to his e-mail with updated CVs (which went to everyone), I received the below from Professor Grofman.

Trevor

From: Bernie Grofman [mailto:bgtravel@uci.edu]
Sent: Friday, September 18, 2015 1:24 AM
To: Cox, Trevor S.
Subject: Re: potential retention as special master in Personhuballah v. Alcorn (E.D. Va.)

Dear Mr. Gore

I have sent a slightly more recent c.v., and a short form of my c.v., in the immediately previous e-mail.

Professor McDonald received his Ph.D. at the University of California, San Diego and I was a fourth -so called "external"--member of his Ph.D. committee. But I have been involved in training many of the experts who presently testify in redistricting cases. I have no previous involvement in the case or with the Commonwealth of Virginia and can and would serve in a fully unbiased manner. Having now read the opinion in the case I do not see any grounds for my having any conflict of interest, since the legal issues in the case, including the issue of intent, have now been decided by the federal court, and the only task for a social science expert serving as special master is to give information and perhaps, practical advice, to the federal court based on the actual demographic and geographic facts, so as to assist the court in deciding how to best draw a remedial plan that is consistent with the standards laid down in that opinion. The special master serves as a tool to efficiently implement the will of the court in a timely fashion.

As for compensation, while my understanding is that an hourly rate of \$400 would be reasonable for the position of special master, for someone with my long experience, I am quite happy to accept whatever hourly rate the court would regard as appropriate.

Sincerely yours

//Bernard Grofman

On 9/17/2015 5:03 PM, Cox, Trevor S. wrote:

Dear Professor Grofman,

Thank for your e-mail and interest. Would you kindly respond with information on your qualifications for the role (if not fully described at <http://www.socsci.uci.edu/~bgrofman/bgrofmanCV.doc>), any possible conflicts of interest, and your fees? (Note that the Court has ordered the Commonwealth of Virginia to pay for any special-master fees, so please provide your government rate.)

Sincerely,

/s/ John M. Gore

Michael A. Carvin

John M. Gore

JONES DAY

macarvin@jonesday.com

jmgore@jonesday.com

Counsel for Intervenor-Defendants

/s/ Kevin J. Hamilton

Marc E. Elias

Kevin J. Hamilton

William (Ben) Stafford

PERKINS COIE

melias@perkinscoie.com

khamilton@perkinscoie.com

bstafford@perkinscoie.com

Counsel for Plaintiffs

/s/ Stuart A. Raphael

Stuart A. Raphael

Trevor S. Cox

OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA

sraphael@oag.state.va.us

tcx@oag.state.va.us

Counsel for Defendants

From: Bernie Grofman [bgrofman@uci.edu]

Sent: Thursday, September 17, 2015 5:20 PM

To: Cox, Trevor S.

Cc: Stafford, William B. (Ben) (Perkins Coie); jmgore@jonesday.com; bgtravel@uci.edu; Elias, Marc (Perkins Coie); Raphael, Stuart A.; Hamilton, Kevin J. (Perkins Coie); Michael A Carvin

Subject: Re: potential retention as special master in Personhuballah v. Alcorn (E.D. Va.)

Dear Mr. Cox, I am currently in Europe at a conference in Rome on elections and party competition being held at the Belgian Academy in Rome and have only just now seen your kind e-mail. I will not be back in the U.S. until late on Thursday September 24 and I began teaching at the University of California, Irvine on the next Wednesday, and on every Wednesday thereafter. Within those time constraints, which would require me to fly back and forth to California once a week for a day, I would be both willing and honored to be considered as a special master in this case. However, I should also note that it might be possible for me to reschedule my class on one or more Wednesdays for a time period later in the fall if that seemed necessary given time pressures for

completing a plan .

Sincerely yours
//Bernard Grofman
Jack W. Peltason Chair of Democracy Studies
University of California, Irvine

On 9/17/2015 8:46 AM, Cox, Trevor S. wrote:

Dear Professor Grofman,

In connection with our previous e-mail, we are writing to provide you a copy of the filing we made with the Court yesterday regarding our efforts to locate a special master. Our report acknowledged the narrow window in which we asked you to respond and urged the Court to allow more time for candidates to consider our request. If you are willing, able, and available to serve as special master in this case, please let us know as soon as possible -- we would be happy to communicate that to the Court. The Court itself may contact you. In case it affects your interest in this engagement, we note that it was the Court that first suggested you as a potential special master.

Sincerely,

/s/ John M. Gore
Michael A. Carvin
John M. Gore
JONES DAY
macarvin@jonesday.com
jmgore@jonesday.com
Counsel for Intervenor-Defendants

/s/ Kevin J. Hamilton
Marc E. Elias
Kevin J. Hamilton
William (Ben) Stafford
PERKINS COIE
melias@perkinscoie.com
khamilton@perkinscoie.com
bstafford@perkinscoie.com
Counsel for Plaintiffs

/s/ Stuart A. Raphael
Stuart A. Raphael
Trevor S. Cox
OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA
sraphael@oag.state.va.us

tcx@oag.state.va.us

Counsel for Defendants

From: Cox, Trevor S.

Sent: Monday, September 14, 2015 2:32 PM

To: 'bgrofman@uci.edu'

Cc: 'Stafford, William B. (Ben) (Perkins Coie)'; 'jmgore@jonesday.com'; 'Elias, Marc (Perkins Coie)'; Raphael, Stuart A.; 'Hamilton, Kevin J. (Perkins Coie)'; 'Michael A Carvin'

Subject: potential retention as special master in Personhuballah v. Alcorn (E.D. Va.)

Dear Professor Grofman,

We are writing as counsel to the parties in the redistricting case *Personhuballah v. Alcorn* [formerly *Page v. Judd*], No. 3:13-cv-678 (E.D. Va.), in which a three-judge panel struck down Virginia's Third Congressional District ("CD3") as a racial gerrymander that violates the Fourteenth Amendment to the United States Constitution. *See* 2015 WL 3604029 (June 5, 2015) (decision attached). The Court – consisting of Judges Robert Payne (E.D. Va.), Liam O'Grady (E.D. Va.), and Albert Diaz (4th Cir.) – is now overseeing the process of adopting a remedial redistricting plan, and plans to engage a special master to assist in the process.

At the Court's direction, we are contacting a number of potential candidates to serve as special master. **We are writing to see if you would be willing and able to serve as a special master if suggested by the parties and appointed by the Court.** Because of a Court-imposed deadline, **we request your response by noon (ET) on Wednesday, September 16.**

The attached decision provides much of the necessary background, but the relevant procedural history of the lawsuit is as follows. Plaintiffs initiated this suit in October 2013 against Defendants, the members of Virginia State Board of Elections. In November 2013, the Republican members of the U.S. House of Representatives moved to intervene as Defendants. Trial was held in May 2014, and the Court awarded judgment for Plaintiffs in October 2014, holding that race had been the predominant factor in the drawing of CD3. The Intervenor-Defendants appealed the judgment to the U.S. Supreme Court. The Supreme Court vacated and remanded for further consideration in light of its decision in *Alabama Legislative Black Caucus v. Alabama*, 135 S. Ct. 1257 (2015).

On June 5, 2015, the Court issued an opinion again holding that CD3

was an unconstitutional racial gerrymander. The Court directed Virginia's General Assembly to adopt a remedial redistricting plan by September 1, 2015. When the General Assembly failed to adopt a plan by that deadline, the Court stepped in to oversee the creation of a remedial plan. After consulting with the parties, the Court notified the parties that it will be appointing a special master to oversee the process, and directed the parties to submit a list of three candidates for the Court's consideration on Wednesday, September 16.

We are writing to see if you would be willing and able to serve as special master if suggested by the parties and appointed by the Court. Although the Court has not provided a complete timeline for the process, the work may begin quickly: the Court has ordered that the parties and any interested non-parties submit remedial plans and supporting materials by Friday, September 18, and any written responses to those submissions by Friday, October 2.

Please let us know by return e-mail by noon (ET) on Wednesday, September 16 whether or not you would be willing and able to serve as a special master in this case, and if so, your qualifications, any limits on your availability, and any possible conflicts of interest that would prevent you from serving in this role. Please also indicate the fees that you would charge for your services. (The Court has ordered the Commonwealth of Virginia to pay for any special-master fees, so please provide your government rate.)

Please contact us as soon as possible if you require any further information to evaluate this request. Note that the Court has ordered that communications be with counsel for all the parties, and that communications be in writing.

Thank you for your consideration.

/s/ Michael A. Carvin

Michael A. Carvin

John M. Gore

JONES DAY

macarvin@jonesday.com

jmgore@jonesday.com

Counsel for Intervenor-Defendants

/s/ Kevin J. Hamilton

Marc E. Elias

Kevin J. Hamilton

William (Ben) Stafford

PERKINS COIE

melias@perkinscoie.com

khamilton@perkinscoie.com

bstafford@perkinscoie.com

Counsel for Plaintiffs

/s/ Stuart A. Raphael

Stuart A. Raphael

Trevor S. Cox

OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA

sraphael@oag.state.va.us

tc Cox@oag.state.va.us

Counsel for Defendants

From: [Bernie Grofman](#)
To: [Cox, Trevor S.](#)
Cc: [Stafford, William B. \(Ben\) \(Perkins Coie\)](#); [jmgore@jonesday.com](#); [bgtravel@uci.edu](#); [Elias, Marc \(Perkins Coie\)](#); [Raphael, Stuart A.](#); [Hamilton, Kevin J. \(Perkins Coie\)](#); [Michael A Carvin](#)
Subject: Grofman cv potential retention as special master in Personhuballah v. Alcorn (E.D. Va.)
Date: Friday, September 18, 2015 12:50:23 AM
Attachments: [Grofman- short CV-3-15.doc](#)
[GROFMAN-CV 4-15 \(no bolding\).doc](#)

P.S. I also attach a copy of the long and short versions of my c.v..
//Bernard Grofman

On 9/17/2015 2:20 PM, Bernie Grofman wrote:

Dear Mr. Cox, I am currently in Europe at a conference in Rome on elections and party competition being held at the Belgian Academy in Rome and have only just now seen your kind e-mail. I will not be back in the U.S. until late on Thursday September 24 and I began teaching at the University of California, Irvine on the next Wednesday, and on every Wednesday thereafter. Within those time constraints, which would require me to fly back and forth to California once a week for a day, I would be both willing and honored to be considered as a special master in this case. However, I should also note that it might be possible for me to reschedule my class on one or more Wednesdays for a time period later in the fall if that seemed necessary given time pressures for completing a plan.

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/s/ John M. Gore
Michael A. Carvin

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/s/ Kevin J. Hamilton
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Counsel for Plaintiffs

/s/ Stuart A. Raphael
Stuart A. Raphael
Trevor S. Cox
OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA
sraphael@oag.state.va.us
tcov@oag.state.va.us
Counsel for Defendants

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Cc: 'Stafford, William B. (Ben) (Perkins Coie)'; 'jmgore@jonesday.com'; 'Elias, Marc (Perkins Coie)'; Raphael, Stuart A.; 'Hamilton, Kevin J. (Perkins Coie)'; 'Michael A Carvin'
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Thank you for your consideration.

/s/ Michael A. Carvin

Michael A. Carvin

John M. Gore

JONES DAY

macarvin@jonesday.com

jmgore@jonesday.com

Counsel for Intervenor-Defendants

/s/ Kevin J. Hamilton

Marc E. Elias

Kevin J. Hamilton

William (Ben) Stafford

PERKINS COIE

melias@perkinscoie.com

khamilton@perkinscoie.com

bstafford@perkinscoie.com

Counsel for Plaintiffs

/s/ Stuart A. Raphael

Stuart A. Raphael

Trevor S. Cox

OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA

sraphael@oag.state.va.us

tcx@oag.state.va.us

Counsel for Defendants

Exhibit 2-B

BERNARD GROFMAN

Professor Grofman received his B.S. in Mathematics at the University of Chicago in 1966 and his Ph.D. in Political Science at the University of Chicago in 1972. He came to the University of California, Irvine in 1976 as an Associate Professor, and became Professor of Political Science in 1980. He was selected as the inaugural holder of the Jack W. Peltason Endowed Chair in Democracy Studies in 2008. Since 2001 he has also been an Adjunct Professor of Economics at UCI. He was elected chair of the Section on Representation and Electoral Systems of the American Political Science Association in 1993-94, and elected President of the Public Choice Society in 2000-01. Professor Grofman became a Fellow of the American Academy of Arts and Sciences in 2001. In 2008 he was appointed for a five year term as Director of the UCI Center for the Study of Democracy, a research center which has more than thirty affiliated faculty from the departments of political science, sociology and economics. He has been Principal Investigator or Co-PI on grants from the National Science Foundation, the Ford Foundation, the Rockefeller Foundation, the Sloan Foundation, and other foundations and government agencies totaling more than a million dollars. In 2010 he received an Honorary Doctorate from the University of Copenhagen for his lifetime contributions to political science in the area of electoral systems and representation.

Grofman is a pioneer in the study of *behavioral social choice*: the use of mathematical tools to develop statistically testable models of collective behavior and individual and group information processing and decision heuristics applicable to real world data. Much of this work has been in interdisciplinary areas, such as law and politics, and Public Choice. In particular, Grofman is one of the world's leading experts in the study of redistricting and voting rights, areas, where his own work and books he has edited have been cited by the U.S. Supreme Court in nearly a dozen cases. In recognition of this research he has been a visiting scholar for one quarter each year at New York University Law School, in Fall 2006 and Fall 2010, and he spent the academic year 2012-13 as a Straus Fellow at the NYU Law School. In economics, he has been a visiting professor for one to two month visits in Spain and France: at Pompeu Fabra University, Barcelona in 2003; the University of Paris, II in 2007, 2008 and 2009; and at the University of Caen in 2014. In 2014 he also spent one week as a visiting scholar in economics at Complutense University, Madrid. In political science, Grofman has been a visiting professor or scholar at numerous leading institutions in the U.S. and internationally: a Fellow at the Center for Advanced Study in the Behavioral Sciences, Stanford in 1985-86; a visiting professor of political science at the University of Washington in 1985 and at the University of Michigan in 1989; an invited Scholar-in-Residence at the Brookings Institution in Spring 1984; as well as a visiting (assistant) professor at the University of Mannheim, Germany for three months in 1973; a visiting professor at Kansai University, Osaka, Japan for one month in 1990; the Berlin Science Center for one month in 2001; and Political Science Guest Fellow at Nuffield College, Oxford for one month in 2008 and for one month in 2013. In addition, he has been a visiting scholar in political science for shorter periods at research universities in Austria (Institute for Advanced Study, Vienna), Canada (U. Victoria), Germany (U. Konstanz), and the Netherlands (U. Tilburg).

