

EXHIBIT C

Declaration of Thomas Brunell, Ph.D.

EXECUTIVE SUMMARY

Early voting is a form a convenience voting in the United States that began as a reform to avoid long lines at the polls and to increase turnout. Unfortunately, the empirical studies looking at early voting and other forms of convenience voting indicate that, if anything, these reforms have a negative impact on voting turnout. This is because people who want to vote will vote. A marginal reduction in the cost of voting does not inspire thousands of would-be non-voters to cast a ballot. Moreover, early voting diminishes the effect of Election Day as a civic event, which causes some folks who intend on voting to procrastinate so long that they forget to vote altogether.

The usefulness of Professor Smith's report is limited by several problems. First, his analysis was done assuming the last Sunday and Monday before the election would not be early voting days. To what extent would his results change after taking into account these two early voting days? The report suffers a fundamental logical flaw – eliminating some early voting days does not mean that all the voters that cast a ballot on those days will not vote. Quite the contrary – people who want to vote will vote - they will do so on a different day. Smith uses data from just one presidential and one midterm election. Further, the data are not for the entire state of Ohio, but limited, in some cases, to just a handful of counties. In order to make reliable generalizations Smith's study needs to be more comprehensive in scope.

Introduction

I am a Professor of Political Science at the University of Texas at Dallas. I received my Ph.D. in Political Science in 1997 from the University of California, Irvine. I have published dozens of articles in peer-reviewed journals including the *American Political Science Review*, *the Journal of Politics*, *Legislative Studies Quarterly*, *Election Law Journal*, among others. I also published a book titled “Representation and Redistricting: Why Competitive Elections are Bad for America.” I have been an expert witness in redistricting and Voting Rights Act related litigation many times over the past 13 years. I have testified in state and federal courts around the country.

I was asked by counsel to read and review the complaint and the expert report prepared by Professor Daniel Smith.

Early voting is a relatively recent phenomenon in the United States. It was implemented to reduce the costs of voting for the American public. By extending the window of time for citizens to vote, one must assume that voting participation has increased in those states that have implemented this reform. Unfortunately, this story is false. The existing political science research in this area (the relationship between early voting days in American elections and voting participation) is clear – early voting does not increase turnout, in fact, if anything it decreases it. Burden et al (2014) is the most recent and comprehensive study of the effect of early voting and same day registration on political participation. They, like most of the other academic studies, find that early voting does not have the anticipated positive

impact on rates of turnout. Indeed, they find that early voting *decreases* turnout. They speculate, and I agree with their argument, that early voting takes away from Election Day as a civic event. Rather than everyone voting on a single Tuesday in November, many folks, including those of us in Texas, get weeks to cast a ballot. By providing an over-abundance of time to vote, there is no exciting culmination of the campaign and it is easy to forget to go to the polls.

Gronke and his colleagues conclude their empirical study with - “There may be good reasons to adopt early voting – more accurate ballot counts, reduced administrative costs and headaches, and increased voter satisfaction – but boosting turnout is not one of them.”

Karp and Banducci find some positive turnout impact on small sub-populations but conclude that “the extent to which overall turnout can be increased is doubtful.”

Giammo and Brox find a short-term increase in turnout, which disappears quickly (within one election). They conclude: “these reforms merely offer additional convenience for those already likely to vote.”

Kousser and Mullin study another form of convenience voting – vote-by-mail and find similar unanticipated results – “we find that voting by mail does not deliver on the promise of greater participation in general elections. In fact, voters who are assigned to vote by mail turn out at lower rates than those who are sent to a polling place.”

The empirical evidence indicates that early voting has the unintended and unanticipated consequence of reducing turnout. The likely culprit is that by

extending Election Day by several weeks, the impact of Election Day as a civic event, as something to get excited about, is diluted. Convenience voting lowers the cost of voting for people who intend on voting - it does not stimulate a rush of non-voters to the polls.

Another concern about early voting is that the election campaign is still ongoing weeks after some folks vote. It is possible that additional information revealed in the latter stages of the campaign could affect the vote choice of some voters. Early voting increases the chance and likelihood that more voters may experience a form of "buyer's regret." They cast a ballot during the early voting period, but by the time Election Day rolls around they wish they could vote for a different candidate.