While much of Grofman's work has been about the U.S., e.g., topics such as redistricting and voting rights, voting behavior in the U.S. Supreme Court and the U.S. Congress, and jury decision-making, and the intersection of law and social science, especially the role of expert witness testimony and the uses of statistical evidence; he has also written extensively on comparative politics, drawing on data from diverse sources including Western Europe, and Japan and small island nations on the Pacific Rim. Here he has written on topics such as the impact of electoral rules, the shaping of political party strategies, and models of cabinet coalition formation and dissolution. Currently he is working on comparative politics and political economy, with an emphasis on viewing the United States in comparative perspective, and on comparing economic and political models of competition. He has published nearly 300 articles and research notes, including articles in top political science and interdisciplinary journals, with ten in the American Political Science Review. He has co-authored four books published by Cambridge University Press, with a fifth co-authored book from Yale University Press, and has edited or co-edited 23 other books,

The authored books are: Minority Representation and the Quest for Voting Equality, (co-authored with Lisa Handley and Richard) Cambridge University Press, 1992; A Unified Theory of Voting (co-authored with Samuel Merrill), Cambridge University Press, 1999; co-authored with A Unified Theory of Party Competition: A Cross-National Analysis Integrating Spatial and Behavioral Factors (co-authored with James F. Adams and Samuel Merrill III), Cambridge University Press, 2005; , Behavioral Social Choice (co-authored with Michel Regenwetter and others), Cambridge University Press, 2006; and A Different Democracy: American Government in 30 Nation Perspective (co-authored with Stephen Taylor, Matthew Shugart and Arend Lijphart), Yale University Press, 2015. Edited or co-edited books include: Representation and Redistricting Issues (co-edited with Arend Lijphart, Howard Scarrow, and Robert McKay), Lexington Books, 1982; Choosing an Electoral System (co-edited with Arend Lijphart), Praeger, 1984; Electoral Laws and Their Political Consequences (co-edited with Arend Lijphart), NY: Agathon Press, 1986; Information Pooling and Group Decision Making (co-edited with Guillermo Owen), JAI Press, 1986; 'The Federalist Papers' and the New Institutionalism (co-edited with Donald Wittman), Agathon Press, 1989; Political Gerrymandering and the Courts, Agathon Press, 1990; Controversies in Minority Voting: A Twenty-five Year Perspective on the Voting Rights Act (co-edited with Chandler Davidson), The Brookings Institution, 1992; Information, Participation and Choice: 'An Economic Theory of Democracy ' in Perspective, The University of Michigan Press, 1993; The Quiet Revolution: Minority Voting Rights and Representation in the South (co-edited with Chandler Davidson), Princeton University Press, 1994; Legislative Term Limits: Public Choice Perspectives, Kluwer Academic Publishers, 1996; Race and Redistricting, Agathon, 1998; Elections in Japan, Koreas, and Taiwan under the Single Non-Transferable Vote: The Comparative Study of an Embedded Institution (co-edited with Sung-Chull Lee, Edwin Winckler, and Brian Woodall), University of Michigan Press, 1999; The Legacy of the Civil Rights Act of 1964, University Press of Virginia, 2000; Elections in Australia, Ireland and Malta under the Single Transferable Vote (co-edited with Shaun Bowler), University of Michigan Press, 2001; Political Science as Puzzle Solving, University of Michigan Press, 2002; The Evolution of Electoral and Party Systems in the Nordic Nations (co-edited with Arend Lijphart), Agathon, 2003; Redistricting in Comparative Perspective (co-edited with Lisa Handley) Oxford University Press, 2008; Duverger's Law in Canada, India, the U.S. and the U.K. (co-edited with Andre Blais and Shaun Bowler)

Springer, 2009; The Wit and Humor of Political Science (co-edited with Lee Sigelman, Kenneth Newton, and Kenneth J. Meier) American Political Science Association and European Consortium for Political Research, 2010; A Natural Experiment on Electoral Law Reform: Evaluating the Long Run Consequences of 1990s Electoral Reform in Italy and Japan (co-edited with Daniela Giannetti) Springer, 2011; and In Situ and Laboratory Experiments on Electoral Law Reform: French Presidential Elections (co-edited with Bernard Dolez and Annie Laurent), Springer, 2011; The Internet and Democracy: Voters, Parties, Interest Groups, and Social Movements (co-edited with Alex Trechsel and Mark Franklin) Springer, 2013; and Election Reform in the United States after Bush v. Gore. (co-edited with Alvarez, Michael) Cambridge University Press, 2014.

Exhibit 2-C

SCHOOL OF SOCIAL SCIENCES
University of California, Irvine
April 2105

VITA

BERNARD N. GROFMAN, Professor

EDUCATION

B.S. University of Chicago, Mathematics (1966)
M.A. University of Chicago, Political Science (1968)
Ph.D. University of Chicago, Political Science (1972)

HONORARY DEGREES

2010 Honorary Doctorate in Political Science (*Doctor scientiarum politicarum honoris causa*), University of Copenhagen

CURRENT ACADEMIC POSITIONS HELD

2008- Jack W. Peltason (Bren Foundation) Endowed Chair, University of California, Irvine
1980- Professor of Political Science and Social Psychology, University of California, Irvine.
2001- Adjunct Professor of Economics, University of California, Irvine.

FORMER ACADEMIC POSITIONS

1970-71 Instructor, Political Science, SUNY at Stony Brook.
1971-76 Assistant Professor, Political Science, SUNY at Stony Brook
1976-80 Associate Professor of Political Science and Social Psychology, University of California, Irvine
2008-12 Director, Center for the Study of Democracy, UCI Interdisciplinary Organized Research Unit

PROFESSIONAL AFFILIATIONS

American Political Science Association
Public Choice Society
Law and Society Association
American Institute of Parliamentarians

VISITING POSITIONS AND FELLOWSHIPS

1973	Visiting Lecturer (Gastdozent), Department of Political Science (Lehrstuhl für Politische Wissenschaft), University of Mannheim (Summer Semester).
1975	Adjunct Assistant Professor, Applied Mathematics, SUNY at Stony Brook (Spring Semester).
1975-76	Visiting Assistant Professor, School of Social Sciences, University of California, Irvine (Winter and Spring Quarters).
1984	Guest Scholar (Sabbatical), Governmental Studies Program, Brookings Institution (Winter Quarter).
1985	College Visiting Professor, Department of Political Science, University of Washington, Seattle (Spring Quarter).
1985-86	Fellow, Center for Advanced Study in the Behavioral Sciences, Stanford
1989	Visiting Professor, Department of Political Science, University of Michigan (Fall Semester).
1990	Scholar-in-Residence, Institute for Legal Studies, Kansai University, Osaka, Japan (June-July)
2001	Fellow, University Institute of Advanced Study and Scholar-in-Residence, University of Bologna, Italy (May-June)
2002	Scholar-in-Residence, Berlin Science Center (Wissenschaft Zentrum) Germany (July)
2003	Gaspar de Portola Scholar-in-Residence, Department of Economics, Pompeu Fabra University, Barcelona (May-June)
2006	Scholar-in-Residence, New York University School of Law (Sept.-Dec.)
2007	Scholar-in-Residence, Institute for Research on Government and Economic Institutions (IRGEI), University of Paris II (Pantheon), France (April-June)
2008	Scholar-in-Residence, Institute for Research on Government and Economic Institutions (IRGEI), University of Paris II (Pantheon), France (April-May)
2008	Official Politics Visitor, Scholar-in Residence, Nuffield College, Oxford University (June)
2009	Scholar-in-Residence, Institute for Research on Government and Economic Institutions (IRGEI), University of Paris II (Pantheon), France (June-July)
2010	Scholar-in-Residence, New York University School of Law (Sept.-Dec.)
2012-13	Straus Research Fellow, Straus Institute for the Advanced Study of Law and Justice, New York University School of Law (academic year)
2013	Official Politics Visitor, Scholar-in-Residence, Nuffield College, Oxford University (September)
2014	Collaborative Scholar, Dept. of Economics, Complutense University, Madrid (one week, April)
2014	Visiting Professor, Dept. of Economics, University of Caen, France (May)
2015	Visiting Scholar, Dept. of Political Science, Institute for Advanced Study, Vienna (two weeks, April)
2015	Visiting Scholar, Dept. of Political Science, University of Konstanz, Germany (two weeks, June)

BOOKS AND EDITED BOOKS

BOOKS (published and forthcoming)

- (P1) Grofman, Bernard, Lisa Handley and Richard Niemi. Minority Representation and the Quest for Voting Equality. New York: Cambridge University Press, 1992.
- (P2) Merrill, Samuel III and Bernard Grofman. A Unified Theory of Voting: Directional and Proximity Spatial Models. New York: Cambridge University Press, 1999.
- (P3) Adams, James, Samuel Merrill and Bernard Grofman. 2005. A Unified Theory of Party Competition: A Cross-National Analysis Integrating Spatial and Behavioral Factors. New York: Cambridge University Press.
- (P4) Regenwetter, Michael, Bernard Grofman, A. A. J. Marley and Ilia Tsetlin. 2006. Behavioral Social Choice: Probabilistic Models, Statistical Inference, and Applications. New York: Cambridge University Press.
- (P5) Taylor, Steven, Matthew Shugart, Arend Lijphart and Bernard Grofman. American Government in Perspective: A Thirty-Nation Comparison. New Haven, CN: Yale University Press, 2014.

EDITED BOOKS (published)

- (E1) Grofman, Bernard N., Arend Lijphart, Robert McKay and Howard Scarrow (Eds.), Representation and Redistricting Issues. Lexington, MA: Lexington Books, 1982. (initially published as a 1981 special issue of Policy Studies Journal, 9(3))
- (E2) Lijphart, Arend and Bernard Grofman (Eds.), Choosing an Electoral System. New York: Praeger, 1984. (2001 co-recipient of the George Hallett Prize of the Representation and Electoral Systems Section of the American Political Science Association for books with a lasting contribution to the study of electoral systems.)
- (E3) Grofman, Bernard N. and Arend Lijphart (Eds.), Electoral Laws and Their Political Consequences. New York: Agathon Press, 1986. (2001 co-recipient of the George Hallett Prize of the Representation and Electoral Systems Section of the American Political Science Association for books with a lasting contribution to the study of electoral systems.)
- (E4) Grofman, Bernard N. and Guillermo Owen (Eds.), Information Pooling and Group Decision Making. Greenwich, CT: JAI Press, 1986.
- (E5) Grofman, Bernard N. and Donald Wittman (Eds.), The "Federalist Papers" and the New Institutionalism. New York: Agathon Press, 1989.
- (E6) Grofman, Bernard N. (Ed.), Political Gerrymandering and the Courts. New York: Agathon Press, 1990.

EDITED BOOKS (published) (cont.)

- (E7) Grofman, Bernard and Chandler Davidson (Eds.), Controversies in Minority Voting: The Voting Rights Act in Perspective. Washington D.C.: The Brookings Institution, 1992. (Designated by the Gustavus Myers Center for the Study of Human Rights in North America as one of the outstanding books published in 1992 on intolerance.)
- (E8) Grofman, Bernard N. (Ed.), Information, Participation and Choice: An 'Economic Theory of Democracy' in Perspective. Ann Arbor, Michigan: University of Michigan Press, 1993.
- (E9) Davidson, Chandler and Bernard Grofman (Eds.), Quiet Revolution in the South: The Impact of the Voting Rights Act, 1965-1990. Princeton, NJ: Princeton University Press, 1994. (Richard Fenno Prize of the Legislative Studies Section of the American Political Science Association for the best book published in 1994 in the field of legislative studies.)
- (E10) Grofman, Bernard (Ed.) Legislative Term Limits: Public Choice Perspectives. Boston, MA: Kluwer, 1996.
- (E11) Grofman, Bernard (Ed.) Race and Redistricting in the 1990s. New York: Agathon Press, 1998.
- (E12) Grofman, Bernard, Sung-Chull Lee, Edwin Winckler, and Brian Woodall (Eds.) Elections in Japan, Korea and Taiwan under the Single Non-Transferable Vote: The Comparative Study of an Embedded Institution. Ann Arbor, MI: University of Michigan Press, 1999.
- (E13) Grofman, Bernard (Ed.) Legacies of the 1964 Civil Rights Act. Charlottesville: University Press of Virginia, 2000.
- (E14) Bowler, Shaun and Bernard Grofman (Eds.) Elections in Australia, Ireland and Malta under the Single Transferable Vote. Ann Arbor: University of Michigan Press, 2000.
- (E15) Grofman, Bernard (Ed.). Political Science as Puzzle Solving. Ann Arbor, MI: University of Michigan Press, 2001.
- (E16) Grofman, Bernard and Arend Lijphart (Eds.) The Evolution of Electoral and Party Systems in the Nordic Countries. New York: Agathon Press, 2002.
- (E17) Handley, Lisa and Bernard Grofman (Eds.). Redistricting in Comparative Perspective. Oxford: Oxford University Press, 2008.
- (E18) Grofman, Bernard, Shaun Bowler, and Andre Blais (Eds.) Duverger's Law in Canada, India, the U.S. and the U.K. New York: Springer, 2008.
- (E19) Sigelman, Lee, Kenneth Newton, Kenneth J. Meier, and Bernard Grofman (Eds.) The Wit and Humor of Political Science. American Political Science Association and European Consortium for Political Research, 2010.

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- (E20) Giannetti, Daniela and Bernard Grofman (Eds.) A Natural Experiment on Electoral Law Reform: Evaluating the Long Run Consequences of 1990s Electoral Reform in Italy and Japan. New York: Springer, 2011.
- (E21) Dolez, Bernard, Bernard Grofman and Annie Laurent (Eds.) In Situ and Laboratory Experiments on Electoral Law Reform: French Presidential Elections. New York: Springer, 2011.
- (E22) Bernard Grofman, Alex Trechsel and Mark Franklin (Eds.) The Internet and Democracy: Voters, Parties, Interest Groups, and Social Movements. New York: Springer, 2013.
- (E23) Alvarez, Michael and Bernard Grofman (Eds.) Election Reform in the United States after Bush v. Gore. New York: Cambridge University Press, 2014.

EDITED JOURNAL SYMPOSIA and MINISYMPOSIA

- (J1) 1981. Minisymposium on Voter Turnout. American Politics Quarterly, 9(2).
- (J2) 1993. Minisymposium on the 2500th Anniversary of Democracy. PS, (September).
- (J3) 2005. Symposium on Elections under the French Double Ballot System, co-edited with Michael Lewis-Beck. French Politics 3
- (J4) 2005. Symposium on Political Culture, Representation and Electoral Systems in the Pacific Islands, co-edited with Jon Fraenkel. Journal of Commonwealth and Comparative Studies 43.
- (J5) 2008. Minisymposium on a Taxonomy of Runoff Methods, co-edited with Andre Blais and Shaun Bowler. Electoral Studies 27.
- (J6) 2012. Symposium (in French) on The Legacy of Maurice Duverger, co-edited with Bernard Dolez and Annie Laurent. Revue Internationale de Politique Comparee.
- (J7) 2015. Minisymposium (in French) on Comparing Parties and Elections in France and Italy, co-edited with Bernard Dolez and Annie Laurent. Revue Internationale de Politique Comparee, forthcoming.

MAJOR RESEARCH GRANTS

- 2011-12 Monitoring the Nature and Impact of Public Input into the Legislative and Congressional Redistricting Process (Sloan Foundation, \$119,756, PI).
- 2007-09 Political Competition. Social Science and Humanities Research Council of Canada, (SSHRC #410-2007-2153, \$87,290: Associate Investigator: co-PIs, Stanley Winer and J. Stephen Ferris).
- 1998-01 Collaborative Research on Probabilistic Models of Social Choice. National Science Foundation Program in Methodology Measurement and Statistics, (NSF# SBR-97-30578, \$213,000 with Anthony Marley, Co-PI)
- 1994-95 Electoral Laws, Electoral Lists and Campaigning in the First Non-Racial South African General Election, National Science Foundation, National Science Foundation (NSF# SBR-93- 21864, \$39,512, with Arend Lijphart).
- 1991-93 The Impact of Redistricting on the Representation of Racial and Ethnic Minorities, The Ford Foundation (#446740-47007, \$166,000).
- 1988-92 Collaborative Research on the Voting Rights Act: Implementation, Effects, and Implications for Law and Society. National Science Foundation Law and Social Sciences Program (NSF SES #88-09392, \$231,000, with Chandler Davidson); Supplementary Grant for Collaborative Research on the Voting Rights Act: The Effects of Changing Electoral Systems on the Election of Women. National Science Foundation Law and Social Sciences Program (NSF SES 88-09392, \$8,500, with Chandler Davidson and Susan Welch).
- 1987-89 Ethnic Voting Patterns in Metropolitan Toronto (Social Sciences and Humanities Research Council of Canada, \$14,480, with Janet Landa and Michael Copeland).
- 1985-87 The Dynamics of Spatial Voting Games and Games on Graphs, National Science Foundation, Decision and Management Sciences Program (NSF SES #85-06376, \$99,300, with Guillermo Owen).
- 1985-86 The Impact of Laws Relating to Elections and Representation, National Science Foundation, Political Science Program (NSF SES #85-15468, \$23,200).
- 1983-84 Analysis of the Multnomah Jury Archive, National Science Foundation, Law and Social Sciences Program (NSF SES #82-18588, \$35,000).
- 1981-83 Reapportionment and Representation. National Science Foundation, Political Science Program (NSF #SES 81-07554, \$49,970 with Guillermo Owen)
- 1980-82 Applications of Game Theory to the Study of Political Institutions. National Science Foundation, Political Science Program (NSF #SES 80-07915, \$31,300 with Guillermo Owen)
- 1978-79 Modeling Jury Decision Processes: The Multnomah Jury Archive, National Science Foundation, Law and Social Sciences Program (NSF SOC 77-24702, \$73,800). \$8,000 funding provided by the American Bar Association).
- 1978-79 Electoral System: What Difference Does it Make? National Science Foundation, Political Science Program (NSF SOC 77-24474, \$35,800, with Howard Scarrow).
- 1976-77 Modeling Jury Decision Processes, National Science Foundation, Law and Social Sciences Program (NSF SOC 75-14091, \$68,200).

PROFESSIONAL HONORS AND AWARDS

- 2001- Fellow, American Academy of Arts and Sciences
- 2000-02 President, Public Choice Society
- 1991-93 Chair, Section on Representation and Electoral Systems, American Political Science Association.
- 1982-85 Co-Chair, Conference Group on Representation and Electoral Systems, American Political Science Association.

UNIVERSITY OF CALIFORNIA RESEARCH AND TEACHING HONORS AND AWARDS

- 2005 University of California, Irvine Academic Senate Distinguished Faculty Award for Research
- 2001 Lauds and Laurels Award for Faculty Achievement, UCI Alumni Association.
- 1997 The campus-wide winner, Award for Teaching Innovation and Excellence: UCI Dean for Undergraduate Education.
- 1996 The School of Social Sciences winner, Award for Teaching Innovation and Excellence: UCI Dean for Undergraduate Education.
- 1995 Lauds and Laurels Award for Professional Achievement, UCI Alumni Association.

PAPER AWARDS

- 2003 Co-recipient (with Timothy Brazill) of the Duncan Black Prize of the Public Choice Society for best paper published in Public Choice in 2002, ("Identifying the Median Justice on the Supreme Court through Multi-Dimensional Scaling: Analysis of the 'Natural Courts' 1953-1991")
- 1985 Co-recipient (with Philip Straffin) of the Carl B. Allendoerfer Award, Mathematical Association of America, for exposition in mathematical writing for undergraduates.
- 1979 Pi Sigma Alpha Award, Best Paper, Annual Meeting of the Midwest Political Science Association.

LISTINGS

Who's Who in the World, Providence, NJ: Marquis, various yearly editions beginning in 1998.

American Political Scientists: A Dictionary. Glenn H. Utter and Charles Lockhart (Eds.) Westport, CT: Greenwood Press, 2002, pp. 138-140.

Directory of American Scholars, 10th ed. Gale Group, 2002.

Rowley, Charles K. and Friedrich Schneider. *Encyclopedia of Public Choice*. Vol. 1. 2004. Kluwer Academic Publishers, Dordrecht/Boston/London. Grofman Biography, pp. 355-356

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- (1) Grofman, Bernard N., and Edward Muller. 1973. The strange case of relative gratification and potential for political violence: The V-curve. American Political Science Review, 67:514-539.
- (2) Grofman, Bernard N., and Gerald Hyman. 1973. Probability and logic in belief systems. Theory and Decision, 4:179-195.
- (3) Grofman, Bernard N. 1974. Helping behavior and group size, some exploratory stochastic models. Behavioral Science, 19:219-224.
- (4) Grofman, Bernard N., and Gerald Hyman. 1974. The logical foundations of ideology. Behavioral Science, 19:225-237.
- (5) Grofman, Bernard N. 1975. The prisoner's dilemma game: Paradox reconsidered. In Gordon Tullock (Ed.), Frontiers of Economics, 1:101-119.
- (6) Mackelprang, A. J., Bernard N. Grofman, and N. Keith Thomas. Electoral change and stability: Some new perspectives. 1975. American Politics Quarterly, 3(3):315-339.
- (7) Grofman, Bernard N. 1975. A review of macro-election systems. In Rudolph Wildenmann (Ed.), German Political Yearbook (Sozialwissenschaftliches Jahrbuch fur Politik), Vol. 4, Munich Germany: Gunter Olzog Verlag, 303-352.
- (8) Grofman, Bernard N., and Jonathan Pool. 1975. Bayesian models for iterated prisoner's dilemma games. General Systems, 20:185-194.
- (9) Grofman, Bernard N. 1976. Not necessarily twelve and not necessarily unanimous: Evaluating the impact of Williams v. Florida and Johnson v. Louisiana. In Gordon Bermant, Charlan Nemeth and Neil Vidmar (Eds.), Psychology and the Law: Research Frontiers. Lexington, MA: D.C. Heath, 149-168.
- (10) Grofman, Bernard N. 1977. Jury decision-making models. In Stuart Nagel (Ed.), Modeling the Criminal Justice System, Sage Criminal Justice Systems Annuals, Vol. 7, Beverly Hills: Sage Publications, 191-203.
- (11) Grofman, Bernard N., and Jonathan Pool. 1977. How to make cooperation the optimizing strategy in a two-person game. Journal of Mathematical Sociology, 5(2):173-186.
- (12) Grofman, Bernard N. 1978. Judgmental competence of individuals and groups in a dichotomous choice situation. Journal of Mathematical Sociology, 6(1):47-60.
- (13) Grofman, Bernard N., and Howard Scarrow. 1979. Iannucci and its aftermath: The application of the Banzhaf Criterion to weighted voting in the State of New York. In Steven Brams, Andrew Schotter and Gerhard Schwodiauer (Eds.), Applied Game Theory. Vienna: Physica-Verlag, 168-183.

PROFESSIONAL ARTICLES (in print) (cont.)

- (14) Grofman, Bernard N. 1980. A preliminary model of jury decision making. In Gordon Tullock (Ed.), Frontiers of Economics, Vol. 3, 98-110.
- (15) Grofman, Bernard N. 1980. Jury decision-making models and the Supreme Court: The jury cases from Williams v. Florida to Ballew v. Georgia. Policy Studies Journal, 8(5):749-772.
- (16) Grofman, Bernard N. 1980. The slippery slope: Jury size and jury verdict requirements--legal and social science approaches. Law and Politics Quarterly, 2(3):285-304.
- (17) Grofman, Bernard N., and Howard Scarrow. 1980. Mathematics, social science and the law. In Michael J. Saks and Charles H. Baron (Eds.), The Use/Nonuse/Misuse of Applied Social Research in the Courts. Cambridge, MA: Abt Associates, 117-127.
- (18) Grofman, Bernard N. 1981. Mathematical models of juror and jury decision making: the state of the art. In Bruce D. Sales (Ed.), Perspectives in Law and Psychology, Volume II: The Trial Processes. NY: Plenum, 305-351.
- (19) Grofman, Bernard N. 1981. The theory of committees and elections: The legacy of Duncan Black. In Gordon Tullock (Ed.), Toward a Science of Politics: Essays in Honor of Duncan Black. Blacksburg, VA: Public Choice Center, Virginia Polytechnic Institute and State University, 11-57.
- (20) Weisberg, Herbert and Bernard N. Grofman. 1981. Candidate evaluations and turnout. American Politics Quarterly, 9(2):197-219.
- (21) Grofman, Bernard N. and Howard Scarrow. 1981. Weighted voting in New York. Legislative Studies Quarterly, 6(2):287-304.
- (22) Grofman, Bernard N. 1981. Alternatives to single-member plurality districts: Legal and empirical issues. Policy Studies Journal, 9(3): 875-898. (Reprinted in Bernard Grofman, Arend Lijphart, Robert McKay and Howard Scarrow (Eds.), Representation and Redistricting Issues. Lexington, MA: Lexington Books, 1982, 107-128.
- (23) Taagepera, Rein and Bernard N. Grofman. 1981. Effective size and number of components. Sociological Methods and Research, 10:63-81.
- (24) Landa, Janet, and Bernard N. Grofman. 1981. Games of breach and the role of contract law in protecting the expectation interest. Research in Law and Economics Annual, 3:67-90.

PROFESSIONAL ARTICLES (in print) (cont.)

- (25) Grofman, Bernard N. 1982. A dynamic model of proto-coalition formation in ideological n-space. Behavioral Science, 27:77-90.
- (26) Grofman, Bernard N., Scott L. Feld, and Guillermo Owen. 1982. Evaluating the competence of experts, pooling individual judgements into a collective choice, and delegating decision responsibility to subgroups. In Felix Geyer and Hans van der Zouwen (Eds.), Dependence and Inequality. NY: Pergamon Press, 221-238.
- (27) Grofman, Bernard N. 1982. Reformers, politicians and the courts: A preliminary look at U.S. redistricting in the 1980s. Political Geography Quarterly, 1(4):303-316.
- (28) Grofman, Bernard N. and Howard Scarrow. 1982. Current issues in reapportionment. Law and Policy Quarterly, 4(4): 435-474.
- (29) Grofman, Bernard N. and Guillermo Owen. 1982. A game theoretic approach to measuring degree of centrality in social networks. Social Networks, 4:213-224.
- (30) Grofman, Bernard N., Guillermo Owen and Scott L. Feld. 1983. Thirteen theorems in search of the truth. Theory and Decision, 15:261-278.
- (31) Grofman, Bernard N. 1983. Measures of bias and proportionality in seats-votes relationships. Political Methodology, 9:295-327.
- (32) Grofman, Bernard N. and Janet Landa. 1983. The development of trading networks among spatially separated traders as a process of proto-coalition formation: the Kula trade. Social Networks, 5:347-365.
- (33) Owen, Guillermo and Bernard N. Grofman. 1984. Coalitions and power in political situations. In Manfred Holler (Ed.), Coalitions and Collective Action. Wuerzburg: Physica-Verlag, 137-143.
- (34) Grofman, Bernard N. 1984. The general irrelevance of the zero sum assumption in the legislative context. In Manfred Holler (Ed.), Coalitions and Collective Action. Wuerzburg: Physica-Verlag, 100-112.
- (35) Glazer, Amihai, Deborah Glazer, and Bernard N. Grofman. 1984. Cumulative voting in corporate elections: Introducing strategy into the equations. South Carolina Law Review, 35(2):295-309.
- (36) Feld, Scott L. and Bernard N. Grofman. 1984. The accuracy of group majority decisions in groups with added members. Public Choice, 42: 273-285.

PROFESSIONAL ARTICLES (in print) (cont.)

- (37) Owen, Guillermo and Bernard N. Grofman. 1984. To vote or not to vote: The paradox of nonvoting. Public Choice, 42:311-325.
- (38) Shapley, Lloyd S. and Bernard N. Grofman. 1984. Optimizing group judgmental accuracy in the presence of interdependencies. Public Choice, 43(3):329-343.
- (39) Grofman, Bernard N., Michael Migalski, and Nicholas Noviello. 1985. The 'totality of circumstances' test in Section 2 of the 1982 extension of the Voting Rights Act: A social science perspective. Law and Policy, 7(2):209-223.
- (40) Grofman, Bernard N. Criteria for districting: A social science perspective. 1985. UCLA Law Review, 33(1):77-184.
- (41) Grofman, Bernard and Carole Uhlaner. 1985. Metapreferences and reasons for stability in social choice: Thoughts on broadening and clarifying the debate. Theory and Decision, 19:31-50.
- (42) Taagepera, Rein and Bernard Grofman. 1985. Rethinking Duverger's Law: Predicting the effective number of parties in plurality and PR systems--parties minus issues equals one. European Journal of Political Research, 13:341-352. (Reprinted in J. Paul Johnston and Harvey E. Pasis (Eds.). Representation and Electoral Systems: Canadian Perspectives. Englewood City, N.J.: Prentice Hall, 1988.)
- (43) Niemi, Richard, Jeffrey Hill and Bernard Grofman. 1985. The impact of multimember districts on party representation in U.S. state legislatures. Legislative Studies Quarterly, 10(4):441-455.
- (44) Uhlaner, Carole and Bernard Grofman. 1986. The race may be close but my horse is going to win: Wish fulfillment in the 1980 Presidential election. Political Behavior, 8(2):101-129.
- (45) Feld, Scott L. and Bernard Grofman. 1986. On the possibility of faithfully representative committees. American Political Science Review, 80(3):863-879.
- (46) Brace, Kimball, Bernard Grofman and Lisa Handley. 1987. Does redistricting aimed to help blacks necessarily help Republicans? Journal of Politics, 49:143-156. (Reprinted in Ann M. Bowman and R.C. Kearney, State and Local Government. Boston, MA: Houghton Mifflin, 1990.)
- (47) Grofman, Bernard, Guillermo Owen, Nicholas Noviello and Amihai Glazer. 1987. Stability and centrality of legislative choice in the spatial context. American Political Science Review, 81(2):539-553.