Turning to some specifics in Professor Smith's report - there is a major logical problem with his analyses - he looks at the distribution of votes cast in Ohio on specific dates in recent elections. He tries to estimate the proportion of these early votes cast by whites and blacks. Smith then looks at the dates that were early-voting-eligible in the past several elections, but will not be in future elections. The reader is supposed to draw the conclusion that since the estimates have a higher proportion of black voters casting ballots on these days than whites, that this will be detrimental to black voters.¹ For instance on page 11 of the Smith report he writes: "In sum, over 28% of all EIP absentee votes - more than 9,600 - were cast during the Golden Week and the final Sunday and Monday of early voting period, days that would be eliminated by SB 238 and Directive 2014-06 had they been in effect in the

¹ I should note that Smith analyzes black voters, so the excluded group all of his comparisons are to are non-blacks (i.e. whites, Asians, Hispanics, and others).

2010 General Election.”² Would all of these 9,600 voters really not have voted at all? Of course not. In fact, in all likelihood nearly all of these people would still cast a ballot. Early voting makes it more convenient for voters to vote. By taking away some days of early voting, voters will adapt and show up on another early voting day. People who want to vote will pay the costs of voting. These costs are usually quite low –register to vote and then cast a ballot (go to polls, send in absentee ballot, etc). Routine voters like convenience vote inasmuch as early voting makes casting a ballot easier. However, early voting is not the panacea for low turnout – people who are not interested in voting are not going to become interested in voting just because it is marginally easier to cast a vote.

Smith also tries to generalize his findings from very limited data. First, he only analyzes 84 of the 88 Ohio counties for the 2012 election, and only five counties in the 2010 election. Why only use data from part of the state? This is a statewide policy and the data from the whole state ought be used. The 2012 election had President Obama running for reelection, so one might reasonably expect black voter turnout to be higher than average. Some of the homogeneous precinct analysis uses those census blocks that are 100 percent black or white, though later Smith uses blocks that are 90 percent black or white – there was no indication why he would switch from one standard to another for different tests. Homogeneous precinct analysis is very common in redistricting litigation when the ecological inference question has to do with vote choice (which candidate did blacks support versus which candidate did whites support?), however I have not seen it used to answer

² It is important to reiterate that the final Sunday and Monday have been restored as early voting days, so this is factually incorrect.

the question of method of voting. So it is possible that there is an underlying bias in the data in which folks residing in homogeneous census blocks may act differently than people of the same race living in more integrated blocks. It would not be hard to imagine that inner-city residents may vote at higher rates at early polling locations compared to suburban dwellers. All of these inconsistencies make the report hard to follow and call into question the usefulness of the report. Making broad generalizations about early voting in Ohio requires a more careful, comprehensive and systematic analysis of the data.

Another data issue is that Smith uses data at the census block level rather than aggregating up to the precinct level. While there may be some advantages to this, there are problems as well particularly since he uses percentages and some census blocks have just a handful of people in them. This makes his scatterplots difficult to discern patterns in the data with over 300,000 data-points on these graphs (see Figures 1 and 2). It is important to note that census blocks are small – the average total voting age population over the 365,344 blocks is just 24 people.

Another potential problem Smith is related to the exact day in which a ballot is cast. It is unclear how Boards of Election (BOE) across the state deal with reporting the date a ballot is cast. Does each BOE record and report the exact day that the ballot was brought in? Or do some BOE's wait till the end of the week and report them as a batch?

Some of Smith's results do not have enough information reported to understand the effects of black population on EIP voting. For instance, in his scatterplots (like Figure 7 and 8), it is standard operating procedure to report the

coefficient from the regression and he does not do this. The coefficient is easily interpreted and helps provide an understanding about the relationship between the two variables (in this case Black VAP and EIP voting rate). We can “ballpark” some of these estimates by eyeballing the figures. In Figure 8, it is clear that the relationship is extraordinarily modest. The x-axis (the horizontal axis) ranges from census blocks with zero blacks on the left, to blocks that are 100 percent black on the right. So accounting for the whole range of census blocks (zero percent blacks to 100 percent blacks) the increase in EIP voting is roughly two percentage points. So for every 1 percent increase in black population in a census block we can expect the EIP voting rate to increase around 0.02 percent. Another issue with the analyses in Figures 8 and 9 is that I do not think that Smith weights these results by turnout. This could introduce bias to the results since census blocks with just a few people may be being counted equally to blocks several times larger.

Smith indicates in footnote 1 that his analysis was conducted before the state included the Sunday and Monday prior to Election Day back in as early voting days. Given that no amended report has been filed it is very difficult to discern the extent to which these changes affect Smith’s results and conclusions. For instance in Figure 9, the biggest differences in daily EIP rates between black and white blocks occur at the end of the time period (i.e. just before Election Day). Now that the final Sunday and Monday have been restored as early voting days are there significant

differences remaining? It is difficult to say - this further limits the utility of Smith's report.³

Lastly, I wanted to point out some larger trends in terms of voting participation by blacks. I have compiled data from the Census Bureau on black population and voting rates from the last three presidential elections (Table 1). There are three important points. First, blacks in Ohio vote at higher rates compared to blacks nationwide. Second, the proportion of blacks voting has increased in each of these elections. Third, black participation has increased at a faster rate in the U.S. compared to Ohio. So it is hard to attribute high black turnout in Ohio to early in-person voting or same day registration.

Table 1. Black Population, Voting Registration, and Voting Rates for the 2004, 2008, and 2012 U.S. Elections (in thousands).

| Year | Geography | Black VAP | Black Registered | Black Voted | Percent Voted |
|------|-----------|-----------|------------------|-------------|---------------|
| 2004 | US | 25,510 | 16,408 | 14,324 | 56.1% |
| 2004 | Ohio | 923 | 648 | 603 | 65.3% |
| | | | | | |
| 2008 | US | 27,483 | 17,960 | 16,674 | 60.7% |
| 2008 | Ohio | 968 | 720 | 665 | 68.7% |
| | | | | | |
| 2012 | US | 30,043 | 20,557 | 18,558 | 61.8% |
| 2012 | Ohio | 1,088 | 773 | 742 | 68.2% |

*Source: <http://www.census.gov/hhes/www/socdemo/voting/publications/p20/>

Finally, it bears pointing out that Ohio is one of just a handful of U.S. states that declares part of Election Day as a holiday. Since 1953, Ohio has declared the

³ I also note that in the complaint there are arguments with respect to evening hours being eliminated (see page 15) but no empirical evidence is presented in Smith's report on this point.

hours of noon to 5:30 pm on Election Day to be a holiday.⁴ This fact, combined with the several weeks of early in-person voting makes the claim that Ohio has burdensome restrictions on voting a tough pill to swallow.

⁴ Ohio General Provisions 5.20

References

Burden, Barry C., David T. Canon, Kenneth R. Mayer, and Donald P. Moynihan. 2014. "Election Law, Mobilization, and Turnout." *The Unanticipated Consequences of Election Reform.* *American Journal of Political Science* 58(1): 95-109,

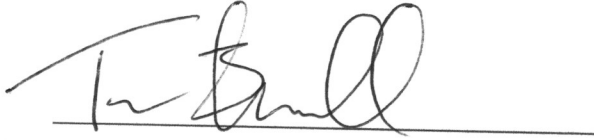
Giammo, Joseph D. and Brian J. Brox. 2010. "Reducing the Costs of Participation. Are States Getting a Return on Early Voting?" *Political Research Quarterly* 63(2): 295-303.

Gronke, Paul, Eva Galanes-Rosenbaum, and Peter A. Miller. 2007. "Early Voting and Turnout." *PS: Political Science & Politics* 40(4): 639-645.

Karp, Jeffrey A. and Susan A. Banducci. 2001. "Absentee Voting, Mobilization, and Participation." *American Politics Research* 29(2): 183-195.

Kousser, Thad and Megan Mullin. 2007. "Does Voting by Mail Increase Participation? Using Matching to Analyze a Natural Experiment." *Political Analysis* 15(4): 428-445.

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A handwritten signature in black ink, appearing to read "Tom Brunell", is written over a solid horizontal line.

Thomas Brunell

Thomas L. Brunell
Professor of Political Science
School of Economic, Political and Policy Sciences
The University of Texas at Dallas
800 W. Campbell Road
Richardson, TX 75080
972-883-4963
tbrunell@utdallas.edu

Education

Ph.D., 1997 Political Science, University of California, Irvine
M.A., 1993 Political Science, University of California, Irvine
B.A., 1991 Political Science, University of California, Irvine

Employment History

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

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

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

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

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

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

American Political Science Association Congressional Fellow, 1998–1999.

Grants and Awards

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

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

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

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

American Political Science Association Congressional Fellowship, 1998–99

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

University of California Regents Dissertation Fellowship, Spring 1997.

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

Books

Brunell, Thomas L. 2008. *Redistricting and Representation: Why Competitive Elections are Bad for America*. New York: Routledge.