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- (48) Grofman, Bernard N. Models of voting. 1987. In Samuel Long (Ed.), Micropolitics Annual, Greenwich, CT: JAI Press, 31-61.
- (49) Glazer, Amihai, Bernard Grofman and Marc Robbins. 1987. Partisan and incumbency effects of 1970s congressional redistricting. American Journal of Political Science, 30(3):680-701. (Reprinted in Susan A. McManus (Ed.), Reapportionment and Representation in Florida, Lake Geneva, Wisconsin: Paladin House, 1991.)
- (50) Feld, Scott L., Bernard Grofman, Richard Hartley, Mark O. Kilgour and Nicholas Miller. 1987. The uncovered set in spatial voting games. Theory and Decision, 23:129-156.
- (51) Feld, Scott L. and Bernard Grofman. 1987. Necessary and sufficient conditions for a majority winner in n-dimensional spatial voting games: An intuitive geometric approach. American Journal of Political Science, 32(4):709-728.
- (52) Owen, Guillermo and Bernard N. Grofman. 1988. Optimal partisan gerrymandering. Political Geography Quarterly, 7(1):5-22.
- (53) Schofield, Norman, Bernard Grofman and Scott L. Feld. 1988. The core and the stability of group choice in spatial voting games. American Political Science Review, 82(1):195-211.
- (54) Grofman, Bernard and Scott L. Feld. 1988. Rousseau's general will: A Condorcetian perspective. American Political Science Review, 82(2):567-576. (Reprinted in J. Paul Johnston and Harvey Pasis (Eds.), Representation and Electoral Systems: Canadian Perspectives, NJ: Prentice Hall of Canada, 1990. Translated and reprinted in abridged form as La volonté generale de Rousseau: perspective Condorcéene. In P. Crepel and C. Gilain (Eds.), des Actes du Colloque International Condorcet. Paris: Editions Minerve, 1989.) Reprinted in Literature Criticism, Vol. 104, Warren, MI: Gale Group; also reprinted in John T. Scott (ed) Jean Jacques Rousseau: Critical Assessments of Leading Political Philosophers, Routledge, 2006).
- (55) Brace, Kimball, Bernard Grofman, Lisa Handley, and Richard Niemi. 1988. Minority voting equality: The 65 percent rule in theory and practice. Law and Policy, 10(1):43-62.
- (56) Feld, Scott L. and Bernard Grofman. 1988. Ideological consistency as a collective phenomenon. American Political Science Review, 82(3):64-75.
- (57) Grofman, Bernard and Michael Migalski. 1988. Estimating the extent of racially polarized voting in multicandidate elections. Sociological Methods and Research, 16(4):427-454.
- (58) Grofman, Bernard, Scott L. Feld and Guillermo Owen. 1989. Finagle's law and the Finagle point, a new solution concept for two-candidate competition in spatial voting games. American Journal of Political Science, 33(2):348-375.

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- (59) Grofman, Bernard and Lisa Handley. 1989. Black representation: Making sense of electoral geography at different levels of government. Legislative Studies Quarterly, 14(2):265-279.
- (60) Feld, Scott L., Bernard Grofman and Nicholas Miller. 1989. Limits on agenda control in spatial voting games. Mathematical and Computer Modelling, 12(4/5):405-416. (Reprinted in Paul E. Johnson (Ed.), Mathematical Modelling in Political Science. Oxford: Pergamon Press, 1989.)
- (61) Erfle, Stephen, Henry McMillan and Bernard Grofman. 1989. Testing the regulatory threat hypothesis: Media coverage of the energy crisis and petroleum pricing in the late 1970s. American Politics Quarterly, 17(2):132-152.
- (62) Miller, Nicholas, Bernard Grofman and Scott L. Feld. 1989. The geometry of majority rule. Journal of Theoretical Politics, 1(4):379-406.
- (63) Grofman, Bernard and Barbara Norrander. 1990. Efficient use of reference group cues in a single dimension. Public Choice, 64:213-227.
- (64) Grofman, Bernard N. 1990. Toward a coherent theory of gerrymandering: Bandemer and Thornburg. In Bernard Grofman (Ed.), Political Gerrymandering and the Courts. New York: Agathon Press, 29-63.
- (65) Erfle, Stephen, Henry McMillan and Bernard Grofman. 1990. Regulation via threats: politics, media coverage and oil pricing decisions. Public Opinion Quarterly, 54(1):48-63.
- (66) Niemi, Richard G., Bernard Grofman, Carl Carlucci and Thomas Hofeller. 1990. Measuring compactness and the role of a competent standard in a test for partisan and racial gerrymandering. Journal of Politics, 52(4):1155-1181.
- (67) Feld, Scott L. and Bernard Grofman. 1990. Collectivities as actors, Rationality and Society, 2(4):429-448.
- (68) Hall, Richard L. and Bernard Grofman. 1990. The committee assignment process and the conditional nature of committee bias. American Political Science Review, 84(4):1149-1166.
- (69) Grofman, Bernard, and Lisa Handley. 1991. The impact of the Voting Rights Act on black representation in southern state legislatures. Legislative Studies Quarterly, 16(1):111-127.
- (70) Feld, Scott L. and Bernard Grofman. 1991. Incumbency advantage, voter loyalty and the benefit of the doubt. Journal of Theoretical Politics, 3(2):115-137.

PROFESSIONAL ARTICLES (in print) (cont.)

- (71) Grofman, Bernard. 1991. Statistics without substance: A critique of Freedman et al. and Clark and Morrison. Evaluation Review, 15(6): 746-769.
- (72) Grofman, Bernard and Lisa Handley. 1992. Identifying and remedying racial gerrymandering. Journal of Law and Politics, 8(2):345-404.
- (73) Grofman, Bernard and Scott L. Feld. 1992. Group decision making over multidimensional objects of choice, Organizational Behavior and Human Performance, 52:39-63.
- (74) Grofman, Bernard. 1992. Expert witness testimony and the evolution of voting right case law. In Bernard Grofman and Chandler Davidson (Eds.), Controversies in Minority Voting: The Voting Rights Act in Perspective. Washington, D.C.: The Brookings Institution, 197-229.
- (75) Grofman, Bernard. 1992. What happens after one person-one vote: Implications of the U.S. experience for Canada" in John Courtney and David Smith (Eds.), Drawing Boundaries, Saskatoon, Saskatchewan: Fifth House Publishers, 156-178; translated into French, Que se passe-t-il après "une personne, une voix"? L'expérience Américaine, for Chief Electoral Officer of Canada, Elections Canada.). An earlier and shorter version appeared as "An expert witness perspective on continuing and emerging voting rights controversies: From one person, one vote to political gerrymandering." Stetson University Law Review, 1992, 21(3):783-818
- (76) Grofman, Bernard. 1993. Would Vince Lombardi have been right if he had said, 'When it comes to redistricting, race isn't everything, it's the only thing'? Cardozo Law Review, 14(5):1237-1276.
- (77) Grofman, Bernard. 1993. Toward an institution rich theory of political competition, with a supply-side component. In Bernard Grofman (Ed.), Information, Participation, and Choice: An Economic Theory of Democracy' in Perspective. Ann Arbor, Michigan: University of Michigan Press, 179-193.
- (78) Grofman, Bernard. 1993. The use of ecological regression to estimate racial bloc voting. University of San Francisco Law Review, 27(3): 593-625.
- (79) Grofman, Bernard. 1993. Public choice, civic republicanism, and American politics: Perspectives of a 'reasonable choice' modeler. Texas Law Review, 71(7):1541-1587. (A portion of this [pp. 1541, 1553-66] is reprinted in Tushnet, Mark and Lisa Heinzerling, The Regulatory and Administrative State. Oxford University Press, 2006.

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- (80) Brischetto, Robert, David R. Richards, Chandler Davidson, and Bernard Grofman. 1994. Texas. In Davidson, Chandler and Bernard Grofman (Eds.), Quiet Revolution in the South: The Impact of the Voting Rights Act, 1965-1990. Princeton, NJ: Princeton University Press, 233-257.
- (81) Grofman, Bernard and Chandler Davidson. 1994. The effect of municipal election structure on black representation in eight Southern states. In Davidson, Chandler and Bernard Grofman (Eds.), Quiet Revolution in the South: The Impact of the Voting Rights Act, 1965-1990. Princeton, NJ: Princeton University Press, 301-334.
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- (T5) Report on the constitutionality of Hawaii Reapportionment Commission's proposed state legislative redistricting. Prepared testimony in Travis v. King, U.S. District Court for the State of Hawaii, March 23-24, 1982, photo-offset.
- (T6) Report to the Special Master on methodology used to insure compliance with standards of the Voting Rights Act of 1965, Flateau v. Anderson. U.S. District Court, Southern District of New York, June 7, 1982, photo-offset.
- (T7) The disadvantageous effects of at-large elections on the success of minority candidates for the Charlotte and Raleigh City Councils. Prepared testimony in Gingles v. Edmisten. U.S. District Court for the State of North Carolina, August 1983, photo-offset.
- (T8) Effects of multimember districts in state legislative elections in eight North Carolina counties, 1978-1982. Prepared testimony in Gingles v. Edmisten, U.S. District Court for the State of North Carolina, August 1983, photo-offset. (Also see R22.)
- (T9) Report on prima facie evidence of political gerrymandering in the 1983 California Congressional redistricting plan, plus Rejoinder. Prepared testimony in Badham v. Eu, U.S. District Court for the State of California, December 1983, photo-offset.
- (T10) Report on the effects of the proposed redistricting plan for the South Carolina Senate. Prepared testimony in South Carolina v. U.S., U. S. District Court for the District of Columbia, photo-offset, July 1984.

PREPARED TESTIMONY AND PHOTO-OFFSET CONFERENCE PROCEEDINGS (cont.)

- (T11) Affidavits in Haskins v. Wilson County, U.S. District Court for the State of North Carolina, photo-offset, 1985-86.
- (T12) Affidavit in Jackson v. Nash County, U.S. District Court for the State of North Carolina, April 1986.
- (T13) Affidavits in U.S. v. City Council of Los Angeles, U.S. District Court for the State of California, July 1986.
- (T14) Declarations in Gomez v. City of Watsonville, U.S. District Court for the State of California, August and October 1986.
- (T15) Declarations in McGhee et al. v. Granville County of North Carolina, U.S. District Court for the State of North Carolina, 1987.
- (T16) Declarations in Badillo et al. v. City of Stockton, U.S. District Court for the State of California, December 1987 and February 1988.
- (T17) Affidavits in Republican National Committee of North Carolina v. James G. Martin, U.S. District Court for the State of North Carolina, July, August 1988.
- (T18) Report in Chisom v. Roemer, Civil Action No. 86-4075 in the Eastern District of Louisiana, October 1988, revised March 1989.
- (T19) Affidavits regarding minority representation in the 1988 Republican National Convention, August 5, 1988, and August 8, 1988.
- (T20) Report in Garza v. Los Angeles County Board of Supervisors. U.S. District Court for the State of California, April 1989; Declaration, October 26, 1989.
- (T21) Report for the Alaska Districting Commission on racially polarized voting in elections to the Alaska legislature, May 1991.
- (T22) Report in Republican State Party of Massachusetts v. Connolly, U.S. District Court for the State of Massachusetts, December 1991.
- (T23) Declaration in Pope et al. v. Blue et al., U.S. District Court, Western District, Charlotte, North Carolina Division, March 5, 1992.
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- (T25) Reports for State of Alaska on the 1992 legislative districts, November 1993, January 1994.

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- (T26) Declaration in Republican Party of North Carolina v. James B. Hunt, Governor of North Carolina, April 1994.
- (T27) Expert witness declaration in Bush. v Vera, U.S. District Court, Texas, July 18, 1996.
- (T28) Expert witness declaration in Shaw v. Hunt, U.S. District Court, North Carolina, July 24, 1996.
- (T29) Expert witness declaration in Garcia v. City of Los Angeles, U.S. District Court, California, November 20, 1996.
- (T30) Expert witness reports in Arrington et al. v. Elections Bd. 173 F. Supp. 2d 856 U.S. District Court, Eastern Division, Wisconsin, January, February and March, 2002.
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- (T32) Report on Election Rules for Determining Representation on New York City Community District Education Councils. Prepared for NYC Dept of Education, October, 2003.
- (T33) Grofman, Bernard and Gary Jacobson. Amicus Brief in the U.S. Supreme Court on Behalf of Neither Party in Vieth v. Jubelirer 541 U.S. 267 (2004).
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- (T35) Persily, Nathaniel, Bernard Grofman, Bruce Cain, Theodore Arrington and Lisa Handley. Amicus Brief in the U.S. Supreme Court on Behalf of Neither Party in Bartlett v. Strickland No. 07-689. (2008).
- (T36) Grofman, Bernard. Declaration in Baldus et al. v. Government Accountability Board of Wisconsin, Federal District Court, January 13, 2012.

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- (B5) Rational choice models and self-fulfilling and self-defeating prophecies. In W. Leinfellner and E. Kohler (Eds.), Developments in the Methodology of Social Science, Boston: Reidel, 1974, 381-383.
- (B6) A comment on "Democratic theory: A preliminary mathematical model." 1975. Public Choice, 21:100-103.
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- (B8) A comment on "Single-peakedness and Guttman scales: Concept and measurement." 1976. Public Choice, 28:107-111.
- (B9) Communication: Sloppy sampling - a comment on "six-member juries in the Federal Courts." 1977. Social Action and the Law Newsletter, 4(2):4-5.
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- (B21) Book note: Susan Hensley, Body Politics: Power, Sex, and Nonverbal Communication. American Political Science Review, Vol. 74 (March 1980), 166-167.
- (B22) Book note: Howard D. Hamilton, Electing the Cincinnati City Council: An Examination of Alternative Electoral-Representation Systems. 1981. American Political Science Review, 75:771-772.
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- (B26) Abstract: Measuring the political consequences of electoral laws. 1983. Mathematical Social Sciences, 4(2):184-186.
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- (B39) Biographical entry: Lewis Carroll. The New Palgrave: A Dictionary of Economics. 1987. New York: Stockton Press, 371-372.
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- (B42) The minimax blame rule for voter choice: Help for the undecided voter on November 8, 1988. 1988. PS (Summer):639-640. (Reprinted in Sigelman et al. (Eds.), The Wit and Humor of Political Science. APSA, 2010.)
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- (B73) Merrill, Samuel and Bernard Grofman. 1997. Response to Macdonald and Rabinowitz. Journal of Theoretical Politics, 9(1):57-60.
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- (B87) Grofman, Bernard. 2000. Book Review: David T. Canon. Race, Redistricting and Representation. The Unintended Consequences of Black Majority Districts. Public Choice, 105:201-205.
- (B88) Grofman, Bernard. 2001. Editor's Introduction, Political Science as Puzzle Solving. Ann Arbor: University of Michigan Press.
- (B89) Grofman, Bernard. 2001. A note of caution in interpreting the threshold of exclusion. Electoral Studies, 20:299-303.
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- (B91) Grofman, Bernard. 2004. Alternative voting methods. In Charles Rowley and Friedrich Schneider (eds.), Encyclopedia of Public Choice, 9-12.
- (B92) Grofman, Bernard. 2004. Arrow's impossibility theorem. In Charles Rowley and Friedrich Schneider (eds.), Encyclopedia of Public Choice, 25-27.

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- (B93) Grofman, Bernard. 2004. Black's single-peakedness condition. In Charles Rowley and Friedrich Schneider (eds.), Encyclopedia of Public Choice, 43-45.
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- (B95) Grofman, Bernard. 2004. The prospects of electoral reform (foreword). In Josep Colomer (ed.), Handbook of Electoral System Choice. New York: Palgrave-Macmillan, pp. pp. xi-xx.
- (B96) Grofman, Bernard. 2005. Ph.D.s Without Borders? Drawing Subdisciplinary Boundaries in Political Science. APSA Comparative Politics Section Newsletter, 16(1): 8-11.
- (B97) Grofman, Bernard. 2005. Comparisons among electoral systems: Distinguishing between localism and candidate-centered politics. Electoral Studies, 24(4): 735-740.
- (B98) Grofman, Bernard. 2005. Contribution and Spending Limits for Initiatives or Other Ballot Propositions: What Evidence is Needed to Justify a Particular Regulatory Regime? Southern California Law Review, 78: 927-937.
- (B99) Gray, Mark M. and Bernard Grofman. 2005. Vindicating Anthony Downs. PS, 38(4): 737-740. (Reprinted in Sigelman et al. (Eds.), The Wit and Humor of Political Science. APSA, 2010.)
- (B100) Grofman, Bernard and Michael Lewis-Beck. 2005. "Elections Under the French Double-Ballot System: Guest Editors' Introduction to the Minisymposium." French Politics, 3(2): 93-97
- (B101) Fraenkel, Jonathan and Bernard Grofman. 2006. "The Failure of the Alternative Vote as a Tool for Promoting Ethnic Moderation in Fiji." Comparative Political Studies, 39(5): 663-666.
- (B102) Uncle Wuffle's Advice on Job Talks. 2006. PS: Political Science and Politics (2006), 39: 883-886.
- (B103) Grofman, Bernard and Lisa Handley. 2009. Editors' Introduction. In Handley, Lisa and Bernard Grofman (Eds.). Redistricting in Comparative Perspective. Oxford: Oxford University Press, 3-8.

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- (B104) Anthony Downs. 2008. In Charles Rowley and Friedrich Schneider (Eds.) Readings in Public Choice and Constitutional Political Economy. Springer Verlag. 91-96.
- (B104) Kenneth Arrow. 2008. In Charles Rowley and Friedrich Schneider (Eds.) Readings in Public Choice and Constitutional Political Economy. Springer Verlag. 85-90.
- (B105) Fraenkel, Jon and Bernard Grofman. Electoral Engineering, Social Cleavages and Democracy. Public Choice, forthcoming
- (B106) Grofman, Bernard, Shaun Bowler and Andre Blais. 2008. Editors' Introduction. In Grofman, Bernard, Shaun Bowler, and Andre Blais (Eds.) Duverger's Law in Canada, India, the U.S. and the U.K. Berlin: Springer Verlag. XXX-XXX.
- (B107) Grofman, Bernard, Shaun Bowler and Andre Blais. 2008. Guest Editors' Introduction to the Minisymposium on Runoff Elections. Electoral Studies, XXX-XXX.
- (B107b) Grofman, Bernard. 2010. Preface (translated into French) to Jérôme, Bruno and Véronique Jérôme-Speziari. Analyse économique des elections. Paris: Economica.
- (B108) Grofman, Bernard. 2010. Reflections on Prediction. In Sigelman et al. (Eds.), The Wit and Humor of Political Science. American Political Science Association, XXX-XXX
- (B109) Grofman, Bernard. 2010. Voter Advice in the Presidential Election of 2008: A Guide for the Perplexed. In Sigelman et al. (Eds.) The Wit and Humor of Political Science, APSA, XXX-XXX
- (B110) Editors' Introduction. 2011. In Giannetti, Daniela and Bernard Grofman (Eds.) A Natural Experiment on Electoral Law Reform: Evaluating the Long Run Consequences of 1990s Electoral Reform in Italy and Japan. Springer, XXX-XXX
- (B111) Editors' Introduction. 2011. In Dolez, Bernard, Bernard Grofman and Annie Laurent Eds.) In Situ and Laboratory Experiments on Electoral Law Reform: French Presidential Elections. Springer, XXX-XXX
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- (B114) Grofman, Bernard, Craig Leonard Brians, and Kristine Coulter. 2012. Taking The Temperature: Implications for Adoption of Election Day Registration, State-Level Voter Turnout, and Life Expectancy. PS: Political Science & Politics 45 (January): 78-82.
- (B115) Grofman, Bernard, Alex Trechsel and Mark Franklin. Forthcoming. Editors' Introduction. In The Internet and Democracy: Voters, Parties, Interest Groups, and Social Movements. New York: Springer.
- (B116) Grofman, Bernard. Forthcoming. Comment on Fiscal Coercion and Social Welfare in Federal Systems of Government. In Jorge Martinez-Vazquez and Stanley L. Winer (eds.) Coercion and Social Welfare in Contemporary Public Finance. New York: Springer.
- (B117) Grofman, Bernard. and Kristine Coulter. 2013. Political Science Meant for Every Tom, Dick or Harriet? First Names and Middle Initials as Predictors of Academic Success. PS: Political Science & Politics, XXX-XXX
- (B118) Grofman, Bernard. 2014 forthcoming. Elections: Apportionment. In James Wright (Ed.), International Encyclopedia of the Social and Behavioral Sciences, 2nd Edition. New York: Elsevier. (An earlier version of this appeared in Neil J. Smelser and Paul B. Baltes (Eds.) 2001. International Encyclopedia of the Social and Behavioral Sciences, 598-601.

SEMIPROFESSIONAL PUBLICATIONS (in print)

- (S1) Grofman, Bernard. 1971. Voting tactics: A neglected study, parts I, II. Parliamentary Journal, 12(3):3-15; 12(4):19-26.
- (S2) Grofman, Bernard and Howard Scarrow. 1977. Who knows the score on the board of supervisors? 1977. Opinion-Editorial Page, Newsday, March 6, 1977.
- (S3) Grofman, Bernard. 1979. My years as parliamentarian to the United States National Student Association. Parliamentary Journal, 20:18-21.
- (S4) Grofman, Bernard and Howard Scarrow. 1981. The riddle of apportionment: Equality of what? National Civic Review, 70(5):242-254.
- (S5) Grofman, Bernard. 1984. The Democratic party is alive and well. Society, 18-21.
- (S6) Baker, Gordon E. and Bernard Grofman. 1986. Court should plunge deeper into gerrymandering thicket. Opinion-Editorial Page, Los Angeles Times, July 15.
- (S7) Baker, Gordon E. and Bernard Grofman. 1986. California's gerrymander and the U.S. Supreme Court. Opinion-Editorial Page, The Sacramento Bee, July 30.
- (S8) Grofman, Bernard. 1987. Should city councils be elected by district? PRO. Western Cities Magazine, 4:30-31.
- (S9) Baker, Gordon E. and Bernard Grofman. 1988. What now for gerrymandering? Opinion-Editorial Page, The San Diego Union, November 18.
- (S10) Loewen, James W. and Bernard Grofman. 1989. Comment: Recent developments in methods used in voting rights litigation. Urban Lawyer 21(3):589-604.
- (S11) Grofman, Bernard. 1991. Voting rights, voting wrongs: The legacy of Baker v. Carr. A report of the Twentieth Century Fund. New York: Priority Press (distributed through the Brookings Institution), 1991.
- (S12) Grofman, Bernard. 1991. Voting rights may be an issue in Santa Ana. Opinion-Editorial Page, Los Angeles Times (Orange County Edition), August 5.
- (S13) Grofman, Bernard. 1991. Race and redistricting: No one is using the Voting Rights Act to "whiten" majority districts. Opinion-Editorial Page, Washington Post, October 21.
- (S14) Grofman, Bernard. 1993. High court ruling won't doom racial gerrymandering. Opinion-Editorial Page, Chicago Tribune, July 9.

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- (S15) Grofman, Bernard. 1993. The Denny beating trial: justice in the balance. Opinion-Editorial Page, Chicago Tribune, November 3.
- (S16) Reynolds, Andrew S. and Bernard N. Grofman. 1994. Everyone loses in South Africa boycott. Opinion-Editorial Page, Chicago Tribune, March 28.
- (S17) Grofman, Bernard. 1994. An introduction to racial bloc voting analysis. With an annotated select bibliography on racial bloc voting and related topics. Atlanta, GA: Southern Regional Council.

OTHER PUBLICATIONS

- (O1) Chicago. In David Glazier (Ed.), Student Travel in America. New York: Pyramid Publication, 1968. (Under pseudonym.)
- (O2) Chicago: Hyde Park and the University of Chicago, the Loop and Near-North. In Where the Fun is: East of the Mississippi. NY: Simon and Schuster, 1969. (Under pseudonym.)

SOCIAL SCIENCES WORKING PAPERS AND RESEARCH REPORTS

- (W1) Note: Confessions of a mad modeler, Research Report R6, School of Social Sciences, University of California, June 1978.
- (W2) Note: The paradox of voting in a faculty appointment decision (with Steven Brown). Research Report R6, School of Social Sciences, University of California, Irvine, June 1978.

WEBSITE POSTINGS

- (W1) A Comment on Lowi and Calise. Posted in June, 1999, on the website of the IPSA Research Committee on Conceptual and Terminological Analysis:
<http://www2.hawaii.edu/%7Efredr/grofman.htm>
- (W2) "Questions and Answers about Motor Voter: An Important Reform That Is Not Just for Democrats" Posted in 1995, on the website of the Center for Voting and Democracy
<http://www.fairvote.org/reports/1995/chp6/grofman.html>
- (W3) Grofman, Bernard. 2006. "This Way to the Egress and Other Reflections on Partisan Gerrymandering Claims in Light of LULAC v. Perry." Michigan Law Review on line:
<http://students.law.umich.edu/mlr/firstimpressions/vol105/grofman.pdf>

CURRENT RESEARCH

My two main research areas could be characterized as (1) behavioral social choice, linking mathematical models of group and individual decision making and information processing to empirical evidence; and (2) comparative politics, with a focus on electoral behavior and voter choice and issues connected with representation and redistricting, political parties and coalitions. I am especially interested in viewing the U.S. in comparative perspective as one case among many. I also have strong interests in law and social science; particularly in the domain of election law; in using computers as a teaching tool in statistical training for citizen literacy; and in political persuasion and political propaganda, including political cartooning and satire.

CONFERENCE GRANTS

- 2011-12 Collaborative Workshop on Ethnic Politics and Electoral Democracy (NCCR Democracy, University of Zurich, \$30,000, with Daniel Bochsler)
- 2008 Conference on Long Term Consequences of Electoral Rules Change: Comparing Italy and Japan. Bologna Italy, November 28-29, 2008. (UCI Center for the Study of Democracy supplemental funding \$7,500).
- 2006 Conference on Plurality and Runoff Methods in Canada, United States and United Kingdom (Canadian Embassy, \$5,000, UCI Center for the Study of Democracy supplemental funding, \$5,000; with Shaun Bowler), February 17-20.
- 2005 Conference on Spatial Social Choice, December 9-11 (UCI Institute for Mathematical Behavioral Sciences, and the UCI Center for the Study of Democracy; with Donald Saari.)
- 2004 Conference on Pluralitarian/Majoritarian Electoral Systems (Borchard Foundation, \$25,000, with \$2,500 supplemental funding from the UCI Center for the Study of Democracy; with James Adams and Shaun Bowler).
- 2000-01 Conference on Comparative Redistricting (National Science Foundation Program in Political Science, \$22,000, with \$5,000 supplemental funding from the UCI Center for the Study of Democracy, the UCI Office of the Vice Chancellor for Research, and the School of Social Sciences; with Lisa Handley).
- 1998 Conference on Mixed Electoral Systems that Emulate the German Model (UC Center for the German and European Studies, \$10,000, and \$5000 supplemental funding from the UCI Center for the Study of Democracy, with Matthew Shugart and Martin Wattenberg)
- 1997 Conference on Electoral and Party Systems in Scandinavia: Origins and Evolution (UCI Center for the Study of Democracy, \$11,000, with Arend Lijphart).
- 1996 Conference on Elections in Australia, Ireland and Malta under the Single Transferable Vote (UCI Center for the Study of Democracy, \$11,000, with Shaun Bowler).
- 1994-95 Conference on the Civil Rights Act of 1964 in Thirty Year Perspective. Joyce Foundation (#446740-49317, \$18,500 with additional funding by the Federal Judicial Center).
- 1991-92 Conference on Japanese, Korean and U.S. Election Practices in Comparative Perspective (UC Pacific Rim Research Program, \$14,700, with Sung Chull Lee, Rein Taagepera and Brian Woodall.).

CONFERENCE GRANTS (cont.)