Journal Articles

Stone Sweet, Alec and Thomas L. Brunell. 2013. "Trustee Courts and the Judicialization of International Regimes: The Politics of Majoritarian Activism in the European Convention on Human Rights, the European Union, and the World Trade Organization." *Journal of Law and Courts* 1(1): 61- 88.

Brunell, Thomas L. 2012. "The One Person, One Vote Standard in Redistricting: The Uses and Abuses of Population Deviations in Legislative Redistricting." *Case Western Reserve Law Review* 62(4): 1057- 1077.

Grofman, Bernard, Thomas L. Brunell, and Scott L. Feld. 2012. "Towards a Theory of Bicameralism: The Neglected Contributions of the Calculus of Consent." *Public Choice* 152(1-2): 147-161.

Brunell, Thomas L., Bernard Grofman, Samuel Merrill III. 2012. "Magnitude and Durability of Electoral Change: Identifying Critical Elections in the U.S. Congress, 1854-2010." *Electoral Studies* 31(4): 816-828.

Stone Sweet, Alec and Thomas L. Brunell. 2012. "The European Court of Justice, State Non-Compliance, and the Politics of Override." *American Political Science Review* 106(1): 204-213.

Brunell, Thomas L. and Harold Clarke. 2012. "Who Wants Electoral Competition and Who Wants to Win?" *Political Research Quarterly* 65(1): 124-137.

Merrill, Samuel, Bernard Grofman, and Thomas L. Brunell. 2011. "Do British Politics Exhibit Electoral Cycles?" *British Journal of Political Science* 41(1): 33-55.

Smith, David and Thomas L. Brunell. 2010. "Are Special Elections to the U.S. House a General Election Barometer?" *Legislative Studies Quarterly* 35(2): 283-297.

Lublin, David, Thomas L. Brunell, Bernard Grofman, and Lisa Handley. 2009. "Has the Voting Rights Act Outlived Its Usefulness? In a Word 'No'." *Legislative Studies Quarterly* 34(4): 525-554.

Adams, James, Thomas Brunell, Bernard Grofman, and Samuel Merrill, III. 2010. "Why Candidate Divergence Should be Expected to be Just as Great (or even Greater) in

Competitive Seats as in Non-Competitive Ones.” *Public Choice* 145: 417-433.

Brunell, Thomas L., Chetan Dave, and Nicholas C. Morgan. 2009. “Factors Affecting the Length of Time a Jury Deliberates: Case Characteristics and Jury Composition.” *Review of Law & Economics*, 5(1): article 23.

Brunell, Thomas L. and Justin Buchler. 2009. “Ideological Representation and Competitive Congressional Elections.” *Electoral Studies* 28(3): 448-457.

Brunell, Thomas L. and Bernard Grofman. 2009. “Testing Since Versus Strategic Split-ticket Voting at the Aggregate Level: Evidence from Split House-President Outcomes, 1900-2004.” *Electoral Studies*, 28(1): 62-69.

Brunell, Thomas L., Christopher J. Anderson, and Rachel Cremona. 2008 “Descriptive Representation, District Demography, and Attitudes Toward Congress Among African Americans.” *Legislative Studies Quarterly*. 33(2): 223-244.

Merrill, Samuel, Bernard Grofman, and Thomas L. Brunell. 2008. “Cycles in American National Electoral Politics, 1854-2006: Statistical Evidence and an Explanatory Model.” *American Political Science Review*, 102(1) 1-17.

Thomas L. Brunell. 2006. What to Do about Turnout Bias in American Elections? *The American Review of Politics*, 27(Fall): 255-260.

Brunell, Thomas L. 2006. “Rethinking Redistricting: How Drawing Uncompetitive Districts Eliminates Gerrymanders, Enhances Representation, and Improves Attitudes Toward Congress.” *PS: Political Science & Politics*, 39(1) 77-86.

Brunell, Thomas L. 2005. “The Relationship Between Political Parties and Interest Groups: Explaining Patterns of PAC Contributions to Candidates for the U.S. Congress.” *Political Research Quarterly*, 58: 681-688.

Solowiej, Lisa, and Wendy Martinek, and Thomas L. Brunell. 2005. “Partisan Politics: The Impact of Party in the Confirmation of Minority and Female Federal Court Nominees.” *Party Politics*, 11: 557-577.

Brunell, Thomas L. and John DiNardo. 2004. “A Propensity Score Reweighting Approach to Estimating the Partisan Effects of Full Turnout in American Presidential Elections.” *Political Analysis* 12(1): 28-45.