- 1991-92 Workshops on Politics and the Democratization Process, (National Science Foundation, Political Science Program SES# 91-13984 (\$42,000, with Russell Dalton and Harry Eckstein).
- 1989-90 A Conference on the Voting Rights Act: A Twenty-five Year Perspective (Rockefeller Foundation, \$50,000, with Thomas Mann and Chandler Davidson, under the auspices of The Brookings Institution).
- 1988 A Conference on "The Calculus of Consent": A Twenty-five Year Perspective (Liberty Fund, with Donald Wittman).
- 1982 A Conference on Information Pooling. National Science Foundation, Political Science Program (NSF #SES 82-09109, \$26,300, with Guillermo Owen and Scott L. Feld).
- 1980 A Conference on Representation and Apportionment Issues in the 1980s. National Science Foundation, Political Science Program (NSF #SES 79-26813, \$20,200, with Arend Lijphart, Robert McKay, and Howard Scarrow; additional \$8,000 funding provided by the American Bar Association)
- 1979 A Conference on Voter Turnout. National Science Foundation, Political Science Program (NSF SOC 78-19433, \$14,400, with Richard Brody and Herbert Weisberg).

CONFERENCE PAPERS (unpublished)

- (C34) Feld, Scott L. and Bernard Grofman. Distinguishing between ideological and judgmental bases of transitive majority choice. Prepared for delivery at the Annual Meeting of the American Sociological Association, Chicago, August 1992; presented in revised form at the Annual Meeting of the Public Choice Society, Long Beach, California, March 24-26, 1995.
- (C37) Grofman, Bernard. What is a constitution? Presented at U.C. Irvine conference on "Constitutional Design," June 1993.
- (C38) Reynolds, Andrew S. and Bernard Grofman. Choosing an electoral system for the new South Africa: the main proposals. Presented at the Conference on Electoral Reform and Democratization, Columbia Institute for Western European Studies, Columbia University, April 18-19, 1994.
- (C42) Grofman, Bernard. Are voting rights special? Presented at the Conference on the Civil Rights Act of 1964 in Perspective, Washington D.C. Federal Judicial Center, November 11-12, 1994.
- (C43) Grofman, Bernard, Christian Collet and Robert Griffin. Does a rising tide lift all challengers? Rethinking the partisan implications of higher turnout. Prepared for delivery at the Annual Meeting of the Public Choice Society, Long Beach, California, March 24-26, 1995.
- (C49) Grofman, Bernard and H. W. Wales. Ideal of the impartial jury. Prepared for delivery at the Conference of the Role of the Jury in a Democratic society. Georgetown University Law Center, October 29, 1995.
- (C51) Grofman, Bernard, Michael McDonald, William Koetzle, and Thomas Brunell. Strategic policy balancing. Presented at the Conference on Strategy and Politics, Center for the Study of Collective Choice, University of Maryland, College Park, MD, April 12, 1996.
- (C54) Grofman, Bernard, William Koetzle and Thomas Brunell. Rethinking the link between district diversity and electoral competitiveness. Prepared for delivery at the Annual Meeting of the American Political Science Association, Washington, D. C., August 29-September 1, 1997.
- (C55) Caul, Miki, Rein Taagepera, Bernard Grofman. Determining the number of parties in stable democracies: Social heterogeneity and electoral institutions. Prepared for delivery at the Annual Meeting of the Western Political Science Association, Los Angeles, CA, March 9-21, 1998.

RECENT CONFERENCE PAPERS (unpublished) (cont.)

- (C59) Commisso, Ellen and Bernard Grofman. Liberty, equality, fraternity: Tripolarity, cycles and the dynamics of party competition in post-socialist Eastern Europe. Presented at the 1999 Annual Meeting of the American Political Science Association, Atlanta, Georgia.
- (C67) Gray, Mark and Bernard Grofman. Several (likely to be contentious) claims about the nature and prerequisites of democracy." Prepared for delivery at the Second London School of Economics Workshop on "Freedom and Democracy," London, June 15, 2001.
- (C72) Grofman, Bernard and Samuel Merrill. What does it mean to offer a "solution" to the problem of ecological inference? Paper presented at the Conference on New Advances in Ecological Inference, June 17-18, 2002, Cambridge MA.
- (C82) Grofman, Bernard. Statistics and Social Choice: Connections Between Sports and Politics." Paper presented at the University of California, Irvine Institute for Mathematical Sciences Conference on Decisions, Sports, and Statistics" December 4, 2004.
- (C88) Wayman, Frank, Bernard Grofman and Matt Barreto. "Party ID in the US in Longitudinal Perspective." Presented at the European Consortium for Political Research Conference, Nicosia Cyprus, April 27, 2006.
- (C94) Gray, Mark, Paul Perl and Bernard Grofman. "More Than an Ocean Apart: The Americas and the College of Cardinals 1903-2005." Prepared for delivery at the Society for the Scientific Study of Religion conference, Portland, Oregon. October 19-22, 2006,
- (C96) Grofman, Bernard, James Fowler, Natalie Masuoka and Scott Feld. "Social Choice Approaches to Social Exchange Networks." Presented at a Colloquium of the Netherlands Group in Social Choice, Tilburg University, April 5, 2007. Also presented as a colloquium at the University of Paris, I, June 5, 2007.
- (C98) Schneider, Carsten Q. and Bernard Grofman. "Visual Presentation of Fuzzy QCA Data." Paper presented at panel on "Political Methodology," European Consortium for Political Research, Pisa, Italy, September 6-8, 2007. An earlier version of this paper was presented at the International Conference on Comparative Social Sciences, Sophia University, Tokyo, Japan, July 15-16, 2006, under the title "It Might Look Like a Regression Equation...but It Is Not! An Intuitive Approach to the Presentation of QCA and fs/QCA Results."
- (C104) Grofman, Bernard. "Voting as Habit." Presented at the Annual Meeting of the Public Choice Society, Monterey, California, March, 2010.

RECENT CONFERENCE PAPERS (unpublished) (cont.)

- (C105) Feld, Scott L. and Bernard Grofman. "Creating and Maintaining a Scale-Free Core-Periphery Fractal Network" Annual Meeting of the International Society for Social Networks. Riva del Garda, Italy, June 30-July 4, 2010.
- (C107) Bernard Grofman. "Voting Rights and Minority Representation in the United States in Comparative Perspective." Presented at a Conference on the Impact of Electoral Institutions and Political Parties, University of Manchester, Manchester England, September 20, 2010.
- (C114) Jennifer Garcia, Sierra Powell, and Bernard Grofman. "Making It Easier or Harder For Ex-Felons to Vote: Political and Rhetorical Perspectives." Presented at the Annual Meeting of the Western Political Science Association, Los Angeles, March 2013.
- (C115) Thomas Brunell, Bernard Grofman and Samuel Merrill III. "A Three Factor Model of Party Legislative Polarization." Presented at the Annual Meeting of the American Political Science Association, August, 2013.
- (C116) Bernard Grofman, Yogesh Uppal and Malte Pehl. "Duverger's Law in India." Prepared for delivery at the Annual Meeting of the Public Choice Society, Charleston, S.C., March 7-9, 2014.
- (C117) Bernard Grofman. "Aspiration Models of Committee Voting." Prepared for delivery at the conference on "Public Choice and Social Choice," Condorcet Center, University of Rennes, May 22-23, 2014.
- (C118) Bernard Grofman and Stanley Winer. "Comparing Economic and Political Competition. Prepared for delivery at the conference on "The Free Market," University of Tampere, Tampere, Finland, June 9-15, 2014.
- (C119) Winer, Stanley, Steven Ferris, and Bernard Grofman. "On the Measurement of Electoral Competitiveness, with Application to Canada, 1867 – 2011." Prepared for delivery at the Annual Conference on Public Economic Theory, Seattle, July 11-13, 2014; an updated version prepared for delivery at the Annual Meeting of the Public Choice Society, San Antonio, Texas, March 12-15; and at the 71st Annual Congress of the International Institute of Public Finance, Trinity College, Dublin, Ireland, August 20-23, 2015.
- (C120) Tan, Netina and Bernard Grofman. Multiseat Plurality Bloc Voting in Electoral Authoritarian Regimes: Comparing Singapore, Cameroon, Djibouti, and Chad. Prepared for delivery at the Annual Meeting of the Asian Studies Association, Singapore, July 17-19, 2014.
- (C121) Bernard Grofman. "Reflections on Electoral Competition." International Conference on Electoral Competition, Laguna Beach, California, December 14-15, 2014.

OTHER RECENT CONFERENCE PARTICIPATION

Invited participant and presenter, Conference on Political Culture, Representation and Electoral Systems in The Pacific sponsored by the University of the South Pacific, Port Vila, Vanuatu, July 10-12, 2004.

Invited speaker, Conference on Game Theory and Its Applications, Institute for Mathematical Behavioral Sciences and Center for Decision Analysis, University of California, Irvine, September 18, 2004 (paper entitled “Models of political coalition building”)

Invited discussant, “Judging Transitional Justice” Conference, Center for the Study of Democracy, University of California, Irvine, October 30-31, 2004.

Invited discussant, “Conference on Direct Democracy,” Co-sponsored by the UCI Center for the Study of Democracy, January 14-15, 2005.

Invited discussant, Graduate Student Conference on “Democracy and its Development: 1990-2005.” UCI Center for the Study of Democracy, February 26, 2005.

Invited speaker, Marschak Conference at University of California, Los Angeles, June 10, 2005.

Panel Chair, “Party Formation Barriers and their Effect on Ethnic Party Building and Success in New Democracies.” Annual meeting of the American Political Science Association, September 2, 2005

Invited Discussant, “Party Formation Barriers and their Effect on Ethnic Party Building and Success in New Democracies.” Annual meeting of the American Political Science Association, September 2, 2005.

Invited Discussant, “Changing the Rules of the Game in New Democracies: Political Participation and Electoral Regime Change in Eastern Europe and Latin America.” Annual meeting of the American Political Science Association, September 4, 2005.

Invited Discussant, symposium on “Protecting Democracy: Using Research to Inform the Voting Rights Reauthorization Debate.” Chief Justice Earl Warren Institute on Race, Ethnicity and Diversity, sponsored by UC Berkeley and the Institute for Government Studies, UCB, Washington D.C., February 9, 2006.

Invited panelist, Voting Rights Conference “Voting Rights: Haven’t they Already Overcome?” Duke University, Durham NC, April 7, 2006.

Invited discussant, “Workshop on Danish Local Elections.” Department of Government, University of Aarhus, Sandberg, Denmark, August 10-12, 2006.

Invited discussant, “Modeling Law Locally.” New York University School of Law, Center for Law Economics and Organization, October 21, 2006.

OTHER CONFERENCE PARTICIPATION (cont.)

Invited discussant, Conference on “Predicting French Presidential Elections,” Institute for Globalization and Economic Research (IRGEI) at the University of Paris, II, May 2, 2007

Invited discussant, Conference on “French Presidential Elections” organized by the Election Analysis Group of the French Political Science Association (in conjunction with CEVIPOF, Sciences-Po), May 3, 2007.

Chair, Panel on “Formal and Empirical Models of Voting and Elections.” Annual Meeting of the Public Choice Society, San Antonio, March 7-8. 2008.

Invited roundtable participant, The Voting Rights Act and the Deconstruction of the Republic.” Annual Meeting of the American Political Science Association, Boston, August 27-31, 2008.

Chair, Panel on Re-Examining Strategic Voting. Annual Meeting of the American Political Science Association, Boston, August 27-31, 2008.

Discussant, Annual Meeting of the American Political Science Association. Panel on “Electoral Engineering and Political Representation in Ethnically Divided Societies” Washington, D.C., August, 2008.

Discussant, Annual Meeting of the Public Choice Society, Las Vegas, March 10-12. 2009.

Discussant, Annual Meeting of the Public Choice Society, Monterey, California, March 12-14, 2010.

Invited discussant, Conference on “The World Values Survey,” Center for the Study of Democracy, UCI, March 11, 2011.

Co-organizer (with Michael Alvarez), Conference on “Election Administration in the U.S.: Ten Years After *Bush v. Gore*.” Laguna Beach, CA, April 16-17, 2011.

Co-organizer (with Mark Franklin and Alex Trechsel), Conference on “Internet, Voting and Democracy in Global Perspective.” Laguna Beach, CA, May 14-15, 2011.

Invited discussant, “Franco-Italian Workshop on “Two Bloc Politics in France and Italy.” Department of Political Science, University of Bologna, September 16-17, 2011.

Invited discussant, Conference on New Perspectives on Public Debt, European Center for the Study of Public Choice. Sapienza University of Rome, September 26-28, 2011. Panel on “Legislative Voting on Budgetary Issues.”

Invited discussant, Conference on “Revisiting Party Identification: American and European Perspectives.” CISE (Center for Italian Electoral Studies), Department of Government, LUISS University, Rome, October 4-5, 2011.

OTHER CONFERENCE PARTICIPATION (cont.)

Invited discussant, Final Overview Panel, Conference on “Constitutional Design and Conflict Management in Africa,” Climate Change and African Political Stability Program, Robert S. Strauss Center for International Security and Law, University of Texas, Austin, November 14-15, 2011. .

Discussant, Panel on “Bio-Economics,” World Congress of the Public Choice Societies, Miami, March 8-12, 2012.

Co-organizer (with Andre Blais, Nina Wiesehomeier, Ignacio Lago and Pedro Magalhaes), Conference on “Effects of District Magnitude.” University of Lisbon. Lisbon, Portugal, May 28-30, 2012.

Co-organizer (with Daniel Bochsler), Conference on “Ethnic Parties and Ethnic Conflict.” University of Zurich, Zurich, Switzerland, June 14-16, 2012.

Co-organizer (with Bernhard Wessels), Conference on “New Developments in Modeling Political Party Competition.” Wissenschaft Zentrum, Berlin, Germany, July 14-15, 2012.

Invited discussant at a theme panel discussing the draft report of Bingham Powell's Presidential Task Force on Electoral Rules and Democratic Governance , cancelled Annual Meeting of the American Political Science Association, New Orleans, August 28-September 2, 2012.

Co-organizer (with Samuel Issacharoff, Richard Pildes, and Daniel Bochsler), Conference on “Constitutional Design and Ethnic Conflict.” New York University Law School, November 17, 2012.

Panel Chair, “Social Choice Theory.” Annual Meeting of the Public Choice Society, New Orleans, March 6-9, 2013.

Invited discussant. International Conference on “Gender Quotas.” McMaster University, Hamilton, Canada, October 3-5, 2013.

Participant, “Roundtable on Andranik Tangian’s *Mathematical Theory of Democracy*.” Annual Meeting of the Public Choice Society, Charleston, South Carolina, March 6-9, 2014.

Invited discussant, Conference on “Electoral Reform in the United States.” Center on Democracy, Development, and the Rule of Law (CDDRL), Stanford University, March 14-15, 2014.

Invited discussant, Conference on “Public Choice and Democracy.” Department of Economics, University of Rennes, France, May 23, 2014.

Invited Rapporteur: Conference on “Validation.” Institute for Mathematical Behavioral Sciences, University of California, Irvine, February 13-14, 2015.

OTHER CONFERENCE PARTICIPATION (cont.)

Participant, "Roundtable on McLean and Urken (eds) *Classics of Social Choice*." Annual Meeting of the Public Choice Society, San Antonio, Texas, March 12-15.

INVITED COLLOQUIA

- May 13, 2015 Seminar Presentation, "Predicting Coalition Type Solely from Information on Party Constellations." Department of Political Science, University of Munich, Germany.
- May 12-20, 2014 Seminar Presentations, "Behavioral Social Choice." Department of Economics, University of Caen, France.
- April 29, 2014 Seminar Presentation, "Evaluating the Effects of Electoral Rules on Party Competition." Juan March Institute, Juan Carlos III University, Madrid.
- April 7, 2014 Seminar Presentation, "Electoral Rules Favored by Dictators." Department of Economics, University of Malaga, Spain.
- April 10, 2013 Seminar Presentation, "The Nature and Impact of Public Comment on Congressional Redistricting in 2011-12." Straus Institute for Advanced Study in the Law, New York University Law School.
- March 5, 2013 Seminar Presentation, "Voting Rights," Brennan Center for Social Justice, New York University Law School.
- October 17, 2012 Bernard Grofman and Jennifer Garcia. Using Spanish Surname to Estimate Hispanic Voting Population in Voting Rights Litigation: A Bayesian Model of Context Effects. Seminar on Law, Economics and Politics, New York University Law School,
- October 10, 2012 Colloquium, "Electoral Engineering." Departments of Economics and Political Science, Carleton University, Ottawa, Canada.
- July 3, 2012 Annual Hans-Dieter Klingemann Invited Lecture, "Electoral Engineering." Center for the Study of Democracy, Leuphana University, Lüneburg, Germany.
- June 18, 2012 Colloquium, "Is Turnout the Paradox that Killed Rational Choice Theory?" Department of Political Science, University of Zurich, Switzerland; also presented at Leuphana University, Lüneburg, on July 4, 2012.

INVITED COLLOQUIA (cont.)

- June 28, 2011 Colloquium. “French Two Round Electoral Politics: Is There a Model with Bite.” CERAPS, University of Lille, II.
- November 19 2010 Colloquium.. “Confessions of an Eclectic, Puzzle Loving, Reasonable Choice Modeler and Occasional Popcorn Machine.” Department of Political Science, University of Copenhagen, Denmark.
- November 28, 2009 Colloquium, “Models of Turnout” Institute for Governance and Economic Institutions (IRGEI), University of Paris, II
- May, 2008. Series of talks on electoral systems and models of party competition for Economics Ph.D students associated with the Institute for Globalization and Economic Research (IRGEI), University of Paris, II.
- Feb. 5, 2008 Colloquium, “Electoral Systems and the Promotion of Effective Power-Sharing.” Sawyer Seminar Series: Power-Sharing in Deeply Divided Places, Solomon Asch Center for the Study of Ethnic Conflict, University of Pennsylvania.
- May-June 2007 Series of talks on electoral systems and models of party competition for Economics Ph.D. students associated with the Institute for Globalization and Economic Research (IREGEI), University of Paris, II.
- June 4, 2007 Center for Analysis Group in Economic Theory (GATE), University of Lyon, II, June 4, 2007.
- April 6, 2006 Joint colloquium, CSDP (Center for the Study of Democratic Politics) and LAPA (Law and Public Affairs), Princeton University
- March 30, 2006 Political Science Department, Rice University, Houston, Texas.
- July 29, 2004 Research School of Social Sciences, Australian National University Program in Economics & Social Ethics, Canberra, Australia
- May 28, 2003 Department of Political Science, Pompeu Fabra University, Barcelona
- May 26-27, 2003 Department of Economics, Pompeu Fabra University, Barcelona
- May 22, 2003 Department of Economics, Autonomous University of Barcelona
- May 2, 2003 Department of Political Science, University of Southern Denmark
- April 15, 2003 Program in Decision Sciences, Carnegie-Mellon University

INVITED COLLOQUIA (cont.)

Nov. 10, 2002	Guest Professor, Course on Voting Rights at the New York University Law School
Sept. 20, 2002	Department of Economics, University of Tilburg, Netherlands
Sept. 18, 2002	Department of Philosophy, University of Tilburg, Netherlands
Sept. 17-20, 2002	Series of lectures on Public Choice at the University of Tilburg under the auspices of the Dutch National Research Group on Social Science Theory
Sept. 13, 2002	Royal Military College of the Netherlands, Breda
July 9, 2002	Berlin Science Center (Wissenschaft Zentrum)
July 2, 2002	Department of Economics, University of Hamburg, Hamburg, Germany
Oct. 15, 2001	Department of Government, Harvard University
June 14, 2001	Department of Political Science, Nuffield College, Oxford University
June 2, 2001	Department of Political Science, European University Institute, Fiesole, Italy
Dec. 6, 2000	Department of Political Science, University of Houston
Nov. 29, 2000	Department of Political Science, Duke University
May 3, 2000	Department of Political Science, University of California, San Diego
October, 1995	Department of Political Science, University of Houston
October, 1995	Department of Government, Georgetown University
July 27, 1994	Department of Economics, Fern Universität Hagen, Germany
Sept 12-17, 1992	Landsdowne Guest Speaker, Department of Political Science, University of Victoria, Canada
April 17, 1992	Department of Government, Harvard University
Nov 13, 1991	Department of Political Science, University of Calgary, Canada
Nov 7, 1991	Department of Political Science, University of Alberta, Canada
June 25, 1990	Department of Social Psychology, Tokyo University, Japan.

INVITED COLLOQUIA (cont.)

- June 16, 1990 Institute of Legal Studies, Kansai University, Osaka, Japan
- June 13, 1990 Department of Political Science, Kwansei Gakuin University, Nishinomiya, Japan.
- May 6, 1990 Program in Ethics and Public Policy, University of Chicago.
- May 4, 1990 Program in Law and Economics, Columbia University Law School

GRANTS FOR INSTRUCTIONAL DEVELOPMENT, COMPUTER LABS, AND GRADUATE FELLOWSHIP SUPPORT

- 1992-93 Grant from UCI Committee on Instructional Development to develop a new course: "Introduction to Computer Use in the Social Sciences" (\$15,500)
- 1992 Small grant from the National Endowment for the Humanities to attend the NEH Summer Institute on "Athenian Democracy." (\$3,250)
- 1992-94 Grant for graduate student support in Public Choice (Sarah Scaife Foundation, \$50,000, with Amihai Glazer)
- 1993 Grant from the UC Center for German and European Studies, University of California, to develop a new course to be co-taught with Professor Pertti Pesonen (Finnish Academy) on comparative political participation (\$10,000)
- 1994 Grant from the National Science Foundation to develop a computer lab for the technology enhanced teaching of under-graduate statistics (\$55,497, with Judith Treas).
- 1995-99 Grant from the UC President's Office (IAPIF) to develop a long-distance learning course "The United States in Comparative Perspective." (\$17,174, with Arend Lijphart.
- 1997 Grant from Instructional Improvement Fund (UCI Division of Undergraduate Education) to develop "Computer-Based Tutorials, and Self-Grading Homework Assignments for SS10A, Introduction to Statistics" (\$5,000)
- 1999-00 Seed grant from UC Center for German and European Studies for graduate research support (\$3,000)
- 2000 Grant from UCI Division of Undergraduate Education (Hewlett Foundation) for Problem-Based Learning materials for Economics 10C statistics course (\$4,500)
- 2000-01 Seed grant from the UC Center for German and European Studies, University of California, for graduate research support (\$3,000)
- 2004-5 Grant from Institute of European Studies to co-teach a graduate seminar with Prof. Giorgio Freddi (University of Bologna) (\$12,000)
- 2004-5 Grant from University of California, MEXUS Program to supervise doctoral research (\$12,000 to Matthew Barreto)
- 2014-15 Grant from Koch Foundation to fund a lecture at UCI by a distinguished Public Choice scholar (\$5,000)

CURRICULAR MATERIALS (in print)

- (CM1) Grofman, Bernard N. 1979. Note: Mo Fiorina's advice to children and other subordinates. Mathematics Magazine 52(5): 292-297.
- (CM2) Grofman, Bernard N. 1982. Modeling jury verdicts. University Modules in Applied Mathematics.
- (CM3) Grofman, Bernard N. 1982. The pure theory of elevators. Mathematics Magazine, 55(1): 30-37.
- (CM4) Straffin, Philip and Bernard Grofman. 1984. Parliamentary coalitions: A tour of models. Mathematics Magazine 57(5): 259-274.
- (CM5) Grofman, Bernard. 1990. Pig and proletariat: Animal Farm as history, San Jose Studies, 16: 5-39.
- (CM6) Grofman, Bernard and Craig Brians. 1998. Class notes and exercises: computer-based research methods for the social sciences. New York: Longmans.
- (CM7) Grofman, Bernard. 2000. A primer on racial bloc voting analysis. In Nathaniel Persily (ed.) The Real Y2K Problem: Census 2000 Data and Redistricting Technology. New York: The Brennan Center for Justice, New York University School of Law.

COURSES TAUGHT

Elections and Voter Choice
Computer-Based Research Methods in the Social Sciences (SS3A)
Introduction to Public Choice, I and II
The United States in Comparative Perspective
Representation and Redistricting
Elementary Statistics (S10A)
Statistics for Citizen Literacy (SS10B)
Statistics for Public Policy Analysis (SS10C)
The Federalist Papers and the Art of Constitutional Design
Law and Social Science
Models of Collective Decision Making
Introduction to Decision Analysis
Introduction to Research Design
Game Theory Applications in the Social Sciences
Small Group Behavior
Introduction to Mathematical Models in the Social Sciences
Coalition Theory
Political Propaganda and Satire
Comparative Public Policy
Advanced Quantitative Methods in Political Science I
Introductory Graduate Statistics for Political Science, I and II

EDITORIAL BOARDS

1972-82 Manuscript Review Board: Behavioral Science.
 1980-83 American Journal of Political Science
 1983-85 Law and Society Review
 1986-88 Society for Orwellian Studies
 1987-89 American Politics Quarterly
 1989-91 Political Analysis
 1991- Public Choice
 1996-06 Electoral Studies
 1997-01 Journal of Politics
 1999-01 Advisory Board, Encyclopedia of Public Choice
 2001- Election Law Journal
 2001-12 Advisory Board, Rivista Italiana di Politiche Pubbliche (University of Bologna)
 2006-09 Canadian Journal of Political Science
 2008-10 Political Analysis
 2008-11 International Advisory Committee, Centre for Voting and Parties, University of Copenhagen
 2010-12 International Advisory Board, Homo Oeconomicus

OTHER REFEREEING

1975- Occasional referee: American Journal of Political Science; Theory and Decision; Public Choice.
 1976- Occasional referee: Political Methodology; National Science Foundation, Political Science Program.
 1977- Occasional referee; Journal of the American Statistical Association; Social Science Research).
 1978- Occasional referee: Psychological Review; National Science Foundation, Law and Social Sciences Program; Journal of Personality and Social Psychology; European Journal of Social Psychology; Journal of Mathematical Sociology.
 1979- Occasional referee: Social Networks; National Science Foundation, Applied Mathematics Program.
 1980- Occasional referee: Law and Policy Quarterly; National Institute of Mental Health; American Political Science Review, National Science Foundation, Sociology Program; National Science Foundation, Economics Program; Journal of Conflict Resolution; Legislative Studies Quarterly.
 1981- Occasional referee: American Mathematical Monthly, Decision Sciences, Economic Inquiry.
 1982- Occasional referee: Social Science Quarterly; Sociological Methods and Research; Western Political Quarterly (now Political Research Quarterly), Guggenheim Foundation; National Science Foundation, Developmental and Social Psychology Program; National Science Foundation, Decision, Risk and Management Science Program.
 1983- Occasional referee: Journal of Politics, Political Geography Quarterly (now Political Geography).

OTHER REFEREEING (cont.)

- 1984- Occasional referee: National Science Foundation, Information Systems Program; National Science Foundation, Program in Social Measurement and Analysis.
- 1986- Occasional referee: Review of Economic Studies.
- 1987- Occasional referee: British Journal of Political Science, Journal of Political Economy, Comparative Political Studies.
- 1988- Occasional referee: Social Choice and Welfare, Political Analysis, Polity.
- 1989- Occasional referee: National Science Foundation, Program in History and Philosophy of Science; Program in Political Science
- 1991- Occasional referee: Demography.
- 1992- Occasional referee: European Journal of Political Research.
- 1993- Occasional referee: Electoral Studies
- 1994- Occasional referee: Comparative Politics; Cambridge University Press
- 1994- Occasional referee: Urban Affairs Quarterly
- 1996- Occasional referee: Canadian Journal of Political Science
- 1997- Occasional referee: National Science Foundation, Program in Geography
- 1998- Occasional referee: Southeastern Political Review, Social Science History
- 1999- Occasional referee: European Journal of Political Economy
- 2003- Occasional referee, Society for Industrial and Applied Mathematics (SIAM)
- 2004- Occasional referee, Law and Society
- 2005- Occasional referee, European Union Politics, Scandinavian Political Studies
Journal of Law, Economics & Organization
- 2008- Occasional referee, Austrian National Science Foundation
- 2009- Occasional referee, Econometrica
- 2013- Occasional referee, Political Science (New Zealand)

OTHER PROFESSIONAL SERVICE

- Chair, 1982-83, Lippincott Prize Committee for book-length work in political theory, American Political Science Association.
- Section Program Organizer, Panels on "Positive Theory," Annual Meeting of the American Political Science Association, Washington, D.C., August 1984.
- Member, 1985-86, Working Group on Collective Choice Institutions, appointed by the Committee on Basic Research in the Behavioral and Social Sciences, National Research Council.
- Member, Executive Committee, 1986-89, Section on Representation and Electoral Systems, American Political Science Association.
- Chair, 1988-92, George Hallett Book Prize Award Committee, Section on Representation and Electoral Systems, American Political Science Association.
- Section Program Co-organizer, Panels on "Political Organizations," Annual Meeting of the American Political Science Association, Sept. 1990.
- Member, 1990-91, Lasswell Prize Committee, International Society of Political Psychology.
- Member, 1995-96, Carey McWilliam Award for Journalists Committee, American Political Science Association.
- Chair, 1995-96, Richard Fenno Prize Committee, Legislative Studies Section, American Political Science Association.

OTHER PROFESSIONAL SERVICE (cont.)

Member, 1998, Luebbert Book Award Committee, Comparative Politics Section, American Political Science Association.

Member, 2000-2001, Advisory Board, UCLA Center for Governance.

Member, 2001-2002, Comparative Politics Prize Committee, Sage Award for best paper in comparative politics at the American Political Science Association Annual Meeting.