Solowiej, Lisa and Thomas L. Brunell. 2003. “The Entrance of Women to the U.S. Congress: The Widow Effect.” *Political Research Quarterly* 56(3): 283-292.

Brunell, Thomas L. 2001. “Why There is Still a Controversy About Adjusting the Census.” *PS: Political Science & Politics*, 35(1, March): 85.

Brunell, Thomas L. 2001. "Census 2000 – Epilogue." *PS: Political Science & Politics*, 34(4, December): 813-814.

Brunell, Thomas L. 2001. "Science and Politics in the Census." *SOCIETY* 39(1): 11-16.

Brunell, Thomas L. and Amihai Glazer. 2001. "Rational Response to Irrational Attitudes: The Level of the Gasoline Tax in the U.S. States." *The Journal of Policy Analysis and Management* 20(4): 761-764.

Brunell, Thomas L. 2000. "Redistricting in the 'Aughts': The Impact of Census 2000." *The American Review of Politics* 21(Winter): 347-366.

Grofman, Bernard, William Koetzle, Samuel Merrill, and Thomas L. Brunell. 2001. "Changes in the Location of the Median Voter in the U.S. House of Representatives, 1963-1996." *Public Choice* 106:221-232.

Brunell, Thomas L. 2000. "Using Statistical Sampling to Estimate the U.S. Population: The Methodological and Political Debate Over Census 2000." *PS: Political Science & Politics*. 33(4, December): 775-782.

Brunell, Thomas L. 2000. "Rejoinder to Anderson and Fienberg." *PS: Political Science & Politics*. 33(4, December): 793-794.

Brunell, Thomas L. 2000. "Making Sense of the Census: It's Political." *PS: Political Science & Politics*. 33(4, December): 801-802.

Stone Sweet, Alec and Thomas L. Brunell. 2000. "The European Court, National Judges, and Legal Integration: A Researcher's Guide to the Data Set on Preliminary References in EC Law, 1958–98." *European Law Journal* 6(2): 117 - 127.

Stone Sweet, Alec and Thomas L. Brunell. 2000. "The European Court, National Judges, and Legal Integration." *Swedish Journal of European Law* 3(2):179–192.

Grofman, Bernard, William Koetzle, Michael McDonald, and Thomas L. Brunell. 2000. "A New Look at Split Ticket Outcomes for House and President: The Comparative Midpoints Model." *Journal of Politics* 62(1, February): 35-50.

Brunell, Thomas L. and William Koetzle. 1999. "A Divided Government Based Explanation for the Decline in Resignations from the U.S. Senate, 1834-1996." *Party Politics* 5(October, 4): 497-505.

Brunell, Thomas L. 1999. "Partisan Bias in U.S. Congressional Elections. Why the Senate is Usually More Republican than the House of Representatives." *American Politics Quarterly* 27(July,3): 316-37.

Grofman, Bernard, Samuel Merrill, Thomas L. Brunell, and William Koetzle. 1999. "The

potential electoral disadvantages of a catch-all party - Ideological variance among Republicans and Democrats in the 50 U.S. States.” *Party Politics* 5(April,2):199-210.

Brunell, Thomas L., William Koetzle, John DiNardo, Bernard Grofman, and Scott L. Feld. 1999. “The $R^2 = .93$. Where Then Do They Differ? Comparing Liberal and Conservative Interest Group Ratings.” *Legislative Studies Quarterly* 24(February,1): 87-99.

Merrill, Samuel, Bernard Grofman, Thomas L. Brunell, and William Koetzle. 1999. “The power of ideologically concentrated minorities.” *Journal of Theoretical Politics* 11(January,1):57-74.

Brunell, Thomas L. and Bernard Grofman. 1998. “Explaining Divided Senate Delegations 1788-1996: A Realignment Approach.” *American Political Science Review* 92(June,2): 391-99.

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

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

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

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

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

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

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

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

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

Book Chapters and Other Articles

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

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

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

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

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

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

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

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

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

Grofman, Bernard and Thomas L. Brunell. 2001. "Explaining the Ideological Differences Between the Two U.S. Senators Elected from the Same State: An Institutional Effects

Model.” Galderisi, Peter F., Marni Ezra, and Michael Lyons, eds. *Congressional Primaries and the Politics of Representation*. Lanham, MD: Rowman and Littlefield Press.