Member, 2002, International Political Science Association Longley Prize Committee, Longley Award for best article published on Representation and Electoral Systems.

External Reviewer, Ten-year review, Department of Political Science, University of Bologna, November 27-29, 2003.

Member, 2007 Program Committee, First World Congress of Public Choice, Amsterdam, March 29-April 1.

Member, 2007 APSA Section on Representation and Electoral Systems, Weaver Award Committee for best paper in Representation and Electoral Systems section.

Member, 2007 APSA Heinz Eulau Award Committee for best paper in Perspectives on Politics

External Reviewer, Ph.D. Thesis of Annelise de Ridder, School of Business, University of Nijmegen, Netherland, May 2007.

External Reviewer, Ph.D. Thesis of Honorine Lescieux-Katir, Department of Economics, University of Paris, II, May 2010.

Member, 2010-11 George Hallett Book Prize Award Committee, Section on Representation and Electoral Systems, American Political Science Association.

Member, 2012 Award Committee, Burdette Prize for Best Paper at the APSA Annual Meeting, American Political Science Association.

External Reviewer, Ph.D. Thesis of Michele Khouri-Hagot, Department of Economics, University of Paris, II, June 2012.

Member, International Advisory Board for the European Parliament 2014 Election Voting Advice Application (VAA) Project, European Union Democracy Observatory, European University Institute

Member, 2014-15 Philip Converse Book Prize Award Committee, Section on Elections, Public Opinion & Voting Behavior, American Political Science Association.

UNIVERSITY SERVICE, SYSTEMWIDE

2010-12 Member, Administrative Advisory Board, University of California Center, Sacramento

UNIVERSITY SERVICE, UCI

1977-79	Member, University Committee on Lectures
1977-79	Faculty Advisor, UCI Chapter, Student Model United Nations
1983-84	Member, University Library Committee
1987-89	Member, University Privilege and Tenure Committee Hearing Panel
1988-89	Member, Tierney Chair Search Committee
1988-91	Member, University Committee on Rules and Jurisdictions
1991-92	Acting Chair, Focused Research Program in Public Choice
1994-96	Member, University Committee on Rules and Jurisdictions
1995-96	Member, Chancellor's Taskforce on Use of Educational Technology
1999-00	Co-Coordinator, Institute of Mathematical Behavioral Sciences, Colloquia
1999-05	Member, Executive Committee, Irvine Institute of Mathematical Behavioral Sciences
2000-01	Reviewer, UC Systemwide Multicampus Research Incentive Fund (MRIF)
2001-02	Member, UCI Search Committee for new Dean of Social Sciences
2002-05	Member, Executive Committee, Center for Decision Analysis

SERVICE TO THE SCHOOL OF SOCIAL SCIENCES, UCI

1978-79	Chair, Program in Politics and Society.
1979-89	Organizer, Program in Politics and Society Colloquium Series (one quarter per year).
1980-81	Special Schoolwide Selection Committee: Distinguished Student Scholars Program.
1981-82	Chair, School of Social Sciences Faculty.
1982-83	Acting Co-Chair, Program in Politics and Society (Spring Quarter).
1983-84	Political Science Graduate Student Adviser.
1988-89	Political Science Graduate Student Advise
1988-89	Chair, Recruitment Committee in Mathematical Political Science.
1988-91	Member, Recruitment Committee in Public Law.
1991-92	Chair, Committee for the Interdisciplinary Graduate Concentration in Public Choice.
1991-93	Member, Joint Recruitment Committee in African-American Studies and Political Science
1992-98	Member, Political Science Graduate Committee
1992-	Member, Committee for the Interdisciplinary Ph.D Concentration in Public Choice
1996-02	Member, Executive Committee, UCI Center for the Study of Democracy
1996-97	Chair, Recruitment Committee for Pacific Rim FTE in Political Science

SERVICE TO THE SCHOOL OF SOCIAL SCIENCES, UCI (cont.)

1997-98	Coordinator, Political Science Graduate Admissions
1998-99	Member, Easton Prize Committee, Department of Political Science
1998-00	Member, Colloquium Committee, Institute for Mathematical Behavioral Science
1998-00	Member, Interdisciplinary Search Committee for positions in Mathematical Behavioral Sciences
1999-01	Member, Search Committee for position in Chicano/Latino Studies
1999-00	Coordinator, Political Science Graduate Admissions
1999-01	Member, School of Social Sciences Executive Committee
2001-02	Member, Interdisciplinary Search Committee for positions in Democratization and Democratic Transitions
2001-02	Member, Interdisciplinary Search Committee for positions in Mathematical Behavioral Science
2001-06	Member, UCI Center for the Study of Democracy Leadership Council
2001-06	Member, Executive Committee, Center for the Study of Democracy
2002-03	Coordinator, Political Science Graduate Admissions
2002-04	Chair, Interdisciplinary Search Committee for position in Democratization and Democratic Transitions
2005-07	Graduate Director, Fellows Program, Center for the Study of Democracy
2005-06	Chair, Search Committee for position in Public Law/Judicial Behavior
2008-12	Director, Center for the Study of Democracy
2011-	Member, Steering Committee, Experimental Social Sciences Laboratory
2014	Member, School External Chair Search Committee for the Department of Political Science

VERY RECENT GRADUATE STUDENT SUPERVISION

Completed Ph.D.s

2010	Chair, Reuben Kline (now Assistant Professor of Political Science, State University of New York, Stony Brook, formerly Max Weber Post-Doctoral Research Fellow, European University Institute)
2011	Member, Honorine Lescieux-Katir, Department of Economics, University of Paris, II
2012	Chair, Fatima Rahman (now Assistant Professor of Political Science, Lake Forest College, Illinois)
2012	External Member, Ph. D. Prospectus Defense, Lorient Jasny (now Post-Doctoral Fellow, University of California, Davis, Department of Environmental Policy and Behavior).
2012	Member, Michele Khoury-Agot, Department of Economics, University of Paris, II

VERY RECENT GRADUATE STUDENT SUPERVISION (cont.)

Completed Ph.D.s (cont.)

2013	Chair, Peter Miller (now Post-Doctoral Research Fellow, Program in Philosophy, Politics and Economics, University of Pennsylvania)
2013	Member, Neilan Chaturvedi, (now Assistant Professor of Political Science Seattle University)
2014	Member, Ryan Shirah, (now Research Analyst, University of Tennessee)
2014	Member, Moon-Young Choi

Doctoral Committee

2013-	Chair, John Cuffe
2013-	Member, Jenny Garcia
2013-	Co-Chair, Eric Mosinger
2014	Member, Andrew Colopy

Other Graduate Supervision

2012	Member, Qualifying Paper review committee, Sierra Powell
2014	Faculty Advisor, Maneesh Arora

Major Redistricting Cases in which Bernard Grofman Has
Participated as an Expert Witness or Court-Appointed Consultant

Consultant to	Case Name	Type
Republican Party of Colorado	<u>Carstens v. Lamm</u> , 543 F. Supp. 68 (D. Colorado, 1982)	Congress: failure of the legislature to act
Special Master, U.S. District Court, Southern District of New York	<u>Flateau v. Anderson</u> , 537 F. Supp. 257 (S.D. New York, 1982)	Congress and both houses of state legislatures: failure of legislature to act; minority voting rights.
Republican Party of Hawaii	<u>Travis v. King</u> , 552 F. Supp. 554; 552 F. Supp. 1200 (D. Hawaii, 1982)	State legislature: equal population
Democratic Party of Rhode Island and subsequently State of Rhode Island	<u>Holmes v. Burns</u> (Super. Ct., R.I. 1982) aff'd, No. 83-149 (R.I. S. Ct, April 10, 1984)	State house: minority vote dilution, compactness, communities of interest
Republican National Committee	<u>Badham v. Eu</u> , 721 F. 2d 1170 (D. Calif. 1983), dismissed for want of a federal claim, cert. denied	Congress: partisan gerrymandering
NAACP Legal Defense Fund	<u>Gingles v. Edmisten</u> , consol. with <u>Pugh v. Brock</u> , 590 F. Supp. 345 (E.D. North Carolina, 1984) heard sub nom. <u>Thornburg v. Gingles</u> , 106 S. Ct. 2752, 478 U.S. 30 (1986)	Multimember districts in the state legislature; Section 2 of the Voting Rights Act
U.S. Department of Justice	<u>South Carolina v. U.S.</u> (D.D.C.), 1984) settled out of court by preclearance of a new plan for South Carolina Senate	State Senate: Section 5 of the Voting Rights Act preclearance denial

Consultant to	Case Name	Type
State of Indiana	<u>Bandemer v. Davis</u> 603 F. Supp. 1479 (1984), (S.D. Indiana, 1983), reversed sub nom <u>Davis v. Bandemer</u> , 106 S. Ct. 2797, 106 U.S. 2797 (1986); initially consol. with <u>Indiana Branches of the NAACP v. Orr</u> 603 F. Supp. 1479 (1984) (S.D. Indiana, 1983)	State legislature: partisan gerrymandering, minority vote dilution
City of Boston	<u>Latino Political Action Committee v. City of Boston</u> , 609 F. Supp. 739 (D. Mass. 1985)	Boston City council: minority vote dilution
U.S. Department of Justice	<u>Ketchum v. Byrne II</u> (D. Illinois 1985), settled by consent decree	Chicago City Council: minority vote dilution
Mexican American Legal Defense and Education Fund	<u>Gomez v. City of Watsonville</u> (D. Calif., 1986), 863 F. 2d 1407 (9th cir. 1988) cert. denied, 109 Sct. 1534 (1989)	Watsonville City Council: Section 2 of the Voting Rights Act
U.S. Department of Justice	<u>U.S. v. City of Los Angeles</u> (D. Calif., 1986), settled out of court by adoption of a new plan for L.A. City Council with an additional majority Hispanic seat	Los Angeles City Council: Section 2 of the Voting Rights Act
NAACP Legal Defense Fund	<u>McGhee v. Granville County</u> , No. 87-29-CIV-5) (E.D. North Carolina 2/5/88); 860 F. 2d 110 (4th circuit 1988)	Granville County Board of Supervisors: Section 2 of the Voting Rights Act
U.S. Department of Justice	<u>Garza v. County of Los Angeles Board of Supervisors</u> 918 F. 2d 763 (9th cir. 1990)	County Board: Section 2 of the Voting Rights Act

Consultant to	Case Name	Type
Republican National Committee	<u>Pope et al. v. Blue et al.</u> 809 F. Supp. 392 (D. N.C, Western District, Charlotte Division, 1992)	Congressional redistricting in North Carolina: 14th Amendment
Republican Party of Wisconsin	<u>Prosser et al. v. Election Board of State of Wisconsin</u> 793 F. Supp. 859 (D.Wisc., 1992)	Wisconsin state legislative redistricting: Section 2 of the Voting Rights Act
State of North Carolina	<u>Republican Party v. Martin</u> 980 F2d 943 (4 th Cir. 1992)	State-wide judicial elections in the State of North Carolina; partisan gerrymandering
Minority plaintiffs	<u>Garcia v. City of Los Angeles</u> , (D. Los Angeles, 1996)	City of Los Angeles Charter Commission: Section 2 of the Voting Rights Act
Republican Party of Wisconsin	<u>Arrington et al. v. Elections Bd. of State of Wisconsin</u> 173 F. Supp. 2d 856 U.S. (D. Wisconsin, 2002)	Wisconsin State legislative districting, Section 2 of the Voting Rights Act
Special Master, U.S. District Court, Southern District of New York	<u>Rodriguez et al. v. Pataki et al.</u> , (S.D. N. Y., 2002)	Congress; failure of legislature to act; minority voting rights.
Special Master, US District Court, Georgia	<u>Larios v. Cox</u> 305 F Supp. 2d 1355 (N.D. GA 2004)	Georgia legislative districts; one person, one vote.
Government Accountability Board of Wisconsin	<u>Baldus et al. v. Government Affairs Board of Wisconsin</u> , Federal District Court, Case No. 11-CV-562 JPS-DPW-RMD. March 22, 2012	Wisconsin legislative districts

RECENT COMMUNITY SERVICE:

Interviewed by David Herszenhosen, New York Times for a study of changes in New York City Community School Boards, November 11, 2003.

Interviewed by Janet Klein for a potential story on redistricting for CBS "60 Minutes," January 15, 2004.

Consulted by staff, Voting Rights Section, U.S., Department of Justice re Section 5 of the VRA remand of *Georgia V. Ashcroft* to the U.S. District Court, January 2004.

Interviewed by Kenneth Jost, Congressional Quarterly for a story on partisan gerrymandering, January 26, 2004.

Discussed redistricting issues with Becky Vlamis, Associate Producer of a radio program on Chicago Public Broadcasting, February 29, 2004.

Participated in CSD-sponsored mini conference at UCI with staff, Netherlands Ministry of the Interior, to discuss proposed reform of the method for electing members of the National Parliament in The Netherlands, May 13, 2004.

Interviewed by Jennifer Dixon, Detroit Free Press, August 29, 2004 for story about term limits.

Discussed issues of redistricting with Director and staff for Democratic Governance (Los Angeles), December 17-18, 2004, August, 2005.

Interviewed by Erik Skindrud for story in Orange County Weekly on the firing of Michael Ramirez and Robert Scheer, November 17, 2005.

Discussed voting rights issues with Anna Pomykala, a consultant to the Ford Foundation, March 7, 2006.

Interviewed by Carolee Walker for article in Washington File on *LULAC v. Perry*, a Texas congressional redistricting case, July 7, 2006.

Informally consulted with a staff member, Robert Charney, of the Ontario Ministry of the Attorney General, on an election law issue involving candidate filing fees, June 15, 2007.

Informally consulted with staff at the Attorney General's office in Alaska regarding bilingual ballot provisions of the VRA, December 13, 2007.

Interviewed by Allen Breed, a national writer with The Associated Press, for a story about the evolution of minority voting patterns and how various groups came to be aligned with a given party, January 3, 2008.

Interviewed by Marvin Lee, a reporter with New University, for a story on Prop 11, the California, redistricting initiative, October 16, 2008.

RECENT COMMUNITY SERVICE (cont.):

Filmed and Interviewed by Jeffrey Reichert for a documentary film covering the 2008 Prop 11 referendum and redistricting methods, February 2009. The film appeared as Gerrymandering the Movie, a documentary briefly playing in movie houses in New York City and elsewhere in Fall 2010. Approximately two minutes of my remarks were incorporated into the movie.

Interviewed by e-mail by Amrit Chang, Once Magazine, for story on voter turnout and election administration, December 2011-January 2012.

Discussed voting rights issues in Los Angeles County with attorney for Mexican-American Legal Defense Fund, March, 2014.