Other Publications and Community Involvement

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

Newsweek story on special elections

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

Nate Silver story on special elections, NY Times

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

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

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

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

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

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

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

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

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

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

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

Quoted in Pittsburgh Tribune Review on Thursday March 27 about jury deliberations.

http://www.pittsburghlive.com/x/pittsburghtrib/news/cityregion/s_559258.html

Quoted in Philadelphia Inquirer on Wednesday April 2 about jury deliberations.

<http://www.philly.com/philly/news/local/17215627.html>

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Invited Talks

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

Why Electoral Competition is Bad for America
Political Science Department at Duke University. February 10, 2009.

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

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

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

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

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

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

Conference Activity

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

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

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

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

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

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

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

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

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

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

“The Impact of Primary Type on Competitiveness of U.S. Congressional Primary

Elections.” Presented at the Annual Meeting of the American Political Science Association, Chicago, IL, September 1-5, 2004.

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

“Do National Tides Affect Governors?: Midterm Loss in Gubernatorial Elections .” With Robin Best, presented at The Annual Meeting of the Midwestern Political Science Association, Chicago, IL, April 14-17, 2004.

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

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

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

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

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

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

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

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

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

“Rethinking the Link Between District Diversity and Electoral Competitiveness.”

Presented at the 1997 Annual Meeting of the American Political Science Association, Washington D.C, August 28-31.

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

“Explaining the Ideological Differences Between the Two U.S. Senators Elected from the Same State: An Institutional Effects Model,” with Bernard Grofman. Presented at the 1997 Annual Meeting of the Public Choice Society, San Francisco, March 21-23.

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

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

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

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

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

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

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

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

Teaching Experience

Introduction to U.S. and Texas Government
Political Parties and Interest Groups

American Political Institutions
Race and Redistricting
Congress
Campaigns and Elections
Statistics
Computer Based Research in Social Science
Graduate seminar in American Politics
Graduate seminar in Electoral Systems
Graduate seminar in American Political Institutions
Graduate seminar in Comparative Institutions
Graduate seminar in Election Law and Electoral Systems

Service & Professional Activities

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

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

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

2006 American Politics search committee, UT Dallas.

2003-2005 Faculty Senate, Northern Arizona University.

2000-2001 Faculty Senate, Binghamton University.

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

2000-2001 American Politics Search Committee, Binghamton University.

1999-2000 American Politics Search Committee, Binghamton University.

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

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

Ph.D Students

finished

Paul Collins, faculty at University of North Texas
DeWayne Lucas, faculty at Hobart and William Smith Colleges
Marcus Allen, faculty at Wheaton College
Billy Monroe, faculty at Stephen F. Austin State College
Amy Gould, faculty at Evergreen State College
Walt Borges, faculty at UNT Dallas
David Smith, faculty at Texas A&M University, Corpus Christi

Redistricting and Litigation Experience

Expert Witness, Texas Congressional, 2001, testified in state court
Expert Witness, Pennsylvania Congressional, 2002, testified in state and federal court
Expert Witness, Alabama Congressional, 2002, testified in federal court
Expert Witness, Alaska State Legislative, 2002 testified in state court
Expert Witness (wrote a report but did not testify), Virginia State Legislative, 2001
Expert Witness, Nevada State Legislative (Guy v. Miller), 2011 testified in state court
Expert Witness, New Mexico State Legislative (Egolf v. Duran), 2011 testified in state court
Expert Witness, Colorado Congressional (Moreno v. Gessler), 2011
Expert Witness, South Carolina Congressional (Backus v. South Carolina), 2012 testified in federal court
Expert Witness, North Carolina Congressional and Legislative (Dickson v. Rucho), 2012
Expert Witness, Alabama Legislative (ALBC v. Alabama), 2013 testified in federal court

References

Bernard Grofman
Jack W. Peltason Endowed Chair
University of California, Irvine
Department of Political Science
3151 Social Science Plaza
Irvine CA 92697-5100
949-824-6394
bgrofman@uci.edu

James Marquart, Vice Provost
School of Economic, Political and Policy Sciences
University of Texas at Dallas
800 W. Campbell Road, GR31
Richardson, TX 75080
(972) 883-4948
marquart@utdallas.edu

Michael McDonald
Professor of Political Science
Director of the Center on Democratic Performance
Department of Political Science
Binghamton University
Binghamton, NY 13902-6000
Voice: (607) 777-4563 & (607) 625-4167
mdmcd@binghamton.edu

Robert Lowry
Professor of Political Science
Chair of Political Science Program
University of Texas at Dallas
800 W. Campbell Road
Richardson, TX 75080
972-883-6720
robert.lowry@utdallas.edu